



**THIRD ASSEMBLY – (FOURTH SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, MARCH 4, 2025 AT 2.30PM**

1. The Assembly assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.

**QUORUM OF THE ASSEMBLY**

The Speaker having confirmed that there was no Quorum at the commencement of the Assembly caused the bell to rung for 10 minutes. At the expiry of 10 minutes and having confirmed that there was quorum, the Speaker called the Assembly to order.

**3. PAPERS**

The following papers were laid on the Table of the Assembly: -

**I. THE REPORT OF THE SECTORAL COMMITTEE ON CULTURE AND COMMUNITY SERVICES ON CONSIDERATION OF THE NAIROBI CITY COUNTY CIVIC EDUCATION BILL, 2025.**

(Laid by Hon. Anthony Maragu, MCA on behalf of Culture Chairperson)

**II. THE REPORT OF THE SECTORAL COMMITTEE ON CULTURE AND COMMUNITY SERVICES ON CONSIDERATION OF THE PETITION BY THE RESIDENTS OF GOROFANI ESTATE.**

(Laid by Hon. Anthony Maragu, MCA on behalf of Culture Chairperson)

**III. THE REPORT OF THE SECTORAL COMMITTEE ON TRADE, TOURISM AND COOPERATIVES ON CONSIDERATION OF THE BETTING AND LOTTERIES BILL, 2023.**

(Laid by Hon. Paul Ndungu, MCA Trade Chairperson)

**IV. THE REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON NAIROBI CITY COUNTY ANNUAL DEVELOPMENT PLAN FY 2025/2026.**

(Laid by Hon. Emily Oduor, MCA on behalf of Budget Chairperson)

**V. THE REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON PUBLIC PARTICIPATION ON NAIROBI CITY COUNTY ANNUAL DEVELOPMENT PLAN FY 2025/2026.**

(Laid by Hon. Emily Oduor, MCA on behalf of Budget Chairperson)

**VI. THE NAIROBI CITY COUNTY FISCAL STRATEGY PAPER (CFSP) FY 2025/2026.**

(Hon. Emily Oduor, MCA)

**VII. THE REPORT OF THE SECTORAL COMMITTEE ON LABOUR AND SOCIAL WELFARE ON CONSIDERATION OF THE PETITION BY MS. ELIZABETH WANJIRU REGARDING UNLAWFUL DISMISSAL BY NAIROBI WATER AND SEWARGE COMPANY.**

(Laid by on. Allan Maina, MCA Labour Chairperson)

**4. NOTICE OF MOTION - THE REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON NAIROBI CITY COUNTY ANNUAL DEVELOPMENT PLAN FY 2025/2026, laid on the table of the Assembly, Tuesday 4<sup>th</sup> March 2025**

*(Chairperson, Sectoral Committee on Labour and Social Welfare)*

**5. NOTICE OF MOTION - DEVELOPMENT OF PUBLIC/STREET LIGHT MANAGEMENT POLICY**

**THAT**, aware that Article 29 of the Constitution of Kenya, 2010 grants every citizen a right to freedom and security; **further aware** that paragraph 5 of Part Two of the Fourth Schedule to the Constitution provides for street lighting as a function of the County Government; noting that in recent months we have witnessed a marked increase in incidences of insecurity

across the Country and more so in Nairobi City County; concerned that most of the streets, public social areas, public parks, and markets in the County are in darkness due to lack of lighting, which has contributed to an increase in criminal activities within the County as evidenced by muggings and other violent crimes; further concerned that most of the installed high mast lights and public/street lights in most parts of the County have been stolen and/or vandalized, leaving the County in darkness for a long period of time due to poor and/or slow repair and maintenance of the public/street lights; noting that for the County to realize a 24 hour economy, security for business people and residents is indispensable; this Assembly urges the County Executive to formulate a policy to provide for a legal framework for management of public/street lights in the streets, public social areas, public parks, County public roads and markets in the County.

*(Hon. Waithera Chege, MCA)*

**6. NOTICE OF MOTION – RESTORATION OF PUBLIC INFRASTRUCTURE DAMAGED BY PUBLIC AND PUBLIC CONSTRUCTION WORKS**

**THAT**, aware that paragraph 5 (a) of Part II of the Constitution of Kenya provides for County Roads as a function of County Governments and that Paragraph 18 of Part II provides for National roads as a function of National Government; **Further aware** that Section 50 of the Kenya Roads Act,2007 provides that the owner of a vehicle is liable for damages on a road by reason of vehicle passing over it in contravention of rules made by the relevant authority under the Act; Noting that Section 41 (8) of the Nairobi City County Transport Act,2020 requires that utility companies that have been granted permission to carry out works shall ensure that the road and its facilities are reinstated to appropriate standards; cognizant that construction companies carrying out projects on real estate, roads and other sites are bound to use heavy equipment and machinery that use public roads and other public facilities; **further cognizant** that in executive their works, the mobility of these heavy equipment and machinery cause damage to public roads near the sites since their tonnage may be higher than the roads may tolerate; deeply concerned that the resulting poor condition of the road riddled with deep potholes and stagnant water cause profound inconvenience to other road

users and accelerated wear and tear to vehicles of reasonable sizes, further, the ambition to reduce time spent on the road during movement of goods and services becomes greatly hampered; further concerned that should this trend be left to persist and National and County regulations unenforced in light of many construction works that are ongoing in the County, many roads that the County and National Governments have spent resources to construct will be left impassible forcing the allocation of fresh resources for their repair and maintenance. Now therefore, in order to curb public infrastructure, especially roads, the Assembly urges the County Executive Committee Member to urgently formulate and submit Regulations to Nairobi City County Transport Act, 2020 to provide for procedures, rules, offenses and sanctions on damage to public infrastructure in the course of any public or private construction works.

*(Hon. Antony Maragu, MCA)*

**7. NOTICE OF MOTION – GUIDELINES FROM REGISTERING AND ISSUANCE OF EFFECTIVE NUMBER PLATES FOR ALL WHEELBARROWS, RICKSHAWA, HANDCRAFTS, ANIMAL DRAWN CARTS, LAGGAGE TROLLEYS AND TRICYCLES IN THE COUNTY**

**AWARE** Article 39 (1) of the Constitution of Kenya 2010, grants every person the right to freedom of movement; **FURTHER AWARE** that paragraph 5 (c) of Part 2 of the Fourth Schedule of the same constitution provides for County Transport, including but not limited to; traffic, parking, public road transport as a devolved County function; **ACKNOWLEDGING** the existence of the National Transport and Safety Authority Act, 2012, which establishes the Authority (NTSA) with one of its function being to advise and make recommendations to the Cabinet Secretary on matters relating to road transport and safety; **FURTHER ACKNOWLEDGING** that Section 67 of the Nairobi City County Transport Act, 2020 compels the County Executive Committee Member in charge of transport to make guidelines for non-motorized transport which shall provide for design and provision of among others, safe movement of rickshaws and handcarts; **NOTING** that non-motorized means of transport such as; walking, use of wheelbarrows,

handcarts, animal drawn carts, luggage trolleys, bicycles, tricycles, wheel chairs, skate boards and strollers which according to UN Environmental Program is used by 45% of the population in the County; **DEEPLY CONCERNED** that the rise in use of non-motorized means of transport has led to congestion in the city, with handcarts and trolleys being the lead cause of accidents resulting from high disregard to lane discipline by users and use reflective jackets; **DISTURBED** that most non-motorized operators being road users, lacks suitable road safety knowledge and insurance cover in an event of an accident; **NOWHEREFORE** this Assembly **RESOLVES** that the County Executive engages the National Safety Authority (NTSA) towards;-

- i) Developing guidelines for registering and issuance of **reflective number plates** for all **wheelbarrows, rickshaws, handcarts, animal drawn carts, luggage trolleys and tricycles** in the County;
- ii) Ensuring all operators possess operating badge with registered numbers and equipped with reflective jackets; and,
- iii) Granting a 6-month notice upon the operationalization of the non-motorized registrations guidelines for compliance for enforcement.

*(Hon. Robert Alai, MCA)*

## **9. NOTICE OF MOTION – RENAMING OF JUJA ROAD TO LEONARD MAMBO MBOTELA ROAD**

**AWARE** that Article 186 (1) of the Constitution of Kenya 2010, and Paragraph 5 of the Fourth Schedule of the same Constitution provide for transport including County roads, street lighting, public road transport traffic, and parking as a devolved county function; **FURTHER AWARE** that the Country has since independence named and renamed roads and other public facilities in honor of heroes and heroines who have contributed immensely in the society as a way of honoring them; **APPRECIATING** the late Leonard Mambo Mbotela, who was a distinguished Kenyan journalist, broadcaster, and patriot and who made indelible contributions to the nation through his dedicated service and unwavering commitment to public communication; **RECOGNIZING** his iconic radio and television programs,

particularly "Je, Huu ni Ungwana?" and his coverage of national events, played a pivotal role in shaping Kenyan culture, promoting civic responsibility, and fostering national unity; **ACKNOWLEDGING** that his courage and selfless efforts during the 1982 attempted coup, where he risked his life to broadcast messages of peace and stability, demonstrated his unwavering dedication to the nation's well-being, earning respect and admiration; **APPRECIATING** that by renaming of a prominent road in Nairobi would serve as a fitting tribute to his enduring legacy and ensure that his contributions are remembered and celebrated by future generations; **COGNIZANT** that Juja Road, being a major artery in Nairobi, offers a significant opportunity to publicly recognize and honor Leonard Mambo Mbotela's contributions to the nation; this **ASSEMBLY THEREFORE URGES** the County Executive to initiate the process of renaming Juja Road to Leonard Mambo Mbotela Road, in honor of the late Leonard Mambo Mbotela, EGH, in recognition of his exceptional service to the Republic of Kenya.

*(Hon. Joseph Ndungu, MCA)*

**8. NOTICE OF MOTION – DIGITAL PLATFORMS FOR REGISTRATION, VETTING AND LINKING ARTISANS TO CLIENTELE WITHIN THE COUNTY**

*(Motion Deferred)*

**9. STATEMENTS**

Pursuant to Standing Order 47 (2) (c) the following statements was requested:

- i. The Hon. Sospeter Mumbi, MCA requested a Statement from the Chairperson of the Sectoral Committee on Culture and Community Services regarding the noise pollution in the County and specifically parts of Ridgeways, Mirema, Garden Estate along Northern Bypass within Roysambu Ward. (Response due in 2 weeks)

And the time being ten minutes Past Four O' clock the Speaker adjourned the Assembly due to lack of quorum without Question put pursuant to the Standing Orders.

**10. ASSEMBLY ROSE** - \_\_\_\_\_ at four minutes past four O'clock.

**MEMORANDUM**

The Speaker will take the Chair on  
Wednesday, March 5<sup>th</sup>, 2025 at 2.30 p.m