



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Sixth Session

Thursday 10<sup>th</sup> February 2022

The House met at 2.30 p.m.

*[Hon. Temporary Deputy Speaker (Ms June Ndegwa) in the Chair]*

PRAYERS

**QUORUM**

**Hon. Temporary Deputy Speaker:** Do we have quorum? Sergeant- at- Arms, kindly ring the bell for ten minutes.

*(Quorum bell was rung)*

Time is 2:40 p.m., so ring it to about 2:50 p.m. Clerk, confirm if we have quorum?

*(The Clerk-at-the-Table confirmed there was quorum)*

Proceed!

**PAPERS**

**Hon. Temporary Deputy Speaker:** Majority Leader?

**Hon. Peter Wanyoike:** Thank you Madam Speaker. Pursuant to Standing Order 131 (4), I beg to lay the following Paper on the Table of the Assembly today Thursday 10<sup>th</sup> February 2022: The 37<sup>th</sup> report of the sectoral committee on County Finance Budget and Appropriations on the Nairobi City County Finance Bill 2021. I beg to lay

*(The Paper was laid on the Table of the Assembly)*

**Hon. Temporary Deputy Speaker:** Clerk!

**STATEMENTS**

REQUEST FOR STATEMENT REGARDING PENDING COMPENSATION OF LAND PARCEL NUMBER 11379/3 (BLOCK 107) KNOWN AS UMOJA II, LEASED AND OCCUPIED BY THE COUNTY GOVERNMENT OF NAIROBI FROM KIAMBU DANDORA FARMERS COMPANY

**Hon. John Mukiri:** Thank you Hon. Speaker. Pursuant to Standing Order 45(2c), I wish to request from a statement from the chairperson of the sectoral committee of Planning and Housing regarding the

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pending compensation of land parcel number 11379/3 (Block 107) known as Umoja II, leased and occupied by the County Government of Nairobi from Kiambu Dandora Farmers Company.

Hon. Speaker, the Kiambu Dandora Farmers Company Limited is said to have purchased the said property measuring eight hundred and eighteen (818) acres way back in 1965 before leasing the same to the defunct City Council vide an agreement with the National Lands Commission and assessed to be costing Ksh. 6,525,000,000 with an outstanding rate of Kshs 1,361,963,617.

Hon. Speaker, it is alleged that the County failed to honour the agreement hence denying Kiambu Dandora Farmers Company the agreed fees of Kshs 5,096,919,383 being the lease fee less the outstanding rates. This saw Kiambu Farmers Company pursue a legal suit against Nairobi City County, which was thereafter withdrawn after the County promised to clear the payment.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on;

1. The pending compensation of the land parcel number 11379/3 (Block 107) known as Umoja II in favour of Kiambu Dandora Farmers Company Limited
2. What measures have been taken by the County Executive to settle the matter?

Thank you Hon. Speaker.

**Hon. Temporary Deputy Speaker:** Sergeant, can you check whether the Chairman of Planning is online? Do we have any Member of the Planning committee to commit to this statement? Majority Leader, will you commit the statement?

**Hon. Peter Wanyoike:** Thank you Madam Speaker. I take the undertaking even though I do not understand how the Chair in on zoom in my office

**Hon. Temporary Deputy Speaker:** Please take the undertaking. How much time do you need to respond to the statement?

**Hon. Peter Wanyoike:** Due to the weight of the matter, we will report back in two weeks.

**Hon. Temporary Deputy Speaker:** Sorry?

**Hon. Peter Wanyoike:** We will report in two weeks.

**Hon. Temporary Deputy Speaker:** Okay. Hon. Mukiri?

**Hon. John Mukiri:** I accept that.

**Hon. Temporary Deputy Speaker:** Thank you. Majority Leader, you have a statement.

REQUEST FOR STATEMENT REGARDING POWER SUPPLY IN THE COUNTY HEALTH FACILITY NOTABLY  
DANDORA 1 HEALTH CENTRE

**Hon. Peter Wanyoike:** Thank you Madam Speaker. Pursuant to Standing Order 45 (2c), I wish to request for a statement from the chairperson of the sectorial committee on Health Services regarding power supply in the County health facility notably Dandora 1 health centre.

Hon. Speaker, part two of the Fourth Schedule of the Constitution of Kenya 2010 apportions the health function to the County Governments hence commitment to the optional functioning. Health facilities needs to be insured on such operational and critical aspect of the health centre in supply of reliable electricity on which many things for instance lighting, security systems and critical equipment functionality depends on.

Hon. Speaker, the foregoing statement was made in reference to unreliable power supply in Dandora 1 health centre and this was to be cured by a generator that was supplied by Oricane Limited and delivered

on 30<sup>th</sup> December 2015 under tender number NCC/HSS/T/995/2014.2015 whose description is QAS1450HZ and 15KVA.

This generator however has never been installed and commissioned. In addition, it was delivered without the housing and now it is subject to attrition courtesy of weather elements. Hon. Speaker, in this statement, the Chairperson should inquire into and report on:

1. Measures that the County Executive and the Nairobi Metropolitan Services (NMS) is putting in place to ensure that the said generator is installed and commissioned for the benefit of the health center and the people who benefit from it;
2. Details of the tender including the date of supply requirement for installation and commissioning, total amount of tender and the nature of the generator as contained in the tender documents; and
3. Efforts that the County Government and NMS are putting in place to ensure that all health facilities in the county are supplied with reliable power supply.

Thank you Madam Speaker.

**Hon. Temporary Deputy Speaker:** Chair Health on Zoom, kindly respond to Hon. Peter Wanyoike's statement.

**Hon. Peter Warutere:** Thank you Hon. Speaker. Am I audible enough?

**Hon. Temporary Deputy Speaker:** Yes, you are, continue.

**Hon. Peter Warutere:** Thank you and congratulations for job well done. I love the Queen's English you are using and you are guiding us quite well.

On the statement which our Deputy Leader has requested, I want to state categorically that as a committee and from where I sit, we are quite dismayed by the facts on the ground. We need to get value for money and as such we will not leave any stone unturned until we get to the bottom of this. We are talking about seven years since that generator was delivered and was never commissioned. I am requesting for a period of two weeks and we will get to the bottom of this matter. Rest assured that we are going to tackle this.

**Hon. Temporary Deputy Speaker:** Hon. Deputy Majority, are you okay with two weeks?

**Hon. Peter Warutere:** I am okay Madam Speaker. Thank you.

**Hon. Temporary Deputy Speaker:** Thank you Chairman, he has accepted the two weeks.

## PROCEDURAL MOTION

### LIMITATION OF DEBATE ON BILLS SPONSORED BY PARTIES OR COMMITTEES

**Hon. Peter Wanyoike:** Thank you Madam Speaker. I beg to move that, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be

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accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

Thank you Madam Speaker, I beg to move.

**Hon. Temporary Deputy Speaker:** Your seconder?

**Hon. Peter Wanyoike:** Let me call upon Hon. Ayot to second.

**Hon. Cecilia Ayot:** Thank you Madam Speaker, I beg to second.

*(Question proposed)*

**Hon. Temporary Deputy Speaker:** Debate? Mover?

**Hon. Peter Wanyoike:** Thank you Madam Speaker, I beg to reply.

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON INDIVIDUAL MEMBERS' BILLS

**Hon. Peter Wanyoike:** Thank you Madam Speaker. I beg to move that, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that order.

Thank you Madam Speaker. I call upon Hon. Jagero to second.

**Hon. Millicent Jagero:** Thank you Madam Speaker. I second the Motion.

*(Question Proposed)*

**Hon. Temporary Deputy Speaker:** Debate? Mover.

**Hon. Peter Wanyoike:** Thank you, Madam Speaker. I beg to reply

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON MOTIONS

**Hon. Peter Wanyoike:** THAT, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on any Motion, including a Special motion be limited in the following manner: A maximum of three hours, with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that order. I request the Member for Mutuini, Hon. Mukiri, to second.

**Hon. John Mukiri:** Thank you, Hon. Speaker. I stand to second the Motion. Thank you.

*(Question proposed)*

**Hon. Temporary Deputy Speaker:** Debate? Mover.

**Hon. Peter Wanyoike:** Thank you, Madam Speaker. I beg to reply

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON REPORTS

**Hon. Peter Wanyoike:** THAT, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on a Report of a Committee, a Sessional Paper or any other Report submitted to the Assembly, be limited as follows: A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

I beg to move, and request Hon. Ngengi, to second.

**Hon. Daniel Muturi:** Thank you, Hon. Speaker. I stand to second the Motion.

*(Question proposed)*

**Hon. Temporary Deputy Speaker:** Mover? Debate!

**Hon. Peter Wanyoike:** Thank you Madam Speaker and I beg to reply.

*(Question put and agreed to)*

#### PROCEDURAL MOTION

##### LIMITATION OF DEBATE ON THE MOTION ON THE ADDRESS BY THE GOVERNOR

**Hon. Peter Wanyoike:** Thank you, Madam Speaker, I beg to move that, notwithstanding the provisions of Standing Order 103(4) and in furtherance to the provisions of Standing Order 25(5), this Assembly orders that debate on the Motion on the Address by the Governor be limited to no more than five (5) minutes for each Member Speaking, thirty (30) minutes for the Mover in moving and replying and twenty (20) minutes for the Leader of Minority Party. I beg to move and request Hon. Ngengi to second.

**Hon. Daniel Ngengi:** Thank you, Hon. Speaker, I second the Motion.

*(Question proposed)*

**Hon. Temporary Deputy Speaker:** Mover.

**Hon. Peter Wanyoike:** Thank you, Madam Speaker and I beg to reply.

*(Question put and agreed to)*

#### PROCEDURAL MOTION

##### LIMITATION OF DEBATE ON THE ADJOURNMENT MOTION

**Hon. Peter Wanyoike:** Thank you Madam Speaker, I beg to move that, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, the debate on any Motion for the Adjournment of the Assembly to a day other than the next normal Sitting Day in accordance with the Calendar of the Assembly, be limited to a maximum of three (3) hours with not more than five (5) minutes for each Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order. Provided that, when the period of Recess proposed by any such motion does not exceed ten (10) days, the debate shall be limited to a maximum of thirty minutes (30), and shall be strictly confined to the question of the adjournment. I beg to call upon Hon. Mukiri to second.

**Hon. John Mukiri:** Thank you, Hon. Speaker, I stand to second the Motion. Thank you.

*(Question proposed)*

**Hon. Temporary Deputy Speaker:** Mover?

**Hon. Peter Wanyoike:** Thank you, Madam Speaker and I beg to reply.

*(Question put and agreed to)*

### **MOTION**

#### **ADOPTION OF THE ASSEMBLY CALENDAR – SIXTH SESSION**

**Hon. Peter Wanyoike:** Thank you Madam Speaker, I beg to move that, pursuant to the provision of Standing Order 29(1), this Assembly approves the Calendar of the County Assembly (Regular Sessions) for the Sixth Session (2022) as contained in the Schedule. Thank you Madam Speaker and I call upon Hon. Ngengi to second.

**Hon. Daniel Ngengi:** Thank you, Hon. Speaker, I second.

*(Question proposed)*

**Hon. Temporary Deputy Speaker:** Mover? Debate.

**Hon. Peter Wanyoike:** Thank you, Madam Speaker and I beg to reply.

*(Question put and agreed to)*

### **ADJOURNMENT**

**Hon. Temporary Deputy Speaker:** There being no other business this Assembly stands adjourned to Tuesday next week, thank you.

**The House rose at 3.20 p.m.**