



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Sixth Session

Tuesday 22nd March 2022

The House met at 2.30 p.m.

[Hon. Deputy Speaker (Mr. Geophrey Majiwa) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

TRAINING MEMBERS ON ELECTION PREPAREDNESS IN MOMBASA

Hon. Deputy Speaker: Hon. Members, I have the following Communication to make. The Chair is in receipt of a letter dated 4th March 2022 from the Office of the Registrar for Political Parties inviting Members of the County Assembly from all the 47 Counties to attend training on election preparedness to be held from 23rd to 26th March 2022 at Mombasa County.

Hon. Members as you are aware the office of the Registrar of Political parties is an established state office within the provisions of Article 260 of our constitution and under the Political Parties Act 2011. This particular office is mandated among others to register, regulate and administer the political parties' fund.

Hon. Members, as part of the ongoing sensitization forum the office of the Registrar of Political Parties in partnership with the County Assembly's Forum has organized a sensitization forum for the County Assembly Members who have been identified as important stakeholders in the upcoming general election.

Hon. Members, in the said training you will be sensitized in the political parties' nominations and other parties' process as outlined in the amended Political Parties Act 2022, ICT reforms in the management of political parties membership data by the Integrated Political Parties Management System, the electoral timelines and the requirement for the aspirants among others.

Hon. Members this is therefore to communicate that the Assembly will adjourn from today 22nd March 2022 to resume on Tuesday 29th March 2022 to enable Members to attend the said training. I thank you, Hon, Members.

PAPERS

Hon. Millicent Okach: Thank you, Hon. Speaker, Pursuant to Article 229(7) of the Constitution of Kenya 2010, I beg to lay the following Paper on the Table of the Assembly today Tuesday 22nd March 2022:

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The report of the Auditor-General on the financial statement of Nairobi City County Assembly Car Loan Scheme Fund for the year ended 30th June 2019. I beg to lay thank you.

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

Hon. Deputy Speaker: Let that be committed to Public Account Committee.

PROCEDURAL MOTION

Hon. Millicent Okach: Thank you, Hon. Speaker, Pursuant to a provision of Standing order 29 (4) the Assembly resolve to alter the calendar and adjourn today Tuesday 22nd March until Tuesday 29th March 2022 at 9.30 a.m. This is because the Registrar of Political Parties has called all County Assemblies for training in Mombasa. I request Mary Ariviza to second.

Hon. Mary Mwami: Thank you, Mr. Speaker sir for giving me this great opportunity to second this Motion that moves that we adjourn from today 22nd of March 2022 to 29th of March 2022. The reason is that we can go and be trained by the Registrar of Political Parties who want to tell us some of the calendar of events before the general elections which are coming in on the 9th of August, 2022.

Therefore, I believe he will be able to tell us what should do and what should not do between now and until the 9th of August. Therefore, I stand to second. Thank you.

(Question proposed)

Hon. Millicent Okach: Thank you, Hon. Speaker, Members and Mary Ariviza. This is a very important meeting that we need to attend in Mombasa as it is sponsored by the Registrar of Political Parties and County Assemblies Forum to educate the Members of the County Assemblies on elections rules and how to behave after the Assembly Thank you.

(Question put and agreed to)

BILL

Second Reading

THE NAIROBI CITY COUNTY PUBLIC OPEN SPACES USE AND MAINTENANCE BILL, 2021 (ASSEMBLY BILL NO. 1 OF 2021)

Hon. Deputy Speaker: Hon. Millicent

Hon. Millicent Okatch: Hon. Speaker, I beg to move the following Motion: That the Nairobi City County Public Open Spaces Use and Maintenance Bill 2021; Assembly Bill number 1 of 2021 be read a Second Time.

The Bill was read the First Time on the 7th September 2021 and committed to the relevant sectorial committee pursuant to the provision of Standing Orders 130 and 131.

Hon. Speaker, the principle objective of this Bill was to provide legal framework of use of public spaces and parks in the County. The Bill sets out the ownership and control of public spaces and use over private and land as public open space.

The Bill further makes provisions for conditions of entry into county parks and including times of entry. Hon. Speaker, the Bill will also provide for property owners to share in the responsibility of improving and maintaining their property frontages on the public open spaces.

The proposed law provides for control of personal behavior in the parks to ensure safety of other users. It prohibits shooting, fighting and betting in the county parks. The Bill further restricts entertainment activities and games in the parks and visitors to protect the environment.

Hon. Speaker, the Bill provides for prohibition of meetings, orchestra performances, vehicles and camping in the parks. The Bill further provides for control of trade in the parks, activities within the lakes and waters within the parks.

Hon. Speaker, I am confident that the implementation of this proposed law will go a long way in improving the use and maintenance of public open spaces in the county. I call upon Hon. Mary Ariviza to second the motion. Thank you.

Hon. Mary Ariviza: Thank you once again Mr. Speaker sir. I want to thank Hon. Millicent Okatch for bringing this Bill before us. I have lived in this city for years and as we all know, there are a lot of things that need shared responsibilities so that we keep it the green city in the sun.

I like it when the Bill says that the parks will be well taken care of and people will be able to go in at designated times to avoid congestion. The Bill also states that any entertainment done in the parks will be controlled so as to avoid people carrying out illegal activities such as gambling. A while back, we passed a Motion saying that prostitution is prohibited in Nairobi and that won't be happening in our parks.

Therefore I stand to support this Motion and looking forward to the next government implementing it so that the county remains to be the city in the sun where people come to invest and we as Nairobians will be proud of.

Lastly, as this is being sorted, our rivers will be catered for as there will be no dumping of dirt. I look forward to its implementation and stand to support the Bill.

(Question proposed)

Hon. Deputy Speaker: Hon. Millicent Jagero

Hon. Millicent Jagero: Thank you Mr. Speaker. Can you hear me?

Hon. Deputy Speaker: Yes I can. Proceed.

Hon. Millicent Jagero: I want to congratulate Hon. Okatch for this noble Motion on public spaces. When you walk in public spaces...

Hon. Deputy Speaker: Are you still with us?

Hon. Millicent Jagero: Mr. Speaker, can you hear me?

Hon. Deputy Speaker: Yes. Proceed.

Hon. Millicent Jagero: As I was saying, I congratulate Hon. Okatch for this noble Motion. When you walk around you will find out that most public spaces are no longer being utilized to bring revenue to the County but instead have been invaded by hawkers and bodaboda riders. This has created insecurity within the county and so this Bill will put up regulations and help the county get some revenue.

This will help the young in the community to be creative and find ways of surviving. I therefore second this Bill. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Mover!

Hon. Millicent Okatch: Hon. Speaker, I wish to acknowledge with gratitude the offices of the Speaker and the Clerk of the Assembly for the logistical and technical support accorded during the drafting

of this proposed law. Appreciation is extended to all the stakeholders who contributed to the development of this law. Finally, my gratitude goes to Hon. Mary Ariviza, Hon. Jagero and to the County Assembly for the support in the consideration of the Bill. I beg to reply.

(Question put and agreed to)

(The bill was read the Second Time and committed to the committee of the whole House by leave of the Assembly)

Second Reading

THE NAIROBI CITY COUNTY CULTURAL HERITAGE AMENDMENT BILL 2021, ASSEMBLY BILL NO. 4 OF 2021

Hon. Silas Matara: Thank you Hon. Speaker. I was worried that his machine might not work because I wanted to contribute to the Bill by Hon. Millicent. Hon. Speaker, I beg to move that this Bill be read for the Second Time; the Nairobi City County Cultural Heritage Amendment Bill 2021.

Hon. Speaker, the import of this Bill briefly is; as a Nairobi County and a capital city, Nairobi has a lot of history--- *(Technical hitch)*

Hon. Deputy Speaker: Hon. Matara, can you go through it afresh? Do you have your copy?

Hon. Silas Matara: Sorry for the distraction Hon. Speaker. I beg to move that the Nairobi City County Cultural Heritage Amendment Bill 2021, Assembly Bill No.4 of 2021, be now read a Second Time. This amendment Bill was done back then but I introduced amendments.

Nairobi, as everyone knows, has a rich culture and both the Assembly and the Executive have a lot of stories to tell. Nairobi, being a cosmopolitan county, people think that people who migrate from the rural areas find those people who have been born in Nairobi and they have a lot of stories to tell. So I thought of coming up with a cultural week. The county would set aside a week to celebrate the culture of Nairobi. We will have several activities from the different wards from groups of women, youth and the aged. We also have several sporting activities, drama, arts, acting which is going to showcase the talents of our youth from the different wards.

The Bill will put in place a mechanism to award members of the community and Members of the County Assembly. For example, the best performing ward is recognized. We are also going to identify cultural sites in Nairobi because when you walk around Nairobi several amenities are not being put in proper use by Nairobians. There are some cities in the world where they receive guests and investors from other counties, we can invite them to come and learn more about Nairobi.

If Nairobi Museum is in your area as a Member of the County Assembly, during the cultural week you can make presentations on what you have to offer people to come and see. It will also provide an avenue for the respective youth and women groups in our areas to earn an income for example from beadwork, artwork, paintings that they showcase during the cultural week. It is going to create an opportunity for those people who have talents to market them during that week.

Visitors from other counties will come to learn more about the 'city in the sun' especially now that NMS has beautified the city and several projects are going on. By the time of implementation of this Bill, there will be more stories to tell about Nairobi. Once the Bill is implemented, it is going to provide a diversity of the various tribes and cultures in Nairobi and that homogenous relationship is going to grow.

Although Nairobi is already on the world map, this is going to market Nairobi as the 'city in the sun with all the cultural setups and mechanisms which are going to be put in place. We are going to tell the whole world stories about Nairobi during that culture week. The Executive is going to provide a provision for the same and they are going to do this on a rotational basis. For example, this year one sub-county hosts the cultural week, and then next year another sub-county hosts it. People are going to realize the challenges for every ward and even the good things of every ward

The awarding system is going to motivate the members in the subsequent years. The Executive should come up with regulations to put life to this bill. With that, I beg to move, Hon. Speaker.

Hon. Deputy Speaker: Secunder?

Hon. Silas Matara: I would like to call upon my colleague, Hon. Ariviza to second the Bill.

Hon. Mary Mwami: Thank you once again, Hon. Speaker for this great opportunity for me to second the Bill, the Nairobi City Cultural and Heritage Amendment Bill, 2021 (Assembly Bill No.4 of 2021) by my brother, Hon. Silas Matara. I think this is a very great opportunity for us to showcase the various diverse cultural heritages that this country has.

When I was growing up, we used to have music festivals. We would go to KICC. It was so special. Most of the time you would find that it was only the Luhya and Luo folk songs that won. This is because they were very lively with drums and everything. But if there was a cultural activity from the Maasai and Turkana, which were quite deep, they couldn't win because people at that time were looking at it narrowly because of the liveliness. Now, the cultural music festival has categorized these songs into the Bantus of Western Kenya, the Eastern Bantus, the Coastal Bantus and so on. We also have the Nilotes; the River Lake Nilotes, the Tesos and Luos, and the plain Nilotes like the Maasais and Turkanas. This brings a very good diverse cultural heritage of this country. The language is very nice and the dances are so unique. Each culture is nice to watch. When you see the Maasai regalia, when they jump up and swing the neck in rhythm, it is so good.

What I am saying in short, this being the capital city of East and Central Africa, with diverse international organization bodies including the UNEP and many embassies of the world being here, it would be good for us to showcase. Lamu is ahead of us, they have a festival of this kind which they hold annually. We have people riding donkeys. It is a lot of fun. I am envisioning that this will be brought back. We will have the revival of the Bomas of Kenya. We used to have various cultural and tribal dances that were going on there. One week we would have people from around Mt Kenya, the next week we would have people from Kamba and so on. Sometimes they did a mixture. Tourists who came to Kenya would visit Bomas. We need to revive that kind of a thing and provide transport from town to the Bomas of Kenya.

Kenya is very deep with diverse cultural heritages that we are so proud of. We are uniquely different but one great country. So, I am supporting this motion and hoping that we close part of the streets of this city during that week and turn it into a great time of celebration of our diverse cultures yet united as a great people of Kenya.

Hon. Matara, this is a great Motion, I stand to support and look forward God willing I will be there and be one of the people that will be celebrating this as a music teacher. We should not only showcase our cultural dances and so on but also showcase our foods. Maragoli community in Vihiga County, on 26th

December of every year, we have the Maragoli Cultural Festival. It has been taken over by almost all the people from western Kenya. The rest of the country was contemplating.

So, we are looking forward to this where we will showcase our foods. Foods like *mrenda*, which most people don't know what it is, it has high iron content such that when a mother is anaemic and takes in one month, the haemoglobin will increase. We also have herbs. The Bible talks about herbs in healing. We have herbs like mwarobaini, moringa etc. These herbs are good for healing. That is why the world is wondering why COVID has not affected us so much. This is because we have a great heritage, and many took herbs and helped. We are healthy.

Without delving on it so much, Mr. Speaker, I want to support this Bill. Thank you so much.

(Question proposed)

Hon. Deputy Speaker: Hon. Members. Mover!

Hon. Silas Matara: Thank you, Hon. Speaker. I would like to extend my gratitude to Hon. Ariviza for seconding the Bill. I would also like to thank the House, the Clerk and the staff for their support they have given to us to this stage. Despite our busy schedules, the House Business Committee is going to commit so that we are able to finalize on it. I also thank the Members who have silently supported this Bill. I beg to reply. Thank you.

(Question put and agreed to)

(The Bill was accordingly read a Second Time)

ADJOURNMENT

Hon. Deputy Speaker: Hon Members, there being no any other business, the House stands adjourned till Tuesday 29th March 2022 at 9.30 a.m.

The House rose at 3.40 p.m.