



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Sixth Session

Thursday 9th June 2022

The House met at 2.30 p.m.

(Hon. Speaker (Mr. Benson Mutura) in the Chair)

PRAYER

QUORUM

Hon. Speaker: Clerk, confirm if we have quorum.

(Clerk-at-the-Table confirmed there was no quorum)

I understand that we do not have quorum. Sergeant-at-Arms, ring the bell for ten minutes.

(Quorum bell rung for ten minutes)

I understand that now we have quorum.

COMMUNICATION FROM THE CHAIR

ADJOURNMENT OF THE COUNTY ASSEMBLY

Hon. Speaker: Hon. Members, I have the following communication in regards to the adjournment of the County Assembly: Hon. Members, without appearing to pre-empt debate, a perusal of today's Order Paper indicates that today's sitting marks the end of regular sitting for the Second Assembly in accordance with the Assembly's Calendar that we approved on Thursday 10th February 2022.

Indeed, as you are aware, under the new Constitutional dispensation, parliament and county assemblies have been empowered to prepare their own calendars and determine when to sit and when to adjourn. This is a complete departure from the previous Constitutional dispensation where the head of the executive arm would prolong or rather adjourn parliament at will. This new order reaffirms the independence of legislature.

However, Hon. Members the legislative calendar adopted by the assemblies must be consistent with the provision of the Constitution and the national legislation. Specifically, Article 177 (4) of the Constitution

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provides that the county assembly is elected for a term of five years. This implies that the term of the county assembly expires on date of the next general elections. In the current circumstances, the general elections are scheduled to be held on 9th August 2022. As such, we adjourn *Sine Die* today but the Second Assembly shall continue until 9th August 2022, meaning the Sixth Session shall lapse on that day.

Hon. Members, in arriving at today's *Sine Die* adjournment date, the Assembly was informed by the provision of Section 19 (1) of the Election Act, 2012, which provides; '*Whenever a county assembly election is to be held, the commission shall publish a notice of the holding of the election via Gazette Notice and electronic and print media for national circulation.*

(a) *In case of a general election, at least 60 days before the date of the general election*'.

Hon. Members, the implication of the above provision of the Election Act is that; beginning today, 9th June 2022 until 9th August 2022, Hon. Members seeking fresh mandate and other Kenyans aspiring to be members of the county assembly will be engaged in campaigns, making it almost difficult to transact meaningful business in the chamber. However, I am aware that we have critical pending business before the County Assembly - specifically the County Government Budget Estimates for the financial year 2022-2023 that were tabled on Tuesday 31st May 2022. I am aware that the Select Committee on Finance, Budget and Appropriation is currently considering the estimates and has retreated with the County Executive to finalize the same.

Accordingly, Hon. Members, since the County Assembly is still in session, once the committee returns with their report, we shall invoke the provision of Standing Order No. 30 and convene a special sitting to consider the previous budget estimates. Indeed, this will apply to any other urgent business that may arise when we will be on *Sine Die* recess. Indeed, this is a similar approach that has been taken by the National Assembly which is also adjourning today.

Hon. Members, as I conclude, when you were elected and sworn in in the year 2017, you had your own targets and promises you made to Nairobianians. It is my hope that you have achieved most of your targets and fulfilled your promises. I know that you have faced several challenges that affected your legislative output. However, I am proud of what you have achieved so far.

May I also take this opportunity to thank the President, Hon. Uhuru Kenyatta and the Right Hon. Raila Amolo Odinga, for giving me the opportunity to serve in this Assembly. At the same time, I shall be forever indebted to you, Honorable Members of the County Assembly, for having elected me the Third Speaker of this great County. When I assumed office in August 2020, I found a divided House. I am glad that I managed to bring together all factions and we leave a united Assembly. I am proud of what we have achieved as a House under my leadership. Indeed, it is during this time that we made the most significant decisions, some of which will be studied by future generations.

Hon. Members, as we adjourn today, I know some of you will be seeking fresh mandates during the fourth coming general elections, while others will be competing for higher positions. I want to wish you well. Your experience will be of great importance in the next Assembly. For those who will be venturing in other endeavours, may I wish you success and break-through. To the officers of the County Assembly led by the Clerk, Mr. Edward Gichana, I wish to thank you for the support and services extended to Members. Thank you.

**ADJOURNMENT OF THE ASSEMBLY IN ACCORDANCE WITH THE CALENDAR OF THE
COUNTY ASSEMBLY**

ADJOURNMENT SINE DIE

Hon. Speaker: Deputy Majority Whip!

Hon. Waithera Chege: Thank you, Mr. Speaker. I stand to move the Motion:

THAT, pursuant to provisions of Standing Order No. 29(3), that this Assembly therefore adjourns to *Sin Die*. Thank you, Mr. Speaker.

Hon. Speaker: Who is seconding? Hon. Kiragu.

Hon. Antony Kiragu: Hon. Speaker, I would like to second the Motion, and I would like to congratulate this Assembly for this far. I am happy that we are finally here. Hon. Speaker, I would like to wish everybody well, especially those who are going for elective positions to come back to this House, we wish them well and wish everybody well as we move forward. I second the motion.

Hon. Speaker: Thank you

(Question proposed)

Hon. Speaker: Members, you are at liberty may be to do closing remarks. I give you the opportunity. Hon. Ariviza.

Hon. Mary Ariviza: Thank you, Mr. Speaker. It has really been indeed a great honor and privilege to have belonged to this great House, and all Members of the County Assembly, the staff, the clerks that we have had. I want to take this opportunity to thank each and every one of you who made my life good. Sometimes we stepped on each other's feet, but we have grown from what we would want until now we have developed, we have improved in areas of our lives, we have known how to handle other people, we have known how to live in Nairobi, and so it's a great honor. I have also been privileged to have been to this House and been able to legislate. I have been able to represent the people of Nairobi, especially the women, children and youth that we were sent here to do. I have also been able to oversight the executive.

I want to take this opportunity to thank each and every person that we interacted with here, we shall be able to meet outside and we will be able to greet one another. Thank you, Mr. Speaker for the great opportunity. May God bless each and every one of us, may the blessings of God be upon you and your families. God bless you.

I want to thank the Sergeant-at-Arms, and they are here. They are the orderlies in this House, and have made our lives great. So, I take this opportunity to thank all the Sergeant-at-Arms, led by the chief Sergeant-at-Arm. You have done a great job by helping us when we had meetings both within and outside this county. I also thank all our Clerks, particularly the ones who have been attached to the committees I was in. I think one of them here is here; Wasike has been wonderful with the Education Committee, Austin and others who I won't be able to mention at the moment, you have been great people and you have helped us to work greatly. When we will meet in the streets, we will greet each other. Where we can still be able to help you and you help us, we can consult. You know nowadays with the mobile phones and so on, we can still meet.

I also want to thank my leader here, Hon. Catherine Okoth, she has been a great leader. She is our ODM Party Leader in Nairobi and our senior here. When we came in, she helped us to adjust together with her friend Hon. Rose. They are both seniors here and are great women. Thank you so much Hon. Waithera for being there for us. You are the Deputy Majority Whip and you have been a great woman. You have helped women greatly, we really appreciate you and may God bless you as you look forward to doing greater and mightier things ahead of us. God bless each and every one of us. Thank you.

Hon. Speaker: Thank you. Hon. Morefire.

Hon. Jeremiah Themendu: Thank you, Hon. Speaker for this opportunity you have given me. First, I thank God for the opportunity he gave me to come to this Assembly. I thank you, Hon. Speaker, for the wisdom that you have shown in this Assembly by making Solomonian wisdoms sometimes. I also thank my party, Jubilee Party, which gave me chance to come to this Assembly. I also thank the leadership of the Assembly and my colleagues who we have worked together. I also thank the Clerk and staff of the Assembly. I thank the chairmen of the committees which I served. I cannot forget the people of Kayole Central who brought me here.

Lastly, I say, God bless you all. For those who are campaigning to come back here, may God bless them and give them the chance to be back. Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Ngengi.

Hon. Daniel Muturi: Thank you very much, Hon. Speaker. I think a lot has been said by the previous Hon. Members, so, I will not dwell on it.

First, I am humbled to have served in this Assembly. To be here is an honor bestowed on me by the Nairobi Central Ward voters, I am forever grateful to them. I also like to take this opportunity to thank you, Hon. Speaker, for the way you have handled us here, it has been very cordial. Before, we were always at war. Congratulations, Hon. Speaker for the peaceful Assembly.

(Applause)

What I would like to add to this, as much as we worked for Nairobi, there were few failures here and there, especially on the executive side. Hon. Speaker, we had a lot of Motions, Statements, Bills and Acts which some have not been published or being acted on, all the way from the previous Assembly. My request is that in the future Assembly, which I hope to be part of and wish of the Hon. Members who are here, is that we shall now hit the ground running because I believe we have done enough legislation and it is in place and only a matter of enforcement.

I would also like to take this opportunity to thank the leadership. We have one in the House, Hon. Waithera. We also have other Hon. Members here, Hon. Malde, Hon. Doris, Hon. Morefire, Hon. Bishop, Hon. Mafiriri and Hon. Catherine. We also have the Sergeant-at-Arms and the clerks. We have had a good run, and we hope in the next Assembly, Nairobi can be taken to the next level. Thank you very much, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Doris.

Hon. Doris Kanario: Thank you, Hon. Speaker for this opportunity. First, I want thank the Jubilee Party for giving me a position in this Assembly to serve as a special-elect member. I also thank our party leader, His Excellency Uhuru Mwangi Kenyatta. I also to thank you, Hon. Speaker, you have been our

Speaker during these few last years in this Assembly, you have served as well. I wish you well in all your endeavors. Also, our previous Speakers who were here before, I wish to thank them too because we got into the office of the Speaker whenever we needed them. The clerks, who have served us, I also wish to thank them. I also want to thank the staff of the Nairobi County Assembly, they have been there for us, we could not have done what we have been able to achieve on our own in every department like the Accounts and Serjeant-At-Arms departments. The Table Office, I give you a special mention, you are the people who made some of us through your guidance. We came here green, but now I can confidently speak. A special mention to Kevin Wasike, Kibwana and Manyi, you have guided us. Personally, I really appreciate because I have been able to present Motions and even Bills in this House courtesy of that office.

Finally, I also want to give special thanks to the support staff of this Assembly because they also attended to us well in their areas of working in this Assembly. I thank all of you. The leadership of this Assembly, and the women who also honoured me by giving to be their Chair in the Women's Caucus, thank you so much. I hope we meet again in a few months because I am vying for California Ward and God willing, I will be back in this House. Thank you so much and God bless you all.

Hon. Speaker: Thank you. Hon. Rose.

Hon. Rose Ogonda: Thank you, Hon. Speaker. We are going for *Sine Die*, but I am sure that we will pass by. I would also wish to thank our very own Mheshimiwa Waithera Chege, for guiding us here in the House as women. We have like ten women in Azimio vying for seats to this House. I pray that they all get to come back into the Third Assembly.

(Applause)

We have learnt a lot from the Second Assembly, I believe that when we come back we will be sharpened enough to handle things. Let us pray for one another as we head out and hope for a peaceful election on the 9th August 2022. May God bless Kenya and God bless us all.

Hon. Speaker: Thank you. Hon. Kiragu

Hon. Anthony Karanja: Thank you, Hon. Speaker. I want to take this opportunity to apologize to the members of staff for the days we fell short of their expectations and to the people of Nairobi. I would also like to commend the Members of this Assembly who chose the high path of decorum and to serve the people of this city.

Hon. Speaker, it is during this term that we saw the coming of the NMS into Nairobi, and therefore, as we leave this Assembly, it is now in public knowledge that Nairobi is dirtier and messier, corruption at NMS and Nairobi County is high and time will prove. I hope that the future Members coming to this House will be able to bring in order. I sometimes feel ashamed that we never followed Section Four of the Deed of Transfer to the NMS and offer oversight to them. We failed, and it is not in the interest of this City. We also failed the people of Mukuru Kwa Njenga when they were chased during the night by the NMS, we failed the people of Kariobangi and Ruai when their houses were demolished by the NMS and the National Government.

Hon. Speaker, I wish all of us well, and for those who will come back, I pray that you do that which is supposed to be done. I hope that you will be able to get rid of intimidation, harassment, discrimination and all manner of negative energy that came into this House. I wish you well for bringing sanity to this House when it was in a mess, and give thanks to the people of Nairobi for giving Members a chance to serve them.

I congratulate those who stood to be counted when it needed to be. We know that in the last two years this County has experienced plundering and theft of biblical proportions, and I hope that we will be able to unearth and bring to justice all that belongs to the people. Thank you.

ADJOURNMENT

Hon. Speaker: Hon. Members, now the time being 16 minutes past 3'Oclock this County Assembly stands adjourned *Sine Die* in accordance with the Assembly Calendar.

The House rose at 3:15 p.m.