



COUNTY GOVERNMENT OF NAIROBI CITY

SECOND ASSEMBLY – (FOURTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, JUNE 2, 2020 AT 2.30 P.M.

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

QUORUM OF THE ASSEMBLY

The Hon. Speaker having confirmed that there was Quorum called the Assembly to order.

3. COMMUNICATION FROM THE CHAIR: -

The Speaker conveyed the following Communication: -

WELCOMING FROM THE LONG RECESS

“Hon. Members,

As you are all aware, today, we are resuming from the long recess. Accordingly, **Honorable Members**, I take this opportunity to welcome you all back from the long recess. I trust you all had a wonderful and fruitful break. It is unfortunate that this was happening at the backdrop of a ravaging Covid-19 pandemic. However, I am great full to the Almighty God for keeping all of us safe even as we continue to uphold the Ministry of Health Guidelines.

Hon. Members,

As we resume our sittings today, our in tray is already full. As you all know we are at the middle of the budget making process and we have documents that we need to approve as soon as possible. They include; ***the Annual Development Plan, the County Fiscal Strategy Paper (CFSP), and eventually the Budget Estimates for the FY 2020/21.*** You also realize that with the advent of the Nairobi Metropolitan Services (NMS), there will be a paradigm shift on how we shall be engaging both the County Executive and the NMS, including on this matter of the Budget. I shall be issuing further directions on how our engagement shall be structured.

Hon. Members,

Without appearing to pre-empt debate, in today's sitting, we shall be considering the **Supplementary Appropriation Bill (No. 1) of 2020**. You will recall that the process of considering this Bill was witnessed by disagreements over constitutional and legal issues that I do not wish to delve into at the moment. However, **Hon. Members**, I must confess that since the operations of the County Government cannot stall due to procedural disagreements, I have allowed the County Executive Committee Member for Finance to re-introduce another Bill which we are set to consider bearing in mind that the Select Committee on Finance, Budget and Appropriations had already interrogated the supplementary estimates and tabled its report. In fact, the current Bill has been published by the Chair of the said Committee.

Hon. Members,

I wish to reiterate my earlier statement I made at the beginning of this year that during the year, 2020, which is a complete number, I will not entertain a divided house and in the spirit of the hand-shake, our issues shall be addressed in a bi-partisan manner for the benefit of Nairobians. I will also endeavor to protect all Members from both internal and external threats since that is my duty.

Hon. Members,

Due to the Corona Virus and in a bid to conform to the guidelines issued by the Ministry of Health, there are several changes that have been put in place in order to safeguard Members and staff from the virus. Some of the guidelines I communicated to you yesterday in my Memo which was delivered electronically while some shall be domesticated in our Standing Orders moving forward. Accordingly, **Hon. Members**, for purposes of clarity, the following are some of the measures put in place include the following: -

- i) All afternoon sittings shall end not later than **4.00 pm**. Further, Assembly Precincts shall strictly be accessible by Members as from **1.00 pm** except for morning sessions.
- ii) Only forty two (42) seats have been reserved in the chamber and shall be accessible on a first register, first occupy basis save for the designated seats (i.e. for the Deputy Speaker, Majority Leader/Whip and Minority Leader/Whip);
- iii) Members who will not have an opportunity to access the chamber shall follow proceedings from the holding i.e. the Members Lounge (which has live feed). The lounge shall accommodate only 18 members. The rest of Members will show up at entranced their attendance shall be taken by the Sergeant-at-arms. This is an

interim measure as we explore the use of virtual sittings going forward;

- iv) Once seated in the Chamber, Members shall not change seats or draw closer to other Members, the Speaker or Clerks at the Table for whatever reason. There shall be no consultations at the Speakers' Chair or at the Clerks Table, unless in extreme circumstances. Accordingly, it shall be out of Order for a Member to approach the Speaker's Chair or the Clerk's at the Table;
- v) Members are encouraged to access documents digitally from the Assembly Website. The Clerk shall also circulate documents to Members in the Chamber via digital gadgets;
- vi) Members shall while entering, while within and when leaving the Chamber, observe the social distancing requirements, put on face masks and sanitize frequently;
- vii) No visitors shall be allowed in the Assembly precincts;
- viii) The Sergeant-at-arms shall take attendance register for all Members in the precincts of the Assembly; and
- ix) The restaurant shall remain closed until further notice.

Similarly, **Hon. Members**, since there will be need to clean and fumigate the Chamber after sittings, we shall be meeting twice a week i.e. **Tuesdays** (morning and afternoon) and **Thursdays** (afternoon).

Hon. Members, as I conclude, my office has just received a letter from the Secretary General of the Jubilee Party, the Hon. Raphael Tuju, conveying an intention by the Party to change its leadership in the County Assembly. However, due to the gravity of the issues raised therein, my office is still reviewing the letter and I will issue a comprehensive communication regarding the admissibility of the said letter before the rise of this House.

With that, I wish you a good time as you expedite your work to the best of your ability. God bless you.

I thank you Honorable Members.”

**DIRECTIONS ON THE MATTER OF CHANGES IN MAJORITY PARTY'S
LEADERSHIP IN THE COUNTY ASSEMBLY**

“Hon. Members,

As I had indicated, I have the following communication to convey regarding the proposed changes in the Majority Party's leadership in the County Assembly.

Hon. Members,

Having considered the letter by the Jubilee Party, precedent set on this matter in this House, and the occurrences on the floor today, I am unable to act on the correspondence by the Party until such a time the Majority Party shall sort out their disagreements through their party structures. **In the meantime, for the sake of continuity of Assembly business, I rule that the leadership of the Majority Party that has been in existence before this matter came up shall remain as it were.**

Consequently, **Hon. Members**, I will be writing to Jubilee Party explaining to them my decision and why we need stability in the County Assembly.

The Assembly and indeed all parties interested in the matter are accordingly guided.

I thank you Hon. Members.”

4. PAPERS LAID: -

The following papers were laid on the Table of the Assembly;

- a) **THE REPORT OF THE SELECT COMMITTEE ON PROCEDURE AND RULES ON AMENDMENT OF STANDING ORDERS**

(The Leader of Majority Party)

- b) **THE ANNUAL REPORT OF THE NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD FOR FINANCIAL YEAR 2019/2020**

(Hon. Maurice Gari, MCA – Member of the Board)

5. NOTICE OF MOTION – THE LEADER OF MAJORITY PARTY

THAT, this Assembly Adopts **THE REPORT OF THE SELECT COMMITTEE ON PROCEDURE AND RULES ON AMENDMENT OF STANDING ORDERS**, laid on the Table of the Assembly today, Tuesday, 2nd June, 2020.

6. NOTICE OF MOTION – HON. MAURICE GARI, MCA

THAT, this Assembly Adopts **THE ANNUAL REPORT OF THE NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD FOR FINANCIAL YEAR 2019/2020**, laid on the Table of the Assembly today, Tuesday, 2nd June 2020.

7. STATEMENT PURSUANT TO STANDING ORDER 89: -

Pursuant to Standing Order 89, the Majority Whip gave a personal statement regarding threats to her personal security.

8. MOTION - ADOPTION OF THE REPORT ON AMENDMENT OF THE COUNTY ASSEMBLY STANDING ORDERS

Motion Made and Question proposed: -

THAT, this Assembly Adopts **THE REPORT OF THE SELECT COMMITTEE ON PROCEDURE AND RULES ON AMENDMENT OF STANDING ORDERS**, laid on the Table of the Assembly today, Tuesday, 2nd June, 2020.

(The Leader of Majority)

Debate ensued;

Mover Replied;

Question put and Agreed to;

9. MOTION - ADOPTION OF THE ANNUAL REPORT OF THE NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD FOR THE YEAR 2019/2020

Motion Made and Question proposed: -

THAT, this Assembly Adopts **THE ANNUAL REPORT OF THE NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD FOR FINANCIAL YEAR 2019/2020**, laid on the Table of the Assembly today, Tuesday, 2nd June 2020.

(Hon. Maurice Gari, MCA)

Debate ensued;

Mover Replied;

Question put and Agreed to;

10. THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2020 (ASSEMBLY BILL NO. 2 OF 2020)

Order for First Reading read;

Bill read a First Time

11. THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2020 (ASSEMBLY BILL NO. 2 OF 2020)

Order for Second Reading read;

Motion made and question proposed-

THAT, The Nairobi City County Supplementary Appropriation Bill, 2020 (Assembly Bill No. 1 of 2020) be now read a Second Time.

(the Leader of Majority Party)

Debated ensued;
Mover replied;
Question put and Agreed to.

Bill read a Second Time and committed to the Committee on the Whole Assembly.

12. COMMITTEE OF THE WHOLE ASSEMBLY

Order for Committee of the Whole Assembly read;

IN THE COMMITTEE

(Deputy Speaker – Hon. John Kamangu in the Chair)

The Nairobi City County Supplementary Appropriation Bill (Assembly Bill No. 2 of 2020)

Clause 2

Question that Clause 2 be part of the Bill proposed, put and agreed to;

Clause 3

Question that Clause 3 be part of the Bill proposed, put and agreed to;

First Schedule

Question that First Schedule be part of the Bill proposed, put and agreed to;

Second Schedule

Question that Second Schedule be part of the Bill proposed, put and agreed to;

Title:

Title be part of the Bill proposed, put and agreed to;

Clause 1:

Clause 1 be part of the Bill proposed, put and agreed to;

Bill to be reported without amendments.

13. ASSEMBLY RESUMED: -

The Nairobi City County Supplementary Appropriation Bill, 2020 (Assembly Bill No.2 of 2020)

Bill reported without amendments

Motion made and Question proposed: -

THAT, the Assembly do agree with the Committee of the Whole Assembly in the said report.

(The Leader of Majority Party)

Question put and agreed to.
Motion made and question proposed-

THAT, The Nairobi City County Supplementary Appropriation Bill, 2020 (Assembly Bill No.2 of 2020) be now read a Third Time.

(The Leader of Majority Party)

Debate ensued;
Question put and agreed to.

Bill read a Third Time and **passed**.

There being no other business and the time being thirty minutes past Three O'clock, the Hon. Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

14. ASSEMBLY ROSE - at thirty Minutes past Three O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, 4th June, 2020

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