



COUNTY GOVERNMENT OF NAIROBI CITY

FIRST ASSEMBLY – (SECOND SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, JUNE 10, 2014 AT 2.30PM

1. The Assembly assembled at ten minutes past Three O'clock.
2. The Proceedings were opened with a word of Prayer
3. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communication from the Chair –

“Hon. Members, sometimes last week I issued a Communication in regard to request for Statements which was not very popular with you. Hon. Members, as you know we are all guided by Standing Orders and I hereby have the following to communicate to you today in regards to the requests for Statements. Hon. Members, you will recall that on the 4th of June 2014, the Speaker gave a communication which guided on Personal Statements provided for under Standing Order 80.

The Chair had noted rampant abuse of Standing Order number 80 and had guided accordingly on the same. The Chair then ruled that any Members wishing to give Personal Statements must give 2 hours prior

notice by way of writing a notification to the Chair. Hon. Members, the Chair has since received several calls for further clarification on the matter and wishes to restate as follows; Hon. Members, like the Chair had earlier communicated indeed the provision of our Standing Orders on Statements are very concise on nature, methodology and manner of going about the order of business in the Assembly.

I wish to refer you, Hon. Members, to the provisions of Standing Order 40 and 41 regarding the management of Statements. Standing Orders 40 and 41 deal with Members' general statements and the Statements Hour which broadly provides for the procedure for undertaking requests under the said Standing Orders. Hon. Members, Standing Order number 40 has overriding stature on Statements. Standing Order 80 merely provides for the right to make Personal Statements by Members, it does not provide for the procedure for undertaking the same.

Hon. Members, the procedure for making Statements in the Assembly rests with Standing Orders 40 and 41 by discretion, the Chair retains the right under Standing Order 1 to guide on matters procedure for the Assembly, a duty which the Chair has executed with a lot of diligence. Hon. Members, I wish to restate as follows; henceforth all Members seeking to make Personal Statements pursuant to Standing Order must inform the Chair two hours prior to the plenary by way of writing a notice on their intention to make such Statements. Once again, Hon. Members, the Chair shall henceforth not allow Members, by omission or intentionally to misguide the House and derail its Business by abuse of procedure, the intent on orderly flow of business.

Hon. Members, we will be coming with the normal Statement Hour on Thursday at 5.00 p.m. We shall give you the details accordingly as to how you will be organizing yourselves. Any Member who goes against provisions of our Standing Orders to the detriment of the orderly conduct of business properly before the Assembly shall be subject to sanctions as provided for under Standing Order 104 and 105 respectively, I thank you.”

4. MESSAGES

The Speaker conveyed the following Message from the Governor –
“Hon. Members, the Standing Order 39(1) relating to Messages from the Governor provides that –The Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly.¶ In this regard

Hon. Members, I wish to report that I have received two Messages today, 10th June, 2014, from the Governor vide a letter dated 6th June, 2014.

Hon. Members, the Message regards the nomination of Mr. Robert K. Ayisi as the Chief Officer, Health Services, and Mr. Judah Abekah as Chief Officer, Trade, Industrialization and Cooperative Development.

Hon. Members, I now wish to convey the following Messages;

i) Nomination of Judah Abekah as the Chief Officer, Trade, Industrialization and Cooperative Development

As you are aware, Article 45(1) (a) of the County Government Act provides that Chief Officer shall be appointed by the Governor with the approval of the County Assembly, from among persons who are competitively sourced and recommended by the Public Service Board.

Pursuant to provisions of Article 45 (1) (a) of the County Government Act, I hereby nominate Judah Abekah as Chief Officer, Trade, Industrialization and Cooperative Development, Nairobi City County.

This is therefore to request the Assembly to approve the said Judah Abekah as Chief Officer responsible for Trade, Industrialization and Cooperative Development, Nairobi City County.”

ii) Nomination of Mr. Robert K. Ayisi as Chief officer, health service

As you are aware, Article 45(1) (a) of the County Government Act provides that Chief Officer shall be appointed by the Governor with the approval of the County Assembly, from among persons who are competitively sourced and recommended by the Public Service Board.

Pursuant to provisions of Article 45 (1)(a) of the County Government Act, I hereby nominate Mr. Robert K. Ayisi as Chief Officer, Health Services, Nairobi City County.

This is therefore to request the Assembly to approve the said Mr. Robert K. Ayisi as Chief Officer responsible for Health Services, Nairobi City County. Thank you.”

Hon. Members, I now direct that the relevant Sectoral Committees proceed with the vetting of the said nominees for Chief Officers for Trade, Industrialization and Cooperative Development and Health Services Departments. I thank you.”

5. STATEMENT PURSUANT TO STANDING ORDER 40

The Hon. Diana Kapeen made a general statement urging the Assembly Rules and Procedure Committee to initiate a process of amending the Standing Orders so as to allow time for County Executive Committee members to attend plenary sittings of the Assembly in order to clarify issues raised by members on the floor.

6. STATEMENT PURSUANT TO STANDING ORDER 41(2)(C)

The following responses to statements were given: -

- i) The Chairperson of the Sectoral Committee on Planning and Housing gave a response to statement requested by Hon. David Mberia regarding the current status of City Hall Annex building.
- ii) The Chairperson of the Sectoral Committee on Planning and Housing gave a response to statement requested by Hon. Kamau Thuo regarding the status of the programme on Consultancy for the Development of Eastland's in Nairobi.
- iii) The Chairperson of the Sectoral Committee on Planning and Housing gave a response to statement requested by Hon. Nelson Masiga regarding the dumping of earth soil on roads and pathways by private developers.

The Speaker directed that since most of the responses were not satisfactory, the County Executive Committee member responsible for Planning be invited by the Sectoral Committee to clarify on issues raised by members.

7. MOTION – TO ADOPT THE REPORT ON ASSAULT OF THE HON. CLARENCE K MUNGA BY CITY COUNCIL ASKARIS.

Motion made and question proposed: –

THAT, this Assembly adopts THE REPORT OF THE SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON THE ASSAULT OF THE HON. CLARENCE K. MUNGA BY CITY COUNCIL ASKARIS ON 18TH JUNE, 2013, laid on the Table of the Assembly on Wednesday 2nd April, 2014.

(Chairperson, Justice and Legal Affairs Committee)

Debate arising;

Mover called upon to reply

Question put and agreed to;

And the time being seventeen minutes past five O'clock the Speaker interrupted the proceedings and adjourned the Assembly without question put pursuant to the Standing Orders.

8. ASSEMBLY ROSE - Seventeen minutes past five O'clock

MEMORANDUM

The Speaker will take the Chair on
Wednesday, June 11, 2014 at 2.30 p.m.

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