



COUNTY GOVERNMENT OF NAIROBI CITY

FIRST ASSEMBLY – (FOURTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 19, 2016 AT 2.30 PM

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

QUORUM OF THE ASSEMBLY

The presiding Chair (Hon. Karen Wanjiku, MCA) having confirmed that there was no Quorum caused the Bell to be rung for Ten minutes.

There being a Quorum at the expiry of the ten minutes, the presiding Chair called the Assembly to order.

3. COMMUNICATION FROM THE CHAIR:-

The Speaker conveyed the following communication;

CONCLUSION OF PENDING STATEMENTS

“Hon. Members, statements are amongst the opportunities through which the Assembly exercises its oversight over the Executive functions. The Chair wishes to note and appreciate the zeal with which Members have leveraged statements to obtain information and answers from the County Executive on crucial issues in the County.

However, the Chair has noted with concern the delay in responding to statements by Committees, lack of responses from the Executive and the poor management of responses on the floor.

Hon. Members after an audit of all statements from the Second Session to date, the Chair wishes to note that there are pending statements responses for the last two Sessions. In the Second Session (2014), we have a total of 9 pending statements while in the Third Session (2015) we have a total 47 pending statements and a total of 46 pending statements in the current (Fourth) Session. In total, we have 102 pending statements from the Second Session up to the current Session.

Hon. Members, as you continue working with the diligence you have exhibited in executing your oversight mandate for the benefit of Nairobi residents, I hereby direct that Chairpersons with pending Statements from the Second Session to date should move with speed to dispense OF the statements in their respective Committees and give a status report to this Assembly by Thursday 27th October, 2016. Note that every Chair will be called upon to give his respective report on the material day.

Hon. Members, Chairpersons who fail to observe the foregoing direction must report to the Speaker the reason for such failure on time for the County Assembly Leadership to take necessary action on the same.

Hon. Members, the Chair commits to follow up on the forgoing to ensure all pending statements are responded to conclusively.

Thank you.

USE OF BIOMETRIC SYSTEM AT THE NEW CHAMBER

Honorable Members, as you may be aware, the new chamber is equipped with a biometric system whose purpose is to improve efficiencies in the management of attendance of plenary sittings. The biometric system is part of the larger conference system installed as part of the state-of-the-art facilities in this new chamber.

Hon. Members, the Chair is aware that the Assembly is still using a manual register for management of plenary sittings. The Chair now finds it fit that the Assembly now implement the use of the biometric system, commencing next week Tuesday, 25th October, 2016.

Consequently, **Hon. Members**, it is important that Members register their fingerprints with the ICT Department between today Tuesday 18th October, 2016 and Monday, 24th October, 2016.

Hon. Members, you are reminded that from Tuesday, 25th October, 2016, there will be no manual register for purposes of capturing attendance of plenary sittings. Members will sign into plenary via use of the biometric finger scanner at the entrance to this Chamber. It is so guided.

ON DECORUM WHEN ENTERING AND IN PLENARY

Hon. Members, the Chair has communicated in the past regarding decorum and disorderly conduct and the need to uphold the provisions of the Standing Orders on the same. The Chair is increasingly observing non-adherence to the provisions of the Standing Orders on decorum and orderliness, especially as regards observance of certain practices when entering the Chamber, crossing the floor, leaving the Chamber when the Quorum bell is ringing, making consultations and use of mobile phones.

Hon. Members, Standing Order 100 (1) provides *that every Member shall bow to the Chair in passing to or from his or her seat or across the Floor of the County Assembly but, a Member may show respect in any other manner consistent with the Member's faith and with the dignity of the County Assembly.*

Standing Order 100(2) further provides that no *Member shall pass between the Chair and any Member who is speaking or between the Chair and the Table except in so far as it is necessary for the purpose of the administration of Oath or affirmation of Allegiance.*

Additionally, Standing Order 101 requires that *except when passing to and from his or her seat or when speaking, every Member when in the Chamber shall be seated, and shall not at any time stand in any of the passages and gangways.*

Hon. Members, it is Parliamentary practice formalized in the Speaker's Rules that every Member bows at the bar when entering the Chamber. However, the Chair has observed that some Members bow at the mace, walking all the way from the entrance, contrary to existing practice. The Chair wishes to remind Members that bowing when entering the chamber is to be done at the bar, and not at the table.

In the same vein, **Hon. Members,** Standing Order 32(3) only makes exceptions for party whips to leave the Chamber when the Quorum bell is ringing. All other Members are expected to remain sited and orderly as per Standing Order 34. The sergeants at arm are directed to heed this instructions keenly. The Speaker shall no longer entertain non-adherence to Standing Order 32(3) by any Member when the quorum bell is ringing.

Finally, **Honorable Members,** the Chair cannot stop you from using your mobile phones or having them in plenary. But equally, the Chair will not hesitate to dole out sanctions to Members whose mobile phones ring out during plenary to the annoyance of others and the disruption of orderly conduct of business, or members who make phone calls within this Chamber while in session or make loud consultations. It is disorderly and cannot be allowed in this August Assembly.

Hon. Members, you are encouraged to familiarize yourselves with these and other minor rules of orderliness for your own benefit. The Chair will henceforth not tolerate Members who disregard the observance of the foregoing practices that contribute to general orderliness when dispensing with debate in plenary. It is so guided.
I thank you."

4. STATEMENTS PURSUANT TO STANDING ORDER 41(2)(c)

Pursuant to Standing Order 41 (2) (c) the following Member sought for statements;

- i) Hon. Elkana Mauti requested for a Statement from the Chairperson of the Sectoral Committee on Early Childhood Educational and Vocational Training regarding the construction of ECD classes in the County; and
- ii) Hon. Elkana Mauti requested for a Statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the implementation status of water tanks project in every ward.

Pursuant to Standing Order 41 (2) (c) the following responses to statements were given:-

- a. The Chairperson of the Sectoral Committee on Culture and Community Services gave a response to statement requested by Hon. Hashim Kamau regarding public private partnership Agreement between defunct Nairobi City County and a private investor in regard to Eastleigh Social Hall; and
- b. The Chairperson of the Sectoral Committee on Culture and Community Services gave a response to statement requested by Hon. Alexander Mulatya regarding the use of funds collected from liquor Licenses in the County.

5. THE NAIROBI CITY COUNTY ANIMAL CONTROL AND ABATTOIRS MANAGEMENT BILL, 2016 (ASSEMBLY BILL NO. 3 OF 2016)

Order for the Second Reading;

Motion made and question proposed;

THAT, the Nairobi City County Animal Control and Abattoirs Management Bill, 2016 (Assembly Bill No. 2016) be now read a second time.

(Hon. Zulfa Hakim, MCA)

Debate arising;

Mover replied;

*Question put and **Agreed to***

Bill read a Second Time and Committed to the Committee of the Whole Assembly.

QUORUM OF THE ASSEMBLY

Rising in her place on a Point of Order, Hon. Jacqueline Nyang'ala drew the attention of the presiding Chair (Hon. Karen Wanjiku) to the fact that there was no Quorum in the Assembly;

And the Presiding Chair having counted the Honourable Members present and confirmed that there was no Quorum caused the Division Bell to be rung;

And there being no Quorum after expiry of ten minutes;

And the time being forty Minutes past Three O'clock, the presiding Chair (Hon. Karen Wanjiku) interrupted the proceedings and adjourned the Assembly without Question put pursuant to the Standing Orders.

6. ASSEMBLY ROSE - at Forty Minutes Past Three O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, October 25, 2016 at 2.30p.m

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