



COUNTY GOVERNMENT OF NAIROBI CITY

FIRST ASSEMBLY – (FOURTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MARCH 1, 2016

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

QUORUM OF THE ASSEMBLY

The Deputy Speaker having confirmed that there was no Quorum caused the Division Bell to be rung for Ten minutes.

There being Quorum at the expiry of the ten minutes, the Deputy Speaker called the Assembly to order

3. COMMUNICATION FROM THE CHAIR:-

The Deputy Speaker conveyed the following Communication from the Chair;

“Hon. Members, I have the following communication to make.

FORWARDING AND TABLING OF CFSP IN THE COUNTY ASSEMBLY

Hon. Members, as you are aware, the Public Finance Management Act, 2012, under Section 117 (1) provides that the *County, Treasury shall prepare and submit to the County Executive Committee the County Fiscal Strategy Paper for approval and the County Treasury shall submit the approved Fiscal Strategy Paper to the county assembly, by the 28th February of each year.*

Consequently, the Assembly received the County Fiscal Strategy Paper on Friday 26th February, 2016.

I wish to guide as follows regarding the tabling of the County Fiscal Strategy Paper, 2016 –

Hon. Members, the Assembly has written to the CEC Member for Finance and Economic Planning regarding a marked reduction in the County Assembly’s proposed expenditures as contained in the submitted CFSP.

The CFSP sums up the amounts allocated for goods and services and transfers to County Assembly Funds as “other recurrent” and given the amount of Kshs803M.

Hon. Members, the total amounts for the items according to the Assembly’s earlier submissions was Ksh944M. The CFSP has therefore reduced County Assembly proposals by kshs144M.

As such, it is impossible to infer which category of the expenditure was reduced. Further, it is difficult to account for which Assembly programs might be affected in light of the generalized reduction.

Subsequently, Hon. Members, the CFSP will not be tabled today in order to allow for further consultation with the CEC Member for Finance and Economic Planning on the aforesaid reduction.

Thank you.”

4. PAPERS LAID:-

The following paper was laid on the Table of the Assembly;

i. THE DEBT MANAGEMENT STRATEGY PAPER 2016

(Leader of the Majority Party)

5. COMMITTEE OF THE WHOLE ASSEMBLY

IN THE COMMITTEE

(Hon. Maurice Akuk – in the chair)

The Nairobi City County Community and Neighbourhood Associations Engagement Bill, 2015 (Assembly Bill No. 12 of 2015)

Clause 3 - Agreed to

Clause 4 - amendment proposed –

THAT, clause 4 of the Bill be amended by—

- (a) Deleting the word “protection” appearing in subclause (a) and substituting with the word “conservation”

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 4 - as amended Agreed to

Clause 5 - amendment proposed -

THAT, clause 5 of the Bill be amended by—

- (a) Deleting the word “twenty” appearing in subclause (b) and replacing with the word “ten”
- (b) Deleting the words “fifty one per cent” and replacing with the words “seventy five per cent”

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 5 - as amended Agreed to

Clause 6 - amendment proposed -

THAT, clause 6 of the Bill be amended by —

- (a) Deleting the word “may” appearing in Clause 6 and replacing with the word “shall”
- (b) Deleting sub-clause 6(b)

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 6 - as amended Agreed to

Clauses 7, 8 & 9 - Agreed to

Clause 10 - amendment proposed -

THAT, clause 10 be amended as follows —

- (a) By deleting the words “Section 5(3)” appearing in subclause (c) and replacing with the words “Section 5(c)”
- (b) In sub-clause (c) by deleting the words “sixty per cent” and replacing with the words “seventy five per cent”.

(c) By inserting a new subclause-

“(10ca) The association decides to opt out of the agreement in which case it shall give a three months’ notice to the Executive Committee member” immediately after sub clause 10 (c).

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 10 - as amended Agreed to

Clause 11 - amendment proposed -

THAT, clause 11 be amended by deleting the words “once every year” and replacing with the words “twice every year”

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 11 - as amended Agreed to

Clause 12 - amendment proposed -

THAT, Clause 12 be amended in sub-clause (2) by deleting the words “a simple majority” and replacing with the words “two thirds”.

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 12 - as amended Agreed to

Clause 13 - Agreed to

Clause 14 - amendment proposed -

THAT, Clause 14 be amended by deleting the words “or collecting revenue”

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 14 - as amended Agreed to

Clause 15 - amendment proposed -

THAT, clause 15 be amended by-

- (a) Inserting the words “who shall be a person knowledgeable in arbitration matters” immediately after the word “Chairperson” appearing in subclause (a)
- (b) inserting the following new subclause immediately after subclause (c)

“Not more than two-thirds of the members of the committee established under this section shall be of the same gender.”

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 15 - as amended Agreed to

Clause 16 - amendment proposed -

THAT, clause 16 be amended by deleting the word ‘Governor’ and replacing with the words “County Assembly”

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 16 - as amended Agreed to

Title - Agreed to

Clause 2 - amendment proposed -

THAT, clause 2 of the Bill be amended by inserting the following new definition in its proper alphabetical sequence-

“Policing’ means activities related to community policing as defined by Section 2 of the National Police Service Act (Cap 84).”

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 2 - as amended Agreed to

Clause 1 - amendment proposed -

THAT, clause 1 of the Bill be amended by inserting the words “and shall come into operation upon the expiry of ninety days from the date of its publication” immediately after “2015” appearing in Clause 1

(Hon. Nelson Masiga, MCA)

Question of the amendment proposed, put and Agreed to.

Clause 1 - as amended Agreed to

6. ASSEMBLY RESUMED - (Deputy Speaker in the Chair)

The Nairobi City County Community and Neighbourhood Associations Engagement Bill, 2015 (Assembly Bill No. 12 of 2015)

Bill reported with amendments;

Motion made and Question proposed:-

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

(Hon. Nelson Masiga, MCA)

Question put and agreed to

Motion made and Question proposed -

THAT, the Nairobi City County Community and Neighbourhood Associations Engagement Bill, 2015 (Assembly Bill No. 12 of 2015) be now read a Third Time.

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

7. MOTION - ADOPTION OF THE REPORT OF THE SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING ON THE ON THE STATUS OF UMOJA ONE NURSERY, UNITY DAY NURSERY AND SIMBA DAY NURSERY SCHOOL OF NAIROBI CITY COUNTY

THAT, the Assembly adopts THE REPORT OF THE SECTORAL COMMITTEE CHILDREN, EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING ON THE STATUS OF UMOJA ONE NURSERY, UNITY DAY NURSERY AND SIMBA DAY NURSERY SCHOOL OF NAIROBI CITY COUNTY, laid on the Table of the Assembly on Wednesday 2nd December, 2015.

(Hon. Kingsley Odida, MCA)

Debate ensued;
Mover replied;
Question put and *Agreed to*

QUORUM OF THE ASSEMBLY

Rising in his place on a Point of Order, Hon. Wilfred Odalo drew the attention of the Deputy Speaker (Hon. Kennedy Ng'ondi) to the fact that there was no Quorum in the Assembly;

And the Deputy Speaker having counted the Honourable Members present and confirmed that there was no Quorum caused the Division Bell to be rung for eight minutes;

And there being **no** Quorum after expiry of eight minutes;

And the time being ten minutes past Four O'clock, the Deputy Speaker interrupted the proceedings and adjourned the Assembly without Question put pursuant to the Standing Orders.

8. ASSEMBLY ROSE - at ten minutes past Four O'clock.

MEMORANDUM

The Speaker will take the Chair on
Wednesday, March 2nd, 2016 at 2.30p.m

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