



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Third Session

Thursday 13th August, 2015

The House met at 2.30 p.m.

(Hon. Speaker (Mr. Alex Ole Magelo) on the Chair)

PRAYERS

Hon. Speaker: Searjant-At-Arms to ring the bell for 10 minutes. Searjant-At-Arms to ring the bell for another five minutes.

PAPERS

Hon. Member for Imara Daima Ward, (Mr. Jairus Atenya): Thank you, Mr. Speaker sir, I beg to lay--- this time it is not two weeks. On 7th July, 2015, the Sectoral Committee on Planning and Housing received a petition regarding the outdoor advertisement and Senate policy from the outdoor advertising Association of Kenya petitioning the County Assembly to look into the number of papers put to be laid by the petitioners which include immediate move to cancel a policy to ensure that any other legislation meets the criteria set to legislation---

Hon. Speaker: Hon. Chairperson, you are laying a paper not a report.

Hon. Jairus Atenya: Yes. Allow me to lay the paper.

Hon. Speaker: Very well. Hon. Mark, you are not properly dressed!

**REPORT OF SECTORAL COMMITTEE ON PLANNING AND HOUSING ON CONSIDERATION
OF COMPLAINTS BY OUTDOOR ADVERTISING ASSOCIATION OF KEMYA**

Hon. Jairus Atenya: Excuse me, Mr. Speaker sir; I beg to lay the following paper. Pursuant to Standing Order 180(6) I beg to lay the following paper on the table of the Assembly, today Thursday 13th August, 2015: The Report of Sectoral Committee on Planning and Housing on considering of complaints by outdoor Advertising Association of Kenya on the County Outdoor Association of Kenya policy.

Hon. Speaker: Very well.

(Long silence)

**REPORT OF THE AUDITOR GENERAL ON FINANCIAL STATEMENT OF NAIROBI CITY
WATER AND SEWERAGE COMPANY LIMITED FOR YEAR ENDED 30TH JUNE 2014**

Hon. Majority Leader (Mr. Elias Otieno): It seems this paper was to be laid by the Minority Leader because he went to search people but it is okay. Mr. Speaker, pursuant to article 229(7) (b) of the Constitution, I beg to lay the following paper on the table of the Assembly, today Thursday 13th August, 2015: The Report of the Auditor General on the Financial Statement of Nairobi City Water and Sewerage Company limited for the year ended 30th June, 2014.

Mr. Speaker, I know in future if we will not have quorum we know where to knock and we will get the quorum, thank you, Mr. Speaker.

Hon. Speaker: Very well, thank you Hon. Leader of Majority

NOTICES OF MOTION

Hon. Speaker: The Hon. Chairperson of Planning

**REPORT OF SECTORAL COMMITTEE ON PLANNING AND HOUSING ON CONSIDERATION
OF COMPLAINTS BY OUTDOOR ADVERTISING ASSOCIATION OF KEMYA**

Hon. Jairus Atenya: Hon. Speaker, I beg to give notice of the following Motion: THAT, this Assembly adopts the Report of the Sectoral Committee on Planning and Housing on consideration of complaints by Outdoor Advertising Association of Kenya on the County Outdoor Advertising and Senate Policy laid on the table of the Assembly, today Thursday 13th August, 2015.

STATEMENTS**REQUEST FOR A STATEMENT REGARDING THE POOR STATE OF STREET LIGHTING IN UMOJA I WARD**

Hon. Member for Lucky Summer Ward (Mr. Kennedy Oduru): Thank you, Mr. Speaker sir. I have a Response for Hon. George Njoroge Maina, who rose on the floor of the House on 1st of July, 2015, pursuant to Standing Order No. 41 (2c) and requested the Chairperson of the Sectoral Committee on Transport and Public Works for a Statement regarding the poor state of street lighting in Umoja I Ward. He further requested the Chairperson to inquire into and report on:

- i) What became of the of the solar powered lights which were installed by the defunct Nairobi City Council;

Hon. Speaker: Order, Hon. Members! Please consult in low tones, Hon. Mark and Wahinya Parklands.

Hon. Kennedy Oduru:

- ii) Measures that the Nairobi City County Executive have put in place to address the complaints made by residents of Umoja I Ward; and
- iii) Measures put in place to curb vandalizing of street lights and action taken against the offenders.

Mr. Speaker sir, the Committee wrote to the County Chief Officer responsible for Roads, Transport and Public Works with a copy to the County Executive Committee Member responsible for Roads, Transport and Public Works on 8th July, 2014 requesting to be furnished with a written Response to the Statement requested by Hon George Maina. The County Chief Officer responsible for Transport and Public Works responded through a letter Ref. PWT/2611/CO/JMG. In this regard I wish to report to the Assembly as follows:

1. **What became of the solar powered lights that were installed by the defunct City Council of Nairobi**

Hon. Speaker: Order, Hon. Members please!

Hon. Kennedy Oduru:

- The Committee was informed that the solar powered lights along the Parliament Road and Harambee Avenue were installed and financed by the Ministry of Energy
- That the Light output reduced with time and the system failed to function throughout the night

- That they reverted back to the convectional system powered by grid Kenya Power supply but solar panels and the batteries were disconnected and were still on site.
- 2. Measures the Nairobi City County Executive has put in place to address the complaints made by the residents of Umoja 1 ward**

The Committee was informed as follows;

1. That in the last three months, the County has maintained lights at blocks B,F,J and P precincts and lane Nyagusu, Moi Drive and around Rockfield.
2. That the County will install eight ten metre masts at strategic locations within the next two months as a strategy to improve the street lighting in Umoja 1 ward

3. Measures put in place to curb vandalism of street lights and action taken to its offenders.

The Chief Officer stated that the County has started employing new designs to enable new installation methods such as the following; use of aluminum cables in place of copper, use of concrete holes with overhead system and installation of control gears on top of holes.

The officer further informed that culprits found vandalizing public street lighting are taken to the City court and fined based on the item vandalized. She added that the costing---

Hon. Speaker: Order Hon. Members!

Hon. Kennedy Oduru: She added that the costing is done by the engineer from the electrical section. Thank you Mr. Speaker sir, I beg to lay this response.

Hon. Speaker: Hon. G. Maina

Hon. Member for Umoja 1 Ward (Mr. George Maina): Mr. Speaker, thank you very much. I am not satisfied with these answers because they cannot even prove that they are doing the maintenance yet on paper they write that they have done them. However, I will consult with the Chair for Transport because the Executive is not giving satisfactory answers.

Hon. Speaker: Hon. G. Maina, which areas are you not satisfied with?

Hon. George Maina: The Committee was informed that in the last three months the County has maintained lights at blocks D, F, J and P and that is a white lie.

Hon. Speaker: Order! Please use proper language.

Hon. George Maina: I withdraw.

Hon. Speaker: Which area are you not satisfied with?

Hon. George Maina: I am not satisfied because they are saying that the County has maintained lights and if you go to these blocks that they are saying, Mr. Speaker there is a lot of darkness and so I wonder. The Chief Officer for Transport is misleading this Committee. You rather take action, Mr. Speaker.

Hon. Speaker: You know your statement has three components; what became of the solar power, measures the Nairobi County has put in place to address the complaints made by residents and measures put in place to curb vandalism. You have three components so which one are you not satisfied with?

Hon. George Maina: I am not satisfied with the measures that Nairobi City County has put in place to address the complaints made by the residents of Umoja I Ward. On that one, I am not satisfied, Mr. Speaker.

Hon. Speaker: Hon. Chairperson, the Member is not satisfied with the measures the Nairobi City County Executive has put in place to address the complaints made by the residents. I therefore direct that you go back and bring to the Assembly the measures. We now want you to deal with the measures, only the measures. Is that okay, Hon. Member?

Hon. George Maina: Yes.

Hon. Speaker: Can you give us an undertaking on that?

Hon. Jairus Atinya: Thank you, Mr. Speaker sir. In this regard I request if you can allow the Committee to go for site visits so that we can observe for ourselves what is happening on the ground.

Hon. Speaker: How much time do you need?

Hon. Jairus Atinya: Two weeks at least.

Hon. Speaker: Hon. Chairperson, you do not need a site visit. What you need is for them to tell you what measures they are taking in regards to all the complaints from the residents of Umoja. Next Order.

Hon. Jairus Atinya: Mr. Speaker, I also have a Statement for Paul Kados.

Hon. Speaker: Hon. Paul Kados is not in so let us continue.

COMMITTEE OF THE WHOLE ASSEMBLY

(Order for Committee read)

(Mr. Speaker left the Chair)

IN THE COMMITTEE

(Mr. Chairman took the Chair)

REGULARIZATION OF DEVELOPMENT BILL

Hon. Deputy Speaker: We are now in the Committee of the Whole Assembly. Please get seated, Members. The Committee of the Whole Assembly on the Nairobi City County Regularization of Development Bill, Bill number 1 of 2015.

Hon. Members, we will start with the Clauses Bill, Clause 2.

Clause, 2,3,4,5,6,7,8,9, 10, 11, 12,13,14.

Hon. Deputy Speaker: Hon. Members, I now propose that Clause 2 to 14 be part of the Bill. Hon. Members, I now put the question that Clause 2 to 14 be part of the Bill.

(Clause 2 is put and agreed to)

Hon. Deputy Speaker: Hon. Members, I propose that Clause 15 be amended and be part of the Bill.

Hon. Member: Mr. Chairman, I beg to move that the Committee do report to the Assembly its consideration of Nairobi City County Regularization of Development Bill, number 1 of 2015 Assembly Bill No. 1 of 2015 and its approval therefore with amendments.

Hon. Member: The Nairobi City County Regularization of Development Bill, 2015 Assembly Bill No 1 of 2015. Notice is given that the Chairperson of Sectoral Committee of Housing and Planning, Hon. Jerad Kena intends to move the following amendment to the Nairobi City County Regularization of Development Bill 2015 at the Committee stage. That Clause 15 of the Bill be amended in Clause 2 to read; the Committee shall be Chaired by the person that I propose that clause 15 of the Bill be amended in sub

clause 2 by inserting paragraph as follows; KK representative of Association of Consulting Engineers of Kenya. (2), a representative of the National Construction Authority.

Hon. Deputy Speaker: Hon. Members, allow me now to propose the question that Clause 15 be amended as it appears in the Order Paper. Hon. Members, allow me to put the question that Clause 15 now be amended as it appears in the Order Paper.

(Clause 15 is amended, put and agreed to)

Clause 16,17,18.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 16 to 18 be part of the Bill. I now put the question that Clause 16 to 18 be part of the Bill.

(Clause 16,17,18 is put and agreed to)

Title.

Hon. Deputy Speaker: Hon. Members, I propose that the title be part of the Bill. Allow me to put the question that the Title be part of the Bill.

(Title is put and agreed to)

Hon. Deputy Speaker: Hon. Members I now put the question that Clause 1 be part of the Bill.

Clause 1

Hon. Deputy Speaker: Hon. Members, I propose that Clause 1 be part of the Bill.

(Clause 1 agreed to)

Hon. Deputy Speaker: Chairman!

Hon. Jairus Atinya: Mr. Chairman, I beg to move that the Committee do report to the Assembly its consideration of the Nairobi City County Regularization of the Development Bill, 2015, Assembly Bill No. 1 of 2015 and its approval, thereof, with amendment.

Hon. Deputy Speaker: Thank you. Hon. Members, I now put the question that the Committee do report to the Assembly its consideration of the Nairobi City County Regularization of the Development Bill, 2015, Assembly Bill No. 1 of 2015 and its approval, thereof, with amendment.

(Question put and agreed to)

(The House resumed)

(Mr. Speaker in the Chair)

Hon. Speaker: Very well.

Hon. Deputy Speaker: Thank you, Hon. Speaker and welcome back. I beg to report that the Committee of the Whole Assembly has considered the Nairobi City County Regularization of the Development Bill, 2015, Assembly Bill No. 1 of 2015 and its approval, thereof, with amendment. Thank you.

Hon. Jairus Atenya: Thank you, Hon. Speaker. I beg to move that the Assembly do agree with the Committee in the said report.

Hon. Speaker: Hon. Members. I propose the question that the Assembly do agree with the Committee in the said report.

(Question proposed)

(Question put and agreed to)

Hon. Speaker: Next Order. Hon. Chairperson, Planning.

Hon. Jairus Atenya: Hon. Speaker, I beg to move that the Nairobi City County Regularization of Development Bill 2015, Assembly Bill No. 1 of 2015 be read for the third time.

Hon. Speaker: Hon. Members, I will put the question.

(The Bill is read for the third time and passed)

Hon. Speaker: Hon. Members, the Assembly is adjourned until next week, Tuesday 2.30 p.m. I thank you.

(Assembly adjourned at 5.00 p.m.)