



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Fourth Session

Tuesday 16th June, 2016

The House met at 2.30 p.m.

(Hon. Deputy Speaker (Mr. Kennedy Ngondi) in the Chair)

PRAYERS

Hon. Deputy Speaker: Hon. Members, I have been made to understand that there is lack of quorum and I so direct the Serjeant-At-Arms under Standing Order number 31(a) to ring the bell for 10 minutes.

(Bell is rang for 10 minutes)

Hon. Speaker: Members, there is still lack of quorum in the House and I direct that the bell be rang for a further 5 minutes.

(Bell is rang for 5 minutes)

Hon. Speaker: Hon. Members, we now have quorum in the House, we may proceed.

PAPERS

Hon. Speaker: Hon. Nyangwara.

Hon. Member for Viwandani(Mr. Samuel Nyangwara): Mr. Speaker sir, allow me to lay the Paper pursuant to Standing Order number 186. Mr. Speaker, the following Paper on the Table of the Assembly today Thursday 16th, 2016, the report of the Select Committee on delegated County legislation on the consideration of the Nairobi City County Ward Development Regulation 2016. Allow me to Table, Mr. Speaker sir.

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Hon. Speaker: Thank you.

NOTICES OF MOTION

Hon. Speaker: Chairperson of Delegated Legislation.

Hon. Samuel Nyangwara: Mr. Speaker sir. I beg to give Notice of Motion that this Assembly adapts the report of the select Committee on Delegated County Legislation on the Consideration of the Nairobi City County Development Fund 2016 laid on the Table of the Assembly today Thursday 16th June, 2016. I beg to Table.

(The Motion is tabled)

STATEMENTS

Hon. Member for Eastleigh North Ward (Mr. Osman Adow): Can I proceed Mr. Speaker?

Hon. Deputy Speaker: You may proceed.

Hon. Osman Adow: Thank you. A request for a statement pursuant to Standing Order 41 (2c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Justice and Legal Affairs regarding the impounding of motor bikes for Nairobi residents. Hon. Speaker there is concern that motorbikes riders within Nairobi City County are having challenges in terms of their motorbikes being impounded for long and delaying in communicating the fines for the affected motorbike riders. For example Mr. Nelson Mwenda's motorbike registration No. KMDL 616A was impounded on 4th of April 2016 and the impounding bill was given on 14th of June, that's two months later which has accumulated a total of Ksh. 72, 000/-. The County Executive staff in-charge of the enforcing the compliance allegedly said to be asking for bribes to release the bikes and intentionally said to be holding them to accrue charges when the owners refuse to pay.

Hon. Speaker the Chairperson should inquire into and report on:

1. Reasons for the delay in processing the impounding fines for the riders;
2. How much the County Executive charges for impounded motorbikes and the storage charges for the impounded motorbikes per day;
3. Areas where the impounded motorbikes are stored; and
4. Measures taken by the County Executive to ensure that staff do not ask for bribes from residents and action taken against staff found to have asked and received bribes.

Thank you.

Hon. Deputy Speaker: Chairperson Legal and Justice.

Hon. Member for Parklands Ward (Mr. Jaffer Kassam): Thank you, Mr. Speaker sir. We request to be given enough time because of the lengthy response which may require to involve three departments in our sector hopefully I will request for a week, Mr. Speaker sir.

Hon. Deputy Speaker: Thank you Hon. Chairperson for Justice and Legal Affairs. Hon. Abdi.

Hon. Mohamed Abdi (Nominated Member): Thank you Mr. Speaker. Pursuant to Standing Order 41 (2c), I wish to request for a statement from the Chairperson of the Select Committee on Budget and Appropriations regarding the contract between the Nairobi City County government and Webtribe Limited through Jambopay. Hon. Speaker, the Nairobi City County signed a contract with the Webtribe Limited through Jambo Pay to collect revenue within the County. It is alleged that the contract between the Nairobi City County and Jambopay was procured corruptly and has resulted in reduction of revenue collection.

Hon. Speaker in the statement the Chairperson should inquire into and report on:

1. The contract between the Nairobi City County and Jambopay including the contract and the amount of the money for the contract;
2. Amount of the money that has been collected by the County since the commencement of Jambopay system to date; and
3. Percent amount that Jambopay get from the revenue collection.

Thank you.

Hon. Deputy Speaker: Thank you. Do we have the Chairperson for the Implementation Committee? Okay thank you, Hon. Michel Ogada, Budget and Appropriation.

Hon. Member for Embakasi Ward (Mr. Michel Ogada): Thank you very much Mr. Speaker, we beg to be given two weeks so that we can come with a comprehensive report.

Hon. Deputy Speaker: That is in order.

Hon. Member for Embakasi Ward (Mr. Michael Ogada): Thank you very much, Mr. Speaker. We beg to be given two weeks so that we can come with a comprehensive report.

Hon. Deputy Speaker: That is in order. Hon. David Mberia. Is he in the House? We defer that question. Clerk, can you proceed.

Hon. Members, the following Statements are due for responses;

Statement requested by Hon. Pius Mbono from the Chairperson of the Sectoral Committee on Children, Early Childhood Education and Vocational Training regarding cash remittance to the bank for

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bursary cheques by the County Executive. The Chairperson for Children, Early Childhood Education and Vocational Training, the Statement is due for response.

Hon. Member for Laini Saba Ward (Mr. David Kitavi): Thank you, Mr. Speaker. I think that Statement has been bypassed by events since that matter has already been dispensed off and Hon. Members are continuously receiving their cheques at the moment. What we are waiting for are the next forms for the next disbursement. Thank you, Mr. Speaker sir.

Hon. Deputy Speaker: Thank you for that kind of information. Is Hon. Pius Mbono in the House? Do you concur with the response from the Chairperson for Early Childhood Education?

Hon. Member for Zimmerman Ward (Mr. Pius Mbono): Thank you, Mr. Speaker. I am comfortable with that report. In fact, I issued my cheques one month ago.

Hon. Deputy Speaker: Thank you. Statement requested by Hon. Hashim Kamau from the Chairperson of the Select Committee on Ward Development Fund regarding projects and budget for the financial year 2014/2015. The Chairperson for Ward Development Fund? The vice Chair? Member?

Hon. Member for Umoja I Ward (Mr. Njoroge Maina): We beg to give the response on Tuesday next week.

Hon. Deputy Speaker: Tuesday next week?

Hon. Njoroge Maina: Yes.

Hon. Deputy Speaker: Statement requested by Hon. Rachael Kamweru from the Chairperson of the Sectoral Committee on Labour, Social Welfare and Select Committee on Budget and Appropriations. Hon. Wanyoike?

Hon. Member for Dandora Area I Ward (Mr. Peter Wanyoike): Thank you, Mr. Speaker. Today we had a meeting and we resolved to with Budget Committee so that we can deliberate on the same. So, we are to meet next week, Tuesday. I request you give us time, by Thursday we will have a report, Mr. Speaker.

Hon. Deputy Speaker: That is in order. Chair for Budget, do you share the same?

Hon. Michael Ogada: Yes, Mr. Speaker, we have consulted. That is the position.

Hon. Deputy Speaker: Thank you. Statement requested by Hon. Isaac Ngige from the Chairperson of the Sectoral Committee on Planning and Housing regarding the grabbing of public land, plot No. LR 9363/6 in Mwiki Ward. The Chairperson for Planning? Vice Chair?

Hon. Deputy Speaker: Do we have a member from the Planning Committee who is aware? The Committee is in Mombasa? OK, Clerk we defer that question to next week on Tuesday. The next order.

MOTION

Hon. Member for Eastleigh North Ward (Mr. Osman Adow): Thank you Mr. Speaker. Due to differences in the way the Motion was written and the way I requested I would like to withdraw this and redraft and bring a fresh Motion next week.

(Loud consultations)

Hon. Deputy Speaker: Yes Hon. Kitavi.

Order, order Hon. Members!

Hon. Member for Laini Saba Ward (Mr. Boniface Kitavi): Mr. Speaker sir although the Member may be in order it is only prudent that we debate this Motion or else the Member could explain to us which particular area is having a problem so that we can be bale to dissect the Motion properly. I can see he is still hesitating it is only fair that we acknowledge the Assembly today and provide the Members with iPads and since some of the Members are not accustomed to using these gadgets through your direction the Assembly could be taken to some kind of training for Members to accustom themselves to using these new gadgets Mr. Speaker sir.

(Point of Order)

Hon. Deputy Speaker: Out of order. Hon. Members Order, order Hon. Ogeto, please order. Order, order we are on the issue of order 8, are you on the same? Thank you we may proceed.

Hon. Karen Wanjiku (Nominated Member): Mr. Speaker sir the Standing Order is very clear, this Order Paper was on the website 24 hours before and I don't know whether the Member did not see or he has just seen. This is wasting the time of Members. And noting that it is the only order of the day I don't think he is in order, he is out of order.

Hon. Deputy Speaker: Hon. Mwalimu

Hon. Member for Kahawa West Ward (Mr. Patrick Ngaruiya Chege): Thank you Speaker, I think it is in order for the Hon. Member Osman to withdraw the Motion as he has requested and redraft it and also make that particular Motion to have more weight. So Mr. Speaker I think it is in the interest of all Members that we get the strong points in this particular Motion. I therefore support *Mheshimiwa* Adow so that he can redraft it and bring it back. I think that is in order, thank you.

Hon. Deputy Speaker: Thank you. Hon. Members you may get seated, please sit down. Order, order please. Can you sit down? Hon. Members Standing Order 48 on the withdrawal of the Motion:

Motion withdrawn may be moved again (1) A notice of Motion may be withdrawn by the Member who gave the notice, but notice of the same Motion may be given again either by the same or by any other Member.

(2) Despite paragraph (1), notice of a Special Motion may not be withdrawn, except with leave of the County Assembly.

(Question put and agreed to)

(Motion withdrawn)

Hon. Members the House stands adjourned to Tuesday 2.30 p.m. There shall be sitting of the Liaison Committee at the rise of the Assembly, there is an urgent business before the Committee so kindly form the quorum and make the work at least easier for us. Thank you see you next week.

(House rose at 16.00 p.m.)