



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Fourth Session

Tuesday 1<sup>st</sup> March, 2016

The House met at 2.30 p.m.

*(Hon. Deputy Speaker (Mr. Kennedy Ng'ondi) in the chair)*

### PRAYERS

**Hon. Deputy Speaker:** Hon. Members, I have been notified there is lack of quorum in the House. I direct the Serjeant-At-Arm to ring the Bell for 10 minutes, under Standing Order No.31.

*(Quorum Bell was rung)*

**Hon. Deputy Speaker:** Order, Hon. Members! Clerk, you may proceed after confirming there is quorum in the House. Members, can you get seated.

### COMMUNICATION FROM THE CHAIR

#### FORWARDING AND TABLING OF COUNTY FISCAL STRATEGY PAPER IN THE COUNTY ASSEMBLY

**Hon. Deputy Speaker:** Order, Hon. Millicent! I have a Communication.

Hon. Members, I have the following Communication to make; this is in regard to forwarding and tabling of CFSP in the County Assembly.

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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 28<sup>th</sup> February of each year.” Consequently, the Assembly received the County Fiscal Strategy Paper on Friday, 26<sup>th</sup> 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 marked reduction in the County Assembly proposed expenditure as contained in the submitted CFSP. The CFSP sum up the amount allocated for goods and services and transfers to the County Assembly funds other recurrent and given the amount of Ksh.803 million.

Hon. Members, the total amounts for the item according to the Assembly earlier submission was Ksh.944 million. The CFSP has therefore reduced County Assembly proposals by Ksh.144 million. As such, it is impossible to infer which category of 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, Hon. Members.

*(Hon. Member rose on a Point of Order)*

**Hon. Deputy Speaker:** Declined. What is it Hon. Kitavi?

**Hon. Member for Laini Saba Ward** (Hon. Boniface Kitavi): Mr. Speaker sir, thank you very much for according me the opportunity. You have just made a very important Communication. We are aware that some Committees do not exist, especially the Budget Committee which has a role of looking at the paper and even advising this Assembly because it is their mandate. As of now, we don't have a Budget Committee yet this Paper has got some timelines on when it is supposed to be tabled here. Can the leadership of this Assembly tell us what is happening in as far as forming of new Committees is concerned? Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** I think we have the Leader of Majority and the Leader of Minority Party in the Assembly.

*(Hon. Samuel Nyang'wara rose on a Point of Order)*

**Hon. Deputy Speaker:** On what, Hon. Nyang'wara? Order! The Hon. Member has just risen on a Point of Order.

*(Hon. Samuel Nyang'wara spoke off the record)*

**Hon. Deputy Speaker:** Order, Hon. Nyang'wara! The Member is just inquiring; it is not a debate.

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*(Hon. Samuel Nyang'wara spoke off the record)*

**Hon. Deputy Speaker:** Please, can you just sit!

Hon. Members, it is true we need some light in what Hon. Kitavi has just raised. I don't know whether the Majority Leader is prepared to give the undertaking now or may be later in the day, tomorrow or any other day? Do you have to respond to that, Hon. Majority Leader?

**Hon. Leader of Majority** (Mr. Elias Otieno): Sorry, Mr. Speaker, today I just came here to lay this Paper. I did not come to respond about Budget Committee Members, but if I am not wrong, I think the list of the Committee Members is ready, so it will be tabled in this House very soon.

**Hon. Deputy Speaker:** When is soon, can you be specific because we have the Fiscal Strategy Paper?

**Hon. Leader of Majority:** Mr. Speaker, I will consult with the other part so as to bring their names then we will table them. But if you want me to do so, I can do it halfway which is not good. So, let us wait for the full list. May be tomorrow or Thursday, we will get those names.

**Hon. Deputy Speaker:** Okay, thank you.

**Hon. Karen Wanjiku** (Nominated Member): Point of Order.

**Hon. Deputy Speaker:** Declined. We may proceed, Clerk.

## PAPERS

**Hon. Leader of Majority:** Mr. Speaker, I don't know the reason why Hon. Janet Wala and Hon. Hashim are always smiling in the House yet we have serious business in this House. When they are smiling, it is like---

**Hon. Deputy Speaker:** Hon. Majority, is that part of the Paper you are about to lay?

## THE DEBT MANAGEMENT STRATEGY PAPER, 2016

**Hon. Leader of Majority:** Pursuant to Section 123 (1) of the Public Finance Management Act, 2012, I beg to lay the following Paper on the table of the Assembly, today, Tuesday 1<sup>st</sup> March, 2016: The Debt Management Strategy Paper, 2016. This one goes to Budget Committee which is yet to be constituted. So, maybe they might wait longer, thank you.

## STATEMENTS

**Hon. Deputy Speaker:** Hon. Mike Obonyo Guoro. He is not in the House? Clerk, you may proceed.

Hon. Members, under Order No. 7, the following requests to Statements are due for response, today, 1<sup>st</sup> March, 2016:

1. Statement requested by Hon. Kenneth Irungu Mwangi from the Chairperson of Sectoral Committee on Agriculture and Environment and Natural Resources. Do we have the Chair or the Vice Chair in the House?
2. Statement requested by Hon. Warutere from the Chairperson of the Sectoral Committee on Justice and Legal Affairs regarding the total pending claims for legal fee.

**Hon. Member for Parklands Ward** (Hon. Jaffer Kassam): Mr. Speaker, we have not yet completed because we have not received the Financial Statements dealing with the payments. So, we are still waiting. We got an assurance that it would be done by Thursday.

**Hon. Deputy Speaker:**

3. Statement requested by Hon. Marion Githinji from the Chairperson of Sectoral Committee on Agriculture and Environment and Natural Resources. Order, Members! Do we have the Chair for Environment? The Vice Chair or any Committee Member from Environment who may be having any knowledge about this Statement?
4. Statement requested by Hon. Ngaruiya Chege from the Chairperson of Sectoral Committee on Planning and Housing regarding the construction of perimeter wall at Kenyatta University Referral Hospital.

**Hon. Member for Eastleigh South Ward** (Hon. Nelson Masiga): Mr. Speaker sir, the report is ready, but it has not been adopted by the Committee. We will do so tomorrow at 2:30 p.m.

**Hon. Deputy Speaker:** Thank you Hon. Member. Statement requested by Hon. Moses Ogeto from the Chairperson of Sectoral Committee on Planning and Housing regarding the grabbing of land allotment number 366 which is a public land in Eastleigh South Ward.

**Hon. Nelson Masiga:** The report is not ready Mr. Speaker sir.

**Hon. Deputy Speaker:** When?

**Hon. Nelson Masiga:** Next week, Tuesday.

**Hon. Deputy Speaker:** Okay. Thank you. Statement requested by Hon. Kenneth Irungu from the Chairperson of Sectoral Committee on Trade, Tourism and Cooperative regarding the repair of Kware Road market block-A in Pumwani Ward. Trade and Tourism? Do we have the Vice Chair, Trade?

Statement requested by Hon. Petronila Achieng from the Chairperson of Sectorial Committee on Planning and Housing regarding the notices of payment by the National Construction Authority from the County Government entities on buildings, markets and residential buildings.

**Hon. Nelson Masiga:** The Committee has not received the statement. We are waiting for the statement to reach the Committee so that we can give---

**Hon. Deputy Speaker:** Can you follow it up?

**Hon. Nelson Masiga:** Thank you Mr. Speaker sir.

**Hon. Deputy Speaker:** Okay. Thank you. Clerk?

*(Clerk approached the Chair)*

Do we have any Member of the Environment Committee in the House? Hon. Kitavi, do the undertaking on behalf of the Environment Committee on these two statements. The one which was requested by Hon. Kenneth Irungu regarding the existence of a cartel of people which is in cohort with the County Inspectorate Officers and which have allegedly demolished a fence constructed by the County Government contractor who is still on the ground and the other one is the statement which was requested by Hon. Marion Gethinji from the Chairperson of the Committee on Agriculture.

**Hon. Member for Laini Saba Ward (Mr. David Kitavi):** Mr. Speaker sir. It is very unfortunate that I have to stand on behalf of that Committee but since it is coming from the Chair, I would oblige. However, a Member from that Committee has just walked in and I would like him to take that responsibility so that they can commit themselves.

**Hon. Deputy Speaker:** Thank you.

**Hon. Member for Makongeni Ward (Mr. Peter Imwatok):** Mr. Speaker, my Chair just instructed me to rush to the Assembly quickly. As you are aware, he is the Youth Leader of Nairobi County. My Chair, Dr. Amutavi Benson, has just instructed me to take a plea on his behalf that in the next two weeks he will be able to give a comprehensive statement. Thank you.

**Hon. Deputy Speaker:** Thank you.

**COMMITTEE OF THE WHOLE ASSEMBLY**

*(Hon. Deputy Speaker left Chair)*

*(Hon. Maurice Akuk took over Chair)*

**Hon. Chair:** Order Hon. Members! We are now in the Committee of the Whole House, and we start with the Bill from Clause 3.

**CLAUSE 3**

*(Question proposed)*

*(Question put and agreed to)*

**CLAUSE 4**

*(Question proposed)*

**Hon. Nelson Masiga:** Mr. Chairman, Clause 4 of the Bill be amended as it appears in the Order Paper. I call upon Rachel Kamweru to second.

**Hon. Rachel Kamweru:** Mr. Speaker, I second that Clause 4 be part of the Bill.

*(Question proposed)*

**Hon. Chair:** Can we debate please, Hon. Members? Hon. Members, any debate on the amendment? Hon. Nelson Masiga. Kindly inform the House why you are deleting that and why there is that amendment.

**Hon. Nelson Masiga:** We are amending clause-4 to delete the word "*protection*" appearing in sub-clause (a) and substituting it with the word "*conservation*". Simply because when you say you are protecting environment, that term does not belong to environment. But 'conservation' gives a livelihood to the environment.

**Hon. Chair:** Hon. Members. Hon. Bishop.

**Hon. Martin Gichihi:** Mr. Speaker, the word 'conservation' is okay. But let us not forget that we are using the term 'investment'. How do we conserve investments in that clause? So, I think the word 'protection' should stay.

**Hon. Chair:** Hon. Member, could you please repeat yourself because you are not sure of what you are talking about? There is an amendment. Are you in support of the amendment or are you opposing it? And what are your reasons?

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**Hon. Martin Gichuhi:** Mr. Speaker, as I said, part (a) reads; protection, generally of the environment and investments, and the promotion of the integrity of the environment and investments. The word 'conservation' may not go well when we talk about investments, Mr. Speaker. Protection covers both investments and environment. So, the word 'protection' to me is fine.

**Hon. Chair:** Understood. Hon. Carol, proceed.

**Hon. Carol Muga:** Thank you Mr. Speaker. When we were looking at this, the wording of this particular clause, because this is something that will be done by the community, the word protection could even mean---. It is wide. The community will take it upon themselves to protect in any manner the environment. What we are really looking at here is how to conserve the environment.

When we say protection, it could mean anything. We could just have vigilante groups saying that they are protecting the environment. That is not what we are asking the residents associations to do. What we are asking them to do is to conserve the environment and any investments that are there by the community instead of using the word 'protecting'. 'Protecting' is a bit stronger word and it is vague. It could mean anything. And that is why we sought to put it with a word that actually captures what we want them to do. Because this is the neighborhood associations doing. So, if you say protection, they could just take arms and say they are protecting. Thank you Mr. Speaker.

**Hon. Chair:** Hon. Karen. Then Hon. Petronella.

**Hon. Nominated Member** (Ms. Karen Wanjiku): Chairman I beg to oppose this amendment because the status quo should be the word 'protection'. As you note the word 'protection' is used a lot in the constitution and it is the right word, as *Mheshimiwa* has said the word is wide so it caters for the environment, for investment, for promotion and for integrity. But when it comes to integrity as Hon. Member has said you cannot say conserving integrity, investment it doesn't make sense. 'Protection' is the right word, status quo should remain. Thank you, I oppose.

**Hon. Chairman:** Hon. Petronilla please!

**Hon. Nominated Member** (Ms. Petronilla Achieng): Thank you Mr. Chairman. Maybe I would want to hear from the chairman Planning how they intend to conserve the investments of the resident association because inside the resident association we also have business entities which are the investments of the residents of those particular areas. So you cannot say you want to conserve somebody's business, thank you.

**Hon. Chairman:** Hon. Chairman, Parklands/Highride Ward

**Hon. Member for Parkland/ Highridge Ward** (Mr. Jaffer Kassam): Hon. Chair I wish...

**Hon. Chairman:** Hon. Hashim I demand you come back to the House. Searjant-At-Arms could you stop Hon. Hashim from leaving the House please.

Hon. Hashim Kamau, please come back to the House!

**Hon. Jaffer Kassam:** Hon Chair I wish to oppose the word 'conservation' because when we say 'conservation' we imply it is some kind of trees or some kind of amenities only but here as *mheshimiwa* Petronilla has said there investments that are usually protected. Investment could be roads, street lights, seat on which people sit, could be barriers, gates and many other investments the residents association usually put so you cannot conserve those investments, it is practically impossible and you cannot talk of conservation generally of environment and investment and promotion of integrity, that is something else, promotion of integrity of the environment. The promotion of integrity of environment is, for example, I come from City Park Residents Association where I am a chairman. We do promote environment and investment and protection has to be there because that is a sense of security, that is what I understand thank you Bwana Chair.

**Hon. Chairman:** Hon. Professor

**Hon. Member for Kayole South** (Ms. Elizabeth Manyala): Thank you Mr. Chair, looking at 4(a) protection, actually you can never protect environment; it is conservation but looking at investment and promotion maybe if protection would have been inserted there and I think this is why it is creating hullabaloo so that is where the problem is but 'protection' should be removed and replaced by 'conservation'.

**Hon. Chairman:** Are you opposing or supporting this amendment?

**Hon. Elizabeth Manyala:** I am supporting conservation because you only conserve environment, you cannot protect because you are not the giver.

**Hon. Chairman:** Thank you. Hon. Magdalene Mbogori

**Hon. Nominated Member** (Ms. Magdalene Mbogori): Mr. Chairman I want you to allow me to read the meaning of the word...

**Hon. Chairman:** Serjeant-At-Arm we will miss quorum and we cannot have the Committee of the Whole House without a certain threshold. It will be illegal. Serjeant-At-Arm could you close the door and order all Members be brought back. Proceed on.-

**Hon. Magdalene Mbogori:** Mr. Chairman as I was saying we needed a word that will encompass the whole protection and conservation. If you allow me I would like to read the meaning of the word conservation and that is where the Committee was coming from, am a member of Planning Committee. The meaning of the word conservation is "the act of preservation, protection or restoration". So instead of putting too many words on that same sentence we used one word to cover everything so I stand here to support the change of that, the amendment.

*(Question that clause 4 be amended as proposed put and negatived)*



*(Loud consultations)*

**Hon. Chairman:** Fine we will repeat. Please be audible enough. I give you second chance so that we can hear the correct one.

*(Question that clause 4 be amended as proposed put and the House divided)*

Could you have your seats Members! Could you have your seat Hon. Bishop, Hon. Omwenga please have your seat. I will make my decision and if there is anyone who is not happy with it you can stand so that we go with the votes. The Nay have it.

*(Loud consultation)*

Clerk please proceed on with the division of the vote.

We have ruled, Hon. Bishop please take your seat. The division of vote please, so prepare yourself and I believe we have the names of all Members in the house. Do we?

Serjeant-At-Arm please do not allow any exit or entry, thank you.

Serjeant-At-Arms you can allow Members to enter because in the Standing Order they are allowed to enter but not to leave the House, thank you.

**Hon. Magdalene Mbogori:** Thank you Chair I wish to raise this concern, there is no quorum in the House. If you allow me to read Standing Order 33.

**Hon. Chairman:** I think Hon. Member you are out of order. We are on division of vote right now so you are out of order right now. I have ruled that you are out of order.

**Hon. Magdalene Mbogori:** Mr. Chair I don't agree with you with due respect please...

**Hon. Chairman:** I have ruled you out of order. Please take your seat.

**Hon. Magdalene Mbogori:** Ok I thought this is a House run by Standing Order Mr. Chair

**Hon. Chairman:** If you read the same Standing Order 1, it gives me the discretion when am on the chair, thank you.

*(Laughter)*

*(Point of Order by Hon. Karen Wanjiku)*

**Hon. Chairman:** Overruled please, have your seat. Hon. Bishop please have your seat, we would do the right thing. Have your seat first. Kindly have your seat first Hon. Member. Kindly, kindly. Could you allow those Members to come in please?

*(The Chairman consulting the Clerk)*

**Hon. Chairman:** Hon. Omwenga you cannot leave the House. Please come back. Hon. Omwenga and you are exiting through the wrong door. Hon. Zulfa you can now raise your Point of Order.

**Hon. Zulfa Mohamed** (Nominated Member): Thank you Hon. Chairman, I want to appreciate that we now have quorum.

**Hon. Chairman:** Hon. Zulfa we have 45 Members in the House, and the quorum is 43. Thank you. Can we proceed on? Can we have the Members of the Jubilee Wing of this Assembly give us one representative please?

*(Loud Consultations)*

**Hon. Chairman:** Hold on. Could we have one representative from this side and one Member from this side to confirm the votes? Please let me rule when I am on the Chair, could we have one Member from each side of the House?

*(Loud Consultations)*

**Hon. Chairman:** 'Yes' or 'No' sorry, thank you. The 'Yes' Members, Can we have one Member, the 'No' Members you have no representative? Well then, I think we will proceed without the division of votes and Hon. Members, the ayes have it.

*(Applause)*

*(Question that Clause 4 as amended be part of the Bill is put and agreed to)*

## **CLAUSE 5**

*(Question that Clause 5 be part of the Bill is proposed)*

**Hon. Member for Eastleigh North Ward** (Mr. Nelson Masiga): Mr. Chair, I propose that Clause 5 of Bill be amended as appearing on the Order Paper; 10 is the threshold set by the Society Act to increase the number of locals in the Association.

**Hon. Rachael Kamweru** (Nominated Member): Mr. Chair I second Clause 5 to be amended as it appears.

*(Question that Clause 5 be amended as proposed is proposed)*

**Hon. Chairman:** Chairman you would like to support your amendments?

**Hon. Nelson Masiga:** I think without any objection, we proceed.

*(Question that Clause 5 be amended as proposed is put and agreed to)*

*(Question that Clause 5 as amended be part of the Bill is put and agreed to)*

## CLAUSE 6

*(Question that Clause 6 be part of the Bill is proposed)*

**Hon. Nelson Masiga:** Mr. Chair I propose that Clause 6 of Bill be amended as appearing on the Order Paper to make it compulsory for the County government to enter into agreement with the Association that fulfill the criteria of recognition. This will amount to the County government relinquishing its duty to a 3<sup>rd</sup> party which is mandated to carry out such functions, that is revenue collection. I call upon Hon. Rachel Kamweru to second.

**Hon. Rachael Kamweru** (Nominated Member): Mr. Chair I second Clause 6 to be amended as it appears.

*(Question that Clause 6 be amended as proposed is proposed)*

**Hon. Chairman:** Hon. Member, are you standing up to debate on the Motion or the Bill? Oh she is leaving, thank you.

*(Question that Clause 6 be amended as proposed is put and agreed to)*

*(Question that Clause 6 as amended be part of the Bill is put and agreed to)*

## CLAUSE 7, 8 AND 9

*(Question that Clauses 7, 8 and 9 be part of the Bill is proposed)*

*(Question that Clauses 7, 8 and 9 be part of the Bill is put and agreed to)*

**CLAUSE 10**

*(Question that Clause 10 be part of the Bill is proposed)*

**Hon. Nelson Masiga:** Mr. Chair I propose that Clause 10 of the Bill be amended as appearing on the Order Paper; *(inaudible)* editorial mistake to ensure that the threshold of the local membership is high to afford the parties ample time to inform the other parties of their intention to pull out of an agreement.

*(Question that Clause 10 be amended as proposed is proposed)*

*(Question that Clause 10 as amended be part of the Bill is put and agreed to)*

*(Question that Clause 10 as amended be part of the Bill is put and agreed to)*

**CLAUSE 11**

*(Question that Clause 11 be part of the Bill is proposed)*

**Hon. Nelson Masiga:** Mr. Chair I propose that Clause 11 of the Bill be amended as appearing on the Order Paper; to enable the parties to meet optimally to discuss issues of common interest.

*(Question that Clause 11 be amended as proposed is proposed)*

**Hon. Chairman:** Any debate?

*(Question that Clause 11 be amended as proposed is put and agreed to)*

*(Question that Clause 11 as amended be part of the Bill is put and agreed to)*

**CLAUSE 12**

*(Question that Clause 12 be part of the Bill is proposed)*

**CLAUSE 12**

**Hon. Chairman:** Hon. Members, I propose that clause 12 be part of the Bill.

**Hon. Nelson Masiga:** Mr. Chair I propose that clause 12 be amended in sub clause 2 as it appears in the Order Paper to increase the threshold on decision making.

*(Question put and agreed to)*

### CLAUSE 13

*(Question put and agreed to)*

### CLAUSE 14

**Hon. Nelson Masiga:** Mr. Chair, I propose amendment that clause 14 be amended as appearing in the Order Paper. Only the County Government through its relevant department is legally mandated to collect revenue. The function of collection of revenue is already delegated to the department of County Government and cannot be relinquished to a third party that is not mandated to carry out the function

*(Question put and agreed to)*

### CLAUSE 15

**Hon. Nelson Masiga:** Mr. Chair I propose clause 15 be amended as appearing in the Order Paper. This is to have a dispute mediation that is chaired by a competent person knowledgeable on arbitration matters to serve the gender rule.

*(Question put and agreed to)*

### CLAUSE 16

**Hon. Nelson Masiga:** Mr. Chair I propose that clause 16 be amended by deleting the word Governor and replacing it with the word County Assembly

*(Question put and agreed to)*

### CLAUSE 2

**Hon. Nelson Masiga:** I propose that clause 2 of the Bill be amended as appearing on the Order Paper to provide for proper definition of the term policing in order to avoid misinterpretation and misuse under the proposed law.

*(Question put and agreed to)*

### TITLE

*(Question put and agreed to)*

### CLAUSE 1

**Hon. Nelson Masiga:** Mr. Chair I propose that clause 1 be amended as appearing on the Order Paper to be specific on the commencement date and to provide for a reasonable transitional period.

*(Question put and agreed to)*

**Hon. Nelson Masiga:** Mr. Chairman sir, I beg to move that the Committee do report to the Assembly its consideration of the Nairobi City County Community and Neighbourhood Association engagement Bill number 12 of 2015 and its approval thereof with amendments.

*(Question put and agreed to)*

*(Hon. Chairman left the Chair)*

*(Hon. Deputy Speaker in Chair)*

**Hon. Deputy Speaker:** You may sit

**Hon. Member for Highrise Ward (Mr. Maurice Akuk):** Mr. Speaker sir, I beg to report that the Committee of the whole Assembly has considered the Nairobi City County Neighbourhood Association Engagement Bill 12 of 2015 and approved the same with amendments.

**Hon. Nelson Masiga:** Mr. Speaker sir I beg to move that the Assembly do agree with the Committee in the said report

**Hon. Deputy Speaker:** Thank you.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Nelson Masiga:** Mr. Speaker sir, I beg to move that the reading of Nairobi City County Community and Neighbourhood Associations Engagement Bill, No. 12 of 2015 be now read a third time.

*(Question proposed)*

**Hon. Deputy Speaker:** Hon. Members do you have any debate on that?

*(Question put and agreed to)*

### **NAIROBI CITY COUNTY COMMUNITY AND NEIGHBOURHOOD ASSOCIATIONS ENGAGEMENT BILL, 2015**

A Bill for an Act of the Nairobi City County Assembly to give statutory recognition to Community and Neighbourhood initiative in complementing County Government service delivery; to enable structured co-operation between the County Government, residents and business and to generally regulate and facilitate the activities of the Associations and to give further effect to Article 10 of the Constitution as regards the principles of participation of the people and for connected purposes. Third reading!

### **MOTION**

**Hon. Member for Umoja II Ward** (Mr. Kingsley Odida): As you may have noted last week the Assembly did liberate on the report on Children and the discussions were interrupted by lack of quorum.

So Mr. Speaker, as I was saying mine is just to agree with the Members that had.....

**Hon. Deputy Speaker:** Order! Hon. Member from the HANSARD it is indicated that Hon. Kingsley Odida who was the mover of the Motion did take some seven minutes to contribute on the Motion so you are not allowed to contribute again as well. Hon. Ngaruiya also who was the Seconder, and the Members, who contributed were Hon. Peter Imwatok and Hon. Diana Kapeen.

Hon. Members this business was interrupted last week due to lack of quorum in the House. So we may proceed from there. Hon. Members, who had not contributed like Hon. Muga!

**Hon. Caroline Muga** (Nominated Member): Thank you Mr. Speaker for giving me the opportunity to support this report and as the way the arguments were made during the last session, the recommendations were part of a sample of the schools that they had looked into and I agree with the recommendations they have made to see the need for Early Childhood facilities and Nursery School and indeed other schools that dealing with Children issues.

It is about time that the County Government looked into the facilities that our Children are learning under and as one person as said, "if my child goes to a good school, then all children should go to a good school also", so I think it is up to the County Government to Act on this recommendations and apply them to the schools that our children go to. Thank you.

**Hon. Deputy Speaker:** Thank you. May the mover reply!

**Hon. Kingsley Odida:** Thank you Mr. Speaker, mine is first to commend all the Members that contributed on the same and to the Committee Members who came up with this report. As a Committee we are willing, ready and able to do all that takes to make sure that ECD centers that are in place are renovated and looked into. So my humbly pledge is to all Members who have ECDs in their Wards to come to the Committee and make their recommendation on each particular ECDs in their Wards. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you Hon. Member.

*(Question put and agreed to)*

## MOTION

**Hon. Deputy Speaker:** Point of Order! What is it Hon. Odalo

**Hon. Member for Mabatini Ward** (Mr. Wilfred Odalo): Thank you Mr. Speaker, going by Standing Order 32 (1) it is noted that there is no quorum in the Assembly. Thanks.

**Hon. Deputy Speaker:** That is subject to verification by the Clerk, Hon. Odalo. The Serjeant-At-Arm, please confirm if there is lack of quorum in the House? Can you ring the bell for eight minutes?

*(Quorum bell rang)*

## ADJOURNMENT

**Hon. Deputy Speaker:** Clerk can you confirm if there is quorum? Hon. Members after the bell has been rung for 8 Minutes and if there is still lack of quorum in the House, this House stand adjourned to 2.30 p.m. tomorrow and Members of the House business Committee to sit at the rise of the Assembly at the foyer.

Therefore, I direct the Motion which appeared in the Order Paper today and were disrupted because of lack of quorum, to appear in the Order Paper tomorrow and be given first preferences. Thank you and God bless.

*(House rose at 4.03 p.m.)*