



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Second Session

Wednesday 20<sup>th</sup> June, 2018

The House met at 2.30 p.m.

*(Hon. Temporary Deputy Speaker (Mr. Kennedy Obuya) in the Chair)*

#### PRAYERS

**Hon. Temporary Deputy Speaker:** Serjeant-at-Arms ring the bell for 10 minutes.

*(The Quorum bell was rung)*

**Hon. Temporary Deputy Speaker:** Hon. Members we now have the quorum.

#### PAPERS

**Hon. Temporary Deputy Speaker:** Leader of Majority.

**Hon. Abdi Hassan:** Thank you Mr. Speaker sir. Pursuant to Article 229 of the Constitution of Kenya, I beg to lay the following paper on the Table of the Assembly today Wednesday 20<sup>th</sup> June 2018; The Auditor General's Report on The Performance Audit Report on the Provision of Sewerage in Major Towns in Kenya, a Case Study of Nairobi City Athi Water Service Board. Thank you, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Ward Development Fund, Chairperson.

**Hon. Mark Macharia:** Pursuant to Standing Order 191 (6), I beg to lay the following paper on the Table of the Assembly today Wednesday 20<sup>th</sup> June 2018; The Report Of The Select Committee on Ward Development Fund on The Workshop Held From 22<sup>nd</sup> to 25<sup>th</sup> February 2018 at Sai Rock Hotel, Mombasa.

**Hon. Temporary Deputy Speaker:** Chairperson, vice or any member of the Culture and Community Services Committee?

**Hon. Member:** Thank you Mr. Speaker. Pursuant to Standing Order No. 191 (6), I beg to lay the following paper on the table of the Assembly today Wednesday 20<sup>th</sup> June, 2018; The Report of the Sectorial

Committee on Agriculture and Community Services on the Consideration of Nairobi City County Sports Management Amendment Bill 2018. I beg to lay

### STATEMENTS

#### REQUEST TO A STATEMENT ON EMPTYING OF RAW SEWERAGE IN PUBLIC ROADS AND OUTSIDE PRIVATE BUSINESS PREMISES

**Hon. Temporary Deputy Speaker:** Hon. Samora Mwaura

**Hon. Samora Mwaura:** Hon. Speaker, pursuant to Standing Order 45 (2c), I wish to request for a statement from the chairperson of the Sectorial Committee on Water and Sanitation regarding emptying of raw sewage on public roads and outside private business premises. Hon. Speaker, it is unfortunate that the management of Powerstar supermarket in Clay City Ward have little regard if any for the environment and the health of residents living around the supermarket. The supermarket has resorted to emptying raw sewage to a public road thus exposing residents, road users and residents of adjoining premises to a myriad of health risks. The owner and management of the said supermarket have been issued with notices directing them to desist forthwith from dumping the waste and raw sewage but this has proved to be an exercise in futility. Hon. Speaker, in the statement the chairperson should inquire into and report on;

1. What the relevant officers charged with the responsibility of looking into such issues in the area are doing with regard to this precarious health situation?
2. When will the management of the supermarket be compelled to desist from dumping the raw sewage of the public road?
3. Who is protecting the management of the supermarket to the extent that the supermarket can dump raw sewage on public road?
4. What penal measures have been put in place to prevent other premises from carrying on with such despicable acts?

**Hon. Temporary Deputy Speaker:** Hon. Jeremiah Karani Themendu

#### REQUEST TO A STATEMENT ON INCOMPLETE CLASSROOMS IN IMARA PRIMARY SCHOOL

**Hon. Jeremiah Themendu:** Thank you, Mr. Speaker for giving me this chance. Pursuant to Standing Order 45 (2) (c), I wish to request for a statement from the Chairperson of the Sectorial Committee on Children, Early Childhood Education and Vocational Training regarding incomplete classrooms in Imara Primary School.

Hon. Speaker, in the year 2014, there was a project of constructing three classrooms in Imara Primary School by the County Executive but it has remained incomplete to date. The walls of the classrooms pose a great danger to the children especially in the rainy season as bricks fall often.

Hon. Speaker, in the statement, the Chairperson should inquire in to and report on;

- i. The name of the company and the constructor of the said project

- ii. Whether the contractor has been paid for the job, and if yes why did he abandon the job
- iii. Measures the County Executive is taking to ensure speedy completion of the stalled project

Thank you, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Chairperson of the Sectoral Committee on Water, please give response for Hon. Samora. Hon. Azangu.

**Hon. Herman Azangu:** The Chair and the all Committee went to Ndakaini with the Governor. On behalf of the Committee, he will get the response in two weeks' time.

**Hon. Temporary Deputy Speaker:** Hon. Samora, are you contended?

**Hon. Samora Mwaura:** Mr. Speaker, I am contended but I hope those two weeks mean two weeks because the issue is quite urgent.

**Hon. Temporary Deputy Speaker:** Thank you. Chairperson on Ward Development Fund? Chairperson on Culture and Community Services? Chairperson on Education, response to Hon. Jeremiah Karani's statement, Vice Chair? Any Member of Education Committee?

**Hon. Member:** Mr. Speaker, I will communicate the same to the Chair. So, as a tradition I think two weeks will be enough for *Mheshimiwa* to get satisfactory answer to his statement. Thank you.

**Hon. Temporary Speaker:** Hon. Jeremiah.

**Hon. Jeremiah Themedu:** Thank you, Mr. Speaker. I think two weeks is not long to wait but I hope they shall bring back the report because the issue is not that good.

#### MOTION

**Hon. Peter Imwatok:** Thank you, Hon. Speaker. As I speak today I am proud seeing you seated there. The history between us is so rich, as my elder in the church and a comrade in our journey this far.

Mr. Speaker, Aware that Nairobi City County is the seat of the County and has been on a steady decline over the last two decades as evidenced by failing infrastructure and crucial public amenities; Deeply concerned that most of the development that has taken place in Nairobi over the last two decades has been unplanned and some developers, both of residential and business, have failed to take cognizance of laid out City plans by subsequent City administrations including the newly established County Governments from 2013 to the current year; Regretting that the results of the foregoing is the chaos that characterizes life in the city; Realizing that if nothing is done this decline spells doom for the country as a whole and given that Nairobi County contributes roughly 60% of the Republic's GDP; Appreciating that the County Government of Nairobi in conjunction with the National Government has embarked on an ambitious program for the rebuilding of the city known as the Nairobi City Regeneration Program; Noting that the program kicked off with the creation of a multi-agency task force co-chaired by the Minister of Tourism Hon. Najib Balala and his Excellency the Governor Mike Mbuvi Sonko and also comprising of officers of all levels of Government as well as stakeholders who made a commitment to restore Nairobi to its former glory; Further appreciating that this program carries great potential for the restoration of the city to global standards, this Assembly resolves to fully support the efforts of the Nairobi Government to rejuvenate Nairobi City and will take any legislative or policy measures to make that possible when called upon to....

Hon. Speaker, this Motion is premised on the understanding that a County Government where we all belong and if you see the Standing Order and the County Government Act, there are two arms of government which is the Executive and the Legislative Arm of the Government.

Since we were sworn in we have always heard the word Governor and the President talking of the regeneration program of Nairobi and in need, this has been necessitated, this Motion last week when the Minister of Finance Henry Rotich read a National budget.

He was very categorically in the National budget, for the first time in History of our Country the National Government and His Excellent President Uhuru Muigai Kenyatta aware of this legislation program as allocated more than 900 million shillings to Nairobi River. Therefore, Speaker ....

**Hon. Temporary Deputy Speaker:** Hon. Okello!

**Hon. David Okello:** What a coincident, to when our Whip is on the floor moving the Motion there is a mass movement from the other side. What a coincident!

**Hon. Temporary Deputy Speaker:** Hon. Okello, as that affected the quorum of the mass movement, are you rising...

**Hon. David Okello:** I am afraid that it is a well calculated move to interfere with the Motion.

**Hon. Temporary Deputy Speaker:** Hon. Okello, that one you should withdraw and it's being preemptive. Okay, I withdraw but the mass movement has led to the lack of quorum.

**Hon. David Ayo:** Point of Order.

**Hon. Temporary Deputy Speaker:** Hon Ayo!

**Hon. David Ayo:** I stand on Standing Order number 36 that there is no quorum in the House.

**Hon. Temporary Deputy Speaker:** Serjeant-at-Arm can you ring the bell for five minutes.

*(Quorum bell rung)*

**Hon. Temporary Deputy Speaker:** Hon. Members, I am on my feet! Hon. David, do you have any burning issue?

**Hon. David Okello:** Thank you Mr. Speaker sir. This House should stand adjourned because of what has happened on the other side of the House. It is like the Majority Leader...

**Hon. Temporary Deputy Speaker:** Hon. David you are diverting, giving directives to the chair...

**Hon. David Okello:** I am rising on Standing Order No. 36 and I am saying this thing is like it was well organized by the leader of the other side of the House.

**Hon. Temporary Deputy Speaker:** Hon. Member please withdraw.

*(Point of Information)*

**Hon. Millicent Mugandi:** I would like the Member to withdraw because our able Majority Leader has wisdom and understands the importance of this House. He should just know some Members have gone to Ndakaini and others are in committee duties in Mombasa.

**Hon. David Okello:** Mr. Speaker sir, we were having the quorum by the time Majority Leader was with us and when he started moving out we saw a mass movement from the other side

**Hon. Temporary Deputy Speaker:** I will guide you. Order Hon. David!

### ADJOURNMENT

**Hon. Temporary Deputy Speaker:** Hon Members it is a concern and reading the mood of the House, it is indeed and very regrettable that we are lacking quorum. I will give directives that the Motion by Hon. Peter Imwatok be given priority for tomorrow 2.30 p.m. this Assembly stands adjourned.

*(The House rose at 15.08 p.m.)*