



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Fifth Session

Thursday 7<sup>th</sup> October 2021

The House met at 2.30 p.m.

*[Hon. Speaker (Mr Benson Mutura) in the Chair]*

#### PRAYERS

#### QUORUM

**Hon. Speaker:** Clerk, confirm whether we have the quorum.

*(Clerk-at-the-Table confirmed there was no quorum)*

We are lacking quorum, Serjeant-at-Arms, can you ring the bell for ten minutes.

*(Quorum bell was rang for ten minutes)*

I am made to understand we have the quorum. Clerk, proceed.

#### PAPER

**Hon. Speaker:** There is a paper to be laid by the Chair of Selection Committee.

**Hon. Moses Ogeto:** Thank you, Mr. Speaker. Pursuant to Standing Order 191, I beg to lay the following Paper on the Table of the Assembly, today, Thursday 7<sup>th</sup> October 2021:

The Report of the Select Committee on Selection on the reconstitution of the Assembly committees and consideration of changes in the committee's membership. Thank you, Hon. Speaker. I beg to lay.

*(The Paper was laid on the Table of the Assembly)*

#### NOTICE OF MOTION

**Hon. Speaker:** Hon. Kabiro Mbugua.

**Hon. Moses Ogeto:** Thank you, Mr. Speaker. I beg to move the following motion---

**Hon. Speaker:** Hon. Member, I think we are not on the same page. We are on Notices of Motion. I have one for Hon. Kabiro Mbugua. Is he online? Hon. Mary Ariviza? I think we have a problem with our system. Can we go to the next Order? We will defer the two Notices of Motion to the next sitting.

*(Technical hitches)*

**Hon. Mary Mwami:** *(Inaudible)*

**Hon. Speaker:** Hello? Is that Hon. Mary Ariviza?

**Hon. Mary Mwami:** Hello, Mr. Speaker. I am on my way to Mombasa to Chair Agriculture Committee retreat, so, I am not able to move the notice of motion today. I beg you to defer it to next Tuesday. Thank you, Mr. Speaker Sir.

**Hon. Speaker:** Thank you. As I had ruled earlier, the two Notices of Motion will be deferred to next week Tuesday 12<sup>th</sup> October 2021 at 9:30 a.m.

*(Notices of Motion deferred)*

Next Order!

## STATEMENTS

### REQUEST FOR A STATEMENT REGARDING THE REVENUE COLLECTED IN THE COUNTY BY THE KENYA REVENUE AUTHORITY

**Hon. Moses Ogeto:** Thank you once again, Mr. Speaker. Pursuant to Standing Order 45 (2) (c), I wish to request for a Statement from the Chairperson of the Select Committee on Finance and Budget regarding the revenue collected in the County by Kenya Revenue Authority (KRA).

Hon. Speaker, KRA commenced revenue collection for Nairobi City County Government in line with the Gazette Notice No. 1609 of 25<sup>th</sup> February 2020 under Article 5.5 of the deed of transfer, appointing the KRA as a principal revenue collector for Nairobi County Government.

Hon. Speaker, the gazette notice provided the KRA officers with an unlimited access to the Nairobi City County Government Revenue process information data system. This included and not limited to the records and documents necessary for the effective execution of the mandate.

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

- i. The total monthly revenue collected by the KRA and accompanying banks statements from the period commencing March 2020; and
- ii. Evidence of the receipts and County Revenue Fund from all revenue streams managed by the KRA.

Hon. Speaker, I do not want to preempt on the statement, but Hon. Speaker since the KRA came in, the Nairobi County and the Members of the public are unable to---

**Hon. Speaker:** Chair, first, you know we have to go on what it is already on the statement. Chair of Budget, you can give an undertaking on when you will be able to be done with the statement.

**Hon. Robert Mbatia:** Mr. Speaker, I wish to request that we be given time until we resume from the recess, which is in two weeks' time.

**Hon. Moses Ogeto:** Mr. Speaker, it is quite in order because I know it is a tedious process. I believe the Chair, since he is experienced, I believe that within the two weeks of the timeline, he will be able to get facts right. The reason why I requested for the same statement is that we want the public to know who much it is being collected on behalf of Nairobi County by the the KRA.

Hon. Speaker, I remember when you were the Member of Parliament, there is a time you requested for a petition on Jambo Pay that you wanted to know what was happening and what it was being collected. The County Officers are unable to know what is being collected daily and what is submitted daily to the County Revenue Fund.

Hon. Speaker with those few remarks, I believe also the Chair Budget will ensure that the same scrutiny has been done. Thank you, Hon. Speaker.

**Hon. Speaker: Thank you.** We have another statement by Hon. John Mukiri.

REQUEST FOR A STATEMENT REGARDING THE OWNERSHIP OF A PIECE OF LAND IN DAGORETTI MUTU-  
INI/512.

**Hon. John Mukiri:** Thank you, Hon. Speaker. Pursuant to Standing Order 45 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding the ownership of a piece of land in Mutu-ini Ward, specifically in Dagoretti Mutu-ini/512.

Hon. Speaker, the association of residents have expressed concerns over the ownership status of the said piece of land. The preliminary information indicates that the said land is public and was allegedly grabbed by a private developer, who has constructed incomplete structures that people have allegedly begun using the structures for illegal activities such as the use and abuse of illicit drugs. There are genuine fears that if the land is public, it could completely be lost to the private developer since he is currently engaged with a local juakali artisans.

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

- i. The status report on the ownership of the said piece of land;
- ii. If it is government owned, steps that the Nairobi Metropolitan Service (NMS) has taken to repossess the said land for public use; and
- iii. Measures that the NMS has put in place to protect public land from encroachment by private persons or institutions and the ones already encroached.

Thank you, Hon. Speaker. I beg to lay.

**Hon. Speaker:** Chair, Planning and Housing, when can we get feedback? Majority Leader, can you give an undertaking? The issues of land grabbing are becoming a daily activity.

**Hon. Peter Wanyoike:** Thank you, Mr. Speaker. I will report to the House---

**Hon. Speaker:** Be closer to the microphone.

**Hon. Peter Wanyoike:** I am on the microphone, Mr. Speaker. I was saying that I will take the undertaking and report back a week after recess.

**Hon. Speaker:** Hon. Mukiri, are you okay with that?

**Hon. Mukiri:** Thank you, Hon. Speaker. I will be patient and request that it be hurried because my residents are becoming curious about the issue. Thank you.

**Hon. Speaker:** Thank you. Next statement by Hon. Benson Mwangi. I understand that he is not online. Let us move to the next order.

### PROCEDURAL MOTION

#### APPOINTMENT OF MEMBERS TO THE VARIOUS SELECT COMMITTEES AND THE SECTORIAL COMMITTEES

**Hon. Peter Wanyoike:** Thank you, Mr. Speaker. I rise to move that pursuant to the provisions of Standing Order 211 and Standing Order 203 (1), this Assembly approves the appointment of the following members to the various select committees and the sectorial committees respectively.

1. SELECT COMMITTEES
  - a. Select committee on Public Investments:
    1. Hon. Anthony Kirgu be replaced by Hon. Joseph Wambughu
    2. Hon. Chege Mwaura be replaced by Hon. Mark Mugambi
    3. Hon. Joyce Muthoni be replaced by Hon. Beatrice Gakuru
2. SECTORIAL COMMITTEES
  - a. Sectorial committee on Culture
    1. Hon. Joseph Wambugu be replaced by Hon. Jeremiah Themendu
    2. Hon. Mark Mugambi be replaced by Hon. Silas Matara
  - b. Sectorial committee on Agriculture, Livestock and Fisheries
    1. Hon. Anthony Kiragu be replaced by Hon. Silas Matara
  - c. Sectorial committee on Health
    1. Hon. Beatrice Gakuru be replaced by Hon. Asli Mohammed
  - d. Sectorial committee on Trade, Tourism and Cooperatives
    1. Hon. Patrick Musili be replaced by Hon. Caroline Mayunzu
  - e. Sectorial committee on Justice and Legal Affairs
    1. Hon. Patrick Musili be replaced by Hon. Caroline Mayunzu

I call upon the Minority Whip to second

**Hon. Moses Ogeto:** Thank you, Hon. Speaker. I beg to second this motion. It is for the wisdom of the Select Committee on Selection to ensure that members put in various committees perform in various standards. Their experience should be put to use so that their engagement is used for the purpose of oversight. I beg to support the motion.

*(Question proposed)*

**Hon. Speaker:** Members, you are at liberty to debate.

There being no request, I call upon the mover to reply.

**Hon. Peter Wanyoike:** Thank you, Mr. Speaker Sir. Let me thank Members for supporting this motion. I hope the Members who have been assigned to the said committees will be resourceful. With that, I beg to reply.

**Hon. Speaker:** Thank you.

*(Question put and agreed to)*

**Hon. Speaker:** Next order!

### MOTION

**Hon. Speaker:** Hon. Mark Mugambi? Is he online?

### INTERVENTIONS TO PROHIBIT PSV OPERATORS FROM TERMINATING AT PETROL STATIONS

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. I am unable to go ahead with the motion since I am driving. I am requesting that the motion be deferred. Thank you. Hon. Speaker.

**Hon. Speaker:** Hon. Member, that is not a good reason for not being able to move this motion because you are aware that when you slot these issues, there are so many other pending matters and your motion was given a head start above other motions. This motion is deferred until further notice.

*(Motion deferred)*

### ADJOURNMENT

**Hon. Speaker:** Hon. Members, there being no other business, the House stands adjourned to Tuesday 12<sup>th</sup> October 2021 at 9.30 a.m.

***The House rose at 3.08 p.m.***

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