



**NAIROBI CITY COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Third County Assembly – Second Session**

**Tuesday 21<sup>st</sup> February 2023**

The House met at 2.30 p.m.

*[Hon. Temporary Speaker (Ms. Malyun Abdi) in the Chair]*

**PRAYER**

**Hon. Temporary Speaker:** Members, you may now be seated.

**QUORUM**

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

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

Serjeant-at-Arms to ring the bell for ten minutes.

*(Quorum bell was rung)*

**Hon. Temporary Speaker:** Members, let us proceed. Clerk.

**PAPER**

**Hon. Temporary Speaker:** Chair, Budget.

**Hon. Wilfred Odalo:** Thank you, Madam Speaker. Pursuant to Standing Order 196, I beg to lay the following Paper on the Table of this Assembly, today, 21<sup>st</sup> February 2023:

The report of the Select Committee on County Finance Budget and Appropriations on the symposium on emerging themes on the role of lawmakers held at Witham, Dubai Deira Days in the United Arab Emirates. Thank you, Madam Speaker.

*(The Paper was laid on the Table)*

**Hon. Temporary Speaker:** Clerk!

### NOTICE OF MOTION

TRAINING OF COUNTY ECD TEACHERS ON COUNSELLING AND SPECIAL CHILDCARE SKILLS

**Hon. Temporary Speaker:** Hon. Kidenda Lilly.

**Hon. Lily Kidenda:** Thank you, Hon. Speaker. I wish to give notice of the following Motion:

THAT, aware that Article 43 of the Constitution of Kenya, 2010 provides that every person has the right to education; further aware that the Education Act, 2013 mandates respective counties to implement the right of every child to free and compulsory pre-school education; recognizing that early childhood development education lays a lot of emphasis on the holistic development of the child social, emotional, cognitive and physical needs in order to build a solid and broad foundation for lifelong learning and wellbeing; acknowledging that amongst the essential skills for teachers in early childhood development education are guidance and counselling, coaching and mentoring; noting that since teachers are dealing with children, they must understand and at the same time assist them along their growth and development; therefore acknowledging that Nairobi City County has about 25,000 preprimary school learners who enjoy free learning in the 233 early childhood education centres, stats as of September 2021; appreciating that the County Executive has budgeted for construction of early childhood education centres in the 17 sub-counties with the aim of increasing the number of children enrolled in early childhood education; deeply concerned and note that it is important for early childhood development teachers to be well trained in guidance and counselling in order to impart teacher training skills and knowledge on how to care for and guide the young children in their academic work, play, interactions with other children and counsel children with special needs and behavioral problems; now therefore, this Assembly urges the County Executive to continuously roll out training for all county early childhood development teachers on counselling and special childcare skills.

Thank you, Madam Speaker.

**Hon. Temporary Speaker:** Clerk!

### STATEMENT

**Hon. Temporary Speaker:** Hon. Patrick Macharia? He is not around. Hon. Fiunifu? Hon. Redson Otieno?

REQUEST FOR STATEMENT REGARDING PURCHASE OF COMPUTERS  
AND PRINTERS IN ALL LEVEL 2 AND 3 HOSPITALS IN THE COUNTY.

**Hon. Redson Onyango:** Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Health Services regarding the purchase of computers and printers in all level two and three hospitals in the County.

Hon. Speaker, Article 43 (1) (a) of the Constitution of Kenya, 2010 provides every person has the right to the highest attainable standards of health, which includes the right to healthcare services including reproductive healthcare. Further, Article 227 provides that when a state organ or any other public entity

contracts for goods or services, it shall do so in accordance with the system that is fair, equitable, transparent, competitive and cost effective.

Hon. Speaker, the Nairobi City County Executive recently instructed all level 2 and 3 hospitals to fund the purchase of computers and printers to enable provision of NHIF services in the hospitals. Hon. Speaker, the tender of supply for the above-mentioned equipment had initially been floated. However, it was cancelled and a new tender advertised whereby M/S Muchokas Patter was awarded.

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

1. Whether the first tender was completed and if it was awarded to any supplier; and
2. List of suppliers who were shortlisted for the second tender and criteria that was used to award the tender to M/S Muchokas.

Thank you.

**Hon. Temporary Speaker:** Chairperson, Health Services.

**Hon. Lily Kidenda:** Hon. Speaker, we would like to request for 21 days to give our answer to that.

**Hon. Temporary Speaker:** Clerk!

## PROCEDURAL MOTIONS

### LIMITATION OF DEBATE ON BILLS SPONSORED BY PARTIES OR COMMITTEES

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

**Hon. Moses Ogeto:** Thank you, Madam Speaker. This is the Second Session of this Third Assembly and Members are very happy, hence the quorum.

THAT, pursuant to the provisions of Standing Order 106(1), this Assembly orders that, each speech in a debate on Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

Hon. Speaker, I beg Hon. Hashim Kamau to second this Motion.

**Hon. Hashim Kamau:** Thank you, Madam Speaker. I want to inform Members that these timings are in the Standing Orders. I second.

*(Question proposed)*

**Hon. Temporary Speaker:** Members may now debate. Mover!

**Hon. Moses Ogeto:** Thank you, Madam Speaker. I beg to move and believe that as we pass these Motions, the Hon. Members of this House will respect the principles of the Procedural Motion which will enable the Leader of Majority and Leader of Minority be accorded the same as passed in the House. I beg to move.

*(Question put and agreed to)*

**Hon. Temporary Speaker:** Clerk!

#### LIMITATION OF DEBATE ON MOTIONS

**Hon. Moses Ogeto:** Thank you, Madam Speaker.

THAT, pursuant to provisions of Standing Order No. 106 (1), this Assembly orders that, each speech in a debate on any Motion, including a Special Motion be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that order.

I request Hon. Stazo Omung'ala to second.

**Hon. Stazo Omung'ala:** Madam Speaker, I rise to second.

*(Question proposed)*

**Hon. Temporary Speaker:** Hon. Members, you may now debate. Mover, reply.

**Hon. Moses Ogeto:** Madam Speaker, thank you so much. I want to thank the Hon. Members for ensuring that this procedural Motion goes through. I believe they will observe the same Motion as it has been prescribed. Madam Speaker, I beg to reply.

**Hon. Temporary Speaker:** Hon. Members, order! Minimize movement, we are on a serious business.

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON INDIVIDUAL MEMBERS' BILLS

**Hon. Moses Ogeto:** Thank you, Madam Speaker. I beg to move:

THAT, pursuant to the provisions of Standing Order 106(1), this Assembly orders that, each speech in a debate on Bills not sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows: - A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that order.

Hon. Speaker, I request Hon. Diana Katile to second the Motion.

**Hon. Diana Mwangangi:** Madam Speaker, I beg to second.

*(Question proposed)*

**Hon. Temporary Speaker:** Hon. Members, you may now debate. The Mover to reply.

**Hon. Moses Ogeto:** Thank you, Madam Speaker. I beg to reply.

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON REPORTS

**Hon. Moses Ogeto:** Thank you, Madam Speaker. I beg to move:

THAT, pursuant to the provisions of Standing Order 106(1), this Assembly orders that, each speech in a debate on a Report of a Committee, a Sessional Paper or any other Report submitted to the Assembly, be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Hon. Speaker, I request Hon. Sospeter to second the Motion.

**Hon. Sospeter Gathahu:** Madam Speaker, the spirit behind the Motion is to facilitate us with good planning of this Assembly. In this regard, I second. Thank you.

*(Question proposed)*

**Hon. Temporary Speaker:** Hon. Members, you may now debate. The Mover to reply.

**Hon. Moses Ogeto:** Thank you, Madam Speaker, I beg to reply.

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON THE MOTION ON THE ADDRESS BY THE GOVERNOR

**Hon. Moses Ogeto:** Thank you, Madam Speaker. I want to sincerely thank Members; they are as quiet as deep waters. I do not know why they do not want to debate on these Motions. I assume, Madam Speaker, it is because you are too brown for them. But that notwithstanding, I beg to move:

THAT, pursuant to the provisions of Standing Order 106(1), and in furtherance to the provisions of Standing Order 27(5), this Assembly orders that debate on the Motion on the Address by the Governor be limited to no more than five (5) minutes for each Member Speaking, thirty (30) minutes for the Mover in moving and replying and twenty (20) minutes for the Leader of Minority Party.

Hon. Speaker, I request Hon. Rose Masitsa to second the Motion.

**Hon. Rose Masitsa:** Thank you, Madam Speaker and thank you Hon. Majority Whip for catching my eye. I beg to second. Thank you.

*(Question proposed)*

**Hon. Temporary Speaker:** Hon. Members, you may now debate. Hon. Hashim Kamau.

**Hon. Hashim Kamau:** Thank you, Madam Speaker. I rise to support, but I am of the opinion that this Standing Orders need to be reviewed. If you allow a mover a maximum of sixty (60) minutes; that is one hour. If we come here at 2.30 p.m., the mover will finish at 3.30 p.m. and then he is added 30 minutes in

replying. We will be listening to one-person for almost one hour 30 minutes. I suggest that the Rules and Procedures Committee should review these timings to a maximum of ten minutes for the mover because he will take advantage of that, Madam Speaker.

*(Applause)*

**Hon. Temporary Speaker:** The mover!

**Hon. Moses Ogeto:** Thank you, Madam Speaker. It is good that Hon. Hashim has brought up a very good debate. However, I want to remind my colleague, who we started the First Assembly with, that the Governor's speech is very voluminous in nature and needs to be read in detail. I believe that when the Governor will come to address this House, that will be the only business of the House. You can imagine the Leader of Majority moving the voluminous notes of the Governor trying to bring the agenda of this government. I believe that his is not bad because even when the President addresses the nation, people watch from 2.30. p.m. to 6.30 p.m. This is very important because it gives the agenda of the Governor and only comes once or twice per year.

That notwithstanding, I believe that even Members may want to speak for more than 10 minutes because they want to emphasize on the projects which have not been captured in the Governor's Address to be captured in the HANSARD. This is also the only opportunity where you can mitigate the Governor's Address.

Madam Speaker, with those few remarks, I beg to reply.

*(Question put and agreed to)*

#### LIMITATION OF DEBATE ON THE ADJOURNMENT MOTION

**Hon. Moses Ogeto:** Thank you, Madam Speaker. I beg to move:

Madam Speaker, there is pure sabotage here, I do not know Hon. Hashim has send his missiles to ensure that we do not use the mics, but I would like to that you for giving me an alternate of the same.

THAT, pursuant to the provisions of Standing Order 106(1), this Assembly orders that, the debate on any Motion for the Adjournment of the Assembly to a day other than the next normal Sitting Day in accordance with the Calendar of the Assembly, be limited to a maximum of three (3) hours with not more than five (5) minutes for each Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order. Provided that, when the period of Recess proposed by any such Motion does not exceed ten (10) days, the debate shall be limited to a maximum of thirty minutes (30), and shall be strictly confined to the question of the adjournment.

Hon. Speaker, I beg my good brother, Hon. Victor Ochola Omondi to second me, on this Motion.

**Hon. Victor Ochola:** Thank you, Hon. Speaker, I second the Motion.

*(Question Proposed)*

**Hon. Temporary Speaker:** The mover!

**Hon. Moses Ogeto:** Thank you, Madam Speaker, I really want to sincerely thank the Members for their contribution towards this. I believe that these Hon. Members are agreeing that during the time of Motion of Adjournment, every Member will be given an opportunity to speak because this is where serious issues are being debated especially when the County is at standstill.

Today in my ward, some thieves were caught stealing medicine bought by the Governor for the whole County. So, this is the Motion that will enable Members of this Assembly discuss matters of County importance.

Madam Speaker, I beg to reply.

*(Question put and agreed to)*

## MOTION

### ADOPTION OF THE ASSEMBLY CALENDAR – SECOND SESSION

**Hon. Moses Ogeto:** Madam Speaker, you remember the whole of last week we had a problem with quorum yet this is the most important Motion. If this Motion No. 14 is not adopted in this House, then Members should be ready for many consequences in this chamber.

Madam Speaker, before I move, this is a Motion which will make sure that the running of this Assembly goes concurrently before the end of this year.

Madam Speaker, I beg to move:

THAT, pursuant to the provision of Standing Order 31(1), this Assembly approve the Calendar of the County Assembly (Regular Sessions) for the Second Session (2023) as contained in the Schedule.

Madam Speaker, this House will go on recess in December. I hope that we will all be alive and will thank God that when we will be resuming again on 12<sup>th</sup> February 2024. This schedule is what will guide this Assembly in all activities which we will be doing this year.

Madam Speaker, I would like to thank the men and women who sit in the House Business. They have ensured that they have accommodated the views of the elected Members. It will enable them to go back to their wards for short and long recess, where they will engage their electorates and ensure that whatever they are missing they can bring to the Assembly for representation and legislation.

Madam Speaker, this schedule will also ensure that people will go and celebrate their festive seasons. Those who are Christians like me who will celebrate Easter Holiday. Madam Speaker, even you as a Muslim, your dates have been very well catered for. This calendar favours all religious organizations. I believe that nobody will say that the calendar does not favour their day of worship.

Madam Speaker, Members of this County Assembly issued the bursary forms the other month and have returned these forms. Before we go for the short recess, we hope that the Executive will have processed these cheques so that Members will be able to distribute the cheques to their constituents during the short recess.

Madam Speaker, you remember during Valentine's Day Members went out, that is why we did not have quorum. I now believe this calendar has well taken care of all the festivities.

With those few remarks, I request Hon. Racheal Maina to second me in this Motion.

**Hon. Rachel Maina:** Thank you for giving me this chance. I beg to second.



*(Applause)*

*(Question proposed)*

**Hon. Moses Ogeto:** Thank you, Madam Speaker. Even Hon. Hashim has recommended this. He is the one who usually gets some people to picket outside here because their region has not been considered. I believe this time there will be no picketing in the streets of Nairobi.

Madam Speaker, I sincerely thank all Members who are in this House today. They have made me proud when moving these Procedural Motions. The Assembly will now be sitting as per the calendar. Madam Speaker, ensure that the Members who are present in this House are given a small cake so that it can encourage others to come to this Assembly. They have sacrificed their time to be here.

With those few remarks, I beg to reply.

*(Question put and agreed to)*

### **ADJOURNMENT**

**Hon. Temporary Speaker:** Hon. Members, kindly note there will be a sitting of the Assembly Business Committee today at the rise of the Assembly at the Chamber Boardroom.

There being no other business, the House stands adjourned until tomorrow, Wednesday 22<sup>nd</sup> February at 2.30 p.m. Thank you.

**The House rose at 3.34 p.m.**