



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Second Session

Tuesday 25<sup>th</sup> April 2023

The House met at 2.30 p.m.

*[The Speaker (Hon. Kennedy Ng'ondi) in the Chair]*

#### PRAYER

**Hon. Speaker:** Thank you, Hon. Members, you may be seated.

#### QUORUM

**Hon. Speaker:** Hon. Members, the attention of the Chair has been raised on the lack of quorum in the Assembly. Under Standing Order 37 (2), I direct the Serjeant-at-Arms to ring for 10 minutes, as the doors remain opened.

*(Quorum bell was rung)*

*(Loud consultations)*

Hon. Members, please let us respect our Standing Orders, which requires the House to be orderly when the bell is being rung for lack of quorum.

*(The Clerk-at-the-Table confirmed there was quorum)*

The attention of the Chair has been brought on sufficient quorum. We may proceed. Clerk.

#### COMMUNICATION FROM THE CHAIR

##### THANKSGIVING PRAYER FOLLOWING ROAD ACCIDENT INVOLVING THE SPEAKER'S VEHICLE

**Hon. Speaker:** Hon. Members, this afternoon, maybe has you have noticed, coming from the post-accident trauma, I want to bring to the attention of the honorable House that from what happened yesterday, I am safe. We give glory to God.

*(Applause)*

While we are still under the sequence of the Order, I would like to ask two Members to lead us in thanksgiving prayers. Maybe one from the Muslim community and one from Christianity, so that we give glory to God. Let us all stand.

*(Members stood for a moment)*

Hon. Members, you may proceed to sit. Hon. Kidenda, proceed.

**Hon. Lily Kidenda:** I am keenly aware that God will hear, but I would like all of us to hear. As I pray, I invite each one of you to also pray and give thanks. Let us believe and pray.

*(Prayers were said by Hon. Lily Kidenda and Hon. Dabar Mohammed)*

**Hon. Speaker:** Hon. Members, you may be seated. Clerk, let's proceed.

### MESSAGE

#### NOMINEE TO THE POSITION OF NON-EXECUTIVE CHAIRPERSON OF THE BOARD OF NAIROBI CITY COUNTY REVENUE AUTHORITY

**Hon. Speaker:** Hon. Members, I have got message to communicate to this honorable House, and I hope you will always treat any communication from the Chair and Messages with seriousness it deserves and do lot of follow up because most of the time we make communication but after sometime you find Members are not able to remember the communication being made on the floor.

*(Several Members stood at the bar)*

Hon. Members, kindly proceed.

*(The Members walked into the Chamber)*

Hon. Members, under Messages; this is a message from the Governor on the nomination for appointment to the Non-Executive Chairperson of the Board of the Nairobi City County Revenue Authority.

Hon. Members, Standing Order 45 (1) relating to Messages from the Governor, provides that:

*"The Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly."*

Further, Section 6 (1) (a) of the Nairobi City County Revenue Administration Act, 2012 provides:

*"There shall be a Board of Directors, which shall be the governing body of the Authority [Revenue Authority] and shall consist of the following: (a) a Non- Executive Chairperson appointed by the Governor with the approval of the County Assembly...."*

In this regard, Hon. Members, I wish to convey the following Message from His Excellency the Governor, regarding the nomination of a person for appointment as the Non-Executive Chairperson to the Board.

Hon. Members, in the Message, H.E. the Governor, conveys that he has nominated Mr. Andrew Chege for appointment to the position of Non-Executive Chairperson of the Board of Nairobi City County Revenue Authority.

Hon. Members, therefore, His Excellency the Governor now seeks the approval of the County Assembly on the nominee for appointment to the said position.

Hon. Members, Standing Order 48 provides that:

*"Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for consideration."*

Accordingly, Hon. Members, I hereby refer the name of the nominee to the Select Committee on County Finance, Budget and Appropriations for vetting and reporting to the Assembly within the statutory timelines and in accordance with the relevant provisions of the Public Appointments (County Assemblies Approval) Act, 2017 and the Standing Orders.

You may stand guided, Hon. Members. I do commit to the Budget and Appropriations Committee.

## PAPERS

### REPORT ON THE CIDP 2023-2027 AND THE CADP FOR THE YEAR 2023/2024

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker. Pursuant to Standing Order No. 196, I beg to lay the following Paper on the Table of this Assembly, today, Tuesday 25<sup>th</sup> April 2023:

The Sixth Report of the Select Committee on County Finance, Budget and Appropriations on the County Integrated Development Plan 2023-2027 and the County Annual Development Plan for the year 2023/2024.

I beg to lay. Thank you.

*(The Paper was laid on the Table)*

### REPORT ON THE CFSP AND DEBT MANAGEMENT STRATEGY PAPER FOR THE YEAR 2023/2024 AND OVER THE MEDIUM TERM

**Hon. Wilfred Odalo:** Hon. Speaker, pursuant to Standing Order No. 196, I beg to lay the following Paper on the Table of this Assembly, today, Tuesday 25<sup>th</sup> April 2023:

The 7<sup>th</sup> Report of the Select Committee on County Finance, Budget and Appropriations on Nairobi City County Fiscal Strategy Paper and the Debt Management Strategy Paper for the year 2023/2024 and over the medium term. I beg to lay.

*(The Paper was laid on the Table)*

**Hon. Speaker:** Clerk.

## NOTICES OF MOTION

**Hon. Wilfred Odalo:** Thank you, Mr. Speaker. I beg to give notice of the following Motions:

### ADOPTION OF REPORT ON THE CIDP 2023-2027 AND THE CADP FOR THE YEAR 2023/2024

THAT, this Assembly adopts the 6<sup>th</sup> Report of the Select Committee on County Finance, Budget and Appropriation on the County Integrated Development Plan 2023-2027 and the County Annual Development Plan for the year 2023/2024, laid on the Assembly on Tuesday, 25<sup>th</sup> April 2023.

### ADOPTION OF REPORT ON THE CFSP AND DEBT MANAGEMENT STRATEGY PAPER

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## FOR THE YEAR 2023/2024 AND OVER THE MEDIUM TERM

Hon. Speaker, I beg to give notice of the following Motion:

THAT, this Assembly adopts the 7<sup>th</sup> Report of the Select Committee on County Finance, Budget and Appropriation on the Nairobi City County Fiscal Strategy Paper and the Debt Management Strategy Paper for the year 2023/2024 and over the medium term, laid on the table of the Assembly on Tuesday 25<sup>th</sup> April 2023.

**Hon. Speaker:** Hon. Sospeter Mumbi.

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker. I want to request guidance on the Motion because I have not yet been served. So, I stand guided.

**Hon. Speaker:** Come again, Hon. Member?

**Hon. Sospeter Mumbi:** Hon. Speaker, I was not aware of any Motion that I was supposed to affirm to. That is why I am requesting to be guided on that.

*(The Speaker consulted the Clerk)*

**Hon. Speaker:** Kindly proceed to the Table. Meanwhile, Hon. Katile you can proceed.

## PREVENTIVE AND MITIGATION MEASURES AGAINST LIFESTYLE CHRONIC DISEASES

**Hon. Diana Mwangangi:** Thank you, Mr. Speaker. I wish to give notice of the following Motion:

THAT, aware that Article 43 of the Constitution of Kenya, 2010 provides for among other matters, the right to the highest attainable standard of health which includes the right to affordable health care services; further aware that Paragraph 2 of Part Two of the Fourth Schedule to the Constitution provide for the functions of the County Government which include County health services including promotion of primary health care; cognizant that lifestyle diseases such as cancer, diabetes, hypertension among other diseases have been on the rise within the County due to lack of proper and adequate preventive programs and strategies; noting that primary prevention and screening for chronic diseases are considered as the best strategies to curtail the rise of these malignant diseases; concerned that a significant percentage of the residents of Nairobi City County are economically disadvantaged thus may not afford the cost of screening services; further concerned that continuous absence of preventive programs and strategies is likely to transfer economic burden of the chronic diseases to an already financially constrained population or exacerbate the prevalence of the diseases; this Assembly urges the County Executive to:-

- i. Initiate an annual program for screening of lifestyle chronic diseases such as cancer, diabetes, hypertension in all wards at affordable fees or at no cost; and
- ii. Establish a prevention and mitigation program against lifestyle chronic diseases including awareness campaigns, sensitization forums and other sustainable measures in all Wards.

## ENFORCEMENT OF SPEED LIMITS AND OTHER TRAFFIC RULES ACROSS ALL COUNTY ROADS

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker. I stand to give notice of the following Motion:

THAT, aware that under Article 186 (1) of the Constitution of Kenya and Paragraph Five of the Second Part of the Fourth Schedule to the Constitution, the functions and powers of County Governments among others, include County transport, County roads, street lighting, public road transport, traffic and parking; further aware that the city has designated zebra crossings throughout the City County roads; noting

that in recent years we have witnessed a much increased number of vehicles plying various routes in the County as well as increased pedestrian population; concerned that most County roads have a limited marks as speed limits and zebra crossings which has led to increased traffic congestion and accidents including deaths to pedestrians caused by speeding motorists; further noting that the few available legal speed limits and zebra crossings points were done long time ago when the city had few vehicles and pedestrian population; this Assembly urges the County Executive to:

1. Undertake an audit of all County roads with a view of re-designating more speed limit areas and increase pedestrian crossings where necessary and rehabilitate the existing ones with visible signs to ease traffic flow and minimize road carnage across all county roads; and
2. Enforce the speed limits and other traffic rules with the aid of modern technology.

#### DEVELOPMENT OF A PROGRAM TO TRAIN YOUTH ON REPAIR OF STREET LIGHTS

**Hon. Sospeter Mumbi:** I have another notice of Motion. Hon. Speaker, I wish to give notice of the following Motion:

THAT, aware that County transport, including County roads, traffic and parking, street lighting, public road transport is the function of County Government under Part Two of the Fourth Schedule to the Constitution of Kenya, 2010; further aware that the Nairobi City County Government has invested heavily in installing high mast lights in various parts of the County to improve security in the County; concerned that most of the installed high mast lights have been vandalized and some have failed to function thus leaving many parts of the County in darkness for long periods due to poor and/or slow repair and maintenance of the public/street lights; cognizant that Nairobi City faces a major insecurity threat due to high rate of youth unemployment; acknowledging that the County has plans to light the entire City and turn it into a 24 hour economy, this Assembly urges the County Executive to the develop a program to identify and train youth in every Ward in repairing and maintenance of public/street lights within the County as a way of improving security and achieving a twenty-four (24) hour economy in the County.

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Clerk, we may proceed.

#### STATEMENTS

**Hon. Speaker:** Hon. Maurice Onyango. Is the Hon. Member in the House? Who is holding brief for the Hon. member, please? The Table Office, kindly defer the statement. Let us proceed.

*(Statement deferred)*

#### MOTION

##### SPECIAL AUDIT ON THE COMPLIANCE AND OPERATIONS OF BUILT ENVIRONMENT AND URBAN PLANNING SECTOR TO REVAMP THE SECTOR

**Hon. Speaker:** Who is holding brief for Hon. Kimemia now that he is not in the House? Hon. Members, Hon. Kimemia wrote a text message indicating that he is away and did not get the opportunity to delegate the same. This calls for the conclusion of the business of the day. The Motion is deferred for

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consideration by the House Business Committee, which I also direct that they sit at the rise of the assembly today.

*(Motion deferred)*

### ADJOURNMENT

**Hon. Speaker:** Hon. Members, this plenary stands adjourned until tomorrow, Wednesday 26<sup>th</sup> April 2023 at 2.30 p.m.

**The House rose at 3.12 p.m.**