



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Third Session

Wednesday 24th July 2024

The House met at 2.30 p.m.

[The Deputy Speaker (Hon. Paul Kados) in the Chair]

PRAYER

QUORUM

Hon. Deputy Speaker: Serjeant-at-Arms, can you ring the bell for ten minutes?

(Quorum Bell was rung)

Hon. Deputy Speaker: Thank you, Hon. Members, I think we have quorum.

COMMUNICATION FROM THE CHAIR

RESUMPTION OF THE ASSEMBLY AFTER RECESS

Hon. Deputy Speaker: Hon. Members, I have a communication to make.

Good afternoon and feel welcomed to today's sitting after the adjournment on 23rd June 2024. It is my conviction that this break accorded to you an opportunity to further engage and interact with your constituents. As we resume, my belief is that we all understand the events that preceded the adjournment of the Assembly. Indeed, events of 25th and 26th June 2024 were conducted under difficult circumstances. I want to sincerely thank you Members for your resilience and commitment to your mandate and the mandate of the County Assembly. At that time, there was crucial business related to the budget for the financial year 2024-2025 and Supplementary Budget Estimates II. You rose to the occasion and demonstrated leadership to save the County from going into undesirable physical circumstances. May I unreservedly commend you all for this commitment.

Hon. Members, at the time of adjournment, the Assembly and the County Executive by extension was in a difficult financial position occasioned by what the Controller of Budget observed as areas that needed to be addressed in the Supplementary Budget Estimates. This delay affected to a great extent the operations of the Assembly, including financial obligations to our stakeholders and outstanding night out allowances owed to you.

However, thanks to the commitment of the Assembly leadership, the Select Committee on County Finance, Budget and Appropriations, and the Clerk who has gone out of the way to ensure that grey areas pointed out by the Controller of Budget were addressed. Consequently, you can agree with me that a majority of per diem allowances that were pending from the Third Quarter have since been settled.

Our commitment and determination is to ensure that all outstanding imprests settled and our desire is that Members are paid before they proceed to work related events. Accordingly, despite financial constraint and challenges presented by bureaucracy, the Assembly is doing the much it can to settle its obligations.

Hon. Members, oversight, legislation, representation and budget making is a continuous responsibility of the Assembly, and against which we are assessed by the people who elected us, Government and non-governmental bodies. Indeed, in my communication on 4th June 2024, I pointed out that committees needed to step up and accelerate the rate at which they were considering pending and current business.

As a result, a number of reports on statements, petitions and site inspection visits were presented to the plenary for consideration. Most importantly, some committees were able to present reports on consideration of bills committed to them after they were first read. However, this should not--- Clerk, who did this?

(The Clerk-at-the-Table consulted the Deputy Speaker)

The Clerk is hereby directed to populate all Bills and legislative proposals, and present analysis of the same to my office not later than Friday 26th July 2024 for further action. That notwithstanding, Hon Members, as the Chairperson of the Select Committee on Assembly Business, I give you assurance that the Committee will give priority to such Bills for processing of subsequent stages going forward.

Hon. Members, at the Special Sitting held on 21st May 2024, the County Assembly considered and approved six of the seven nominees for appointment as chief officers to various sectors at the County Executive. You may have observed and indeed raised concerns regarding the fate of Chief Officer nominee for Housing and Urban Planning. The said nominee was subjected to suitability assessment process like the rest of the nominees, but the Committee was yet to Table their report on the same. The Chairperson of the Select Committee on Lands, Planning and Housing provided a progress report in which he stated that the delay was occasioned by the Committee seeking further information and clarification on nominee's ability to deliver on the high expectation of the docket. Indeed, the extension to Table the report has been hampered by

various destructive events and happenings in between. In this regard, I have counted the 21st sitting days cut off, as set by Section 9 of the Public Appointments Approval Act, 2017, and timeline for Tabling the said report. The said report expires on 7th August 2024. Consequently, I call upon the Chairperson and the Membership of the Committee to be cognizant of the dates as they process the said report.

Hon. Members, you can walk in.

(Several Members walked into the Chamber)

Hon. Members, as I conclude, I rally for your support and commitment towards the broader mandate of the County Assembly. As the institutional head and on behalf of the Assembly leadership, I want to assure you of our commitment to your welfare and wellbeing. We shall support you the best we can and provide an environment that you can comfortably deliver on your duties within the remaining few years as you are serve as Members of the County Assembly. I thank you, Hon. Members. Signed by Hon. Kennedy Ng'ondi.

INTENTION OF THE SENATOR OF NAIROBI COUNTY
TO ADDRESS THE COUNTY ASSEMBLY

Hon. Members, I still have another communication.

Hon. Members, Standing Order No. 45 (1) relating the Messages from the Senator, 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.”

Accordingly, I wish to report as follows: That, vide letter REF NO NCCASP/02 dated 11th July 2024, Senator Edwin Sifuna, the Senator of Nairobi County wrote to my office confirming his intention to address the County Assembly at the afternoon sitting of Thursday 25th July 2024. I have since consulted the Assembly leadership and we have agreed that the Address be conducted on a day to be communicated, given the current security situation in the County. I thank you all.

That means Hon. Sifuna's date has been changed; the date will be communicated at a later date. Thank you.

STATEMENTS

BUSINESS APPEARING BEFORE
THE ASSEMBLY FOR THE WEEK

Hon. Deputy Speaker: Hon. Hashim. You can use the microphone in front of you. You can go on.

Hon. Hashim Kamau: Thank you, Hon. Speaker. Pursuant to Standing Order 47 (2) (a), on behalf of the Assembly Business Committee, I rise to give the following Statement regarding

the Business appearing before the Assembly for the week beginning today, Wednesday 24th July 2024.

Hon. Speaker, the Assembly Business Committee met on Tuesday 23rd July 2024 to allocate Business for the week for consideration by this Assembly. In that regard, allow me to brief the Assembly as follows:

That, today, 24th July 2024, under Order No. 8, the Assembly will be considering the following business items: -

- a. Resumption of debate on the Motion by Hon Ami Ambala, MCA, for the County Executive to conduct a mandatory mental health assessment for all its employees in the County, with an aim of sensitizing, diagnosing and recommending treatment for any mental health cases for the same and the exercise to be emulated by the private sector.
- b. The Second Reading of the Nairobi City County Persons with Disabilities Amendment Bill, 2023 (Assembly Bill No. 7 of 2023). Bill sponsored by Member for Ngara Ward, Hon. Chege Mwaura, who also happens to be the Secretary General for C.A.F.

Further, tomorrow, Thursday 25th July 2023, under Order Nos. 8 and 9, the Assembly shall be considering the following business items: -

- a. The Motion by the Member of the Nairobi South Ward and the Deputy Minority Leader, Hon. Waithera Chege, urging the County Executive to provide for the management of County Government owned estates, including maintaining best practices in estate management, maintain and update a comprehensive County Government housing inventory, and protect County Government ownership of its properties.
- b. The Motion by Hon. Perpetua Mponjiwa, urging the County Executive in liaison with tourism to develop rules and guidelines on establishment of licensing operations and management of Airbnb properties within the County. Airbnb is air bed and breakfast.

Lastly, Mr. Speaker, next week, Tuesday 30th July 2024, the Assembly will be considering the following business items:

- a. The Motion by Member of Gatina Ward, Hon. Kennedy Swaka, MCA, urging the County Executive in conjunction with the Ministry of Education, community-based organizations, and other relevant stakeholders to develop a school busing program to provide inclusive transport services to children from informal settlements to access government schools and to reduce road accidents.

Hon. Speaker, the Assembly Business Committee urges members of this Assembly to familiarize with the aforementioned Motions and Bill and prepare accordingly for debate, through the help of our Research Department. Details of the Motions and Bill can be obtained in the Notice Paper, being the last page of day's Order Paper. Copies of the Bills can be accessed online on the Assembly website or at the Table and Journals office.

Hon. Speaker the Assembly Business Committee shall be informing this Assembly through its designee, on the allotted business every Wednesday during the Statement Hour for timely preparations.

Finally, Hon. Speaker, the Assembly Business Committee will again meet next week, 30th July 2024 at the rise of the Assembly to ballot business for the subsequent week.

Hon. Speaker, I now wish to lay the Statement on the Table of the Assembly. Thank you.

Hon. Deputy Speaker: Thank you. We have another statement from Hon. Redson. He is not in? He had three Statements. Is there anybody who was sent by Redson? No. Clerk!

MOTION

MANDATORY MENTAL HEALTH ASSESSMENT OF ALL COUNTY EMPLOYEES

*(Resumption of debate was interrupted on
Tuesday 7th November 2023 at 2.30 p.m.)*

Hon. Deputy Speaker: There was an interruption of the Motion by Hon. Ami Ambala. Hon. Members, let us go to the next Order.

(Motion dropped)

BILL

Second Reading

THE NAIROBI CITY COUNTY PERSONS WITH DISABILITIES (AMENDMENT) BILL, 2023 (ASSEMBLY BILL NO. 7 OF 2023)

Hon. Deputy Speaker: Hon. Chege Mwaura? He is not in. Let us go to the next Order.

(Bill dropped)

ADJOURNMENT

Hon. Deputy Speaker: Hon. Members, there being no other business, the House stands adjourned until tomorrow, Thursday 25th July 2024 at 2.30 p.m.

The House rose at 3:15 p.m.