



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – (THIRD SESSION)

ORDERS OF THE DAY

SUPPLEMENTARY

THURSDAY, NOVEMBER 21, 2019 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statement

8. *PROCEDURAL MOTION – THE LEADER OF MAJORITY PARTY

Subject: Appointment of Members to Select Committee on Selection

THAT, pursuant to the provision of Standing Order 164, this Assembly approves the appointment of the following Members to the Select Committee on Selection: -

- | | |
|-----------------------------------|--------------------------|
| 1. The Hon. Charles Thuo, MCA | – Majority Leader |
| 2. Hon. David N. Mberia, MCA | – Minority Leader |
| 3. The Hon. Millicent Mugadi, MCA | – Deputy Majority Leader |
| 4. The Hon. Mark Ndung’u, MCA | |
| 5. The Hon. Millicent Jagero, MCA | |
| 6. The Hon. John Kamangu, MCA | |
| 7. The Hon. Juliet Ndegwa, MCA | |
| 8. The Hon. Mbugua Kabiru, MCA | |

9. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION***Subject: Appointment of Members to Budget Committee***

THAT, pursuant to the provision of Standing Order 199(1), this Assembly approves the appointment of the following Members to the Select Committee on County Finance, Budget and Appropriations: -

1. The Hon. Robert Mbatia, MCA
2. The Hon. Anita Thumbi, MCA
3. The Hon., Millicent Mugadi, MCA
4. The Hon. Anthony Ngaruiya, MCA
5. The Hon. Elijah Mputhia, MCA
6. The Hon. Nancy Muthami, MCA
7. The Hon. Patrick Karani, MCA
8. The Hon. Mwaura Samora, MCA
9. The Hon. Paul Ndungu, MCA
10. The Hon. Millicent Jagero, MCA
11. The Hon. Susan Mukungu, MCA

10. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION***Subject: Appointment of Members to Public Accounts Committee***

THAT, pursuant to the provision of Standing Order 197(1), this Assembly approves the appointment of the following Members to the Select Committee on Public Accounts: -

1. The Hon. Fredrick Njogu, MCA
2. The Hon. Mbugua Kabiru, MCA
3. The Hon. Peter Wanyoike, MCA
4. The Hon. Charles Thuo, MCA
5. The Hon. Joyce Muthoni, MCA
6. The Hon. Juliet Ndegwa, MCA
7. The Hon. Doris Kanario, MCA
8. The Hon. Peter Warutere, MCA
9. The Hon. Joseph Wambugu, MCA
10. The Hon. Mark Ndungu, MCA
11. The Hon. Abdikadir Hasaan, MCA

11. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION***Subject: Appointment of Members to Public Investments Committee***

THAT, pursuant to the provision of Standing Order 198(1), this Assembly approves the appointment of the following Members to the Select Committee on Public Investments: -

1. The Hon. Jacinta Wanjiru, MCA
2. The Hon. Abdi Hassan Ibrahim, MCA
3. The Hon. Muchene Kabiru, MCA
4. The Hon. Anthony Karanja, MCA
5. The Hon. Silas Matara, MCA
6. The Hon. John Nganga, MCA
7. The Hon. Mark Mugambi Macharia, MCA
8. The Hon. Peter Wahinya Njau, MCA
9. The Hon. Laura Mwendu, MCA
10. The Hon. Julius Maina Njoka, MCA
11. The Hon. Mary Njambi, MCA

12. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION

Subject: Appointment of Members to Implementation Committee

THAT, pursuant to the provision of Standing Order 201(1), this Assembly approves the appointment of the following Members to the Select Committee on Implementation: -

1. The Hon. Pius Mbono, MCA
2. The Hon. Samuel Mwangi, MCA
3. The Hon. John Kamau, MCA
4. The Hon. Jayendra Malde, MCA
5. The Hon. Daniel Ngengi, MCA
6. The Hon. Waithera Chege, MCA
7. The Hon. Beatrice Gakuru, MCA
8. The Hon. Paul Kados, MCA
9. The Hon. Anthony Kimemia, MCA
10. The Hon. Hassan Abdikadir, MCA
11. The Hon. Peter K. Wahinya, MCA

13. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION

Subject: Appointment of Members to Delegated County Legislation Committee

THAT, pursuant to the provision of Standing Order 202(1), this Assembly approves the appointment of the following Members to the Select Committee on Delegated County Legislation: -

1. The Hon. Peter Wahinya Kimuhu, MCA
2. The Hon. Mwangi Njihia, MCA
3. The Hon. Jeremiah Themendu, MCA
4. The Hon. Benson Mwangi MCA
5. The Hon. Osman Adow, MCA
6. The Hon. Sylvia Moseiya MCA
7. The Hon. Geoffrey Nganga, MCA

8. The Hon. Asli Mohamed Mohamud, MCA
9. The Hon. Stephen Gikonyo, MCA
10. The Hon. Ruth Ndumi, MCA
11. The Hon. Kariuki Wanjiru, MCA

14. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION

Subject: Appointment of Members to WDF

THAT, pursuant to the provision of Section 35(1) of the Nairobi City County Wards Development Fund Act, 2014, this Assembly approves the appointment of the following Members to the Select Committee on Wards Development Fund: -

1. The Hon. Sylvia Moseiya, MCA
2. The Hon. Chege Mwaura, MCA
3. The Hon. Elizabeth Nyambura, MCA
4. The Hon. Patricia Mutheu, MCA
5. The Hon. J.M Komu, MCA
6. The Hon. Leah Supuko Naikane, MCA

15. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION

Subject: Appointment of Members to Sectoral Committees

THAT, pursuant to the provision of Standing Orders 203(1), this Assembly approves the appointment of the following Members to the following Sectoral Committees as listed in the Third Schedule to the Standing Orders: -

A. Sectoral Committee on Environment & Natural Resources

1. The Hon. Jeremiah Themendu, MCA
2. The Hon. Elijah Mpathia, MCA
3. The Hon. Peter Wahinya Njau, MCA
4. The Hon. Laura Mwendu, MCA
5. The Hon. Osman Adow, MCA
6. The Hon. Joyce Muthoni, MCA
7. The Hon. Mwaura Samora, MCA
8. The Hon. James Kiriba, MCA
9. The Hon. John Kamau, MCA
10. The Hon. Susan Makungu, MCA
11. The Hon. Hassan Abdikadir, MCA

B. Sectoral Committee on Transport & Public Works

1. The Hon. Fredrick Njogu, MCA
2. The Hon. Mark Mugambi Macharia, MCA
3. The Hon. John Kamangu, MCA
4. The Hon. James Mwangi Wambui, MCA

5. The Hon. Mark Ndungu, MCA
6. The Hon. Patricia Musyimi, MCA
7. The Hon. Anthony Ngaruiya, MCA
8. The Hon. Joyce Muthoni, MCA
9. The Hon. Muchene Kabiru, MCA
10. The Hon. Margaret Mbote, MCA
11. The Hon. John Ngángá Mukiri, MCA

C. Sectoral Committee on Culture & Community Services

1. The Hon Mwangi Njihia, MCA
2. The Hon Paul Kados, MCA
3. The Hon Millicent Jagero, MCA
4. The Hon Patrick Karani, MCA
5. The Hon Leah Supuko, MCA
6. The Hon Nancy Muthami, MCA
7. The Hon Joseph Wambugu, MCA
8. The Hon Benson Mwangi, MCA
9. The Hon Anthony Nganga, MCA
10. The Hon Anthony Karanja, MCA
11. The Hon. Jacinta Wanjiru, MCA

D. Sectoral Committee on Justice & Legal Affairs

1. The Hon. Peter Wahinya Njau, MCA
2. The Hon. Juliet June, MCA
3. The Hon. Julius Njoka, MCA
4. The Hon. Elizabeth Nyambura, MCA
5. The Hon. Mwaura Samora, MCA
6. The Hon. Sylvia Moseiya, MCA
7. The Hon. Doris Kanario, MCA
8. The Hon. Jayendra Malde, MCA
9. The Hon. Daniel Ngengi, MCA
10. The Hon. Elijah Mpathia, MCA
11. The Hon. Wanjiru Kariuki, MCA

E. Sectoral Committee on Labour & Social Welfare

1. The Hon. Peter Wanyoike, MCA
2. The Hon. Susan Mukungu, MCA
3. The Hon. Millicent Jagero, MCA
4. The Hon. Peter K. Wahinya, MCA

5. The Hon. Anthony Nganga, MCA
6. The Hon. John Kamau, MCA
7. The Hon. Anthony Kimemia, MCA
8. The Hon. Mbugua Kabiru, MCA
9. The Hon. Silas Matara, MCA
10. The Hon. Samwel Mwangi, MCA
11. The Hon. Benson Mwangi, MCA

F. Sectoral Committee on Planning & Housing

1. The Hon. Anthony Karanja, MCA
2. The Hon. Geoffrey Nganga, MCA
3. The Hon. Daniel Ngengi, MCA
4. The Hon. June Ndegwa, MCA
5. The Hon. Charles Thuo, MCA
6. The Hon. Anita Thumbi, MCA
7. The Hon. Patricia Musyimi, MCA
8. The Hon. Joseph Wambugu, MCA
9. The Hon. Paul Ndungu, MCA
10. The Hon. Nancy Muthami, MCA
11. The Hon. Mark Ndungu, MCA

G. Sectoral Committee on Trade, Tourism & Cooperatives

1. The Hon. Chege Mwaura, MCA
2. The Hon. Abdikadir Hassan, MCA
3. The Hon. Charles Thuo, MCA
4. The Hon. Naphtaly Mathenge, MCA
5. The Hon. Solomom Magembe, MCA
6. The Hon. Jayendra Malde, MCA
7. The Hon. Mary Njambi, MCA
8. The Hon. Paul Ndungu, MCA
9. The Hon. Millicent Mugadi, MCA
10. The Hon. Jeremiah Themendu, MCA
11. The Hon. Fredrick Njogu MCA

H. Sectoral Committee on Water & Sanitation

1. The Hon. Paul Kados, MCA
2. The Hon. Leah Supuko Naikanae, MCA
3. The Hon. Mark Mugambi, MCA
4. The Hon. Mary Njambi MCA

5. The Hon. John Kamangu, MCA
6. The Hon. Laura Mwendu, MCA
7. The Hon. Peter Wanyoike, MCA
8. The Hon. Pius Mbono, MCA
9. The Hon. Charles Thuo, MCA
10. The Hon. Stephen Gikonyo, MCA
11. The Hon. Anthony Kimemia MCA

I. Sectoral Committee on Agriculture, Livestock & Fisheries

1. The Hon. Muchene Kabiru, MCA
2. The Hon. Asli Mohammed,
3. The Hon. Elizabeth Nyambura, MCA
4. The Hon. Patrick Karani, MCA
5. The Hon. Beatrice Gakuru, MCA
6. The Hon. Eunice Marimbi, MCA
7. The Hon. Ruth Ndumi, MCA
8. The Hon. Peter K. Wahinya, MCA
9. The Hon. J.M Komu, MCA

J. Sectoral Committee on Health Services

1. The Hon. Peter Warutere, MCA
2. The Hon. Ann Thumbi, MCA
3. The Hon. James Kiriba, MCA
4. The Hon. Julius Maina, MCA
5. The Hon. Naphtali Mathenge, MCA
6. The Hon. Mbugua Kabiru, MCA
7. The Hon. Asli Mohamed Mohamud, MCA
8. The Hon. Geoffrey Ngang'a, MCA
9. The Hon. Pius Mbono, MCA
10. The Hon. Stephen Gikonyo, MCA
11. The Hon. John Nganga, MCA

K. Sectoral Committee on Children, Early Childhood Education & Vocational Training

1. The Hon. Anthony Nganga Gatune, MCA
2. The Hon. Millicent Mugadi, MCA
3. The Hon. Abdi Ibrahim Hassan, MCA
4. The Hon. Samuel Mwangi, MCA
5. The Hon. Waithera Chege, MCA

6. The Hon. Nafthally Mathenge, MCA
7. The Hon. Peter Warutere, MCA
8. The Hon. Margaret Mbote, MCA
9. The Hon. Chege Mwaura, MCA

L. Sectoral Committee On Energy & Information, Communications & Technology

1. The Hon. J.M Komu, MCA
2. The Hon. Silas Matara, MCA
3. The Hon. Esther Waithera Chege, MCA
4. The Hon. Solomon Magembe, MCA
5. The Hon. Anthony Ngaruiya, MCA
6. The Hon. Abdi Ibrahim Hassan, MCA
7. The Hon. Doris Kanario, MCA
8. The Hon. Kariuki Wanjiru, MCA
9. The Hon. James Mwangi, MCA
10. The Hon. Osman Adow, MCA
11. The Hon. Mwangi Njihia, MCA

16. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION

Subject: Appointment of Members to Powers & Privileges Committee

THAT, pursuant to the provision of Section 15 of the County Assemblies Powers and Privileges act, 2017 and Nairobi City County Assembly Standing Order 169(1), this Assembly approves the appointment of the following Members to the Select Committee on Powers and Privileges: -

1. The Hon. Beatrice Gakuru, MCA
2. The Hon. Solomon Magembe, MCA
3. The Hon. James Mwangi, MCA
4. The Hon. Naftali Mathenge, MCA
5. The Hon. Jacinta Wanjiru, MCA
6. The Hon. Margaret Mbote, MCA
7. The Hon. Mary Njambi, MCA

17. *PROCEDURAL MOTION – CHAIRPERSON, SELECT COMMITTEE ON SELECTION***Subject: Appointment of Members to Loans Management***

THAT, pursuant to the provision of the Nairobi City County Loans and Mortgage Regulations, this Assembly approves the appointment of the following Members to the Select Committee on Loans Management: -

1. The Hon. Charles Thuo, MCA
2. The Hon. Margaret Mbote, MCA
3. The Hon. James Kiriba, MCA
4. The Hon. Ruth Ndumi, MCA

18. *MOTION – HON. KENNEDY OYUGI, MCA***Subject: A policy that provides for establishment of a kitty to support needy students in polytechnics***

THAT, aware that Article 6(2) of the Constitution recognizes that both the National and County governments are distinct and inter-dependent and that devolution is an important principle in the new structure of governance; further aware that the function of village polytechnics is vested in the County Governments pursuant to provisions of Part Two of the Fourth Schedule to the Constitution 2010; acknowledging that there has been increased enrolment in both primary and secondary schools in recent years; concerned that the low number of primary school leavers transiting to secondary school and from secondary school to universities and colleges has become a cause for alarm for both National and County Governments; further concerned that some students especially from informal settlements in the County are unable to proceed with their education due to lack of fees; acknowledging that Technical and Vocational Education and Training (TVET) constitutes a form of education, training and learning activity that leads to acquisition of practical knowledge, understanding and skills relevant for gainful economic engagement, both formal and informal, this Assembly urges the County Executive to develop a policy that provides for establishment of a kitty to support needy students in Technical and Vocational Education and Training institutions across all Wards in the County.

NOTICES

I. The Assembly resolved on Wednesday, 13th February, 2019 as follows: -

- a) **THAT**, notwithstanding the provisions of Standing Order 103(4), 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.

* **Denotes Orders of the Day** *

NOTICE PAPER I

Tentative business for Tuesday, 26th November, 2019

(Published pursuant to Standing Order 39(1))

IT IS NOTIFIED that the Select Committee on Assembly Business, at its last meeting, approved the following ***tentative*** business to appear in the Order Paper for Tuesday, 26th November 2019: -

A. BILL - THE NAIROBI CITY COUNTY SEXUAL AND GENDER BASED VIOLENCE MANAGEMENT AND CONTROL BILL, 2019

Subject: Second Reading

The Nairobi City County Sexual and Gender Based Violence Management and Control Bill, 2019 (Bill No. 7 of 2019).

(Second Reading)

(Hon. Wanjiru Kariuki, MCA)

B. COMMITTEE OF THE WHOLE ASSEMBLY

Subject: Consideration of the Governor's Memorandum on the Tobacco Control Bill, 2019.

The Nairobi City County Tobacco Control Bill, 2019 (Governor's Memorandum).

(Committee of the Whole Assembly)

C. MOTION – HON. LEAH SUPUKO, MCA

Subject: Development of virement policy and Regulations

THAT, aware that Section 154 (2) of the Public Finance Management Act, 2012 provides for an accounting officer for a county government entity to reallocate funds between programs, or between Sub-Votes, in the budget for a financial year, only if provisions made in the budget of a program or Sub-Vote are available and are unlikely to be used, a request for the reallocation has been made to the County Treasury explaining the reasons for the reallocation and the County Treasury has approved the request; and the total of all reallocations made to or from a program or Sub-Vote does not exceed ten percent of the total expenditure approved for that program or Sub-Vote for that year; further aware that Section 154 (3) of the Act provides for development of Regulations to be approved by the County Assembly prescribing requirements for the reallocation of funds within Sub-votes or programs; concerned that the County has not developed the regulations to allow for accountability in transfer and reallocation of funds within Sub-votes or programs which has led to loss of unaccountable funds in various Sectors of the County Executive; noting that Section 154 (1) prohibits an accounting officer from authorizing the transfer of an amount that is appropriated to another county government entity or person, for capital expenditure except to defray other capital expenditure, or for wages to non-wage expenditures, this Assembly urges the County Treasury to develop virement policy and regulations pursuant to Section 154 (3) of the Public Finance Management Act, 2012 to provide for mechanism and accountability in transfer of funds within Sub-votes or programs.