



**REPUBLIC OF KENYA**

**NAIROBI CITY COUNTY ASSEMBLY**

**FIRST ASSEMBLY – (FOURTH SESSION)**

**ORDERS OF THE DAY**

**TUESDAY, MARCH 1, 2016 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. Statements
8. **\*. COMMITTEE OF THE WHOLE ASSEMBLY**

The Nairobi City County Community and Neighbourhood Associations  
Engagement Bill, 2015 (Assembly Bill No. 12 of 2015)

(Chairperson, Sectoral Committee on Planning and Housing)

9. **\*. MOTION** – (Chairperson, Sectoral Committee on Children, Early  
Childhood Education & Vocational Training)

**THAT**, the Assembly adopts **THE REPORT OF THE SCTORAL  
COMMITTEE CHILDREN, EARLY CHILDHOOD EDUCATION  
AND VOCATIONAL TRAINING ON THE STATUS OF UMOJA  
ONE NURSERY, UNITY DAY NURSERY AND SIMBA DAY  
NURSERY SCHOOL OF NAIROBI CITY COUNTY**, laid on the Table  
of the Assembly on Wednesday 2<sup>nd</sup> December, 2015.

*(Resumption of debate interrupted on Thursday 25<sup>th</sup> February, 2016)*

**10. \*. MOTION – (Hon. Diana Kapeen, MCA)**

**THAT**, aware that the introduction of the modern kiosk in Nairobi City has the potential to promote small scale businesses and aide the sector’s growth as well as improve revenue collection; noting that the modern kiosk concept can be expanded to benefit the ongoing efforts to green the City by involving stakeholders within the sector in greening initiatives; recognizing that similar engagements with the business sector have been undertaken in the greening of cities such as Kigali with remarkable success; this Assembly resolves that the County Executive do the following –

- 1) Authorize the introduction of modern kiosks in available public spaces, which kiosks must have mandatory dustbins and set aside a day dedicated for cleaning of their immediate environs each week;
- 2) Modern kiosks pull together to maintain the greenery within their area of operation in coordination with the County government.

**11. \*. MOTION – (Hon. Caroline Muga, MCA)**

**THAT**, aware that the United Nations Convention on the Rights of the Child (UNCRC), is the most complete statement of children’s rights ever produced and is the most widely-ratified international human rights treaty in history, ratification which Kenya is party to; noting that the Convention has 54 articles that cover all aspects of a child’s life and set out the civil, political, economic, social and cultural rights that all children everywhere are entitled to and also explains how adults and governments must work together to make sure all children enjoy all their rights; deeply concerned that ensuring child rights in Kenya is still a challenge, 26 years after ratification of the treaty, and efforts by the State to enforce these rights has not been sufficient as evidenced by rampant cases of abuse and neglect; Children Act, 2001 states that it is the duty of local authority, in this case the County Government, to safeguard and promote the right and welfare of children within its jurisdiction; recognizing that if County Governments do not supplement efforts to address Child Rights by National Government the implementation of the UNCRC charter will remain a mirage; Considering the huge mandate that the Nairobi City County has in respect to the Children, this Assembly urges that the Nairobi City County Executive Committee and Nairobi City County Public Service Board to move with speed and establish a full-fledged Children’s Department to work hand in hand with National Government agencies in ensuring the protection of Child rights and related concerns within Nairobi City County.

**I. THE NAIROBI CITY COUNTY COMMUNITY AND NEIGHBOURHOOD ASSOCIATIONS ENGAGEMENT BILL, 2015 (ASSEMBLY BILL NO. 12 OF 2015)**

**NOTICE** is given that the Chairperson of the Sectoral Committee on Planning and Housing, Hon. Jairo Atenya Asitiba, MCA intends to move the following amendments to the Nairobi City County Community and Neighborhood Associations Engagement Bill, 2015 at the Committee Stage—

**CLAUSE 1**

**THAT**, clause 1 of the Bill be amended by inserting the words “and shall come into operation upon the expiry of ninety days from the date of its publication” immediately after “2015” appearing in Clause 1

**CLAUSE 2**

**THAT**, clause 2 of the Bill be amended by inserting the following new definition in its proper alphabetical sequence-

“Policing’ means activities related to community policing as defined by Section 2 of the National Police Service Act (Cap 84).”

**CLAUSE 4**

**THAT**, clause 4 of the Bill be amended by—

- (a) Deleting the word “protection” appearing in subclause (a) and substituting with the word “conservation”

**CLAUSE 5**

**THAT**, clause 5 of the Bill be amended by—

- (a) Deleting the word “twenty” appearing in subclause (b) and replacing with the word “ten”
- (b) Deleting the words “fifty one per cent” and replacing with the words “seventy five per cent”

**CLAUSE 6**

**THAT**, clause 6 of the Bill be amended by —

- (a) Deleting the word “may” appearing in Clause 6 and replacing with the word “shall”
- (b) Deleting sub-clause 6(b)

## **CLAUSE 10**

**THAT**, clause 10 be amended as follows —

- (a) By deleting the words “Section 5(3)” appearing in subclause (c) and replacing with the words “Section 5(c)”
- (b) In sub-clause (c) by deleting the words “sixty per cent” and replacing with the words “seventy five per cent”.
- (c) By inserting a new subclause-

“(10ca) The association decides to opt out of the agreement in which case it shall give a three months’ notice to the Executive Committee member” immediately after subclause 10 (c).

## **CLAUSE 11**

**THAT**, clause 11 be amended by deleting the words “once every year” and replacing with the words “twice every year”

## **CLAUSE 12**

**THAT**, Clause 12 be amended in sub-clause (2) by deleting the words “a simple majority” and replacing with the words “two thirds”.

## **CLAUSE 14**

**THAT**, Clause 14 be amended by deleting the words “or collecting revenue”

## **CLAUSE 15**

**THAT**, clause 15 be amended by-

- (a) Inserting the words “who shall be a person knowledgeable in arbitration matters” immediately after the word “Chairperson” appearing in subclause (a)
- (b) inserting the following new subclause immediately after subclause (c) “Not more than two-thirds of the members of the committee established under this section shall be of the same gender.”

## **CLAUSE 16**

**THAT**, clause 16 be amended by deleting the word ‘Governor’ and replacing with the words “County Assembly”

## **NOTICES**

### **II. Assembly resolved on Wednesday, February 10, 2016 as follows:-**

**THAT**, notwithstanding the provisions of Standing Order 94(4), 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.

### **III. Assembly resolved on Wednesday, February 10, 2016 as follows:-**

**THAT**, notwithstanding the provisions of Standing Order 94(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.

### **IV. The following requests to statements are due for a response, today Tuesday 1<sup>st</sup> March, 2016;**

- i. Statement requested by Hon. Kenneth Irungu Mwangi from the Chairpersons of the Sectoral Committees on Agriculture, Environment and Natural Resources; and Trade, Tourism and Cooperatives regarding the existence of a cartel of people which is in cahoots with the County Inspectorate Officers and which has allegedly demolished a fence constructed by a County Government Contractor who is still on the ground;
- ii. Statement requested by Hon. Peter Warutere, from the Chairperson of the Sectoral Committee on Justice and Legal Affairs regarding the total pending claims for legal fees and decretal amounts estimated established to be in excess of Ksh. 5 billion in Nairobi City County;

- iii. Statement requested by Hon. Marion Githinji, from the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources regarding garbage collection by County Executive;
- iv. Statement requested by Hon. Ngaruiya Chege, from the Chairperson of the Sectoral Committee on Planning and Housing regarding construction of a perimeter wall at Kenyatta University Referral Hospital;
- v. Statement requested by Hon. Moses Ogeto from the Chairperson of the Sectoral Committee on Planning and Housing regarding the grabbing of land allotment No.366 which is a public Land in Eastleigh South Ward;
- vi. Statement requested by Hon. Kenneth Irungu from the Chairperson of the Sectoral Committee on Trade, Tourism and Cooperatives regarding the repair of Quarry road market block A in Pumwani Ward; and
- vii. Statement requested by Hon. Petronila Achieng from the Chairperson of the Sectoral Committee on Planning and Housing regarding the notices of payment by the National Construction Authority from the County Government Entities on buildings, markets and residential buildings

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**\* Denotes Orders of the Day**

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