



COUNTY GOVERNMENT OF NAIROBI CITY

FIRST ASSEMBLY – (FOURTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, FEBRUARY 15, 2018 AT 2.30 P.M.

1. The House assembled at Thirty Minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **COMMUNICATION FROM THE CHAIR:-**

The Speaker conveyed the following communication;

A. SECURITY OF MEMBERS

Hon. Members, the security of the Membership of the County Assembly within precincts is a matter the Chair takes very seriously.

Hon. Members, the Chair is alive to an incident that took place on 18th December 2017 at Sai Rock Hotel, Mombasa, where members of the Sectoral Committee on Energy & ICT lost their valuables within the precincts of the hotel and the matter reported to the police for investigations. Indeed, various instances suffice where threats to the security of the membership have been made in the course of undertaking various Committee mandates.

For your purposes, Section 3(2) of the County assembly Powers and Privileges Act, 2017 provides for the precincts as, amongst other things, *where a county assembly convenes outside the premises ordinarily used for its sittings, this Act shall apply as if the premises where the county assembly or the committee is sitting were within the precincts of the county assembly.*

To mitigate any such threats thereof, I wish to give the following directives, that;-

- i. The office of the Clerk ensure security of Members in Committees, Plenary sessions and precincts of the Assembly is beefed up; and

- ii. Serjeants at-Arms be deployed accordingly to all committees when conducting activities outside the City hall Building precincts.

It is so directed.

Thank you.

B. VISITING DELEGATION FROM MAKUENI COUNTY

“Honorable Members, our sitting this afternoon is graced by a delegation from Makueni County Assembly, who have paid us a visit to benchmark on several key areas of our operations of the larger County Government.

The delegation from the Makueni County Assembly is comprised of Hon. Members of the Makueni County Assembly Select Committee on Delegated County Legislation, who have hopefully interacted and engaged with the relevant committee of the assembly.

The delegation consists of:-

1. The Hon. Kyalo Mumo, MCA – Hon. Majority Leader
2. The Hon. Alfred Nyamai Mutuko – Chairperson of the Committee
3. The Hon. Martha Kimilu; Vice Chairperson of the Committee
4. The Hon. Alfred Kituku, MCA – Member
5. The Hon. Jeseplat Nzioka, MCA – Member
6. The Hon. Kevin Mutuku, MCA – Member
7. The Hon. Francis Mutungi, MCA - Member
8. The Hon. Jackson Mbalu, MCA - Member
9. The Hon. Rosie Ndibo, MCA - Member, and
10. The Hon. David Musura – Secretariat of the Committee

Hon. Members, I also wish to recognize the Chairperson of the Nairobi City County Assembly Select Committee on Delegated County Legislation, the Hon. Peter Wahinya Kimuhu, MCA, for his warm welcome in his hosting of the delegation on behalf of the Nairobi City County Assembly.

Hon. Members, I further wish to recognize the presence of the Hon. Tobias Samba, MCA; from the County Assembly of Mombasa County, Tudor Ward.

Warm welcome and best of wishes as you execute your mandates from this learning visit with us. Karibuni.

Thank you.

4. NOTICE OF MOTION- (Hon. Maurice Gari)

THAT, aware that Section 102 (f) of the County Governments Act, 2012 provides for the principles of planning and development facilitation in a county, amongst which is the need for planning to *serve as a basis for engagement between county government and the citizenry, other stakeholders and interest groups*; **further aware** that Section 105 of the said Act provides that a County Planning entity shall be responsible, for amongst other things, *ensuring meaningful engagement of citizens in the planning process*; observing that Section 115 of the County Governments Act, 2012 provides that public participation in the county planning processes *shall be mandatory*; **noting** that the planning function as traditionally exercised by successive defunct Nairobi City County was centralized and did not include as many stakeholders as possible nor the public from the grassroots; **recognizing** that Section 48 of the County Government to further decentralize its functions and provision of services to, amongst other decentralized units, the *Wards within the county established under Article 89 of the Constitution and section 26 of the said Act*, **realizing** that for Nairobi City County to realize true bottom-up planning that delivers development to the grassroots through robust participatory mechanisms, a new way of implementing the planning function must be sought, this **Assembly urges** the County Executive to consider devolving Planning Committees to the Ward level, with the creation of Ward Planning Committees made up of four (4) persons or as appropriate from various sectors, to endear greater public participation and help foster inclusive urban planning across the City.

5. STATEMENTS PURSUANT TO STANDING ORDER 41(2)(c)

Pursuant to Standing Order 41 (2) (c) the following Members sought statements;

- (i) The Hon. David Mberia, MCA from the Chairperson Budget and Appropriation Committee regarding the procurement plans for the FY 2017/2018 and budget utilization report
- (ii) The Hon. Anthony Kiragu, MCA from the Chairperson Budget and Appropriation Committee regarding the risk of expenditure of unappropriated monies by the newly installed County Executive due to delays in forwarding of the Supplementary budget
- (iii) The Hon. David Ngegi Muturi, MCA from the Chairperson of the Sectoral Committee on Planning and Housing and Justice and Legal Affairs Committee regarding the controversial sub-division and privatization of part of City Market.

6. PROCEDURAL MOTION – LIMITATION OF DEBATE ON A MOTION (Leader of the Majority Party)

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.

(Resumption of business interrupted on Wednesday, 14th February 2018 at 2.30pm)

Question proposed,
Mover replied;
Question put and Agreed to.

7. PROCEDURAL MOTION – LIMITATION OF DEBATE ON REPORT OF A COMMITTEE (Leader of the Majority Party)

THAT, notwithstanding the provisions of Standing Order 103(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.

Question proposed,
Mover replied;
Question put and Agreed to.

8. PROCEDURAL MOTION- LIMITATION OF DEBATE ON MOTION ON THE ADDRESS BY THE GOVERNOR (The Leader of the Majority Party)

THAT, notwithstanding the provisions of Standing Order 103(4) and in furtherance to the provisions of Standing Order 25(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

Question proposed,
Mover replied;
Question put and Agreed to.

9. PROCEDURAL MOTION - LIMITATION OF DEBATE ON ADJOURNMENT (Leader of the Majority Party)

THAT, notwithstanding the provisions of Standing Order 103(4), 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

Question proposed,
Mover replied;
Question put and Agreed to.

10. PROCEDURAL MOTION – APPROVAL OF THE ASSEMBLY CALENDAR
(Leader of the Majority Party)

THAT, pursuant to the provision of Standing Order 29(1), this Assembly approves the Calendar of the Assembly (Regular Sessions) for the Second Session of the Assembly, as contained in the Schedule attached to the Order Paper

Question proposed,
Mover relied;
Question put and *Agreed to*.

3. ASSEMBLY ROSE - at Fifteen minutes to Five O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, February 20th, 2018 at 2.30p.m

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