



COUNTY GOVERNMENT OF NAIROBI CITY

**SECOND ASSEMBLY – (SECOND SESSION)
NAIROBI CITY COUNTY ASSEMBLY**

VOTES AND PROCEEDINGS

THURSDAY, JUNE 7, 2018

1. The House assembled at thirty three minutes past Two O'clock
2. The Proceedings were opened with Prayer

QUORUM OF THE ASSEMBLY

The temporary Speaker having confirmed that there was no Quorum caused the Bell to be rung for Ten minutes.

There being a Quorum at the expiry of the ten minutes, the temporary Speaker called the Assembly to order.

3. COMMUNICATION FROM THE CHAIR

The Deputy Speaker conveyed the following Communication from the Chair:-

“Honorable Members, I have the following communication to make.

TEACHERS AND PUPILS FROM CATHSAM PRIMARY SCHOOL

Honourable Members, our sitting this afternoon is graced by class four (4) pupils from Cathsam Primary School who are our future leaders.

I warmly welcome you to the Nairobi City County Assembly. I trust that, this visit will make your learning meaningful as you climb the ladder of education in our Country. May this visit be memorable as you appreciate the role of County Assemblies in enhancing their role in legislation, oversight and representation as enshrined in the Constitution.

Honourable Members, on behalf of the Nairobi City County Assembly family, I wish to extend a warm welcome to the pupils from Cathsam Primary School. Feel welcomed and enjoy your experience in Nairobi City County Assembly.

Thank you.”

4. NOTICE OF MOTION – (Hon. James Kiriba, MCA)

THAT, aware that the payment of legal fees has for long been a cash cow for unscrupulous lawyers and their co-conspirators within the County Legal Services sector; **NOTING** that just last year, the Deputy Registrar of the High Court slashed legal fees of Ksh1.1 billion demanded by Momanyi & Associates Advocates, and which the previous County Government had agreed to settle, having initially paid Kshs60 million as part payment, to just Sh1.3 million; **DEEPLY CONCERNED** that the foregoing merely demonstrates the rot that has been brought about by unscrupulous lawyers and law firms launching spurious and exaggerated claims of legal fees, which often times got settled by collusion from County employees; **RECOGNIZING** that the County still faces a huge debt bill owed to lawyers and law firms, which the governor has now subjected to review to establish their veracity via the newly constituted Pending Bills Taskforce; **KEEPING IN MIND** that if drastic action is not taken, and keeping in line with the Country’s overall renewed spirit to face corruption and theft of public monies head on, to weed the County of unscrupulous law firms and lawyers, the County will continue to hemorrhage money at the hands of unscrupulous individuals in the legal profession; this Assembly **RESOLVES** that the County Executive undertake a fresh audit of all Law firms and Lawyers it has contracted and still contracts to date for purposes of weeding out unscrupulous lawyers and law firms that have consistently been mentioned in corrupt claims meant to steal public funds, whether in Nairobi County or anywhere else in the Republic.

5. NOTICE OF MOTION – (Hon. Peter Imwatok, MCA)

THAT, aware that the Urban Areas and Cities Act, 2011 (“the Act”) broadly provides for the classification, governance and management of urban areas and cities; **NOTING** that Section 12 of the Act vests all powers to the County Government in the management of a City but the City shall be administered on behalf the County Government by a board constituted in accordance with Section 13 of the Act and a manager appointed pursuant to Section 28 of the Act; **DEEPLY CONCERNED** that roughly six years since the establishment of the County Government the implementation of the Act remains a mirage, despite the glaring need for the framework provided by the Act in restoring and regenerating the City and its environs; **RECOGNIZING** that in cities such as Kisumu the public has petitioned the High Court to compel the County Government of Kisumu to constitute the City Management Board, signifying the critical role this Board can play in the success of any City as enshrined in the enabling law; this Assembly **RESOLVES** that the County Executive Committee urgently take the necessary measures pursuant to Section 13 of the

Urban Areas and Cities Act, 2011, and appoint a Nairobi City Management Board.

6. NOTICE OF MOTION – (Hon. James Kiriba, MCA)

THAT, aware that Nairobi City County as the seat of the Country has been on a steady decline over the last two decades, as evidenced by failing infrastructure and crucial public amenities; **DEEPLY CONCERNED** that most of the development that has taken place in Nairobi over the last two decades has been unplanned and some developers, both residential and business, have failed to take cognizance of laid out City plans by subsequent city administrations, including the newly established County Governments; **REGRETTING** that the result of the foregoing is the evolving chaos that now characterizes life in the City; **REALIZING** that if nothing is done this steady decline spells doom for the Country as a whole, given that Nairobi County contributes roughly 60% of the Republic's GDP; **APPRECIATING** that the County Government of Nairobi in conjunction with the National Government has embarked on an ambitious program for the rebuilding of the City known as the Nairobi Regeneration Program; **NOTING** that the program kicked off with the creation of a multiagency taskforce, co-chaired by Governor Mike Sonko and Tourism Cabinet Secretary Najib Balala, and comprising of officers from both levels of government as well as stakeholders who made a commitment to restore Nairobi to its former glory; **FURTHER APPRECIATING** that this program carries great potential for the restoration of the City to global standards; this Assembly **RESOLVES** to fully support the efforts of the National Government to rejuvenate Nairobi City and will take any legislative or policy measures to make that possible when called upon.

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

Pursuant to the provisions of Standing Order 45(2) (c), the following Members requested for statements –

- a. Hon. James Kiriba requested for a statement from the Chairperson of the Sectoral Committee on Justice and Legal Affairs regarding the state of cases in the county. (To be Responded in 2 weeks)
- b. Hon. James Kiriba requested for a statement from the Chairpersons of the Sectoral Committees on Culture and Community Services and Trade, Tourism and Cooperatives regarding alleged prostitution activities going on in Lounge Club

207 located in Lavington in the County. (To be responded in 2 weeks)

- c. Hon. Moses Ogeto requested for a statement from the Chairperson of the Select Committee on Budget and Appropriations regarding the expenditures incurred by the County Executive between January and April, 2018. (To be Responded on 19/6/2018)

8. MOTION – THE COUNTY EXECUTIVE MOVES WITH SPEED AND CONDUCT AN ASSESSMENT OF ALL THE RIPARIAN LANDS IN THE COUNTY AND FORWARD A COMPREHENSIVE REPORT OF THE RIPARIAN LANDS AND THEIR DEVELOPMENT STATUS WITHIN 60 DAYS.

Motion made and Question proposed –

THAT, aware that a number of riparian lands in the County have been grabbed and developed without proper approval; **FURTHER AWARE** that a number of Members of the County Assembly have raised issues on grabbing of riparian lands by private developers; **APPRECIATING** that healthy riparian vegetation helps to reduce stream bank erosion and maintain stable stream channel geomorphology; **FURTHER APPRECIATING** that a number of interventions had been initiated by various actors like The National Environmental Management Authority (NEMA) and the previous County Administration in a move that appeared a little too late; **DISTURBED** that a number of unfit establishments and store buildings in the County have encroached the reserved riparian lands, attracting devastating disasters like collapse of buildings leading to loss of lives and property; **FURTHER DISTURBED** that the level of encroachment on the riparian lands has seen the County experience flash floods and clogging of drainage systems in major parts of the County, this Assembly **RESOLVES** that the County Executive moves with speed and conduct an assessment of all the riparian lands in the County and forward a comprehensive report of the riparian lands and their development status within 60 days.

Debate Arising;

QUORUM OF THE ASSEMBLY

The temporary Speaker having confirmed that there was no Quorum caused the Bell to be rung for Ten minutes.

There being a Quorum at the expiry of the ten minutes, the temporary Speaker called the Assembly to order.

*Mover replied;
Question put and **agreed to.***

9. ASSEMBLY ROSE - at Four O'clock

MEMORANDUM

The Speaker will take the Chair on
Tuesday, 12th June, 2018 at 2.30 p.m.

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