



COUNTY GOVERNMENT OF NAIROBI CITY

SECOND ASSEMBLY – (THIRD SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, JULY 4, 2019 AT 2.30 P.M.

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

QUORUM OF THE ASSEMBLY

There being quorum at the acting Speaker (Hon. Chege Mwaura), called the Assembly to order.

3. COMMUNICATION FROM THE CHAIR

Honourable Members, I have the following communications to make.

Commented [KW1]: Kindly narrate and quote the communication

ON THE DELAYS IN THE CONCLUSION OF BUSINESS COMMITTED TO COMMITTEES WITHIN STATUTORY AND OTHER RECOMMENDED TIMELINES

Honourable Members

You will recall that the Chair has on several occasions in the past directed that Committees expedite their consideration of matters pending before them for purposes of carrying forward expeditiously the work of the Assembly.

You will similarly recall that indeed some of you have personally raised concern regarding delays in the conclusion of business committed to committees within set timelines, be it Bills, Petitions, Statements, Policy and related documents, Regulations and indeed progress reports on Motions adopted for implementation.

Commented [KW2]: You are reporting what happened in the Chamber and not copy pasting speaker's brief

Honourable Members,

You will further note that in the past the Chair has directed that the Select Committee on Liaison heighten its oversight of Assembly committees, pursuant to the provisions of Standing Order 204, which I now reproduce for

(No.045)

THURSDAY JULY 4, 2019

(183)

emphasis, particularly Standing Orders 204 (a), (d) and (g) which read thus:

-

(2) The Liaison Committee shall-

(a) guide and co-ordinate the operations, policies and mandates of all Committees;

(d) ensure that Committees submit reports as required by these Standing Orders; and

(g) give such advice relating to the work and mandate of select committees as it may consider necessary.

However, as it is today, **Hon. Members**, the Chair was made aware yesterday, and has indeed been properly briefed on the status of matters committed to the Committees and the processing delays in the Committees, some matters lasting in committees for as long as six months.

Honourable Members, the Chair takes great exception that the House should be held ransom in its consideration of matters tabled before it, despite the Standing Orders having put in place mechanisms for dispensing with such bottlenecks.

Now therefore, I wish to direct as follows, that: -

1. The Clerk prepare a comprehensive tracker of all business pending before Committees, detailing clearly their dates of committal, when they were due and status before the Committees where the matter (s) were so committed;
 2. The Select Committee on Liaison consider the comprehensive tracker as above in its next meeting per its mandates as earlier outlined and report back to this House with a comprehensive report on the Status of Bills, Petitions, Statements, Policies, Regulations, Implementation status of adopted Motions thus far and any other matters referred to committees for consideration;
 3. The Select Committee on Liaison subsequently ensure that the findings of its Report constitute substantive business to be transacted by the Assembly upon resumption of sittings from the short recess scheduled to commence on Thursday 5th July, 2019; and
- It is so ordered.

I thank you.

4. PETITION

BY RESIDENTS OF IMARA DAIMA ON LAND GRABBING AND ENCROACHMENT ON THE ROAD RESERVE AND WALK WAYS WITHIN IMARA DAIMA AREA IN NAIROBI CITY COUNTY

(Sectoral Committee on Planning and Housing)

5. PAPERS

The following papers were laid on the Table of Assembly:

- a) **THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE NAIROBI CITY COUNTY EXECUTIVE FOR THE YEAR ENDED 30TH JUNE, 2017;**
- b) **THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF THE NAIROBI CITY COUNTY ASSEMBLY FOR THE YEAR ENDED 30TH JUNE, 2017;**

(Hon.David Mberia, MCA)

6. NOTICES OF MOTION

- a) **THAT**, this Assembly adopts the **REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENT OF THE NAIROBI CITY COUNTY EXECUTIVE FOR THE YEAR ENDED 30TH JUNE, 2017** laid on the table of the assembly on Thursday 4th July, 2019
- b) **THAT**, this Assembly adopts the **REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENT OF THE NAIROBI CITY COUNTY ASSEMBLY FOR THE YEAR ENDED 30TH JUNE, 2017** laid on the table of the assembly on Thursday 4th July, 2019

(Hon. David Mberia,MCA, Member Select Committee on Public Accounts)

- c) **NOTICE OF MOTION – (Hon. Joseph Wambugu, MCA)**

THAT, aware that Article 26 of the Constitution of Kenya provides that every person has the right to life; further aware that paragraph 2 of Part 2 of the Fourth schedule of the Constitution gives the mandate of health services including County health facilities to the County Governments; **CONCERNED THAT**, in Kenya, cancer is estimated to be

the third leading cause of death after infectious and cardiovascular diseases; **NOTING THAT**, the annual incidence of cancer according to World Health Organization (WHO) is close to 37,000 new cases with an annual mortality of over 28,000 with the leading cancers in women being; cervix uteri cancer, breast cancer and esophagus cancer and in men being; prostate, Kaposi sarcoma cancer and esophagus cancer being the most common cancers as per Ferlay et al 2013; **APPRECIATING THAT** cancer prevention according to World Health Organization (WHO) offers the most cost-effective long-term strategy for the control of cancer with evidence indicates that between 30% and 50% of cancer deaths could be prevented by modifying or avoiding a number of causal key risk factors, and through interventions which permit the early detection (which includes screening and early diagnosis) and effective treatment forms the most-effective long-term method of cancer control; **DISTURBED THAT** treatment and care of cancer patients still remains a great challenge due to the financial demands with inadequate treatment facilities, prevention and screening has proved to be the best long term - strategy for cancer control, this Assembly urges the County Government to set up cancer screening and prevention centers across major County Health facilities to help in early detection and mitigation of cancer for effective control.

7. STATEMENTS PURSUANT TO STANDING ORDER 45 (2) (C):-

The following responses to Statements will be given:

- a) The Chairperson of the Sectoral Committee on Planning & Housing will give a Response to Statement requested by Hon. Kennedy Oyugi, MCA regarding the approval of construction of buildings in the County especially approval of Seefar apartments in Highrise Estate;
(First week after recess)
- b) The Chairperson of the Sectoral Committee on Planning & Housing will give a Response to Statement requested by Hon. Pius Mbono, MCA regarding the ongoing demolitions in the County specially in Zimmerman Ward; *(First week after recess)*
- c) The Chairperson of the Sectoral Committee on Planning & Housing will give a Response to Statement requested by Hon. Patrick Karani, MCA regarding the ongoing demolition of structures around Fedha area in Utawala Ward; *(First week after recess)*
- d) The Chairperson of the Sectoral Committee on Planning & Housing will give a Response to Statement requested by Hon. Elijah Mpuhia, MCA regarding the demolition of structures in Njiru Ward;
(First week after recess)

- e) The Chairperson of the Sectoral Committee on Environment & Natural Resources will give a Response to Statement requested by Hon. David Okelo, MCA regarding the use of asbestos in roofing despite it being banned; and *(First week after recess)*
- f) The Chairperson of the Sectoral Committee on Water & Sanitation will give a Response to Statement requested by Redson Otieno, MCA regarding drilling of boreholes and provision of water tanks in the County; *(First week after recess)*
- g) The Chairperson of the Sectoral Committee on Health Services will give a Response to Statement requested by Hon. Redson Otieno, MCA regarding delayed completion of important project in the County;
(First week after recess)
- h) The Chairperson of the Sectoral Committee on Health Services will give a Response to Statement requested by Hon. Redson Otieno, MCA regarding provision of important supplies to Health Facilities in the County; *(First week after recess)*
- i) The Chairperson of the Sectoral Committee on Health Services will give a Response to Statement requested by Hon. Patrick Mbangula, MCA regarding stalled construction of public health facilities;
(First week after recess)

8. THE NAIROBI CITY COUNTY FINANCE BILL, 2019

Order for First Reading read-

(Leader of the Majority Party)

The Bill Read a First Time

9. MOTION : A POLICY ON YOUTH, WOMEN AND PERSONS WITH DISABILITY EMPOWERMENT

THAT, aware that Article 21 (3) of the Constitution 2010 provides for all State Organs and public officers to address the needs of vulnerable groups within the society, including women, persons with disabilities, youth among other; further aware that part II of the of the Fourth Schedule to the Constitution provides for the functions of the County Government which is to support enterprises for women and youth in the County by establishing and providing for the administration of youth and women empowerment fund, ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions

(No.045)

THURSDAY JULY 4, 2019

(187)

and powers and participation in governance at the local level; **acknowledging** that there has been a high number of youths and women who contribute greatly to the development of Nairobi City County through small and medium scale enterprises; **disturbed** that most youths and women in the County cannot easily access credit facilities from financial institutions due to stringent procedures in accessing such facilities and lack of securities and guarantors, this Assembly urges the County Assembly to develop a policy to establish the County Youth, Women and Persons with Disability Empowerment Fund and set out provision relating to the procedures for application of loans and conditions for grant of loan to youth and women in the County.

(Hon. Doris Kanario, MCA)
(First week after recess)

10. PROCEDURAL MOTION- LEADER OF MAJORITY

THAT, pursuant to the provisions of the Standing Order 29 (1), this Assembly adjourns until, **Thursday, 16th July, 2019**, in accordance with the Calendar of the County Assembly (Regular Sessions)

And the time being Fifty Minutes past Three O'clock, the acting Speaker adjourned the Assembly without question put pursuant to the Standing Orders.

Commented [KW3]: Kindly check time

Commented [KW4]:

11. ASSEMBLY ROSE - at Fifty Minutes Past Three O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, July 16th, 2019

--x--

Commented [KW5]:

Commented [KW6R5]: