



COUNTY GOVERNMENT OF NAIROBI CITY
SECOND ASSEMBLY – (THIRD SESSION)
NAIROBI CITY COUNTY ASSEMBLY
VOTES AND PROCEEDINGS
TUESDAY, OCTOBER 29, 2019 AT 2.30 PM

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

QUORUM OF THE ASSEMBLY

The Speaker having confirmed that was quorum at the commencement of the sitting called the Assembly to order

3. COMMUNICATION FROM THE CHAIR

The Speaker conveyed the following Communication –

Welcoming from the short recess.

“Hon. Members, I have the following Communication to convey;-

As you are all aware, today, we are resuming from the short recess which was an extension from the unprecedented and unfortunate events that saw the Assembly suspended for a week.

Accordingly, Honorable Members, I take this opportunity to welcome you all back from the short break. I trust you all had a wonderful and fruitful break together with your families and electorate, including a break for self and institutional evaluation. You are most welcome.

Hon. Members, the Office of the Speaker wishes to reach out and appeal to the Assembly Leaders, Party Whips, Committee Chairpersons and Members at large to work together, let *Wanjiku's* interest prevail and transact with honor and decorum. Hon. Member, we all have the honor, privilege and purpose for being part of this 2nd Assembly of Nairobi City County. Our today's action may be used

FOR or AGAINST us tomorrow, lets forge a positive history.

Hon. Member, allow me, for the interest of this Hon. House to refer you to 1st Thessalonians 5:15 and it says; *"Make sure that nobody pays back wrong for wrong, but always strive to do what is good for each other and for everyone else."* Further, Roman 12:18 tells us; *"If it is possible, as far as it depends on you, live at peace with everyone."*

Similarly, Hon. Member, The Quran (49:10) provides that; *"The believers are but a single Brotherhood, so make peace with your brethren"*. In addition, (7:199) of the same says; *"Show forgiveness, Speak for Justice and avoid the ignorant."*

Indira Ghandi, an Indian Statesman once said; *"You cannot shake hands with a clinched fist."* That notwithstanding, for me, I will do the contrary if need be, since this Assembly and County for that matter is greater than me and every single one of us. It is only with dialogue and understanding that peace and tranquility can be achieved. I am determined that all this shall come to pass. And I repeat, this shall come to pass!

a) Resumption of Committee activities and Programs;

You will recall that a number of Committee meetings, activities and programs were interrupted as from Wednesday, 16th October 2019 creating a backlog within the committees. In particular, 13 Committees had their workshop activities deferred.

Consequently Hon. Member, keeping in mind that the Assembly will be sitting for at least one month before we break for the December long recess, I direct that the suspended Committee activities resumes with immediate effect, with the 13 Committees undertaking their earlier deferred workshops as from Thursday, 31st October 2019 in three phases and tables their reports accordingly.

Similarly, Hon. Members, the Office of the Speaker is in receipt of a letter from the Principal Secretary, Ministry of Transport Infrastructure, Housing, Urban Development and Public Works inviting Members of the Assembly for a sensitization meeting on the establishment of a Physical Address System for Nairobi County. The said meeting is scheduled to take place from 8th to 9th November 2019 in Nakuru County. As the sovereign representative of the electorates in Nairobi County, your presence and participation in the same will be of great importance. Further details on that regard shall be communicated.

b) Introduction of Bills and Prepublication Scrutiny;

Additionally, Hon. Members, in full realization of the provision of Article 185 (2) of the Constitution of Kenya, 2010 on the Assemblies Legislative Authority, Strategic Objective 6 paragraph 2 of the Nairobi City County Assembly Service Board Strategic Plan 2016 - 2020 projects that the Assembly prepares and pass at least 20 bills every year which have been scrutinized externally.

Hon. Members, currently, there are nineteen (19) Legislative proposal and Bills that are awaiting publication. These are;

- i) The Nairobi City County Pop-Up Market and Street Vendors Bill, 2019 - *Sponsored by Hon. Kabiru Mbugua, MCA;*
- ii) The Nairobi City County Surface and Ground Water Rehabilitation and Conservation Bill, 2019 - *Sponsored by on. June Ndegwa, MCA*
- iii) The Nairobi City County Public Open Spaces Management Bill, 2019 - *Sponsored by Hon. Millicent Okatch, MCA*
- iv) The Nairobi City County Evictions, Resettlement and Demolition Bill, 2019 - *Sponsored by Hon. Jayendra Malde, MCA*
- v) The Nairobi City County Youth and Women Empowerment Bill, 2019 - *Sponsored by Hon. Mark Mugambi, MCA*
- vi) The Nairobi City County Public Nuisance Bill, 2019 - *Sponsored by Hon. James Kiriba, MCA*
- vii) The Nairobi City County Equitable Development Bill, 2019 - *Sponsored by Hon. Benson Mwangi, MCA*
- viii) The Nairobi City County Sexual and Gender Based Violence Bill, 2019 - *Sponsored by Hon. Wanjiku Kariuki, MCA*
- ix) The Nairobi City County Access to Information Bill, 2019 - *Sponsored by Hon. Osman Adow, MCA*
- x) The Nairobi City County Clean Renewable and Sustainable Energy Bill, 2019 - *Sponsored by Hon. Jeremiah Themendu, MCA*
- xi) The Nairobi City County Villages Bill, 2019 - *Sponsored by Hon. Devid Mberia, MCA.*
- xii) The Nairobi City County Cultural Heritage (Amendment) Bill, 2019 - *Sponsored by Hon. Silas Matara, MCA*
- xiii) The Nairobi City County Betting, Lotteries and Gaming Control Bill, 2019 - *Sponsored by the Executive*
- xiv) The Nairobi City County Public Road Transport and Traffic Management Bill, 2019 - *Sponsored by Hon. Osman Ibrahim, MCA*
- xv) The Nairobi City County Health Services Bill, 2019 - *Sponsored by Hon. Moses Ogeto, MCA*
- xvi) The Nairobi City County Accountability Bill, 2019 - *Sponsored by Hon. Geoffrey Majiwa, MCA*

- xvii) The Nairobi City County Agricultural Cess Bill, 2019 – *Sponsored by the County Executive*
- xviii) The Nairobi City County Rating and Valuation Bill, 2019 – *Sponsored by the Executive*
- xix) The Nairobi City County Civic Education Bill, 2019 – *Sponsored by Hon. Silas Matara, MCA*

Subsequently, Hon. Members, Pursuant to the Provisions of Standing Order No. 121 (3)(a)(i), I wish to direct that all the Bills awaiting publications be subjected to a pre-publications scrutiny forthwith by the respective Committees, while the ones approved for publication be expedited for their introduction and before its Committal to the Committees in the Assembly.

c) On consideration of Motions;

Hon. Member, it is also worth noting that fifteen (15) Motions whose Notices were issued are equally pending for consideration. This includes both the Resolution Motions – being adoption of various Committee Reports and Substantive Motions on various subjects.

Hon. Member, noting with concern that a number of Committee are in the process of concluding inquiries and consideration of various matters amidst conclusion of the 3rd Part of the Third Session for the Second Assembly, I call upon the Committee Chairpersons to utilize the remaining sitting days prudently to enable completion of the same and subsequent tabling of reports for consideration by the Assembly.

d) On consideration of Statements sought in the Assembly;

Hon. Member, from the beginning of the year, One Hundred (100) Statement Requests have been sought in the Assembly Pursuant to Provision of Standing Order 45 (2)(c), out of which, as of Today, Fifty-Nine (59) Statements have been responded to and Forty-One (41) Statement Response pending.

Equally, Hon. Member, respective Committee Chairpersons are requested to expedite the same. Our bottom-line as an institution is to become effective in exercising our bottom-line through robust Legislations, prudent Oversight and responsive Representation for the great benefit of Nairobians, and not less than that is expected.

Lastly, Hon. Members, you may be aware that the Nairobi City County Assembly Service Board was reconstitute with appointment of **the Hon. Mark Ndungu, MCA -Member for Hamza Ward** representing **the Majority Party and the Hon. Maurice Gari, MCA – Member for Nairobi West Ward** representing the Minority Party. I urge the Assembly at large to accord the Board necessary support.

One of the objective of the current Board is to co-opt and create ADHOC Committees that will examine and evaluate the **Administrative aspects, the Financial aspects** and the **Technical aspect** of the Assembly with a view of improving efficiency for its posterity. Further communication on the same shall be disseminated due in course.

As you resume your Committee activities, the Office of the Speaker will be meeting the Liaison Committee and the Chairperson Panel at the course of the week for deliberations and way forward on the Assembly business. This will be followed thereafter with a Speaker's *Kamukunji* for all Members to communicate afterwards by the Office of the Speaker.

I thank you Honorable Members and may God bless this 2nd Assembly and Great County of Nairobi City”.

4. STATEMENTS

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

- i) Hon. Mary Arivisa, MCA requested for a Statement from the Chairperson of the Sectoral Committee on Education regarding the subtle takeover of County/public schools by religious groups/schools;
- ii) Hon. Peter Imwatok, MCA requested for a Statement from the Chairpersons of the Sectoral Committee on Planning and Housing and Select Committee on County Finance, Budget & Appropriations regarding revenue collection from advertisements; and
- iii) Hon. Maurice Gari, MCA requested for a Statement from the Chairpersons of the Sectoral Committee on Environment and Natural Resources; and Planning and Housing regarding status of construction of hospitals in the County; and

5. MOTION – RENAMING OF THE NAIROBI CITY STADIUM TO JOE KADENGE STADIUM

Motion moved and question proposed: -

THAT, aware that Chapter Four of the Constitution 2010 provides for the Bill of Rights which is an integral part of Kenya's Democratic state and is the framework for social, economic and cultural policies; further aware that the purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realization of the potentials of all human beings; acknowledging that the Country has since independence named and renamed streets, roads among other public places to honour heroes and heroines who have contributed immensely to the development of the Republic; noting that the naming of public places after heroes and heroines bestows honor and

shows gratitude; deeply concerned that there are heroines and heroes who haven't had similar honors bestowed upon them despite their immense contributions to this Country, this Assembly resolves that the Nairobi County Executive rename the Nairobi City Stadium to Joe Kadenge Stadium in honour of the football icon Mr. Joe Kadenge who was regarded as the finest footballer to ever grace the Country's football scene as evident in his valiant efforts in guiding Harambee Stars to win the inaugural East and Central Africa Challenge Cup.

(Hon. Kabiro Mbugua, MCA)

Debate arising;

Mover Replied;

*Question put and **agreed to.***

And the time being Twenty-Five Minutes to Five O'clock the Speaker adjourned the Assembly without question put pursuant to the Standing Orders.

6. ASSEMBLY ROSE - Twenty Five Minutes to Five O'clock

MEMORANDUM

The Speaker will take the Chair on
Wednesday, October 30, 2019 at 2.30p.m.

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