



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (SECOND SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 26, 2023 AT 2.30 P.M.

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

QUORUM OF THE ASSEMBLY

The Hon. Speaker having confirmed that there was a Quorum Speaker called the Assembly to order.

3. COMMUNICATION FROM THE CHAIR: -

The Speaker issued the following communication: -

CONDUCT OF MEMBERS OF COUNTY ASSEMBLY

“Hon. Members, as you are aware, I made a commitment to communicate in regards to the concern raised by the leadership about the hitches in realizing the quorum in the plenary. I wish to revisit the Speaker’s Rules on the conduct of the Members of the County Assembly. This does not necessarily mean we want to reprimand Members but we want to bring to their attention and remind them even though they are aware.

Dress Code

I would like to address you on the dress code under the Speaker’s Rules. Hon. Members, the county assemblies are established by Article 185 of the Constitution and entrusted with onerous responsibilities that are summed up by the quadruple roles of legislation, oversight, representation and oversight and budget making that we are expected to discharge with the seriousness they deserve. This is because we hold these duties in trust for the people we represent, the Nairobi residents.

We hold these duties in trust for the people that we represent, i.e. Nairobi residents. In addition, Hon. Members, the Leadership and Integrity Act, 2012 as read together with the County Assemblies Powers and Privileges Act, 2017 and the Assembly Standing Orders require of us to uphold certain attributes that set us apart from those we represent and conduct ourselves in accordance with certain codes. Hon. Members, the conduct of business in this Assembly is largely governed by the Constitution and statutes.

However, to a large extent, we apply the provisions of our Standing Orders and the Speaker's Rules as the guide to the seamless conduct of business just like any other legislature. Hon. Members, it has come to my attention that Members of this Assembly continuously conduct themselves in contrast to the provisions of the Standing Orders, more so on dress code and general conduct during Plenary Sittings. May I draw the attention of this Assembly on the provisions of Rule No. 02 of the Speaker's Rules on dress code that defines appropriate dress code for Members of County Assembly and staff of the County Assembly attire.

Specifically, the Rule requires Members to be dressed as follows:

1) For male Members - Long trouser, long sleeved shirt, tie, jacket and closed polished shoes; and

2) For lady Members - Skirt of reasonable length (knee length or below knees), blouse, jacket, trouser suits, decent shoes, Muslim lady Members may wear a purdah (popularly known as buibui) or hijab and African wear.

Hon. Members, the lady Members are not allowed to get to the plenary with shorts, blouses that exposes their arms. I urge you to observe the foregoing and not to abuse the dignity of this Assembly with the general trends in fashion market outside the realm of the precincts of the Assembly. Hon. Members, Kindly note that the Speaker bears the responsibility of enforcement of the code of conduct of Members that include etiquette and dress code, hence, going forward, the Chair will be keen on compliance with the dress code as spelt out in the Speaker's Rules, especially during the period that the House is in Session i.e. Tuesdays, Wednesdays and Thursdays.

This extends to committee sittings where Members find their way into the sittings while wearing jeans trousers and casual wear. Hon. Members, kindly note that the Speaker is not limited by the Rules to the extent of actions to ensure compliance with the codes. Indeed, Rule 059 gives the Speaker latitude to issue circulars to Members and staff alike reminding them of compliance and application of the various codes of etiquette, dignity and contemporary good conduct as well as the sanctions that accompany violations. Now therefore, Hon. Members, I call upon you to familiarize with these Rules and the provisions of the various codes of conduct and always observe them.

Absenteeism from Plenary and Committee Sittings

Hon. Members, it has come to my attention that Plenary on several occasions has failed to raised quorum to conduct important business as scheduled by the Assembly Business Committee on the Order Papers due to absenteeism of the Members. In addition, Members fail to attend Committee meetings to assist the Committee to properly dispense off business before them.

Hon. Members, may I draw your attention to the provisions of Standing Order 252 (1) that provides that and I quote: "If, during any Session, a Member is absent from eight sittings of the County Assembly without permission, in writing from the Speaker, the Speaker shall report the matter to the County Assembly and the matter shall stand referred to the Committee of Privileges for hearing and determination." Further, Standing Order 183 (1) provides that,

and I quote: *“If a member fails to attend four consecutive sittings of a Committee without the written permission of the Chairperson of the Committee, or the permission of the Speaker if the member is the Chairperson, the Chairperson or the Speaker, as the case may be shall notify the Committee of the failure.”*

Hon. Members, kindly note that there are specified consequences under the said Standing Orders. Hon. Members, the lack of specific cases of absenteeism notwithstanding, the continued lack of quorum during Plenary Sittings point to possible cases. I therefore call upon the Select Committee on Powers and Privileges to investigate the matter of absenteeism in the Plenary and Committee Sittings and report back to the Assembly. Further, I call upon the Chairpersons in respective Committees to enforce the provisions of Standing Order 183 going forward. All the Chairpersons and the vice-chairs of committees’ to be present at every plenary sitting in the assembly. The Chairperson of the Select Committee on Liaison is hereby directed to guide the Chairpersons of Committees on proper enforcement of the foregoing provisions and table the committee reports as required by the Standing Orders. Hon. Members, you are so guided. I thank you, Hon. Members.”

4. PAPERS LAID:-

The following paper was laid on the Table of the Assembly:-

I. THE REPORT OF THE SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING ON THE SECOND INDUCTION WORKSHOP HELD FROM 27TH TO 30TH APRIL 2023 AT MAXLAND HOTEL, KIAMBU

(Chairperson, Sectoral Committee on Children, Early Childhood Education and Vocational Training)

5. STATEMENTS PURSUANT TO STANDING ORDER 47(2)(c)

Pursuant to Standing Order 47 (2) (c) the following statements were requested:-

- i. Hon. Emily Oduor, MCA on behalf of the Assembly Business Committee shall notify the House on the allotted business for the week Pursuit to Standing Order 47 (2)(a).
- ii. The Jeremiah Karani, MCA requested for a statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the perennial water challenges and rationing in the County by the Nairobi City Water and Sewerage Company Limited in the County Particularly in Kayole Central Ward. **(Response due in 2 weeks)**
- iii. The Jeremiah Karani, MCA requested for a statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the perennial water challenges and rationing in the County by the Nairobi City Water and Sewerage Company Limited in the County Particularly in Kayole Central Ward. **(Response due in 3 weeks)**

- iv. The Hon. Perpetua Mponjiwa, MCA requested for a statement from the Chairperson of the Sectoral Committee on Culture and Community Services regarding mushrooming liquor kiosks within the County especially in the lower part of the Central Business District. **(Response due in 2 weeks)**

6. MOTION – ADOPTION OF COMMITTEE REPORT

Motion Made and Question Proposed;

THAT, this Assembly adopts **THE 6TH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON THE COUNTY INTEGRATED DEVELOPMENT PLAN 2023-2027 AND THE COUNTY ANNUAL DEVELOPMENT PLAN FY 2023/2024**, laid on the Table of the Assembly on Tuesday, 25th April 2023.

(Chairperson County Finance, Budget and Appropriations)

Debate ensued;
Mover replied;
Question put and agreed to;

7. MOTION – ADOPTION COMMITTEE REPORT

Motion Made and Question Proposed;

THAT, this Assembly adopts **7TH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON NAIROBI CITY COUNTY FISCAL STRATEGY PAPER AND THE DEBT MANAGEMENT STRATEGY PAPER FOR FY 2023/2024 AND OVER THE MEDIUM TERM**, laid on the Table of the Assembly on Tuesday, 25th April 2023.

(Chairperson County Finance, Budget and Appropriations)

Debate ensued;
Mover replied;
Question put and agreed to;

There being no other business and the time being thirty minutes to Five O'clock, the Hon. Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

8. ASSEMBLY ROSE - at Thirty minutes to Five O'clock.

MEMORANDUM

The Speaker will take the Chair on Thursday, 27th April, 2023 at 2.30 p.m.

