



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (SECOND SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, APRIL 12TH, 2023 AT 2.30 P.M.

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

QUORUM OF THE ASSEMBLY

The presiding Speaker (Hon Antony Kimemia, MCA) having confirmed that there was no Quorum caused the Bell to be rung for Ten minutes.

There being no Quorum at the expiry of the ten minutes, the presiding Speaker caused the bell to be rung again for five minutes.

And there being a Quorum at the expiry of the five minutes, the presiding Speaker called the Assembly to order.

3. PAPERS LAID: -

The following papers were laid on the Table of the Assembly:-

- I. **THE REPORT OF THE SELECT COMMITTEE ON POWERS AND PRIVILEGES ON INDUCTION WORKSHOP HELD FORM 1ST TO 4TH DECEMBER, 2022 AT TRAVELLERS HOTEL, MOMBASA COUNTY.**

(Chairperson Select Committee on Liaison)

- II. **THE REPORT OF THE SECTORAL COMMITTEE ON PLANNING AND HOUSING ON THE PETITION BY RESIDENTS OF PATANISHO SCHEME SETTLEMENT IN LOWER SAVANNAH WARD ON FORMALIZATION PROJECT OF COMMERCIAL PLOTS 667-730.**

(Chairperson Sectoral Committee on Planning and Housing)

4. NOTICES OF MOTION: – CONVEYANCE OF COURTESY REQUEST TO THE SENATOR OF NAIROBI CITY COUNTY TO ADDRESS THE COUNTY ASSEMBLY

The following Notice of Motion was given:-

THAT, aware that Article 6 of the Constitution of Kenya 2010 provides for the two levels of governments, at the national and county levels which are

distinct and inter-dependent and required to conduct their mutual relations on the basis of consultation and cooperation; **FURTHER AWARE**, that Article 93(1) of the same constitution establishes the Senate with its role provided for in Article 96, which includes but not limited to representing counties, and to protect the interests of the counties and their governments at the National Level; **NOTING** that Article 183 (1) of the Institution requires the County Executive to inter-alia; implement, within the county, national legislation to the extent that the legislation so requires; **FURTHER NOTING** that Section 118(1) of the County Governments Act, 2012 permits the county governments to enter into an agreement with the national government, another county or an agency of the national government, in order to provide or receive any service that each county participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purpose of any of the participating counties; **APPRECIATING** that the ongoing initiatives by the National Government such as; affordable healthcare, food security, affordable housing, manufacturing, business start-ups and youth empowerment programs; **FURTHER APPRECIATING** that Standing Order No. 28 of the Nairobi City County Assembly Standing Orders provides that, “The Speaker may, in consultation with the Leader of the Majority Party and the Leader of the Minority Party, allow the Senator of the County or a visiting Governor or other such visiting dignitary, to address the County Assembly on such occasions as may be appropriate.” That notwithstanding; this assembly **RESOLVES** that a courtesy request be conveyed to the Right Senator of Nairobi City County, Sen. Edwin Sifuna requesting him to address the Third Assembly of Nairobi City County at his earliest convenience on the under listed issues amongst others:-

- i. The State of the County with regard to the domestication of the National Government programs at the County level and how such can benefit the residents of the County;
- ii. How the Senate can facilitate the full reversal of earlier transferred Functions from the County to Nairobi Metropolitan Services (NMS) since Revenue collections as a function is yet to be fully reversed to the County Government of Nairobi;
- iii. Linkages and partnerships that the National Government or its agency can engage the County Government of Nairobi for effective service delivery;
- iv. Consolidation of Leadership and arbitration of problems bedeviling the County; and,
- v. Any other issue that may be of importance for the County Government of Nairobi City County and its residents.

(The Leader of Minority Party)

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

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

- i. Hon. Sospeter Mumbi, MCA on behalf of the Assembly Business Committee, regarding the business appearing before the Assembly for the week beginning Wednesday, 30th day of November 2022.

6. MOTION-ADOPTION OF REPORT

Motion Made and Question Proposed: _

That **THE REPORT OF THE SECTORAL COMMITTEE ON LABOUR AND SOCIAL WELFARE ON THE INQUIRY REGARDING THE ABSORPTION OF INSPECTORATE OFFICERS EMPLOYED BY THE NAIROBI METROPOLITAN SERVICES (NMS)** laid on the table of the Assembly on 11th April, 2023.

Debated ensued;

Mover replied;

Question put and agreed to

7. MOTION- CONVEYANCE OF COURTESY REQUEST TO THE SENATOR OF NAIROBI CITY COUNTY TO ADDRESS THE COUNTY ASSEMBLY

Motion Made and Question Proposed

THAT, aware that Article 6 of the Constitution of Kenya 2010 provides for the two levels of governments, at the national and county levels which are distinct and inter-dependent and required to conduct their mutual relations on the basis of consultation and cooperation; **FURTHER AWARE**, that Article 93(1) of the same constitution establishes the Senate with its role provided for in Article 96, which includes but not limited to representing counties, and to protect the interests of the counties and their governments at the National Level; **NOTING** that Article 183 (1) of the Institution requires the County Executive to inter-alia; implement, within the county, national legislation to the extent that the legislation so requires; **FURTHER NOTING** that Section 118(1) of the County Governments Act, 2012 permits the county governments to enter into an agreement with the national government, another county or an agency of the national government, in order to provide or receive any service that each county participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purpose of any of the participating counties; **APPRECIATING** that the ongoing initiatives by the National Government such as; affordable healthcare, food security, affordable housing, manufacturing, business start-ups and youth empowerment programs; **FURTHER APPRECIATING** that Standing

Order No. 28 of the Nairobi City County Assembly Standing Orders provides that, “The Speaker may, in consultation with the Leader of the Majority Party and the Leader of the Minority Party, allow the Senator of the County or a visiting Governor or other such visiting dignitary, to address the County Assembly on such occasions as may be appropriate.” That notwithstanding; this assembly **RESOLVES** that a courtesy request be conveyed to the Right Senator of Nairobi City County, Sen. Edwin Sifuna requesting him to address the Third Assembly of Nairobi City County at his earliest convenience on the under listed issues amongst others; -

- i. The State of the County with regard to the domestication of the National Government programs at the County level and how such can benefit the residents of the County;
- ii. How the Senate can facilitate the full reversal of earlier transferred
- iii. Functions from the County to Nairobi Metropolitan Services (NMS) since
- iv. Revenue collections as a function is yet to be fully reversed to the County
- v. Government of Nairobi;
- vi. Linkages and partnerships that the National Government or its agency can engage the County Government of Nairobi for effective service delivery;
- vii. Consolidation of Leadership and arbitration of problems bedeviling the County; and,
- viii. Any other issue that may be of importance for the County Government of Nairobi City County and its residents.

(Leader of Minority Party)

Debated ensued;

Mover replied;

Question put and agreed to

8. ASSEMBLY ROSE - at Twenty Eight Minutes past Four O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, 13th April, 2023

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