



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – SECOND SESSION

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, 15TH MARCH, 2023 AT 2.30P.M

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

QUORUM OF THE ASSEMBLY

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

3. COMMUNICATION FROM THE CHAIR: -

The Hon. Speaker conveyed the following communication: -

RE- INTRODUCTION OF BUSINESS

“Hon. Members, I wish to bring to the attention of the House that, going by established parliamentary practice and our Standing Orders, all business that was not concluded at the end of the last Assembly, such as Bills, Motions, Petitions and Sessional Papers, lapsed. In particular, Standing Order 148 (4) on re-introduction of Bills provides: -

“148(4) A Bill the consideration of which has not been concluded at the end of the term of a County Assembly shall lapse.”

However, **Hon. Members,** a review of our records show that we have a number of Bills and Sessional Papers of significant importance to the County that lapsed at various stages following the end of the last Assembly. Fortunately, several Hon. Members and Committees have expressed their desire to proceed with some of the lapsed business. Therefore, **Hon. Members,** in keeping with parliamentary practice and standing Orders, I wish to guide the House as follows: -

- (i) That all business which lapsed at the end of the last Assembly and which Committees of the Assembly and Hon. Members may have interest must

be **re-introduced formally** in accordance with our rules of procedure if such business has to be considered during the term of this Third Assembly.

- (ii) That with regards to Bills, and borrowing from the procedure adopted by the National Assembly, all Bills which had passed the Second Reading but lapsed will be **exempted from pre-publication** scrutiny upon re-introduction.

In light of the forgoing, **Hon. Members**, any Committee or Hon. Member who is interested in re-introducing any business that had lapsed is encouraged to write to my office seeking approval to re-introduce a specified business. Members are encouraged to inquire from the Table and Journals Office on the status of such business. With regards to Bills, I wish to inform the House that Bills that were sponsored by former Members any Member is at liberty to take them up and have them re-introduced. However, it is expected that those who have been re-elected or nominated back to this House would naturally take-up their respective business.

Accordingly, **Hon. Members**, any Committee that may currently be considering any business which lapsed without the same having been formally re-introduced in the House is **hereby directed to discontinue the consideration of the same forthwith until compliance with directions issued herein.**

Hon. Members, I further direct the Assembly Select Committee on Rules and Procedure to closely relook at this matter with a view of proposing amendments to our Standing Orders in order to remove any lacuna that may exist.

The House is so guided.

I thank you **Hon. Members.**"

4. PETITIONS:-

The following petition was read and committed to Sectoral Committee on Lands, Planning and Housing;-

- I. PETITION BY STRUCTURE RESIDENTS OF MATHARE 4A IN UTALII WARD ON RESETTLEMENT TO PUBLIC LAND L.TR NO. 18170 WITHIN NAIROBI CITY COUNTY.**

5. PAPERS LAID: -

The following papers were laid on the Table of the Assembly;

- i. **THE REPORT OF THE SELECT COMMITTEE ON APPOINTMENTS ON INDUCTION WORKSHOP HELD FROM 29TH JANUARY TO 3RD FEBRUARY 2023 AT FLAMINGO BEACH HOTEL, MOMBASA COUNTY.**

(Leader of Majority)

- ii. **THE REPORT OF THE SECTORAL COMMITTEE LABOUR AND SOCIAL WELFARE ON INDUCTION WORKSHOP HELD FROM 24TH TO 27TH NOVEMBER 2023 AT TRAVELLERS HOTEL, MOMBASA COUNTY.**

(Chairperson, Sectoral Committee on Labour and Social Welfare)

- iii. **THE REPORT OF THE SELECT COMMITTEE PROCEDURE AND RULES ON INDUCTION WORKSHOP HELD FROM 15TH TO 18TH DECEMBER 2023 AT TRAVELLERS HOTEL, MOMBASA COUNTY.**

(Chairperson, Select Committee on Procedure and Rules)

- iv. **THE REPORT OF THE SECTORAL COMMITTEE ON HEALTH SERVICES ON INDUCTION WORKSHOP HELD FROM 17TH TO 20TH NOVEMBER 2022 AT TRAVELLERS HOTEL, MOMBASA COUNTY.**

(Chairperson, Sectoral Committee on Health Services)

6. NOTICES OF MOTION: -

The following Notice of Motion was given;

THAT, taking into consideration the findings of the Select Committee on Appointments in its Report on the Vetting of Nominee for Approval as County Secretary, laid on the Table of the Assembly on Wednesday, 15th March, 2023 and pursuant to the provisions of Section 44 (2)(b) of the County Governments Act, 2012; Sections 3 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017; and Standing Order 48 (4) this Assembly: -

- 1) **REJECTS** the nomination of Dr. Jairus Musumba for appointment as County Secretary by His Excellency the Governor; and
- 2) Resolves that the appointing authority (being H.E. the Governor of Nairobi City County) **APPOINTS ANOTHER** officer other than the nominee within seven (7) days of adoption of this report to act in the position of County Secretary pursuant to the applicable laws until the position is substantively filled.

(The Leader of Majority)

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

The following statements were requested:-

- i. The Hon. Kennedy Oyugi, MCA will request for a statement from the Chairperson of the Select Committee on Public Investments and the Sectoral Committee on Trade, Tourism and Cooperatives regarding declining revenue collection from markets. **(Response due in 2 weeks)**
- ii. The Hon. Geoffrey Majjiwa, MCA will request for a statement from the Chairperson of the Sectoral Committee on Health Services regarding alleged diversion of funds for Baba Dogo Health Center. **(Response due in 2 weeks)**

8. MOTION: – PROCEDURAL MOTION

Motion made and Question proposed-

THAT, taking into consideration the findings of the Select Committee on Appointments in its Report on the Vetting of Nominee for Approval as County Secretary, laid on the Table of the Assembly on Wednesday, 15th March, 2023 and pursuant to the provisions of Section 44 (2)(b) of the County Governments Act, 2012; Sections 3 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017; and Standing Order 48 (4) this Assembly:-

- 1) **REJECTS** the nomination of Dr. Jairus Musumba for appointment as County Secretary by His Excellency the Governor; and
- 3) Resolves that the appointing authority (being H.E. the Governor of Nairobi City County) **APPOINTS ANOTHER** officer other than the nominee within seven (7) days of adoption of this report to act in the position of County Secretary pursuant to the applicable laws until the position is substantively filled.

(The Leader of Majority Party)

Debate Ensued;

Mover replied;

Question put and **agreed to**

9. MOTION – PROCEDURAL MOTION

Motion made and Question proposed-

THAT, notwithstanding the provisions of Standing Order 227 (7) and pursuant to the Provisions of Section 90 of the Public Finance Management Act, 2012, this Assembly resolves to extend the period for consideration of

the County Fiscal Strategy Paper for the FY 2023-24 by a period of twenty-one (21) days from today, Wednesday, 15th March, 2023.

(Chairperson, Select Committee on County Finance, Budget and Appropriations)

Mover replied;

Debate ensued;

Question put and **agreed to**

And the time being nine Minutes past Four O'clock the Temporary Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

ASSEMBLY ROSE - at nine Minutes past Four O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, March 16th, 2023 at 2. 30p.m

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