



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY - (FOURTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, MARCH 20, 2025 AT 2.30P.M

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

QUORUM OF THEASSEMBLY

There was no quorum causing the Hon. Speaker (Hon. Kennedy Ng'ondi) to order the Sergeant at Arms to ring the bell for ten minutes pursuant to Standing Order 37(2).

There being a Quorum at the expiry of the ten minutes, the Hon. Speaker called the Assembly to order.

3. COMMUNICATION FROM THE CHAIR

The Speaker issued the following communication: -

Hon. Members, good afternoon. Today, as we prepare to adjourn for the short recess, I just want to put across – and this should serve as a wakeup call and subsequently might necessitate an action towards the unbecoming behavior of some of the Members –that as you move and proceed for the short recess, I would want to remind you of our Standing Order No. 252 on what is expected of you. I will read out the list of attendance of this session, that is immediately after we resume the Session after the recess.

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Hon. Members, Standing Order No. 252 is very clear on failure to attend sittings. I will be forced to implement this. I have just mentioned the unbecoming behaviour and attitude of Members towards their responsibility number one of making sure that they do legislation, which is normally done at the committee level and at the plenary. This House has a total membership of 124, and the Standing Order requires that we have 43 Members present to transact the business of the Assembly.

Hon. Members, there is no any other way of avoiding the fact that the House has always been adjourned due to lack of quorum, and it is in public domain that this is a trend. As the custodian of the Constitution and other constitutional requirements; the Acts, the Standing Orders and the Statutes, I will be forced to implement this Standing Order No.252.

Hon. Members, you know yourselves. When that axe will fall on you, don't blame me as the Speaker because I will just write a letter to give a notice of vacancy. Whether you challenge it, I am telling you, you won't succeed. It is not possible. You remember in the last Assembly, one of the Members lost the seat just by a stroke of a pen by the Speaker for not attending Assembly sittings. So, I will just read this as a reminder. 252 (1) If, during any Session – and Assembly Session Calendar runs from February to December. Correct, A Member is absent from eight sittings of the County Assembly without permission, in writing from the Speaker – I have not received any permission from any Member – the Speaker shall report the matter to the County Assembly – of which I am doing now – and the matter shall stand referred to the Committee of Privileges for hearing and determination. (2) The Committee of Privileges shall enquire into the matter referred to it under paragraph one within 14 days from the date the matter is referred to it and shall thereupon for submit a report to the County Assembly. (3) If the report of the Committee finds that the Member has offered a satisfactory explanation for the Member's absence from eight sittings of the County Assembly without the permission in writing from the Speaker, there shall be no further proceedings in the County Assembly in respect of the matter. (4) If the report of the Committee finds that the Member has not offered a satisfactory explanation

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for the Member's absence from eight sittings of the County Assembly under paragraph (1), the Chairperson of the Committee or a Member of the Committee designated by the Committee for that purpose shall, upon submitting the report, give a three days' notice of a Motion that, "This County Assembly notes the Report of the Committee of Privileges laid on the Table of the County Assembly on regarding" with other necessary modification.

(5) A Motion under paragraph (4) shall be debated in the usual manner of debating Motions, except that:

a) No amendment shall be permitted to the Motion; and (b) The debate of the Motion shall not be anticipated by a Motion for the adjournment of the County Assembly, and no dilatory Motion shall be moved in relation to the business, and the business shall not be interrupted under any Standing Order. Under line, 'the Motion shall not be interrupted'.

(6) At the conclusion of the debate on a Motion under paragraph (4), the Speaker shall not put a question but shall declare that, pursuant to Article 103 (1) (b) of the Constitution, the office of the Member concerned has become vacant. Hon Members, I really don't see a reason why the same Members, same faces who normally form a quorum in this Assembly are supposed now to take the bullet on behalf of lazy Members who are not in any way willing to adjust or even change their attitude. On this, Hon Members, I am very categorical. When the House resumes, I will expect the Clerk to have done a tabulation on the performance and attendance of Members in the plenary, and I will forward the same names to the Powers and Privileges [committee], where I chair, then I will bring the report. The report is just for discussion; you don't have to make any opinion out of it. It is still at the discretion of the Chair to decide whether to declare the seat vacant or not. We have Members here whom I cannot even say when I last saw their faces.

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Hon. Members, I am repeating again, you know yourselves and understand what is expected of you. But I am sorry because am talking to the wrong Members. By way of addressing wrong Members, is because I can categorically state here as the Chair of the Assembly that these are the same faces I normally find at whatever time I preside the Assembly. I hope it will be communicated. These are your colleagues and your friends. We will read out the report loud but I will not be ready to defend that report. It will be history because if we send up to 12 Members, we will declare those seats vacant. I am telling you whether you go to court, there are no terms of reference. So, take note, Hon. Members.”

4. PETITIONS

The Hon. Speaker presented the following Petitions; -

- i. Petition by residents of Njiru Ward on encroachment on public land by private developer in Njiru Ward
(Committed to Sectoral Committee on Planning and Housing)
- ii. Petition by residents of West Park Police estate on dilapidated public facilities in Nairobi West Ward
(Committed to Sectoral Committee on Transport & Public Works; and Culture & Community Services)

5. PAPERS

The following paper was laid on the Table of Assembly:

- The Report of The Sectoral Committee on Planning and Housing on the Vetting of Nominee for appointment as Non-Executive Chairperson of Nairobi City County Rural and Urban Affordable Housing Committee

(Hon. Alvin Palapala, MCA, Chairperson Sectoral Committee on Planning and Housing)

6. NOTICES OF MOTION (Chairperson Sectoral Committee on Planning and Housing)

That this Assembly adopts the **REPORT ON VETTING OF NOMINEE FOR APPOINTMENT AS NON-EXECUTIVE CHAIRPERSON OF NAIROBI CITY COUNTY RURAL AND URBAN AFFORDABLE HOUSING COMMITTEE.**

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7. STATEMENTS

Pursuant to Standing Order 47 (2) (c) the following Members requested for Statements: -

- a) Hon. Joel Munuve, MCA from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the quality of water from boreholes within the County especially in Eastleigh area; and
- b) Hon. Joel Munuve, MCA from the Chairperson of the Sectoral Committee on Health Services regarding the management of the School Feeding Programme

8. MOTION - ADJOURNMENT IN ACCORDANCE WITH THE ASSEMBLY CALENDER (REGULAR SESSION)

Motion Made and Question Proposed;

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

There being no other business and the time being five minutes Past Four O'clock the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

9. ASSEMBLY ROSE - at five minutes past four O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, April 1st, 2025