



**COUNTY GOVERNMENT OF NAIROBI CITY**

**FIRST ASSEMBLY – (SECOND SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, FEBRUARY 26, 2014**

1. The Assembly assembled at Thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communication –

**i) Extension Of Time For Conclusion Of Pending Statements Not Concluded In The First Session**

Hon. Members, you will recall that on Tuesday, 18<sup>th</sup> February, 2014, the Chair issued a Communication regarding the lapsing of Motions and Statements not concluded during the first session.

It was then noted that by procedure and practice, Statements not concluded during a Session automatically lapse at the end of that session. The implication of the foregoing is that all pending Motions and Statements at the lapse of a Session must be introduced afresh upon commencement of a new Session.

Hon. Members, the Chair subsequently guided that all Members with pending Statements bring them afresh before the House for consideration, while Members whose Statements had been requested but not concluded by Committees, follow up with the relevant Sectoral or Select Committees to have them addressed.

I therefore wish to further guide on this matter as follows.

Hon. Members, I have given Committees fourteen (14) days to conclude any pending Statements before them.

Chairpersons of Sectoral Committees are therefore encouraged to expedite their consideration of any pending Statements and report back to the Assembly within the fourteen (14) days from today. Hon. Members as you are aware yesterday a question on Members security arose.

Hon. Members, the Hon. Daniel Mari gave a personal Statement pursuant to Standing Order Number 80 concerning the lack of security for Members. To address the matter, the Speaker held a meeting with the Chief Officer for Security, Disaster Management & Compliance, during which modalities for providing security for Members were discussed and agreed on. The Speaker will subsequently do a memo to all Members informing them on how the matter will be addressed. And I am glad that Members of the County Assembly were able to attend, the meeting with me including the chairperson of the Justice and Legal Affairs Committee.

**i) Quorum In The Assembly**

Hon. Members, it has come to my attention that the Assembly has lately been experiencing crippling quorum hitches. During yesterday's afternoon sitting (Tuesday 25<sup>th</sup> Feb., 2014), I spoke briefly about this matter.

I now wish to guide as follows.

Hon. Members, the Chair has considered the implications of rampant, crippling lack of quorum on the conduct of business before this Assembly and its impact on the execution of our mandate as an Assembly.

Hon. Members, a pattern has emerged in which Members sign their attendance of Chamber Sittings and immediately leave the precincts of the Assembly. This has subsequently brought about crippling quorum hitches that have seen the Assembly adjourn prematurely on several occasions.

The Chair notes with concern that Members are placing precedence on Committee Sittings to the detriment of Chamber Sittings.

Hon. Members, be informed that Chamber Sittings form part of the eight (8) weekly Sittings for which Members get remunerated. Therefore,

attending eight (8) Committee Sittings per week and ignoring Chamber duties shall henceforth attract the requisite penalties.

Members are therefore encouraged to factor plenary Sittings in the eight weekly Sittings as part of their remunerable sittings.

Hon. Members, the Chair will therefore continue to watch the situation over the next one week and subsequently take the following measures if this unfortunate practice continues.

Hon. Members, if no change is recorded in the manner of signing and attending Chamber Sittings, the Chair will be forced to have Members only sign at the end of Chamber Sittings.

It is important that Hon. Members do whatever possible to attend Chamber Sittings to enable us undertake our mandate effectively. It is so guided.

Thank you.”

**4. PAPERS LAID**

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

- (i) Fifth report of the Sectoral Committee on Water and Sanitation on the vetting of Chief Officer Nominee.

*(Chairperson, Sectoral Committee on Water and Sanitation)*

- (ii) Sixth report of the Committee on Justice and Legal Affairs on the vetting of County Chief Officer nominee.

*(Chairperson, Committee on Justice and Legal Affairs)*

- (iii) Third report of the Sectoral Committee on Education, Children and Youth Affairs on the vetting of County Chief Officer nominee.

*(Chairperson, Sectoral Committee on Education, Children and Youth Affairs)*

- (iv) Sixth report of the Select Committee on Budget and Appropriations on the vetting of County Chief Officer nominee.

*(Chairperson, Select Committee on Budget and Appropriations)*

- (iv) Eighth report of the Sectoral Committee on Agriculture, Environment and Natural Resources on the vetting of County Chief Officer nominee.

*(Chairperson, Sectoral Committee on Agriculture, Environment and Natural Resources)*

**5. NOTICE OF MOTION** - (Chairperson, Sectoral Committee on Water and Sanitation)

**THAT**, pursuant to Section 45(1) (b) of the County Governments Act and the provisions of Standing Order No. 42, this Assembly adopts the report of the Sectoral Committee on Water and Sanitation on the vetting of County Chief Officer nominee, laid on the table of the Assembly on Wednesday 26<sup>th</sup> February, 2014 and approves the appointment of **Mr. Michael Ngari Gichuhi** as the **County Chief Officer for Water, Energy and Natural Resources**.

**6. NOTICE OF MOTION** - (Chairperson, Sectoral Committee on Justice and Legal Affairs)

**THAT**, pursuant to Section 45(1) (b) of the County Governments Act and the provisions of Standing Order No. 42, this Assembly adopts the report of the Committee on Justice and Legal Affairs on the vetting of County Chief Officer nominee, laid on the table of the Assembly on Wednesday 26<sup>th</sup> February, 2014 and rejects the appointment of **Ms. Vera Ambeva** as the **County Chief Officer for Information, Communication and E-Government**.

**7. NOTICE OF MOTION** - (Chairperson, Sectoral Committee on Education, Children and Youth Affairs)

**THAT**, pursuant to Section 45(1) (b) of the County Governments Act and the provisions of Standing Order No. 42, this Assembly adopts the report of the Committee on Education, Children and Youth Affairs on the vetting of County Chief Officer nominee, laid on the table of the

Assembly on Wednesday 26<sup>th</sup> February, 2014 and approves the appointment of **Mr. Andrew Mwanthi** as the County Chief Officer for Education, Children and Youth Affairs

8. **NOTICE OF MOTION** - (Chairperson, Select Committee on Budget and Appropriations)

**THAT**, pursuant to Section 45(1) (b) of the County Governments Act and the provisions of Standing Order No. 42, this Assembly adopts the report of the Committee on Budget and Appropriation on the vetting of County Chief Officer nominee, laid on the table of the Assembly on Wednesday 26<sup>th</sup> February, 2014 and approves the appointment of **Mr. Jimmy Kiamba** as the **County Chief Officer for Finance**.

9. **NOTICE OF MOTION** - (Chairperson, Sectoral Committee on Agriculture, Environment and natural Resources)

**THAT**, pursuant to Section 45(1) (b) of the County Governments Act and the provisions of Standing Order No. 42, this Assembly adopts the report of the Committee on Agriculture, Environment and natural Resources on the vetting of County Chief Officer nominees, laid on the table of the Assembly on Wednesday 26<sup>th</sup> February, 2014 and approves the appointment of **Dr. Leah Oyiake Ombis** as County Chief Officer for Environment

10. **STATEMENTS PURSUANT TO STANDING ORDER NO.41 (2)(C).**

Pursuant to the provisions of Standing Order No. 41(2) (C) the following members requested for statements –

- (i) The County Representative for Karura Ward (Mr. Kamau Thuo) from the Chairperson of the Sectoral Committee on Trade, Tourism and Co-operatives following the marked increase in revenue collected from the various county markets in Nairobi and the arbitrary transfers and

demotions of staff; the criteria being used to either transfer or demote staff in the markets and the efforts being made to motivate workers who have shown exemplary performance in raising revenue; and

- (ii) The County Representative for Highrise Ward (Mr. Maurice Akuk) from the Chairperson of the Sectoral Committee on Transport and Infrastructure regarding the deteriorating state of roads in the County.

#### **11. PERSONAL STATEMENT PURSUANT TO STANDING ORDER NO. 80**

Pursuant to the provisions of Standing Order 80, the Member for Highrise (Mr. Akuk) issued a Personal Statement regarding the inadequacy of the medical insurance cover availed to Members of the County Assembly. He requested the County Assembly Service Board to look into the issue with a view to improving the terms of the cover.

#### **12. MOTION - RECRUITMENT OF TEACHERS IN ECD CENTRES.**

Motion made and Question proposed-

**THAT**, aware that Article 6(2) of the Constitution recognizes that the National and County Governments are distinct and inter-dependent; and that Devolution is an important principle in the new structure of governance; further aware that recognizing the fundamental role of education worldwide in fostering economic and social transformation has prompted government to create specialized agencies to among other functions, regulate the training, registration, recruitment and deployment of teachers; noting that the function of pre-primary education is vested in the County Governments pursuant to the fourth schedule of the Constitution and that the County has inadequate teachers in pre-primary level, this Assembly urges the County Government of Nairobi to employ enough teachers in ECD centres.

*(Hon. David Kitavi)*

Debate arising;

Mover Replied;

Question put and agreed to.

**12. MOTION - INCREASE IN NUMBER OF STREET CHILDREN/FAMILIES**

Motion made-

**THAT**, aware that of late there has been an increase in the number of street children/families within the Nairobi City Central Business District, greatly affecting business in the City Centre; further aware that this problem had turned into a social nightmare with more street children/families invading major streets within the CBD; concerned that these street children are now extorting money from innocent pedestrians and motorists through intimidation and threats of use of human waste, this Assembly urges the County Government to move with speed and address this issue.

*(Hon. Elizabeth Manyala)*

Debate interrupted

**QUORUM OF THE HOUSE**

Rising in his place on a Point of Order, the Representative for Mwiki (Mr. Ngige) drew the attention of the Speaker to the fact that there was no Quorum in the House;

And the Speaker having counted the Honourable Members present and confirmed that there was no Quorum caused the Division Bell to be rung;

And there being no Quorum after expiry of eight minutes;

The Speaker adjourned the proceedings of the Assembly at four minutes past five o'clock without Question put pursuant to the Standing Orders.

**13. HOUSE ROSE** - at four minutes past Five O'clock.

**MEMORANDUM**

The Speaker will take the Chair on  
Thursday, 27<sup>th</sup> February, 2014 at 2.30p.m

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