



**COUNTY GOVERNMENT OF NAIROBI CITY**

**FIRST ASSEMBLY – (SECOND SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, OCTOBER 7, 2014**

1. The House assembled at eight minutes past Three O'clock.

2. The Proceedings were opened with Prayer

**3. COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication from the Chair:-

“Honourable Members,

You will recall that on the 28<sup>th</sup> August, 2014, the Chair spoke about the need to uphold high standards of personal conduct when within the Assembly precincts, whether in plenary or in Committee meetings, with specific reference to the Sectoral Committee on Planning and Housing.

The Chair then had directed that the Leader of Majority and Minority Parties reconstitute the Committee forthwith to enable it continue with its functions.

Hon. Members, the Parties did not reconstitute the Planning and Housing Committee as had been directed. In the circumstances, and, in consultation with the Leadership of the Parties represented in the

Assembly, I wish to direct that the Committee on Planning and Housing resume operations forthwith.

However, Hon. Members, I wish to reiterate that as the overall guardian and enforcer of powers and privileges in the Assembly, the Chair will not sit idly by and allow Committees to be turned into havens of misconduct and abuse of privileges and immunities.

It is so directed.

— **MORTGAGE FACILITY FOR MEMBERS**

Hon. Members, as you are aware, the Salaries and Remunerations Commission (SRC) awarded Members a Mortgage benefit of Kshs3 million per Member.

In order to provide for the management of the mortgage facility, the County Assembly considered and passed regulations governing the same. Consequently, the County Government has allocated Kshs100 million to commence the issuance of this facility to Members. However, a further facility has been set aside over and above the Kshs100 million to ensure all Members have access to the facility.

Hon. Members, you will note that the management of the monies for the facility was outsourced to Family Bank Limited pursuant to the Regulations adopted by this Assembly.

Hon. Members, I therefore want to encourage you to continue applying for the facility.

— **PUBLIC MEMBER OF THE ASSEMBLY SERVICE BOARD**

Hon. Members, the Chair had committed to issue a communication regarding the appointment of the Member of Public to the County Assembly Service Board pursuant to Section 12 (3)(d) of the County Government Act, 2012.

Hon. Members, I wish to report as follows. The recruitment of the Member of Public to the County Assembly Service Board is currently an ongoing process. An advert for the recruitment of the same was placed in the Daily Nation Newspaper on Friday, 13<sup>th</sup> June 2014 to run till 20<sup>th</sup> June, 2014. Subsequently, sixty eight (68) applications were received for the post.

A team of five officers were appointed to record, evaluate and shortlist the applications. The exercise began on 26<sup>th</sup> June, 2014 and was completed on 4<sup>th</sup> July, 2014, and a report on the exercise submitted to the office of the Clerk.

Hon. Members, the Board is awaiting commencement of the interview process and a report on the exercise will be tabled in the Assembly later.

Thank you”.

#### **4. PAPERS:-**

The Chairperson of the Public Account Committee requested for an extension of time to table a report on Auditor General. The extension was granted.

#### **5. NOTICES OF MOTION:- (Hon. Elizabeth Manyala, MCA)**

**THAT**, aware that the first by-laws on building development and control in Kenya were introduced by the colonial government and applied by the then Nairobi Town Council and later replaced by the Nairobi City Council By-laws that incorporated town planning and zoning; further aware that the current building code, whose framework guides the building and construction sector is a replica of the British Building regulation; concerned that current building components tends to collapse at different rates depending on the materials used, designs, method of construction, environmental conditions and the use of the building; further concerned that most building constructors have failed to adhere to safety building measures; this Assembly urges the County Government to introduce a compulsory safety/performance compliance certificate to every building and undertake a compulsory inspection and periodic auditing of every building within the County.

**6. NOTICES OF MOTION:- (Hon. Elizabeth Manyala, MCA)**

**THAT**, aware that Section 10 of the Children's Act, 2001 protects children from economic exploitation and any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development; further aware that Section 2 of the Employment Act, 2007 defines a child as any person who has not attained the age of eighteen years; deeply concerned that despite all these legal instruments being in place, the Nairobi City County more so the Central Business District has experienced massive increase in the number of children hawking goods; further concerned that some children are being used as domestic workers (maids) in various homesteads and others are used by adults as beggars on the streets; noting that a number of children are skipping school or have dropped from school to join the worst form of child labour; this Assembly urges the County Government to partner with child rights organizations to curb this vice by strictly enforcing the existing laws on child abuse and neglect.

**7. STATEMENTS PURSUANT TO STANDING ORDER 41(2)(c)**

Pursuant to the provisions of Standing Order 41(2) (c), the following Member sought a statement –

- i. Hon. Osman Adow requested for a statement from the Chairpersons of the Sectoral Committees on Health Services and Agriculture, Environment and Natural Services regarding the chicken meat in the County. The response was to be given in the next two weeks.

**8. MOTION – TO ADOPT THE REPORT OF THE SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

Motion made and Question proposed –

**THAT**, this County Assembly adopts **THE REPORT OF THE SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON INQUIRY INTO THE ASSAULT OF HON. DAVID MBERIA AND THE DEMOLITION OF STRUCTURES IN KAREN SHOPPING CENTRE BY THE CITY COUNTY ASKARIS ON 9<sup>TH</sup> JANUARY, 2014**, laid on the Table of the Assembly on Tuesday 26<sup>th</sup> August, 2014.

*(Chairperson, Justice and Legal Affairs Committee)*

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

And the time being twenty eight minutes past Four O'clock, the Speaker interrupted the proceedings and adjourned the Assembly without Question put pursuant to the Standing Orders.

9. ASSEMBLY ROSE - at twenty eight minutes past Four O'clock.

MEMORANDUM

The Speaker will take the Chair on  
Wednesday, October 8, 2014 at 2.30 p.m.

--x--