



COUNTY GOVERNMENT OF NAIROBI CITY

FIRST ASSEMBLY – (FOURTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, MAY 4, 2016

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

QUORUM OF THE ASSEMBLY

The Speaker having confirmed that there was no Quorum caused the Bell to be rung for Ten minutes.

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

3. PAPERS LAID:-

The following paper was laid on the Table of the Assembly:-

- i) REPORT OF THE SECTORAL COMMITTEE ON CULTURE AND COMMUNITY SERVICES ON THE STATUS OF JOSEPH KANG'ETHE SOCIAL HALL.

(Chairperson, Sectoral Committee on Culture & Community Services)

4. NOTICE OF MOTION – Chairperson, Sectoral Committee on Culture & Community Services)

THAT, this Assembly adopts THE REPORT OF THE SECTORAL COMMITTEE ON CULTURE AND COMMUNITY SERVICES ON THE STATUS OF JOSEPH KANG'ETHE SOCIAL HALL, laid on the Table of the Assembly today, Wednesday 4th May, 2016.

5. STATEMENTS PURSUANT TO STANDING ORDER 41(2)(c)

Pursuant to Standing Order 41 (2) (c) the following Members requested for statements:-

- i) Hon. Isaac Ngige requested for a statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding the grabbing of a public land LR No. 9363/66 in Mwiki Ward;
- ii) Hon. Andrew Macharia Mbau requested for a statement from the Chairperson of the Sectoral Committee on Transport, Roads and Public Works regarding the progress on pending privatization of clamping of vehicles that default to pay parking fee on time;

Pursuant to Standing Order 41 (2) (c) the following responses to statements were given:-

- i) The Vice-Chairperson of the Sectoral Committee on Planning and Housing gave a response to statement requested by Hon. Kennedy Oduru regarding the ongoing construction of a building near a culvert opposite downstream car wash in Lucky Summer Ward;
- ii) The Vice-Chairperson of the Sectoral Committee on Planning and Housing gave a response to statement requested by Hon. Jacqueline Nyangala regarding Kijiji settlement next to Nairobi Primary School.

6. MOTION OF ADJOURNMENT ON DEFINITE MATTER OF URGENT COUNTY IMPORTANCE PURSUANT TO STANDING ORDER 30

Motion moved and question proposed:-

THAT, aware that the Nairobi City County Executive employs a workforce of over 2000 dedicated to the management of parking, towing, clamping and enforcement of the same for defaulters; **deeply** concerned that the County has engaged a contractor with a view of privatization of the towing and clamping services ; **noting** that the said privatization agreement is alleged to guarantee the contractor 70% of returns from the towing and clamping charges, while the county gets a measly 30%; **recognizing** that if this Assembly does not intervene in the matter, the County risks losing millions in fees given the blatantly skewed revenue sharing agreement of the proposed privatization; this Assembly adjourns

pursuant to Standing Order 30 in order to discuss the potential loss of revenue from the proposed , skewed privatization of the clamping and towing services as a matter of urgent County importance.

(Hon. Andrew Macharia Mbau, MCA)

Debate arising;

Mover Replied;

(The Hon. Speaker directed the Sectoral Committee on Transport and Public Works to inquiry on the matter and report to the Assembly on Thursday 5th May, 2016.

7. PROCEDURAL MOTION – REDUCTION OF THE PUBLICATION PERIOD OF THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2016

Motion moved and question proposed:-

THAT, notwithstanding the provisions of the Standing Order 117, this Assembly resolves to reduce the publication period of the Nairobi City County Supplementary Appropriation Bill, 2016 (Assembly Bill No. 2 of 2016) from 7 days to 5 days.

Debate arising;

Mover Replied;

*Question put and **Agreed to.***

8. THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2016 (ASSEMBLY BILL NO. 2 OF 2016)

Order for First Reading read;

(Chairperson, Select Committee on Budget & Appropriations)

Bill read a First Time;

9. MOTION – TO STRICTLY RETAIN THE INSPECTORATE OFFICERS AS ENFORCERS OF LAW AND NOT INVOLVE THEM IN ACTUAL REVENUE COLLECTION BY GIVING THEM MONETARY REVENUE COLLECTION TARGETS, IN ORDER TO CURTAIL CORRUPTION AND HARASSMENT IN THE REVENUE COLLECTION CHAIN

Motion moved and question proposed;

THAT, aware that the Nairobi City County's inspectorate department employs more than 1,000 county enforcement officers whose primary duty is enforcement of County laws and regulations, which the department undertakes in key areas such as markets, licensing etc.; deeply concerned that rather than focusing on enforcement, the inspectorate department's officers have often times resorted to revenue collection, employing all manner of underhand tactics and intimidation of city residents while purporting to carry out the function which squarely lies with the County Treasury officers; noting that Article 29 of the constitution grants every person the right to security, including the right not to be treated, punished in a cruel, inhuman or degrading manner; concerned that the lack of a clear delineation of duties of enforcement officers has encouraged some Inspectorate officers to engage in graft, as recently exposed in the media; this Assembly resolves that the County Executive Committee as a matter of policy to strictly retain the inspectorate officers as enforcers of law and not involve them in actual revenue collection by giving them monetary revenue collection targets, in order to curtail corruption and harassment in the revenue collection chain.

(Hon. Robert Mbatia, MCA)

Debate arising;

Mover Replied;

Question put and Agreed to

And the time being sixteen minutes to Five O'clock the Speaker adjourned the assembly without Question put pursuant to the standing Orders.

10. ASSEMBLY ROSE -Sixteen Minutes to Five O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, May 5th, 2016 at 2.30p.m

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