



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Second Session

Thursday, 20<sup>th</sup> February, 2014

The House met at 2.30 p.m

*(Mr. Temporary Speaker in the Chair)*

#### PRAYERS

**Hon. Temporary Speaker** (Mr. Maurice Akuk): Good afternoon once again, Hon. Members. It seems that there is lack of Quorum and I will kindly ask the Serjeant-At-Arms to please ring the Bell for the next ten minutes to see if we can get Quorum. Thank you.

*(The Bell is rang for ten minutes)*

**Hon. Temporary Speaker:** Hon. Members of Nairobi City County Assembly, I think we now have a Quorum and thank you very much for attending. Clerk?

*(The Clerk, Ms Monica Muthami, calls out the days orders)*

#### COMMUNICATION FROM THE CHAIR

**Hon. Temporary Speaker:** Thank you, Clerk. Hon. Members of Nairobi City County Assembly, yesterday a Statement was brought by the Hon. Minority Chief Whip and he intended to lay it on the Table and probably ask some questions but after further consultations we have all agreed that indeed, the Speakers Panel is not able to approve any Motion or approve any Statement when the Speaker himself is not around. The reason is that we are only able to preside over the matters of the House and maybe represent him in any other engagement outside the precincts of our Assembly. So, in that case I believe,

Minority Chief Whip, you are okay with that. The Speaker is coming back over the weekend and your Statement will be taken to him for approval. Thank you. Clerk?

## PROCEDURAL MOTION

### DEBATE ON A REPORT OF A COMMITTEE

**Hon Chief Whip of Majority** (Mr. David Mberia): Thank you. Mr. Speaker, Sir. Let me first congratulate you for sitting in the Chair courtesy of that small promotion. So, allow me to move the following Motion, Mr. Speaker; that notwithstanding the provisions of Standing Order number 94(4), this Assembly orders that each speech in a debate of a report of a Committee including a report of a Joint Committee of the Assembly be limited as follows: a maximum of 60 minutes for the Mover in moving and 30 minutes in replying and a maximum of 10 minutes for any other Member speaking except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of 15 minutes each and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party in that order". Let me call upon the Leader of the Minority Party to come and second the Motion.

**Hon. Leader of Minority** (Mr. Abdi Hassan): Thank you, Mr. Speaker sir. Let me first take this opportunity to congratulate you for being our Chair today and I hope you will continue doing so. Mr. Speaker, sir, I beg to support the Motion and without further ado, I urge the House to support this Procedural Motion. Thank you, Mr. Speaker, sir.

**Hon. Temporary Speaker:** Hon. Members, I will now propose the question which is; that notwithstanding the provisions of Standing Order number 94(4), this Assembly orders that each speech in a debate on a report of a Committee including a report of a Joint Committee of the Assembly be limited as follows: a maximum of 60 minutes for the Mover in moving and 30 minutes in replying and a maximum of 10 minutes for any other Member speaking except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of 15 minutes each and that priority be accorded to the Leader of the Majority Party and Leader of the Minority Party in that order. I now call upon you to debate. Hon. Nyang'wara.

**Hon. Member for Viwandani Ward** (Mr. Samuel Nyang'wara): Thank you. Mr. Speaker, I am standing to support this Motion. There is a very clear indication that any report that comes from the Committee, and we are normally told that a Committee is a sitting of the Assembly and any report must have been deliberated in the Committee stage or in any other Committee; there must have been full discussions and deliberations on that particular matter and I understand that the Committee represents the Whole Assembly and whatever must have been discussed in that particular Committee, is the authority of the Whole House. With those few remarks, Mr. Speaker, I beg to support this Motion.

**Hon. Temporary Speaker:** Any other Member, intending to contribute to the debate of this Motion?

*(Silence)*

**Hon. Temporary Speaker:** Hon. Members, I will now put the question which is that--- No, I will call the Mover, sorry.

**Hon. Chief Whip of the Majority:** Thank you once again, Mr. Speaker, sir. Let me thank all the Members for the support they have given me especially from yesterday and I hope respect will always stand. Thank you, Members.

**Hon. Temporary Speaker:** Hon. Members, I will now put the question which is that notwithstanding the provisions of Standing Order number 94(4); this Assembly order that each speech in a debate on a report of a Committee including a report of a Joint Committee of the Assembly be limited as follows: a maximum of 60 minutes for the Mover in moving and 30 minutes in replying and a maximum of 10 minutes for any other Member speaking except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of 15 minutes and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order. Will as many as are of that opinion say 'aye'. Will as many as are of a contrary opinion say 'nay'. The 'Ayes' have it.

*(Question put for the Procedural Motion No.8 and agreed to)*

## PROCEDURAL MOTION

### DEBATE ON ADJOURNMENT OF THE ASSEMBLY

**Hon. Chief Whip of Majority:** Thank you, Mr. Speaker, Sir. Allow me once again to move the following Procedural Motion, Mr. Speaker; that notwithstanding the provisions of Standing Order number 94(4); this Assembly orders that the debate of any Motion for the adjournment of the Assembly to a day other than the next normal sitting day in accordance with the calendar of the Assembly shall be limited to a maximum of 3 hours with not more than 5 minutes for each Member speaking except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of 10 minutes each and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party in that order, provided that when the period of recess proposed by any such Motion does not exceed 15 minutes the debate shall be limited to a maximum of 30 minutes and shall be strictly confined to the question of the adjournment. Let me call upon my counterpart the Minority Whip, to second the Motion. Thank you.

**Hon. Chief Whip of Minority (Mr. Hashim Kamau):** Mr. Speaker, I second the Motion.

**Hon. Temporary Speaker:** Hon. Members, I will now propose the question which is; that notwithstanding the provisions of Standing Order 94(4); this Assembly orders that the debate on any Motion for the adjournment of the Assembly to a day other than the next normal sitting day in accordance with the calendar of the Assembly, shall be limited to a maximum of 3 hours with not more than 5 minutes for each

Member speaking except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of 10 minutes each and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party in that order provided that when the period of recess proposed by any such Motion does not exceed 15 days, the debate shall be limited to a maximum of 15 minutes and shall be strictly confined to the question of the adjournment. I now call upon Members to debate on the said Motion. Hon. Member, Martin.

**Hon. Member for Mutu-ini Ward** (Mr. Martin King'ethu): Thank you, Mr. Speaker. I first of all congratulate you for your effort and note that you are there because you are able. Mr. Speaker, it has been noted that a Member who will be discussing a Motion for Adjournment will be given only 5 minutes but the many reasons that have made us discuss Motions of Adjournment have called for Members who can talk much to use more than the period allocated for them in the Order Paper. So, I would wish that, if it is possible, a Member who speaks before another and happens to have minutes remaining to his allocated time, may yield the minutes remaining to the subsequent Member. Otherwise, I do support the Motion.

**Hon. Temporary Speaker:** Hon. Imwatak.

**Hon. Member for Makongeni Ward** (Mr. Peter Imwatak): Mr. Speaker, it would be an injustice for me not to speak before your Chair today---

**Hon. Temporary Speaker:** Hon. Member, could you dress properly first, please.

**Hon. Peter Imwatak:** Thank you, Mr. Speaker.

**Hon. Temporary Speaker:** You're welcome. Hon. Nyang'wara.

**Hon. Samuel Nyang'wara:** Thank you, Mr. Speaker. Looking at the mood of the House, there is a very clear indication that they fully support this particular Motion and I am requesting if you can compel the Mover to reply.

**Hon. Temporary Speaker:** I do agree with you, Hon. Nyang'wara, the mood of the House today is quite different, I must say and I will call upon the Mover to reply.

**Hon. Chief Whip of Minority:** Thank you very much, Mr. Speaker sir. Let me once again thank Members for the massive support they have accorded me since yesterday, the overwhelming support during my, of course, temporary promotion which is just ending today. So, I hope and believe that when another time comes, at which point I will get that temporary promotion again, the Members will accord me the same support and the same respect, Mr. Speaker. Thank you and God bless you.

**Hon. Temporary Speaker:** Hon. Members, I will now put the question which is that notwithstanding the provisions of Standing Order 94(4); this Assembly orders that the debate on any Motion

for the Adjournment of the Assembly to a day other than the next normal sitting day in accordance with the calendar of the Assembly, shall be limited to a maximum of 3 hours with not more than 5 minutes for each Member speaking except the Leader of the Majority Party and the Leader of the Minority Party who shall be limited to a maximum of 10 minutes each and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party in that order, provided that the period of recess proposed by any such Motion does not exceed 15 days. The debate shall be limited to a maximum of 30 minutes and shall be strictly confined to the question of the adjournment. Will as many as are of that opinion say 'aye' and will as many as are of a contrary opinion say 'nay'. The 'ayes' have it.

*(Question put for Procedural Motion No. 9 and agreed to)*

**Clerk** (Ms. Monica Muthami): Order number 10; Motion.

**Hon. Member for Karura Ward** (Mr. Stephen Kamau Thuo): Point of Order.

**Hon. Temporary Speaker:** Hon. Member from Karura, and please state the Order number.

**Hon. Stephen Kamau Thuo:** Thank you, Mr. Speaker, sir. I am rising on a Point of Order number 30, section 1. Mr. Speaker, I am standing so that we can adjourn the rest of the session in order to create a platform for the Members to discuss an issue of County importance and this refers to matters of development as far as this County is concerned. That is why I have stood, Mr. Speaker.

**Hon. Temporary Speaker:** Hon. Member, could you explain to us the adjournment that you intend to have.

**Hon. Stephen Kamau Thuo:** Okay, thank you. Mr. Speaker, it is important to note that since most of us were elected in this Assembly---- Nyang'wara give me time! Thank you, Mr. Speaker. It is important to note that since we were elected to this Hon. House for the First Session of Nairobi County Assembly, not many things have happened in our Wards, and that is so important. *(Applause)* We have no business coming to this Assembly every other day; Tuesday to Thursday, Mr. Speaker, and there is nothing tangible happening in our Wards.

We have no business being Members of this Assembly. That is why I am seeking that we adjourn the Session so that we can avail time for these Members to discuss matters concerning Nairobi. Before I finish, Mr. Speaker, in one of the National Newspapers--- and I know Members have the privilege of buying newspapers--- there is a cartoon depicting what is happening in Nairobi. I would now want to call Jateso to second this Motion.

**Hon. Member for Makongeni Ward** (Mr. Peter Imwatok): Mr. Speaker, thank you for first of all correcting my dress code, I appreciate. I know you are the best dressed in the Assembly and I appreciate that bearing in mind where you come from, Mr. Speaker. Thank you for that. Mr. Speaker, I beg to stand

here purposely to support this adjournment on matters of principle as far as elected leadership is concerned. It is too bad, Mr. Speaker, if we can be an Assembly that cannot be seen for what they are doing.

Mr. Speaker, I know the Governor of this County means a lot for the County but we also understand there exists resistance from all quarters against making a difference in this County and that is why we say, through your wisdom, that we adjourn this House until next week so that we get a proper forum where we can discuss as the representatives of the people, the tangible issues of development in this County, narrowing down to our particular Wards; we now have to come out of paper work and go into practicality.

One year down the line, Mr. Speaker; what can we tell our electorate? What can we give them as an example that this is what I pledged; this is what our Executive Chief Officer pledged, apart from forums and conferences, Mr. Speaker? I have gone to more than 30 conferences since I was elected but there is nothing I have implemented in Makongeni Ward that is tangible to my voters. Mr. Speaker, I must tell you, for the very first time, my Ward had a Free Medical Camp organized by the Executive. Unfortunately I came to learn of the Medical Camp when I was in the corridor.

As the Area Representative, I was not aware that there was a Medical Camp organized in my Ward. I think it is high time we assist the Governor of this County. We rally behind him with a purpose of achieving an adjustment of the Executive Committee Members who are making irrational decisions without consultation with this House. I think it's time, Mr. Speaker, we adjourn until next week so that we even have a forum with the Governor himself as the Members of this House to discuss tangible matters of development of this County. *(Applause)*. Mr. Speaker; I beg to support the move.

**Hon. Temporary Speaker:** Hon. Nyang'wara, you will wait, please wait. Hon. Members of Nairobi City County Assembly, as I stand before you today from the Speakers Panel, I am here also to give you guidance; guidance that indeed, our Assembly follows the rules and procedures of any Assembly of the Commonwealth. Guidance that we are not going to selectively choose on a particular Standing Order and ignore reading all the bullets within that particular Standing Order.

*(Loud consultations)*

Members, the Speaker is speaking. Please know the rules and procedures of the House. When the Speaker is speaking and he is standing, you are not supposed to interrupt--- *(Loud consultations)* Members, let us be orderly please. I will read you the whole Standing Order number 30 and I want you Members to agree with me that there are certain procedures that must be followed before we all agree to adjourn the House. This actually makes this Motion not practical as it was presented. I know you will not agree with me but we can have a forum together probably after this, we can have another forum probably on Monday to discuss this weighty issues or weighty matters that Hon. Imwatok has raised. Hon. Members, Standing Order number 30(1), " Any Member may at any time rise in his or her place and seek leave to

*move the adjournment of the County Assembly for the purpose of discussing a definite matter of urgent county importance". Is your matter important? Yes it is, I agree with you, it is very important.*

*Number (2) "A Member who wishes to seek leave to move the adjournment of the County Assembly shall, at least two hours before the commencement of the sitting, hand to the Speaker a written notification of the matter but the Speaker shall refuse to allow the claim, unless the Speaker is satisfied that the matter is definite, urgent and of national importance and may properly be raised on a Motion for adjournment of the County Assembly. (3) If the Speaker is satisfied in terms of paragraph (2) and not less than twenty other Members rise in their places in support, the Speaker shall nominate a time on the same day at which such Motion may be moved".*

I don't think I need to read number 4 because number 2 already explains it all. The matter is urgent, I have heard the rumors but for now we need to discuss the Governors Speech; reason? Three days have elapsed without a Debate on this particular speech and it is unconstitutional not to debate the Governors Speech today so, Members please allow me, I know the other one is very weighty but let us discuss the Governors Speech first.

**Hon. Member for Kahawa West (Mr. Patrick Ngaruiya):** Point of Order.

**Hon. Temporary Speaker:** Hon. *Mwalimu* and please come and quote the Standing Order number.

**Hon. Patrick Ngaruiya:** Mr. Speaker, I rise on Point of Order number 80 on a Personal Statement whereby I would say that the law is always an ass and when you look at the law as an ass, and *mawakili* will agree with me that when you read the Standing Order 30(1) we can assume sometimes as a lawyer- those people who have read Law- we can assume the others, but at this particular point Mr. Speaker---

**Hon. Temporary Speaker:** Hon. Member, you are on a Point of Order number 80; a Personal Statement, can you please make a Personal Statement before I declare you out of Order?

**Hon. Patrick Ngaruiya:** So, Mr. Speaker, what I want to say is that in as much as we would wish to debate the speech of H.E the Governor, issues of ourselves as Hon. Members are not taken care of and that is why we will continue complaining and sometimes even ensuring that the business of this House does not continue because, Mr. Speaker, you are elected just like I am elected, but issues that appertain especially to Hon. Members are not taken care of and we are not here at the behest of the Executive.

Mr. Speaker, we need to understand why we are elected, not only to legislate here, to represent, but also to carry out development in our Wards. We need to be very serious on certain issues and it is upon us, and when you are seated there give us time so that we can at least debate on this very important issue. Issues like bursary, even today, in the morning I was called and asked what is happening with issues of bursary. Thank you.



**Hon. Temporary Speaker:** Hon. *Mwalimu*, you are out of order, I must remind you, you are out of order. You are standing on a Personal Statement and you never gave any Personal Statement and Members please, just have a seat, I will give you time. Members, it is important that we look at this thing holistically. Let us not be selective. When we are selective we are actually not performing our duties. We need to perform our duties. Elected as I am, I am also interested in knowing more about that management of this County but today it is unprocedural. I have made a ruling on it and once the Speaker has made a ruling we cannot go on debating that, I believe you are aware of such rules and you are aware of what procedures to follow. I saw a Member standing--- Hon. Kitavi.

**Hon. Member for Laini Saba Ward (Mr. Boniface Kitavi):** Thank you, Mr. Speaker. I would like to make a Personal Statement; I am standing on Point of Order number 80. This morning on my way to town, I actually met four children. These are children whose parents are extremely poor and these children have not gone to school; reason being, as their Representative I had promised to give them bursaries.

This issue of bursaries is becoming a thorn in the flesh. I am sure most Members here are even avoiding receiving calls from their electorate because the pressure is mounting and mounting. On Tuesday when we were here in the Assembly the then Speaker, directed that the Chairman of Budget gives an update on how far issues of bursaries had gone. Hon. Members, in my own wisdom and understanding, I think there could be four reasons why these bursaries have not been disbursed.

One of the reasons; maybe there is no money in the County which I highly doubt. Number two; the money that has been allocated for bursaries in the budget may have been re-allocated to something else. Number three; either the Executive want us to keep on begging and begging and the fourth reason that I think these bursaries are not being given out is because the culture of impunity and people who don't care at all has invaded some of the Executive --- (*Applause*).

Mr. Speaker, it is a big shame that we who represent people cannot be able to give concrete answers as to when we are going to give out bursaries while maybe our children are in school; maybe the children of the Executive are in schools. The children of poor parents continue loitering in the streets while we say we want to improve on the standards of education in this Nairobi County; it is a paradox that we are not even supporting that education in the first place.

Mr. Speaker, it is sad. It is disheartening and I am sure most Members' hearts are heavy laden with grief because we have not been able to perform our duties as expected. Before I sit down, Mr. Speaker, allow me to register the disappointment on the Committee of Education. Having worked so tirelessly---

**Hon. Temporary Speaker:** Hon. Member! Hon. Member, I am not interrupting you because I wouldn't like you to continue with the debate, but Members again if you go to Order number 80, you are actually only allowed 3 minutes to make that Statement and you have gone beyond that Personal



Statement. I would like to have an agreement with the Whole House and if we all agree on that, I think we will have a better procedure in order for us to move on today.

Members, Hon. Kitavi who has a weighty issue--- because the issue of bursaries is quite important--- stood on a Personal Statement number 80, though it limits him. The procedure again is very clear, he should have given such a Statement during the time that we asked for Statements though the Speaker is at liberty to grant him time. Hon. Members with Standing Orders--- look at page 38; Statements, Order number 40.

In Order number 40--- if you do not have I will read for you; (1) *“Notwithstanding Standing Order 27 (Hours of Meeting), the Speaker shall interrupt the business of the County Assembly at 5.00 pm to facilitate members to make general statements of topical concern”*. Members, do you all agree with me that the statements you are making here are of topical concern? If they are of topical concern, I beg to request you Members to kindly understand that if we do not debate the Governors Speech; if we don't start on it today, we will be doing something illegal. Do we agree?

We don't want our House to be in the newspapers; to be on television, that we are not doing these things correctly or we are not doing them procedurally. So, Hon. Member from Makongeni, Hon. Member from Laini Saba, Hon. Member from Karura, please agree with me that if we just start this, at the end of it all we will have what we call in parliamentary language as 'The Statement Hour', do we agree? Hon. Member, from Karura.

**Hon. Stephen Kamau Thuo:** Thank you, Hon. Speaker, indeed we have an able Speaker. Thank you for the guidance and as you have said, this is a House of order, a House of procedure, I would want to draw your attention to Order number 49, and in particular, the part (b) of that Order and if you may allow me, Mr. Speaker, I will go ahead and read it: Order number 49; *“The following Motions may be moved without notice- and in particular I will go to part (b) which states, (b) Motion for the adjournment of the County Assembly or of a debate;”* Mr. Speaker put that into consideration.

*(Applause)*

**Hon. Temporary Speaker:** Hon. Members, I am grateful that we have some very good minds around; minds that can take you in circles --- *(Laughter)*, minds that will always find something that you cannot find. I am grateful, but Hon. Member from Karura, you have already stood to ask me if I could kindly agree to your request, especially on Order no. 49 and through the guidance of the Clerk of the House who is also a Lawyer who interprets these Laws more than I do, more than maybe you do, we had made a ruling.

The fact that we had made a ruling--- you have stated clearly that we follow the rules and procedures--- What do the rules and procedures dictate? Once a ruling has been made on a particular

Motion, we move forward. Moving forward is to Order No. 10 and then I request Members, and I would love if a Member agrees with me, to stand up and tell us if we can have a Statement Hour later.

Hon. Obonyo, you look like you have something you really want to tell us--- *(Applause)* and I do believe this is your Maiden Speech, so Members--- *(Laughter)* there is no interruption, it's the rule. It's your Maiden Speech, go ahead.

**Hon. Member for Gatina Ward (Mr. Obonyo Mike):** Mr. Speaker, this is not my Maiden Speech and I want to tell you this is not a House of rules and laws. This is an animal farm where some animals---

**Hon. Temporary Speaker:** Order! Order! Order Member! Kindly withdraw, kindly withdraw that statement.

**Hon. Obonyo Mike:** Mr. Speaker, I will not withdraw. I want to tell you---

**Hon. Temporary Speaker:** Order! Order Member! You cannot say you will not withdraw; can you withdraw that statement? This is an Honourable House. Members of this County Assembly do you agree, you are in an animal farm?

*(Some Members said yes, some Members said no.)*

**Hon. Obonyo Mike:** Yeah, put a vote, Mr. Speaker. Put a vote. Put it.

**Hon. Temporary Speaker:** Can you withdraw? Can you withdraw?

**Hon. Obonyo Mike:** This is an animal farm where some animals are equal more than others.

**Hon. Temporary Speaker:** Can you withdraw.

**Hon. Obonyo Mike:** Members can withdraw, put a question.

*(Laughter)*

**Hon. Temporary Speaker:** I think that is very disrespectful to the Chair, very disrespectful and I will ask the Sergeant-At-Arms to please have the gentleman out of the House because he is not Honourable.

*(Sergeant-At-Arms escorts Hon. Obonyo Mike out of the House)*

**Hon. Temporary Speaker:** Clerk, can we proceed? Members let us agree. Let us agree. There are some Members who did say yes to his statement. Honestly Members, this is not an animal farm and

because it is not let us not come here while intoxicated. *(A few Members applauded)* If the voters that you represent in your area would know of such things, it will be of great shame to you. So, please let us behave and represent the people of Nairobi, thank you. Hon. Chege Mwaura.

**Hon. Member for Ngara Ward** (Mr. James Chege Mwaura): First of all I want to thank you, Mr. Speaker for assuming the seat today. I also want to congratulate you for using your wisdom to grant Members an opportunity to be able to deliberate on this matter. However, Members will also agree that it is with the discretion of the Speaker that he has even provided you with a Statement Hour. So, if my colleagues were patient enough and we reached around 4 or 5, then it would be possible to discuss this matter very easily with your guidance and all those Personal Statements would actually be part of the debate within the procedures of the House. Otherwise, I am so grateful for that. I just wanted to echo that position so that we can proceed. Thank you, Mr. Speaker.

**Hon. Temporary Speaker:** Thank you. Thank you, Hon. Chege Mwaura for giving us more information. Hon. Adow, are you standing on a Point of Order?

**Hon. Member for Eastleigh North Ward** (Mr. Osman Adow Ibrahim): On a Point of Information.

**Hon. Temporary Speaker:** And who do you want to inform?

**Hon. Osman Adow:** Thank you, Mr. Speaker and I would also like to congratulate you for your position. I think today we cannot discuss the Governors Speech because it is not in the Order Paper --- *(Laughter)*. The Order Paper says that we discuss the Governors Address. I don't know what kind of address, whether it is a P.O Box number--- *(Laughter)* or what kind of address it is --- *(Laughter)* but the Governor delivered a Speech not an Address. Thank you.

*(Laughter and Applause)*

**Hon. Temporary Speaker:** Hon. Adow! Hon. Adow, I am addressing you! Hon. Adow, I believe that you lived in Canada and in Canada it is where a trailer means something else and a truck means something else. I believe if you go back to your Dictionary you will find that address does not only mean post office box. Thank you.

Hon. Members, what Adow has questioned in the Standing Order, as I am advised, this is how it appears; for us to debate the Governor's Speech, we just have the resumptions of the debate and any Member, who has gone through that speech, can stand up and start his contributions. So, Members let us use this opportunity or this time and try to make it to 5 o'clock for your statement hour. Thank you. Hon. Gathundo.

**Hon. Member for Dandora Area III** (Mr. Charles Thuo Wakarindi): Thank You, Mr. Speaker sir and am taking a cue from everybody; I want to congratulate you and also commend you on your

eloquence, Mr. Speaker sir. I want to actually pick one particular thing, from the Governors address, because when we talk about the rehabilitation of social halls; the County Government has done quite a bit on social halls especially in my Ward, the halls have been rehabilitated.

However, it is wrong, Mr. Speaker Sir, when this donors say that they are going to do a job and then they do it halfway and the County Government thinks that the job has been done and consequently no money can be allocated to that particular project. That is the one and only thing that I wish the Governor could have pointed out in his speech because the donors were renovating a hall in my Ward and they did a shoddy job and left. So, the County Government needs to actually put more money into that project.

And while I am still standing here, Mr. Speaker sir, I would also like you to take stock of the Members in the Assembly and tell us if we have a quorum or we should actually close the business of the House. Thank you.

**Hon. Temporary Speaker:** Hon. Imwatok, and Imwatok before you talk I might need to remind Hon. Gathundo that, that needs to be raised by a Member not the Speaker. Thank you.

**Hon. Peter Imwatok:** Thank you, Mr. Speaker. I am on the Governor's address regardless of Mheshimiwa Gathundo's sentiments because he did not stand on the Standing Order to request for the quorum to be ratified. Mr. Speaker, I want to continue; remember last time I was the last person to speak on the Governor's address. Just scoping in what has been happening in the Assembly since we started, the speech is really very important for us especially the 85 designated constitutional boundaries in Nairobi County.

To understand, beyond the address, you need to get the perimeters of development in our Wards in Nairobi as County. I know, Mr. Speaker, you have just given a ruling on the words which have been said here, that '*other animals are more equal than others*'; I want to say, Nairobi County must understand through the Governor's address that he means better things for us but in terms of tangible development it should now go into practical point of view, especially when it comes to infrastructure. Nairobi is a hub of 65 to 75 percent of our GDP (Gross Domestic Product) generation and what's our focus and what are our priorities? Looking at the Governor's speech, I think it captured all our avenues of development.

When it comes to infrastructure he talked about roads that have been advertised in the recent weeks in Nairobi. But it is also good to notice, Mr. Speaker, in the advertisement of this roads few weeks ago, about a half of the budget that we passed in this County was earmarked to serve one Ward, Mr. Speaker, that is about Ksh280 million. Although the advert was later cancelled, it raises some eyebrows on the way the executive wing of the government works. When we talk about the equalization and distribution of wealth it does not mean that in one physical year, Mr. Speaker, we can allocate a half of the infrastructure budget to one Ward.

What will happen with regard to Nyayo Highrise, where you come from Mr. Speaker? What happens to Makongeni, where I come from? It is unethical and this one is a point to us who are Hon. Members, that during the preparation of the budget at the Committee stage we should have our recommendations added, for example from the Budget, from Environment and from Public works. In particular, let me take an example, in the Department of Environment where I belong, Mr. Speaker, we had a budget of 500 million Shillings for Garbage Collection in Waste Management. In our Committee in the last financial year we agreed and said this is our recommendation as the people's representatives, the 200 million out of that must go down and be decentralized to the 85 Units of the County, so that the Garbage Collections can be decentralized to the Youth groups. Mr. Speaker, the same idea has already been hijacked by the Kisii County, while it originated from us. Mr. Speaker it shows there is some laxity, on the side of the Executive irrespective of the Governors directive on some issues.

Mr. Speaker, it is time, in this calendar year, that the Executive side will take this Assembly seriously. When we say the 200 Million collections must go to the Garbage collection Youth Groups to empower and create employment which the Governors harbors so much in his speech and it is not done, then how do we create employment? Mr. Speaker, I believe in your Ward, if you have your way as agreed by our committee that every month 100,000 will be going to a particular Ward for Garbage Collection, it means you could have provided employment for more than 30 Youths every month.

I want to point out this clearly; in as much as the Governor means a lot, there is a lot of bureaucracy in this County, Mr. Speaker. The Bureaucracy is too much that it has come to a point where it is time to decentralize other offices. *(Applause)* The centres of operations are too bureaucratic. For you to get a BQ (Bill of Quantities) from this County, for a particular project, it takes you more than three months. I believe, Mr. Speaker, I have my two minutes or three.

**Hon. Temporary Speaker:** I have been informed that you have only one minute remaining.

**Hon. Peter Imwatok:** Thank you, Mr. Speaker. I want to say, it is so bad if our County has no order of priorities and one pointer is very clear as we are speaking today this County is moving from one office to the other. Today you go to Planning, tomorrow you go and they are not there. Tomorrow you go to the Engineers office, a day after they are not there. It means the order of our priorities, Mr. Speaker, is wrong.

However much the Governor means for this County there is some kind of, I don't know, I say sabotage or do I say some kind of political gimmicks applied towards delaying the Governor's agenda for this County. I think this is what we should look at critically because there is no way the department which is very critical for this County can be moving every week. Mr. Speaker, I beg to sit down because I want to be one of those who believe in the order of rules and procedures for this House, but maybe a day after tomorrow, I will debate again. Do we have a House, tomorrow, Mr. Speaker?

**Hon. Temporary Speaker:** No, (*Laughing*) Thank you, Hon. Imwatok and I must admit that was fantastic, though, Members, let us try and keep to the references to the address of the Governor. Let us not move out of it because that is what we are discussing and on that point I have seen the Hon. Chairman of the Budget Committee and I would like you to kindly confirm for us the figures Hon. Imwatok is talking about, thank you. Please confirm the appropriation and if they are real and if that was the case.

**Hon. Member for Embakasi Ward (Mr. Michael Ogada):** Thank you very much, Mr. Speaker sir, I do confirm that *Mheshimiwa Imwatok* sits in the Environment Committee. We did have a discussion with them as a Committee and there are several changes that we did make. When he talks about the Garbage collection, the money that was set aside for the Wards was not agreed upon. We agreed to buy trucks and we will confirm that there was money set aside for that purpose but it was not actually the figure he is talking about. But, I think it is quite in order because according to what everybody else is seeing, the Governor might mean well for this giant thing. But if he is not given a hand of help and assistance, then, the thing becomes difficult.

So, it is upon this County and Members of this County Assembly to ensure, particularly during the Budget preparation that you have just started, that the monies have been used for that particular purpose they were allocated. We must take the Executives of that particular Department to task before we approve whatever they are going to bring.

So, *Mheshimiwa Imwatok*, we are preparing the budget and soon we are going to meet the Executive Officer for Environment, please take them to task and ask them why the Kisii people could borrow your idea and implement before they implement it. Then the Budget Committee is going to take it up. Thank you very much.

**Hon. Temporary Speaker:** Thank you, Hon. Member of Embakasi Ward. Hon. Ogeto and please let us be gender sensitive. The ladies in the House, contribute to the Governors Speech. Thank you.

**Hon. Member for Kilimani Ward (Mr. Moses Ogeto Nyangaresi):** Thank you, Mr. Speaker sir. First and foremost, I want to congratulate the Governor for ending his speech with the statement; "*I thank you and God bless you, Hon. Members*". Mr. Speaker sir, I also want to congratulate the Governor for the work he has done, as I was going through his speech, I saw that when he came in, there was 453 million revenue collection per year, but he has raised the money to 754 million within one year. This is a very commendable job, Mr. Speaker sir, and we must appreciate him for this.

He has done a good job in ensuring that the loopholes for money loses are closed. We hope that next, he will digitalize the system so that everything can be handled electronically like he said in his speech--- (*Speaker consults with the Clerk*) Mr. Speaker sir, I need you attention please--- this will ensure that revenue is collected in recommendable millions. We need this money so that we can plough it back into provision of services to the Nairobians.

Mr. Speaker sir, I saw that the Governor is really supporting even the Rugby Seven, but, I also want to request that he also needs to support the Assembly because our Members also go for sports. So, I want him again, when he comes here next year or next time with his speech, to ensure that also Members are sensitized and that he is also helping them.

He only goes where big junks and big companies are supporting, for instance Rugby Seven is being supported by Safaricom, big companies, and he should also come and support these Hon. Members so that they can achieve their dreams other than being politicians. I think this one should be on record that also these Members who take part in sporting activities should also be supported. We could also wish to have the same recommended to him, Mr. Speaker sir. That is my case.

I can see the Governor again trying to say---- that one has gone out, it was here but I am not seeing it now--- I wanted to bring it to your attention but it has gone out and I rest my case. Thank you, Mr. Speaker sir.

**Hon. Temporary Speaker:** Thank you, Hon. Member. I can see the Bishop standing, but I will give a chance to a lady first, Bishop, then I will call you. Hon. Carolyne.

**Hon. Carolyne Achieng Muga** (Nominated Member from Harambee): Thank you, Mr. Speaker and congratulation; you are doing a great job. My contribution to the Governor's Speech could be yes, we have seen good plans for the County, but something that has raised a red flag for me is the Social Service, in terms of Street Children. I heard that there was something happening but I have not seen it in his address. In a sense, it has not been given priority that I feel or Nairobians feel it deserves because I see a Motion that will be coming up on removal of Street Children from the streets.

Are we looking at the critical problem? Why are these children on the street? What plans do we have for their rehabilitation? What plans do we have of reintegrating them back to their families? Because I have interacted much with most of them and really the problem is in their homes. And so what are we doing as a County, are we just out to wipe them off or are we doing something tangible and something that will benefit these children because they are our children?

So, in as much as I would love to praise the Governor's speech, I feel he needed to address Social Services more. I feel that we need as a County to come up with a law; come up with ways whereby we can integrate the street children into society and even have some go back to their families. Thank you very much, Mr. Speaker.

**Hon. Temporary Speaker:** Thank you, Hon. Carolyne. Hon. Bishop.

**Hon. William Abuka** (Nominated Member from Kibra): I want to thank you very much, Mr. Speaker, for granting me opportunity to say a few words with regard to the Governor, Evan Kidero's Speech during the opening of the second session of this noble Assembly. I would want to say in addition



*Bwana Spika* that I am most excited to see you sit on that sit and I congratulate you for assuming that sit though temporarily but I think it was wise to have you also directing the thinking of this House.

While I stand in support of the Governor's speech during the opening session of this Assembly, sometime last week, Mr. Speaker, I also wanted to draw the attention of this House to the fact that when you look at the body of the Governor's speech and you read through and hear him talk you see somebody whose mind and body and spirit has captured the Nairobi City County entirely; he has looked at it and understood it and set himself for it.

But, Mr. Speaker, you will also agree with me and probably the whole House--- and look at what the officers are doing on the ground and then you realize may be we have two or three Governments functioning as one unit. An institution that is divided is made up of people that are not looking in the same direction and therefore not able to achieve their goal and that is my greatest worry.

Today, I have had enough of Members complaining about mistreatment, mishandling, belittling of Hon. Members. I have also gone through that highway, Mr. Speaker sir, and it's not a sweet thing especially when you are mishandled by somebody that you thought probably would treat you well and this happens because we are not about serving the people that have elected us or nominated us to the position that we occupy. A lot of the people that are serving under this Government and I am not afraid to say, are interested in maintaining jobs.

Job security is paramount priority to them and they are different from the Governor who is focused on endeavouring to reach certain goals, win the people's hearts and make people happy. I think that is one perimeter they had set when they were launching the manifesto at Uhuru Park. Mr. Speaker I think there is a disconnect and in as much as I would appreciate and really encourage Members in this House to have teeth it is useless to have teeth and you cannot bite and sometimes you bite the wrong thing and get a virus.

I think this House stands to be counted as a House that is not just about getting teeth but has teeth that can bite and bite properly. We are not going, if you allow me to say, see a situation where we have a good speech as the one we heard from the Governor but the implementation becomes a challenge because of selfishness, a lot of self-centeredness, and overblown ego from Chief Officers. I think that is very dangerous and it must be dealt with sooner than later.

Mr. Speaker, I have lived in Nairobi for the last 27 years, close to 28--- I think the age of some of our Hon. Members. And if there is anything that has driven people crazy is the bid to acquire property. And I was shocked beyond measure, Mr. Speaker, to hear from the mouth of His Excellency the Governor that though Malindi--- I don't know--- Kilifi has ratable property to statistics of close to four hundred thousand, Nairobi can only account to about one hundred thousand. Mr. Speaker I visited London about 20, 15, 17 years ago, twice but I didn't visit London again last week I mean last year November, I can tell you for sure they even know, where the bus stop is and when it is coming; they know their properties--- they will guide

you through by Google. How do we have close to a million properties in Nairobi, but can only account for a hundred thousand?

How do we know whether the nine hundred thousand are the hideouts of Al-Shabab and how do we know that they are not somewhere paying rates for some people in darkness? Mr. Speaker, if Nairobi has been driven mad with a bid to acquire property it is because it gives back. There is return on investment on property. And that is an area where we can make a lot of money as a County and therefore I would want to urge this House especially those dealing with Committees that deal with property that this matter be looked into very seriously.

If the Governor raised it the officers must also look at it and this House must also--- you know, stand to be counted on matters of property. Who is building a house? We even have questions about the kind of businesses that are being done here. Some of them are even not paying taxes and a lot of stories are doing rounds in the City.

Mr. Speaker, we are here not just to speak, this is not a talking show. We are here also to reach out to the people that allowed us through their votes or good will to stand on their behalf as their representatives and do a good job and that can only be done if we have access to money and a big junk of it, if I am not wrong about 50 to 60% will come from properties and parks, and that can only happen when we have an access to such information.

Mr. Speaker, I know for sure if we allow this situation to continue it will not be a mistake for somebody to say those are the hide-outs for people who are bringing us insecurity. I want to close by saying this, I am a darling of matters of security. I was the chairman and pioneer chair of peace building and reconciliation in Nairobi when it was a province and so I dealt a lot of with matters to do with security reconciliation and peace building and I can tell you these are issues that are nearer my heart. Mr. Speaker I want to close by this; I heard, a Hon. Member that just contributed, Hon. Chege, talk about--- was it Hon Chege? The one who just spoke about the Rugby Sevens? We have youths in our County, it is sweet and it is nice to be identified with people who are winning those are the Rugby Sevens, Gor Mahia, AFC Leopards and the rest of them. It is good I think it gives us--- *(Hon. Charles Thuo Wakarindi shouts from the gallery)*

**Hon. Temporary Speaker:** Serjeant-At-Arms hold on! Hold on, Serjeant –At- Arms! There is a Member upstairs that is misbehaving, could you please handle him.

**Hon. Wilson Abuka:** Mr. Speaker--- *(Hon. Thuo continues to speak down at the Assembly from the gallery)*

**Hon. Temporary Speaker:** Hold on! Serjeant-At-Arms, could you hurry please! And just before this House, the Member stands suspended please Serjeant-At-Arms be aware that the Member stands

suspended for two weeks. Are we clear on that? (*Applause*) The Member stands suspended for two weeks. Thank you.

**Hon. Wilson Abuka:** Mr. Speaker, I would also like to be identified with winning teams and people who are doing well in life. But if we go in that direction, you will agree with me, who is going to empower the youth from Kibera, Mathare, Kawangware, Kangemi, that little girl who is really trying to play football and reach the Olympics? That little young man who is trying to kick the ball made out of clothes in order to be a world champion; to be another Oliech. Mr. Speaker I think we are duty bound as a County as we look at empowerment especially, direct to the youth to also ensure that sporting activities are encouraged. This is really something that is dear to our hearts.

How do we know whether next year or the following year we will be exporting people that are going to be playing in teams the world over because of the training and the facilities that we gave them? I am not saying that we should not be identified with big teams. But even as we do so, let us not forget that our House is not in order as a County and really focus on empowering those who are young, those who have talents and those who are trying to demonstrate that they want a leaning shoulder. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you, Hon. Bishop. I will cross over to the other side and I will give the lady a chance. Hon. Warutere...

**Hon. Member for Roysambu Ward (Peter Muriithi Warutere):** Thank you, Mr. Speaker. Allow me to join the statistics, in commending the good words, and the good actions that are coming from our dear Governor, but I only have one concern. The speech was good, we all agree. There are enough matters that are close to our hearts that were captured by the Governor. But I still strongly feel like it's a high time now that we start walking the talk. A year ago we heard a beautiful speech, Mr. Speaker sir. Ten months down the line not much can be seen in terms of development; in terms of action with regard to things that can be done in reference to all that was spoken by our good Governor.

I think Nairobi as it is and you must agree with me, Mr. Speaker sir, that, Nairobi is the heart of this country. If we are able to account for a GDP (Gross Domestic Product) of about 60% of the economy of this country, then trust me if Nairobi does not take the front seat in terms of doing development then things and matters might be very wrong. I am ashamed when a Chairman of a committee gets out of the House and shouts, I don't know whether to deliver a point, but to me that in itself tells that there is a lot of malice in the people who are serving in this Assembly.

This is a House of rules, this is an Assembly where we expect Members to carry themselves with decorum and I am disturbed when a fellow Chairman does the opposite. The Governor might be meaning well but again we must all know, Mr. Speaker sir, that we have a role to play. We don't want to be part of History that Nairobi is the only county that a Chairman can walk out of the Assembly with minimal or no respect for the Hon. Members, and start misbehaving the way he did. This is a sad day indeed.

We need to complement what the Governor is doing; we need to complement what the Executive is doing. But I think I applaud you, Mr. Speaker, for that action you have just shown in the House. You proved that this is a House of rules and we need to do our bit. I don't think that we came here essentially to draw the huge allowances that we draw. When you go back to your Wards or whatever you go back to, what do you tell people about what you have been doing? Would it be good enough to say that today I was able to shout hoarse at the Speaker or at the Members? I don't think that this is the route we want to take.

I agree with the measures that the Governor is taking, but again, I think he can do better than he is doing. Let's engage the Executive, let's do our oversight role and I think we will go down into history as the only County that started and led as the first legislative County that stood in the test of time and was able to deliver all its pledges.

Nairobi looks upon us and I think this is the right time we started looking on the other side. For the whole of last year there was so much in terms of policies; there was so much in terms of politicking, but I think this should be a different year. Let's all join hands, work with the Governor and show Nairobi that they elected the right people and that we are able. We can do, and we can deliver to Nairobi the mandate that we were given and may be five (5) years down the line we shall have something to be proud of. And I think with that I rest my case. I think we can do better than this.

**Hon. Temporary Speaker:** Thank you, Hon. Warutere.

**Hon. Magdalene Mbogori** (Nominated Member from Kibra): Thank you, Mr. Speaker. First I want to congratulate you for the good job that you are doing to guide this House and for holding us together. Since this is the last opportunity we have to comment on the Governor's speech, I just want to comment on the education sector and what he said about it. If I can borrow Warutere's words, "*that is close to my heart*". The Governor mentioned the number of private schools that we have and the number of non-informal schools.

What has come to our attention as the Education Committee is that the informal schools are being charged 30,000 for every 20 students that they enroll. I don't know whether the Budget Committee had discussed this before they passed it in the Finance Bill, but that is something that we really need to look at because we have 270 informal schools that is more than the private schools that we have. And this non-formal schools or the informal schools are the ones that serve the public most and coming from a constituency that has so many such schools, it is really sad that as a County we are charging them 30,000 for every 20 students enrolled. As the Education Committee and the Budget Committee we should look at it and see whether it can be reversed or changed. Thank you, Mr. Speaker.

**Hon. Temporary Speaker:** Thank you, Hon. Magdalene

**Hon. Boniface Kitavi:** Thank you very much, Mr. Speaker. Let me also add my voice to the Governor's speech. Indeed it was a very good speech and having gone through the speech I think the Governor laid down his vision for this Nairobi County. As our good book the Bible says, that a people without a vision perish, I think the Governor is having a very good vision for this County. After going through the speech, I have realized that there were very many intentions to do great work. I think I would want to say that this is the time now to fold our sleeves and get into the work of achieving. When we meet with our counterparts from other counties, they stand tall; they walk proud because they can say so far what they have achieved.

Looking at Nairobi, nothing stands out clearly to attest to what we have achieved as a County. The Governor has elaborated very well on the revamping of some of the infrastructure including schools where he allocated 2 billion shillings. Mr. Speaker sir, with 2 billion shillings we can move this County to greater heights and achieve quality education for our students.

I was particularly impressed when the Governor talked about the issues of water especially in informal settlements. It is true that people living in the informal settlements are charged quite highly for water that they purchase. It is high time that the Committee for water and any other, critically came up with policies that will enable the Governor and the County to put infrastructure so that the poor people of Nairobi can be able to receive clean, accessible water in good time as the Governor elaborated in his speech.

Mr. Speaker sir, as my colleague who stood before me said, the Standards of education in this County are very wanting. Nairobi being the capital city of this country needs to stand in not only the first position but to lead the way. It is saddening to note that the quality of education are declining quite rapidly and I am glad that the Governor is putting measures and a task force has already been put in place to ensure that quality education is delivered to Nairobi children.

It is my humble prayer and wish that this task force can be able to fast track in delivery of its mandate coming up with modalities to improve on the quality of education in Nairobi County. With those few remarks, I think this was a very good speech, let us support the Governor so that we can also stand proud as Nairobians. Thank you.

**Hon. Temporary Speaker:** Thank you, Hon. Kitavi. Hon. Minority Chief Whip...

**Hon. Chief Whip of Minority:** Mr. Speaker, according to the Governor's speech that he made on 12th February 2014 and in particular page 13, he talked about Public Private Partnership (PPP) which we overwhelmingly supported and in particular the rehabilitation of Pumwani Social Hall. Mr. Speaker, I visited the Pumwani Social Hall yesterday and the place has been revamped into a very beautiful place. Sporting equipment has been installed and as a community we are supporting this initiative.

Safaricom has fulfilled one of its social responsibilities of giving back to the community through the NCC (Nairobi City Council). However, Mr. Speaker, we are not happy with initiatives such as Eastleigh

Social Hall that has been turned into a business centre benefiting an individual in the name of PPP; likewise to the Eastleigh Market. Lastly, Mr. Speaker, I am also against PPP with WEMA Foundation, if at all there is *wema* in it on Mwariri Market. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you, Hon. Minority Whip. I would like also to advise you in such cases a statement would be best so that the concerned committee can go through those allegations you have made because they are weighty. Allegations of turning a Social Hall into a private business place definitely are not acceptable. Please make a statement, the Speaker is coming back over this weekend. I believe he will approve it so that these are investigated. Thank you. Hon. Nyang'wara. Hon. Kitavi, I believe that you are having a statement that you wanted to make later or are you not willing to continue with the same?

**Hon. Samuel Nyang'wara:** Thank you, Mr. Speaker for this chance to echo the speech of the Governor, His Excellency Dr. Kidero. If there is any speech, that I have really come to like after going through, is the speech that the Hon. Governor gave. He actually touched on almost everything that the people of Nairobi actually could want to have and I could not miss to mention the Ward that I am representing; the problems that we are having, of residents buying water at 20/= per 20 litre jerrican. Indeed the Governor did mention about two shillings per litre.

That was actually overboard and I would like to say that by the measuring standards internally we are supposed to buy a 20 litre jerrican with two shillings and not the 20 shillings the way the people of Nairobi are buying. And believe me you, the County of Nairobi is the one in charge of Nairobi Water and Sewerage Company (NWSC) that supplies water in the entire County, Mr. Speaker. Unless--- and otherwise apart from what the Governor is complaining about actually I could advise him to crack the whip because he is the C.E.O (Chief Executive Officer) of this county and the docket of Nairobi Water & Sewerage Company is directly under his supervision because he is the one who appoints the board of the NWSC.

He also appoints the C.E.O of the Nairobi Water & Sewerage Company. Something should actually be done and we request if the Governor really means well--- we don't know whether there are some figures, there are some personalities who are actually obstructing his work, because we don't see much of this work being done on the ground.

I want to echo the sentiments that were actually aired here by the Hon. Imwatok and the Hon. Bishop, that you will realize that we have a Governor who actually means well for the Nairobi people and who actually reports to work at 6 a.m. in the morning, leaves work at 2pm in the night and the officers that are working under him actually don't seem to be doing anything. But the problem might be with us.

I would really want to advise the Bishop who actually said here that, the Chief Officers are not working; they are not doing enough work, it is us who are not actually taking our mandate clearly. In fact if there is any Chief Officer who is not doing his/her work, then we must do something. We can't have a Governor who spends most of his time to do good to make sure that there is development in the County of

Nairobi and the people who are working directly under him are not even assisting him, Mr. Speaker. We want to actually support the Governor in all ways from this Assembly and that's why normally, Mr. Speaker, whenever the Bills from the Executive come, we do pass them to enable them to do their work properly and I could urge the Governor himself to crack the whip on his officers who are not doing their work.

Where we are supposed to take responsibility to actually crack the whip on the officers who are not working properly--- and you know very well we can only crack the whip on Executive and the Chief Officers. These other junior officers I think the Governor should work on them properly. I was surprised about two days ago that some officers from the County of Nairobi who are supposed to offer services to our people, Mr. Speaker, were exposed that instead of erecting iron poles for street lights, they were selling them. That matter was reported and as per now, no action has been taken against those officers.

There is a lot that is going on within the County and it looks like there are some people who are sabotaging the Governor whenever he wants to do his work. Mr. Speaker, with those few remarks I beg to support this speech.

**Hon. Temporary Speaker:** Thank you, Hon. Nyang'wara. Who do you want to inform Hon. Bishop? He has refused the information. Hon. Bishop, sorry for that. Hon. Kairu, my neighbour.

**Hon. Member for Woodley Ward (Mr. Njoroge Kairu):** Thank very much, Mr. Speaker sir. Allow me first of all to thank you for being the Chair today. And Mr. Speaker allow me to join those who are commending the Governor's speech. But, Mr. Speaker, we need to see much happening in regard to the speech of the Governor. Because if you go to page four, the Governor mentioned about the challenges we are facing with regard to our roads; and there down he mentioned about KURA, KERRA, and the other bodies that re-doing the roads. If you go *Bwana* Speaker and look at the roads that KURA are doing, although we think they are doing a good job, you will find that within a very short time the roads that they are rehabilitating revert to the way they were before. So in my view the Governor needs to pull up his socks and make sure that wherever the shilling of this County is going, it is properly utilized.

We have seen that he has talked about the marshals as the people who will be helping in clearing the traffic jams. But, if you recall there were names that we gave to the Governor's office, and the owners of those names to date have not been called. These people are making noise demanding to know why we asked for their names promising them work and have not fulfilled our promise. So, Mr. Speaker, in my view, I want the Governor to pull up his socks so that whatever he has recommended in his speech is properly implemented so that Nairobians can acknowledge what we intend to achieve. Thank you.

**Hon. Temporary Speaker:** Thank you, Hon. Kairu.

**Hon. Member:** Point of order, Mr. Speaker!



**Hon. Temporary Speaker:** Just hold on. Hon. Members, although it is for you to raise it, the issue of quorum has come to my attention. It is indeed very sad that the Hon. Members of Nairobi do not actually attend the sessions where they have the privilege and the opportunity to air their views. As we were starting this session today there were some weighty issues that were raised and Hon. Members if you go back to your Standing Orders it is only on Thursday that we can have the Statement Hour.

I was giving you that opportunity so that we can have that Statement Hour and that is why I called back Hon. Kitavi. But the mood in the House, not of the ones present but of the ones absent, of course we can't see their faces, is really bad. For three days, Hon. Members, we have adjourned because of lack of quorum. It means that either you have nothing to talk about for the people you represent or it means that the entire City of Nairobi County has nothing new for you that you can present to the House. It means that you as a person are not ready to be counted among the people who make a difference in the City County of Nairobi.

This is the opportunity Hon. Members and the chief whips are here regardless of the quorum hitch. I know you might have engagements but look at what has happened in the National Parliament. They have introduced a bio-metric system of logging in and logging out. Believe me you, it is causing ripples in the National Parliament. There are those who could just attend two seconds sign in their names and leave and right now because they log in and log out it has become nearly impossible for them to operate. Members, this session has an allowance, it is called a sitting and Members have signed for their sittings.

If you go back to the County Government Act, it is very clear that after 24 months which is exactly two years, there is a Clause for recall. Did you know that the public are watching? Did you know that we sign for our names? We are not attending these things to take part in corruption. Members, let us wake up. Let us respect this House and contribute to the Motions and Motions and Motions. Other Counties are ahead of us. They are ahead of us because; we are not contributing enough in this Assembly.

Hon. Kitavi had something that touches on 85 Members of this Assembly. Where is the pain of waiting until 5 o'clock so that we discuss it? Another Member was talking about the Ward Development Fund, the Hon. Member from Karura. He is not there. Soon so many Bills will be coming. We will be discussing Bills and we will not have even time for our statements and how to petition the Governor in issues affecting our Wards. If we do not have this opportunity all the time Members, we will fail in our duties and we will fail the people of Nairobi and we will fail ourselves. Remember that failure does not count you outside, when failure comes, we are in it. History will judge us.

Hon. Nyang'wara you can approach and I will kindly ask any Member to stand on a point of order because of lack of quorum even though we discussed Kitavi's matter; we are very few. It has to come from the Members, not from the chair. So, it's the Members to raise this issue please. Thank you.

**Hon. Samuel Nyang'wara:** Hon. Speaker I'll approach you maybe later, but you allow me to stand on a point of order number 32. Indeed you have actually given a speech on the same but as you've said

and as I was standing I was also moving around my eyes and it is true we don't have a quorum. Thank you, Mr. Speaker.

**Hon. Temporary Speaker:** Anybody to second that? Maggie Sewe.

**Hon. Member for Woodley Ward (Mr. Njoroge Kairu):** Thank you very much, Mr. Speaker sir. Allow me to second what Mr. Nyang'wara has said but as we have the leaders of this Assembly, this must be put to a stop and the reason why you see Members not in this House is because they know that they have already sat for the eight sittings.

We would like to humbly request this Assembly, Mr. Speaker, to put it that even if we sit eight sittings in our Committees we must preserve the three sittings for the Assembly compulsory and those sittings must be signed after the deliberations of the Assembly, so that all the Members will have time to be in the Assembly. Otherwise if we continue this way, we will never have enough number of people to deliberate on the issues at the Assembly. Yes, thank you.

**Hon. Temporary Speaker:** If I may confirm from the Clerk and if I am not wrong according to Sarah Serem, Members, there are four sittings that are supposed to be included in your pay and they are supposed to be from the plenary but because Nairobi City County changed our Standing Order so that we don't sit on Wednesday morning, it is a requirement and please tell other Members--- it is a requirement that three of the eight sittings will come from the plenary.

So, Hon. Njoroge Kairu, do remember that even if you sit for ten sittings in a Committee, the Clerk made it very clear and you know his statement, the law is very clear. Do you remember that? The law is very clear. He will go by the law so if you do not attend the plenary definitely we deduct those three sittings and remember apart from signing--- Hon. Nyang'wara the other day came up with a rule that was very impressive considering what is happening. Despite that we still get paid for the eight sittings in our salaries. I only say one day somebody will catch up with us and when the law catches up with us I don't think we'll have any defense for that. Isn't it? Hon. Maggie Sewe, I know the House should stand adjourned but I'll give you a chance to talk.

**Hon. Margaret Sewe (Nominated Member from Makadara):** Thank you, Mr. Speaker. I just want to put a rider to the issue of lack of quorum. Indeed some Members are very busy elsewhere but it's very unfortunate that even as you walk in you find Members hanging around the precincts of the Assembly. It doesn't augur very well. I don't know what can be done and I think there is a serious issue to it.

I think the Assembly should look deeply into it. What causes this kind of a situation? In my case for instance I had two meetings outside but I came rushing. I thought I was very late and I would come and find a House that is maybe half full. So, really it's a sad situation that we can sit here, deliberate with empty chairs. I am told, somebody whispered to me that maybe it is because of the absence of the hierarchy of this House.

The hierarchy is the Speaker who is sitting at this particular time. I wonder why people think that you should sit here for particular people. For us it is very sad that we can't sit here and deliberate for the purpose that we are paid and for the purposes that we are here. I believe the Whips will up their game even as we look at the mechanisms to deal with this thing further. Thank you.

**Hon. Temporary Speaker:** Hon. Chief Whip.

**Hon. Chief Whip of Majority:** *Ahsante sana Bwana Spika kwa hii nafasi. Kwanza sisi kama vinara, mimi na mheshimiwa Hashim, sisi hufanya kazi yetu kama vile sheria inaturuhusu tufanye. Na kama tunaitwa whips sidhani kama ni kiboko tutapewa tuweze kuchapa waheshimiwa ndio waingie kwa bunge, ama ni sheria gani tutatunga kwa sababu ni aibu kubwa.*

*Ni aibu kubwa sana waheshimiwa wanatoka nje, wanaenda wanakaa pale, wengine wako Ankara, wengine wako Petma, wengine wako kila mahali katika surrounding ya Assembly na hapa tunakosa quorum. Ningependa kuunga mkono Dada, Mheshimiwa Sewe. Haya ni madharau ya hali ya juu. Kwa sababu samaki wakubwa hawako, Bwana Spika, ndio maana haya mambo yanafanyika. Lakini nashukuru Mungu samaki wakubwa watarudi lakini kila nyani ako na siku yake. Ahsante sana Bwana Spika.*

**Hon. Temporary Speaker:** Hon.--- Please remind me your name? Hon. Juma.

**Hon. Tabitha Akinyi Juma** (Nominated Member from Starehe): Thank you, Mr. Speaker sir for giving me this chance to express my sentiments on this issue of quorum. Indeed it is wanting. Every day we come here people walk out before we finish deliberations of the House. It is very wanting and I am sure the people of Nairobi are watching us. Indeed I am sure people are already talking. We may not take it seriously but they are saying that we are not serious with the business that brought us here and it should be taken seriously by the leaders of this Assembly.

Another issue I've noticed--- I am not here to, maybe, someone may think that I am saying this to target one person but no. It is a concern. I've realized it's a concern to me too. We don't Honour this House. There's a dress code for this House. You realize that within this last week people have been walking in in jeans, people are walking in without ties and in casual dressing. That does not Honour this House. We are Hon. Members and we should be dressed officially when coming to this House. Thank you, Mr. Speaker.

**Hon. Temporary Speaker:** Hon. Kitavi has stood for long. I'll give you too a chance.

**Hon. Boniface Kitavi:** *Ahsante sana, Bwana Spika. Kwa kweli ni siku ya huzuni kuona kwamba waheshimiwa wengi wameondoka na tuko hapa tukijadiliana bila quorum. Sidhani kama ni kweli watu hawaji hapa kwa sababu wale wakubwa wetu hawapo hapa. Nafikiria ni zaidi ya hayo Bwana Spika. Nikiangalia naona ya kwamba ni kama kuna wingu la huzuni kwa baadhi ya waheshimiwa. Maana yake ni kana kwamba mambo hayasongi. Hatuoni matokeo ya jukumu letu tunapojadiliana hapa.*

*Tumekuwa na miswada mingi ambayo tumepitisha na waheshimiwa wengi hawaoni matokeo ya hiyo miswada. Hili ni jambo ambalo labda limekera wengine wetu mpaka ikafikia kiwango ambapo hatuoni umuhimu wa kuja kwenye hili bunge kwa sababu kama tutakuwa tunakuja hapa tunaongea, tunapitisha, tunakuwa na mikutano na mambo hayatekelezwi basi ni kama tunapoteza wakati wetu. Hivyo basi waheshimiwa wengi wanaona ni bora waende katika shughuli zingine labda za kutafuta fedha. Kwa hivyo ombi langu ni kwamba hizi committee ambazo zimetengwa kufuatilia majukumu ama miswada ambayo inapitishwa, tuone matokeo yake ili tuweze kupata motisha ya kukaa hapa kwenye Assembly.*

*Sasa hivi hatuna motisha yoyote hata tukiongea tutaongea, tutaongea na baada ya kuongea so what? Ni kuongea tunaongea tu. Lazime tuone matokeo. Hivyo basi sisi wote, kila mmoja wetu ana jukumu. Tulipochaguliwa, tulichaguliwa na wananchi ili tuje tuwakilishe na njia moja ya kuwakilisha wananchi ni kuja hapa na kuzungumza na kuona matokeo. Ningeomba whips wetu wawili ambao wako hapa leo pia waweze, labda kwa njia zao zile ambazo wanafahamu vizuri kabisa, waangalie vile watazungumza na waheshimiwa. Si kana kwamba wanawabembeleza bali wanawapatia ushauri wa umuhimu wa kuhudhuria hivi vikao. Ahsante Bwana Spika.*

**Hon. Temporary Speaker:** Thank you so much, Hon. Kitavi. Indeed that is one of the issues. We give this opportunity to Hon. Rose Kula.

**Hon. Rose Ogonda Kula** (Nominated Member from Embakasi): *Ahsante sana Bwana Spika, niko na yale nataka kuchangia kwa mjadala wa leo. Yenyewe hii nyumba inahuzunisha because jana naona kama tulikaa vizuri na tukamaliza yale yalikuwa katika agenda kwa paper. Mimi yangu ni tofauti kidogo because siku ile Spika Nyang'wara alikuwa amekaa kwa hicho kiti kulikuwa na kukurukakara. Jana kulienda vizuri sana. Leo tena nikaona kukurukakara.*

*So, mimi ombi langu linaenda kwa whips wajaribu to whip waheshimiwa na kama sio hivyo tusitie sahihi ile karatasi kabla hatujamaliza because hata kama wale wakubwa hawako hii ni parliament. Lazima yale yamewekwa watu wapitishe. Hii inahuzunisha kabisa. Hasa hii habari ya bursary, hata kama hatuna Wards kuna wale tuliomba bursary na watu wanatugongea milango.*

*Wangekaa chini kama wale wa Wards wjadiliane wajue wataweka wapi pesa za Wards Development Fund ama bursary ili pesa zilipwe na kazi ifanyike. Inahuzunisha, kwa hivyo wajue kile watakachokifanya siku nyingine because haionyeshi picha nzuri. Ahsante.*

**Hon. Temporary Speaker:** Hon. Members, I know you all have issues and you want to contribute but I kindly ask you to hold your horses because we need to ring the quorum bell. Sergeant-At-Arms, just ring the bell for eight minutes. If they don't appear we adjourn.

*(The quorum bell is rung for eight minutes)*

Meanwhile, Hon. Members, Hon. Kitavi has raised something very, very, very weighty. If you were listening to him; it is true, don't you agree? It is true that some Members could be losing focus because nothing seems to move on. I can see several chairmen here. I can see the Whips. What is the best way forward? Can we have a consultative meeting so that we help our brother? I was somewhere one day and I was being told that the education committee is not working. It is not the education committee. It is this County. They have done their part. They have played their role. Their role does not exist in the Accounts Department.

So, the chairmen who are here--- in fact we have a very important chairman with us here who controls the Budget of this City County--- Whips, is it possible that a meeting is convened on Monday morning under your chairmanship as the Whips and under us leaders who we have at the moment? Could you please have a meeting on Monday at 10.00am and let us agree on the way forward? And then please chairmen who are here, I was just about to say that all the chairs that are here kindly, kindly talk to the Implementation Committee. This is where we are failing. Everything we discuss here should be implemented. If not implemented even I, I will lose hope in this House.

If they are not implemented It means we come to this House to have talk, talk and talk. So, Majority Whip, Minority Whip please whip the ones you can or the ones you think are important, on Monday let us have a discussion. If the Speaker is back, let us have the Speaker, the Majority Leader, the Minority Leader together so that we do have a better solution to this House---(A Member seeks to contribute) Contribution on what? You know you must be standing on a point of order, a point of information---

**Hon. Member:** On the same issue that we have discussed; the issue of---

**Hon. Temporary Speaker:** No, we will adjourn and then you can talk to the Members. Order! Order Members! Order! Members the bell has been ringing. I believe it is eight minutes and as I am told or advised when the bell is ringing we are supposed to be quiet because the Hansard captures everything we say and indeed some suggestions are coming up; beautiful suggestions which if followed I believe we'll always have a quorum in the House. Suggestions are coming from our able Clerk, the Principle Clerk for today, suggestions are coming from Hon. Warutere and indeed these suggestions we will talk about them in our Kamukunji. Otherwise the House stands adjourned until Tuesday afternoon.

*(The House Rose at 4.29pm)*