



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Fourth Session

Thursday 11<sup>th</sup> June 2020

The House met at 2.30 p.m.

*Hon. Speaker (Ms. Beatrice Elachi) in the Chair*

### PRAYERS

#### COMMUNICATION FROM THE CHAIR

##### RULING ON THE MATTER OF CHANGES IN THE MAJORITY PARTY'S LEADERSHIP IN THE COUNTY ASSEMBLY

**Hon. Speaker:** Hon. Members, I have a communication to make; ruling on the matter of changes in the majority party's leadership in the County Assembly. Hon. Members, you will recall that on Tuesday 2<sup>nd</sup> June 2020 during the afternoon sitting, I had indicated to the House that I would issue a considered ruling on the admissibility or otherwise of letter from the Jubilee Party dated 28<sup>th</sup> May 2020 regarding the party's intention to change its leadership in the County Assembly. However, Hon. Members, as you are all aware the events of that afternoon will not allow me to deliver the said ruling. In view of the above, Hon. Members, I now wish to rule as follows;

The decision to change party leadership in the County Assembly is a preserve of the political party in question. However, the same is governed by our Standing Orders specifically Standing Order No. 20 (7), (8), and (9). Similarly, there are several other precedents in both this Assembly and our National Parliament that can be referred to. In fact, Senate is the recent House to have undergone this process.

Hon. Members, let me emphasize that the Speaker is blind to the affairs of the parties represented in the County Assembly. My role, if any, is to arbitrate conflicts that may arise on the floor. Indeed, this was affirmed by the ruling of Hon. Jonathan Lucas Hunt the MP, the then the Speaker of the New Zealand House

of Representatives whom when giving directions on the nexus between parties and the House, and how their affairs in as far as the House is concerned, noted as follows, and I quote;

*“That, whether under the Standing Orders or the Electoral Act, the Speaker is not concerned with what persons outside the House do, but only with what members of the House do and by way of giving formal advice of changes to party arrangements through the mechanisms provided for in the Standing Orders. That, the Speaker only acts on formal, advice and does not take the initiative. However, Members conduct themselves politically is a matter for them to determine.”*

The Hon. Members, who are behind, can you take your seats? My role as the Chair is to guide the Assembly to ensure strict adherence to our Standing Orders and precedence set. As an independent and impartial arbiter, I am only guided by the law as presently enacted. Indeed, on many occasions, myself and other Chairs who have occupied this seat, have always rose to the occasion and provided the necessary guidance when questions of law and procedures have been raised.

Hon. Members, on procedures for removal and designation of the majority party leadership, Standing Order No. 20 provides as in part as follows, and I quote:

- (1) The largest party or coalition of parties in the County Assembly shall designate a Member of County Assembly belonging to the party or coalition of parties to be The Leader of the Majority Party.*
- (7) A member designated under Paragraph 1 may be removed by the party or coalition of parties that designated him or her by two-thirds of votes of all members of the largest party or coalition of parties in the County Assembly.*
- (8) The Whip of the largest party or coalition of parties in the County Assembly shall forthwith, upon a decision being made under this standing orders communicate to the Speaker, in writing, the decision together with the minutes of the meeting at which the decision was made.*
- (9) The removal of a member from the office under Paragraph 7 shall be followed by the designation of such a member in his place in the manner provided for under Paragraph 1 of this standing order within 48 hours.*

Before I address the matter at hand, I have reflected on the letter by the Jubilee Party, against the provisions of law and isolated the following facts that I need to address:

- i. Whether the letter from a Secretary General of a political party can communicate a decision to effect changes in the party's House leadership;
- ii. Whether the threshold prescribed by the Standing Order No. 20 has been met by the Jubilee Party to cause changes in the assembly's leadership;
- iii. Whether our Standing Orders allow for interim party leadership in the assembly as alluded in the said letter; and
- iv. My previous advice to the party on the leadership progress in the County Assembly following the changes made in November 2019 by both political parties represented in the County Assembly.

Hon. Members, as I had previously indicated, the matter before hand is not unique to this Assembly. Indeed, precedents have already been set in this Assembly, the Senate and indeed across various

legislatures in the Commonwealth jurisdictions. I therefore find it prudent to make reference to the precedents so set elsewhere and draw on a full range of procedural information available to determine how the Standing Orders have been applied and interpreted in the past in relation to the matter. In that sense, I have looked at the guidance of Hon. Chege Mwaura MCA issued on Tuesday 6<sup>th</sup> November 2018, while in this Chair when a matter for removal of the Minority Leadership was brought before him.

Secondly, I have reviewed the ruling of Speakers of the Senate Hon. Kenneth Lusaka M.P. EGH, issued on 15<sup>th</sup> March 2018 when a similar question on removal of the Leader of the Minority Party was raised and subsequently on 12<sup>th</sup> May 2020, when the Jubilee Party changed its leadership in the Senate. Lastly, I have reviewed processes used by both the NASA Coalition and Jubilee Party to change/designate the current leadership in this assembly.

To refresh the memory of members with regards to the removal of Hon. Sen, Moses Wetangula MP, as the Leader of the Minority Party in the Senate and his replacement therefoer with Sen. James Orengo BSC, M.P, pursuant to Standing Order 24, 25 and 26 of the Senate Standing Orders, the decision to effect changes on the Senate Minority Party leadership was communicated through a letter from the Senate Minority Whip Senator Mutula Kilonzo Junior.

On the 15<sup>th</sup> March 2018, this letter was premised on a letter from the ODM party with minutes of the resolution attached signed by 16 of the 27 Senators affiliated to the NASA Coalition confirming the said resolution. The Speaker of the Senate therefore allowed the changes of the Minority Whip letter and the minutes thereto. Hon. Members, with regards to the replacement of Sen. Onesmus Kipchumba Murkomen MP and Senator Susan Kihika as the Majority Leader and the Majority Chief Whip of the Senate respectively, Hon. Speaker Lusaka informed the House the decision was communicated to his office by the office of the Deputy Majority Whip Sen. Irungu Kang'ata MP. The Speaker noted that the letter by the Hon. Sen. Irungu Kang'ata was accompanied with the following documents amongst others:

- i) Minutes of the Jubilee Parliamentary Coalition meeting dated 11<sup>th</sup> May 2020 which is a record of the proceedings of the meeting together with the resolutions; and
- ii) The duly signed list of Senators who attended the meeting.

Hon. Members, the Hon. Speaker of the Senate went further to note that the minutes showed that 20 Senators attended the meeting and resolved unanimously to change the leadership. The Hon. Speaker was thus satisfied that the changes were made in accordance with the Senate Standing Orders 19 (1, 2, 3, 4, 5 and 7) and met the threshold required under Standing Order No. 19 (5). He consequently conveyed the new leadership of the Jubilee Coalition in the Senate thus effecting the changes for the Majority Party.

Hon. Members, in the same breath, Hon. Mwaura Chege MCA, while in the Chair in this House, communicated that he has received a letter dated 25<sup>th</sup> October 2018 from the Chairperson of the ODM party Hon. John Mbadi MP, communicating the ODM's Party decision to recall its earlier letter appointing Hon. Elias Otieno as the Leader of the Majority and Hon. Peter Imwatok MCA, as the Minority Whip, and in their respective places appointed Hon. Kennedy Oyugi MCA as the Leader of the Minority and Hon. Nicholas Okumu MCA, as the Minority Whip.

In its findings, the Chair observed that since the said communication emanated from the office of Hon. John Mbadi, being the chairperson of the ODM Party, and the Minority Leader in the National Assembly,

it contradicted the provisions of Standing Order 20 (8) which domiciles the authority to communicate such party decisions in the ambit of the Minority Party Whip. The Chair held that Hon. John Mbadi CBS, M.P, is not and cannot purport to be the Minority Whip of the Assembly to which he does not belong. Further, the Chair noted that the said communication was not accompanied by the minutes of NASA Coalition meeting, and therefore did not comply with the Standing Order No, 20 (8). To that extent, Hon. Mwaura declined to effect the changes in the Minority Coalition as communicated by the ODM Chairman.

Hon. Members, I will now turn to the issues I have identified that require my determination with respect to the County Assembly Majority Leadership as follows: -

**Whether a letter from a Secretary General of a political party can communicate a decision to effect changes in the party's House leadership**

Hon. Members, Standing Order 20 (8) speaks in mandatory terms that any changes in the majority party leadership shall be communicated to the Speaker in writing by the whip of the largest party or coalition of parties in the County Assembly. It further provides that the communication should be accompanied by minutes of the meeting at which the decision was met. This position was indeed affirmed by two rulings of the Speaker of the Senate, the Rt. Hon. Sen. Ken Lusaka, EGH had already explained in this guidance.

Further, Hon. Chege Mwaura while in the Chair also re-affirmed this position. In the current circumstance, the decision to effect the changes was communicated to my office by the Secretary General of the Jubilee Party who is certainly not the Majority Whip in this County Assembly. Further, the said letter is not accompanied by any minutes in support of the decision or attendance list of a meeting where the decision was made.

**Whether our Standing Orders allow for interim party leadership in the Assembly as alluded in the said letter**

Hon. Members, the letter from Jubilee Party allude to the fact that the current Majority Leadership is interim. I am reminded that the position of the Majority Leader or Minority Leader is created pursuant to Section 10 of the County Governments Act, 2012 which provides in part as follows: - "

- (1) There shall be in each county assembly a leader of the majority party and a leader of the minority party.
- (2) The leader of the majority party shall be the person who is the leader of the largest party or coalition of parties in the county assembly.
- (3) The leader of the minority party shall be the person who is the leader of the second largest party or coalition of parties in the county assembly."

Hon. Members, the aforementioned provisions are operationalized by Standing Orders 20 and 21 which provides that the largest political party or coalition of parties and the second largest political party or coalition of parties shall designate in the County Assembly the leaders of the majority or minority respectively. Hon. Members, a reading of these provisions of the law does not contemplate a situation where the parties/coalitions can designate interim leaders. As far as the County Assembly is concerned, once

leadership has procedurally been removed and replaced, it does not concern the County Assembly whether in the eyes of the party, the leadership so designated is interim or not. To this end, Hon. Members, in as much as there is no provision in law and practice providing for interim leadership in the County Assembly, the Speaker cannot purport to assume and hold that a particular leadership in the County Assembly is interim since that is not in the Speaker's purview.

Hon. Members, indeed, a political party has the onus of nominating its leadership in the Assembly, after the elections, however, thereafter, the process of replacement and removal shall be fully subjected to the rules and procedures of this house.

**My previous advice to the Party on the leadership progress in the County Assembly following the changes made in November 2019 by both Political Parties represented in the County Assembly**

Hon. Members, we are all alive to the circumstances leading to the current leadership. Indeed, in October 2019 or thereabout, the County Assembly faced serious leadership challenges. The situation had deteriorated to an extent that no business could be transacted in the County Assembly and Assembly precincts had turned out to be an arena of physical confrontation/fistfights among Members. This situation necessitated both Jubilee Party and NASA coalition, upon following the appropriate procedure, to effect changes in their leadership.

Six (6) months after the changes, I wrote to the Jubilee Party, vide a letter Ref. NBI/SPK/JUB/04/01 dated 25th April 2020 enumerating the stability that the Assembly was enjoying and the achievements of the new leadership. I also informed the Party that the former leaders, Hon. Elias Otieno (former Leader of Minority) is currently under suspension for three (3) calendar months for missing more than 8 sittings as determined by the Select Committee on Powers and Privileges and the same awaited the former Leader of Majority, Hon. Abdi Ibrahim Hassan who had missed eleven (11) consecutive sittings. Indeed, this was confirmed on Tuesday 9th June 2020 when this Assembly adopted the report of the Select Committee on Powers and Privileges.

It is therefore surprising that the former Majority Leader is one of the nominees by the Party even after the Chair forewarned the Party on the likelihood of the Member facing a suspension for breach of both the Constitution and the Standing Orders. Hon. Members, with the forgoing, my last task, which is the mainstay of my ruling on this matter, is to determine whether the letter by the Jubilee Party meets the threshold provided for under Standing Order 20 to cause changes in the majority leadership in the Assembly.

Honorable Members, having carefully set out and analyzed the issues for determination and while emphasizing that the Chair has no role in the internal affairs of political parties other than interpreting the law, I make the following determination on this matter: -

- i. That, the intended changes by the Jubilee Party falls short of the requirements of Standing Order 20, which contemplate such decision to be supported by evidence of a two-thirds vote by the membership of a Party or Coalition of Parties in the Assembly, as evidenced by Minutes of such Resolution and as Communicated by the Whip of the Majority/Minority party or Coalition of Parties;

- ii. That, the assertion that the current Majority Leadership in the County Assembly is interim does not stand since the law as presently enacted does not contemplate a political party to designate/appoint/elect interim leaders in the County Assembly; and
- iii. That, a Member who has been suspended from Assembly Sittings for a period of four (4) Months Assembly sittings cannot assume a role of House Leadership since such a Member cannot transact business in the County Assembly. Allowing this would lead to paralysis of the Assembly business.

In view of the foregoing, Hon. Members, I am unable to act on the correspondence from the Secretary General of the Jubilee Party and cannot effect the desired changes in the form so presented. Finally, Honorable Members, as the Speaker of the Assembly, I am bound to apply the rules of the Assembly without fear or favour---

*(Applause)*

.... And especially in cases where the Standing Orders have expressly provided for the matter in question. To ensure the orderly flow of business, and the maintenance of order and stability, this Assembly observes parliamentary rules and traditions, both written and unwritten. It is the Speaker's duty to interpret these rules impartially, to maintain order, and to defend the rights and privileges of all Members regardless of their positions. The Assembly and indeed all parties interested in the matter are accordingly guided. Thank you.

*(Applause)*

Hon. Members, I just want to say this, that when you constitute laws always remember to constitute laws that will guide an institution. The moment you constitute laws to fight each other, this is the way it comes biting.

*(Applause)*

We must change this and ensure that going forward, the rules that we make are for posterity of an institution and not for an individual. I also want to plead that if indeed this is the season that God has given us, that in this season Hon. Elachi will work together with the members of this Assembly, may the grace of God and his protection be with us.

*(Applause)*

If anything happens to Beatrice Elachi, I pray that my mother will thank me but I wish all of you well. We are not here to fight each other or hunt each other but we are here because we had planned that in this time and this season we shall work together. Let us remember that it is God who gives us this privilege.

*(Applause)*



**PAPERS**

**Hon. Charles Thuo:** Thank you, Hon. Speaker. Pursuant to Standing Order 191, I beg to lay the following paper on the Table of the Assembly today Thursday 11<sup>th</sup> June 2020; the report of the Selection Committee on Selection on the reconstitution of Assembly committees and consideration of changes in its membership laid on the Table of the Assembly today Thursday 11<sup>th</sup> June 2020.

**PROCEDURAL MOTION**

## APPOINTMENT OF MEMBERS TO THE SELECT COMMITTEE ON SELECTION

**Hon. Speaker:** Proceed.

**Hon. Charles Thuo:** Thank you Hon. Speaker. I beg to move the following Procedural Motion; that, pursuant to the provisions of Standing Order 164, this Assembly approves the appointment of the following members of the Select Committee on Selection:

1. Hon. Charles Thuo MCA
2. Hon. David Mberia MCA
3. Hon. Millicent Mugadi MCA
4. Hon. Julliet Ndegwa MCA
5. Hon. Peter Imwatok MCA
6. Hon. Mark Ndungu MCA
7. Hon. Millicent Jagero MCA
8. Hon. John Kamangu MCA
9. Hon. Mbugua Kabiro MCA
10. Hon. Herman Azangu MCA
11. Hon. Moses Ogeto MCA
12. Hon. Mellab Attemah MCA
13. Hon. Nicholas Okumu MCA

Thank you Hon. Speaker. I wish to call the Leader of Minority to second the motion.

**Hon. Speaker:** Mover!

**Hon. David Mberia:** Thank you Madam Speaker, I beg to second.

*(Question proposed)*

**Hon. Charles Thuo:** Thank you Hon. Speaker. I thank the members for passing the motion.

*(Question put and agreed to)*

**PROCEDURAL MOTION**

## APPOINTMENT OF MEMBERS TO BUDGET COMMITTEE

**Hon. Charles Thuo:** Hon. Speaker, I beg to move the following motion. THAT, pursuant to the provision of Standing Order 199(1), this Assembly approves the appointment of the following Members to the Select Committee on County Finance, Budget and Appropriations: -

1. The Hon. Robert Mbatia, MCA
2. The Hon. Margaret Mbote, MCA
3. The Hon., Millicent Mugadi, MCA
4. The Hon. John Mukiri Ng'ang'a, MCA
5. The Hon. Elijah Mputhia, MCA
6. The Hon. Samuel Muchene, MCA
7. The Hon. Patrick Karani, MCA
8. The Hon. Mwaura Samora, MCA
9. The Hon. Paul Ndungu, MCA
10. The Hon. Millicent Jagero, MCA
11. The Hon. Susan Mukungu, MCA
12. The Hon. Chege Mwaura, MCA
13. The Hon. Paul Shilaho, MCA
14. The Hon. Ceclia Ayot, MCA
15. The Hon. Michael Ogada, MCA
16. The Hon. Herman Azangu, MCA
17. The Hon. Emapet Kemunto, MCA
18. The Hon. Emily Ondenje, MCA
19. The Hon. Mellab Atemah, MCA
20. The Hon. Fredrick Okeyo, MCA
21. The Hon. Catherine Okoth, MCA
22. The Hon. Kennedy Oyugi, MCA
23. The Hon. Mary Ariviza Mwami, MCA



I call upon the Minority Whip to second the motion.

**Hon. Peter Imwatok:** I second the motion.

*(Question proposed)*

**Hon. Charles Thuo:** Hon. Speaker, I thank the Members for supporting the motion.

*(Question put and agreed to)*

### **PROCEDURAL MOTION**

#### APPOINTMENT OF MEMBERS TO PUBLIC ACCOUNTS COMMITTEE

**Hon. Speaker:** Leader.

**Hon. Charles Thuo:** Thank you Hon. Speaker. I wish to move the following motion.

THAT, pursuant to the provision of Standing Order 197(1), this Assembly approves the appointment of the following Members to the Select Committee on Public Accounts: -

1. The Hon. Fredrick Njogu, MCA
2. The Hon. Mbugua Kabiru, MCA
3. The Hon. Peter Wanyoike, MCA
4. The Hon. Charles Thuo, MCA
5. The Hon. Joyce Muthoni, MCA
6. The Hon. Juliet Ndegwa, MCA
7. The Hon. Daniel Ngengi, MCA
8. The Hon. Julius Maina Njoka, MCA
9. The Hon. Joseph Wambugu, MCA
10. The Hon. Mark Ndungu, MCA
11. The Hon. Abdikadir Hasaan, MCA
12. The Hon. Jeremiah Themendu, MCA
13. The Hon. Wilfred Odalo, MCA
14. The Hon. Moses Ogeto, MCA
15. The Hon. Clarence Munga, MCA
16. The Hon. David Mberia, MCA
17. The Hon. Anne Catherine MCA

18. The Hon. Rose Ogonda, MCA
19. The Hon. Nicholas Okumu, MCA
20. The Hon. Peter Imwatok, MCA
21. The Hon. Jared Okode, MCA
22. The Hon. Jane Muasya, MCA
23. The Hon. Osman Khalif, MCA

I ask the Leader of Minority to second the motion.

**Hon. David Mberia:** Hon. Speaker, I beg to second.

*(Question proposed)*

**Hon. Charles Thuo:** I thank the Members for supporting.

*(Question put and agreed to)*

### **PROCEDURAL MOTION**

#### APPOINTMENT OF MEMBERS TO PUBLIC INVESTMENT COMMITTEE

**Hon. Charles Thuo:** Hon. Speaker, I wish to move the following motion.

THAT, pursuant to the provision of Standing Order 198(1), this Assembly approves the appointment of the following Members to the Select Committee on Public Investments: -

1. The Hon. Jacinta Wanjiru, MCA
2. The Hon. Esther Waithera Chege, MCA
3. The Hon. Jayendra Malde, MCA
4. The Hon. Anthony Karanja, MCA
5. The Hon. Anthony Kimemia, MCA
6. The Hon. John Nganga, MCA
7. The Hon. Mark Mugambi Macharia, MCA
8. The Hon. Peter Wahinya Njau, MCA
9. The Hon. Ruth Ndumi, MCA
10. The Hon. Silvia Museiya, MCA
11. The Hon. Mary Njambi, MCA
12. The Hon. James Kiriba, MCA

13. The Hon. Stazo Omung'ala, MCA
14. The Hon. Maurice Gare, MCA
15. The Hon. Geoffrey Majiwa, MCA
16. The Hon. Patrick Kanyangi Logedi, MCA
17. The Hon. Esther Nyangweso, MCA
18. The Hon. Kennedy Obuya, MCA
19. The Hon. Francis Ngesa, MCA
20. The Hon. Fredrick Omondi, MCA
21. The Hon. Jackline Apondi, MCA
22. The Hon. Jairus Omayo, MCA
23. The Hon. Alvin O. Palapala, MCA

I call upon the Minority Whip to second.

**Hon. Peter Imwatok:** I second.

*(Question proposed)*

**Hon. Charles Thuo:** Hon. Speaker, I thank Members for supporting.

*(Question put and agreed to)*

### **PROCEDURAL MOTION**

#### APPOINTMENT OF MEMBERS TO IMPLEMENTATION COMMITTEE

**Hon. Charles Thuo:** Madam Speaker, I wish to move the following motion.

THAT, pursuant to the provision of Standing Order 201(1), this Assembly approves the appointment of the following Members to the Select Committee on Implementation: -

1. The Hon. Pius Mbono, MCA
2. The Hon. Samuel Mwangi, MCA
3. The Hon. John Kamau, MCA
4. The Hon. Elizabeth Nyambura, MCA
5. The Hon. Mary Njambi, MCA
6. The Hon. Waithera Chege, MCA
7. The Hon. Beatrice Gakuru, MCA

8. The Hon. Paul Kados, MCA
9. The Hon. Antony Ng'ang'a, Gatune, MCA
10. The Hon. Hassan Abdikadir, MCA
11. The Hon. Peter K. Wahinya,
12. The Hon. David Mberia, MCA
13. The Hon. David Ayoj, MCA
14. The Hon. Clarence Munga, MCA
15. The Hon. Millicent Okatch, MCA
16. The Hon. Patrick Musili, MCA
17. The Hon. Michael Ogada, MCA
18. The Hon. Jared Akama, MCA
19. The Hon. Wilfred Odalo, MCA
20. The Hon. Fredrick Otieno Omondi, MCA
21. The Hon. Caroline Mayunzu, MCA

I ask the Deputy Minority Whip to second the motion.

**Hon. Moses Ogeto:** Hon. Speaker, I beg to second.

*(Question proposed)*

**Hon. Speaker:** Hon. Chege Mwaura, do you have something to say? I saw your request.

**Hon. Chege Mwaura:** Thank you Madam Speaker. Having caught your eye, nowadays I don't talk much. I look at the Members and I can only see the Leader of Majority and the seconder supporting. No one is raising up to add flavor to the House. When I came in, you were doing the Speaker's communication and I could feel the heaviness of your heart. Members might not know, but the decisions the holder of that position gets to weigh in are usually not between right and wrong and not between bad and good. They are usually between bad and worse. If it is right, somebody else in the chain would do it and the House would move on. But the once that the holder of the Speaker's Office must run with are ones that could have been worse. So, you make it less bad. I understand those heavy decisions you have to make.

I also extend the understanding to the others who hold positions of leadership in this House. I have been a backbencher, front bencher and Acting Speaker. Having done two terms, I carry the burden of my decisions whether bad or good. I have to live with them. So, when you are reading communication and mentioning your mother, you will live with those decisions whether in this Assembly or later.

So, I wish you all the best because it is not an easy decision. It is a balancing decision of making the Assembly move. I hope that we maintain fairness and firmness and be just. Members, support because

tomorrow it is you or someone else. I will have to live with the decisions that are made by the majority side because I am now a member and a backbencher for that matter. Tomorrow, somebody else will be there and I will have to live. So, I hope members understand that running an Assembly is not a walk in the park. I heard you quote me.

I remember the hard decisions I had to make. Be courageous and I wish you well. I told myself I would not care anymore what anyone wants to think of me. I will be saying as I believe it in my heart so that the decision captured by Hansard, I will be happy with it. I want to go home knowing that I did good for the people of Ngara. When I stood here, I spoken what was in my heart. There are no right or wrong decisions. Let me quote a famous preacher. "One thing which is for sure is that nothing is for sure". Today, it might be you and tomorrow it might not be you. Don't let an opportunity pas because the committee has gone the way you want. Add your flavor. We used to give Hon. Mbugua a change and people didn't like it because he always had a unique way of looking at everything that is coming. Give a chance to everyone whether you like it or not. This is the House of debates. I am encouraging members not to feel intimidated not to say whatever it is.

In conclusion, this is the second half of this term. It is a legacy term. The leadership will soon reshuffle the committees. The chairpersons will be put to challenge. So, the leadership will make more enemies when members are removed from positions they thought they had.

Finally, we need to relook critically at the Standing Orders. Not for me, but for posterity. We cannot be micromanaged by parties. I know it is not the right thing to say, but we must say the reality. It can be today it is Chege Maura, then somebody or a team of people who might not like what they did counter with a letter and then another letter, counter with another one.

(Applauses)

And this Assembly must bear that decision. I am saying that with a lot of humility and a lot of sincerity. We need to look at our Standing Orders so that if the party says it is within smooth running of the Assembly. We cannot bring instability using our Standing Orders. I am saying that because I have seen the precarious nature we have put ourselves in by quoting Standing Orders, which we passed. I don't want to be part of that committee because it is a difficult task. When we were removing you, the hindrance was that Standing Order. When you were trying to get justice out of what we had done, you were bound by the same Standing Orders. So, let us look at the Standing Orders again and for posterity. If your child or friend becomes a nominated member here, they don't ask you what you were thinking. I don't belong to any camp and you know that. I am willing to help in my small way. With those many words, I beg to support.

(Applauses)

**Hon. Speaker:** Thank you. Hon. Obuya.

**Hon. Kennedy Obuya:** Thank you Hon. Speaker. At least today, I have found a source of inspiration and courage to speak candidly. Thank you for the opportunity. Hon. Chege, we value you in this House. It was candid of you to speak from your heart. I wanted to say few things with permission from the Hon. Chair. There is something called precedence. Our former Acting Speaker was privileged to have sat there as the longest serving Acting Speaker. There is one thing called setting precedence. What you are feeling here, many of us had felt so bad about it a while ago. Hon. Elachi was not in this House at that time. That was a precedent set by yourself. I would appreciate if you take responsibility, but you have given a gesture of

remorse which I am taking very positively. I am a permanent friend to Hon. Elachi. Similarly, I am a friend to the Governor. We have no time. It is high time we must sit down. I call upon Hon. Members from both sides to look at the timeline and see that there is no time to fight anymore. Let us look at the interest of the citizens of Nairobi. We have personal interests as individuals. We do not have time. Let us stop fighting and start working. Hon. Chege if you find a privilege to sit in a position that your decision can determine the future of anyone and set a precedence, please use it wisely. Thank you. I beg to support.

**Hon. Speaker:** I believe he said he will live with the decisions he made which is important. Thank you. Hon. Cecilia Ayot, do you want to speak?

**Hon. Cecilia Ayot:** Thank you Hon. Speaker. It is not fair for two men to speak without hearing the sentiments of a woman in the House. I want to share the sentiments of the speakers who spoke before me and also carry the emotions around the hard decisions that are being taken and the stakeholders around every other decision that has been taken. We know that there have been threats. The world admires the bold and no one honors the timid. Anytime you are in the right path, God will surely reward and protect you.

The other thing I want to say is that as politicians, we look at success in different lenses and probably that is why some of the good and bad decisions had been made in this House. They are good or bad depending on which side of the coin you are because whichever the case, there are people who have been happy when others were sad. There are people who are happy now. There are those who are sad. It depends on your conscience and what you deem as success. Success for me is the ability to impact on people's lives positively and when you see them strive to better themselves then you feel a sense of accomplishment. Other things is that the debates are not hindered by intimidation or fear but because we are in the wake of COVID-19 pandemic and we know that the ministry has given directives on how long a sitting can take. Silence in most cases is termed as a consent. Moving forward, we should ground ourselves with lasting principles of truth, honesty, justice and fairness and they will go along in shaping our lives in the society we live in. Thank you.

*(Question put and agreed to)*

## PROCEDURAL MOTION

### APPOINTMENT OF MEMBERS TO DELEGATED COUNTY LEGISLATION COMMITTEE

**Hon. Charles Thuo:** Thank you Hon. Speaker. I wish to move the following motion.

THAT, pursuant to the provision of Standing Order 202(1), this Assembly approves the appointment of the following Members to the Select Committee on Delegated County Legislation: -

1. The Hon. Peter Wahinya Kimuhu, MCA
2. The Hon. Anita Thumbi, MCA
3. The Hon. Jeremiah Themendu, MCA
4. The Hon. Doris Kanario MCA
5. The Hon. Osman Adow, MCA

6. The Hon. Laura Mwendu, MCA
7. The Hon. Geoffrey Nganga, MCA
8. The Hon. Asli Mohamed Mohamud, MCA
9. The Hon. Stephen Gikonyo, MCA
10. The Hon. Leah Supuko, MCA
11. The Hon. Kariuki Wanjiru, MCA
12. The Hon. Paul Shilaho, MCA
13. The Hon. Joseph Ndonji, MCA
14. The Hon. Omar Nimo Hajji, MCA
15. The Hon. Jairus Omayu, MCA
16. The Hon. Caroline Mayunzu, MCA
17. The Hon. David Mbithi, MCA
18. The Hon. Emaptet Kemunto, MCA
19. The Hon. Jane Muasya, MCA
20. The Hon. Herman Azangu, MCA
21. The Hon. Rose Masitsa, MCA

I call upon the Leader of Minority to second the motion.

**Hon. David Mberia:** Hon. Speaker, I beg to second.

*(Question proposed)*

**Hon. Speaker:** The mover!

**Hon. Charles Thuo:** I thank the House for supporting me.

*(Question put and agreed to)*

### PROCEDURAL MOTION


#### APPOINTMENT OF MEMBERS TO WARDS DEVELOPMENT FUND

**Hon. Charles Thuo:** This Assembly passes this motion that pursuant to the provision of Section 35(1) of the Nairobi City County Wards Development Fund Act, 2014, this Assembly approves the appointment of the following Members to the Select Committee on Wards Development Fund: -

1. The Hon. Ann Thumbi, MCA
2. The Hon. Paul Kados, MCA
3. The Hon. Patricia Mutheu, MCA
4. The Hon. J.M Komu, MCA

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5. The Hon. Laura Mwendu, MCA
6. The Hon. Nancy Muthami, MCA
7. The Hon. Cecilia Ayot, MCA
8. The Hon. Peter Imwatok, MCA
9. The Hon. Wilfred Odalo, MCA
10. The Hon. Kennedy Oyugi, MCA
11. The Hon. Fredrick Okeyo, MCA

I call upon the Minority Whip to second the motion.

**Hon. Peter Imwatok:** Madam Speaker I stand to second the motion and also put across two or three words. Number one indeed this House has set a precedent and I am a very proud man this afternoon that one of the senior members of this House, for those who may not know, we had a team called 'Jubicord' in this House. 'Jubicord' meant Jubilee and Cord and our chair was none other than Chege Mwaura. If you see the content of debate that emanated from this House during the First Assembly of 2013 to 2017 it was well researched debate. In particular, we used to go to Chester house, at the pool side to study the Standing Orders, County Government Act, Public Finance Management Act, Constitution and parliamentary practices and precedents and at least we could have a clue of what a parliament is.

Why am I saying this Madam Speaker? We usually sought to encourage the entire House that debates are not borne out of standing on a microphone. It is also borne out of study because knowledge is acquired through study. Sometimes these debates are so easy when Chege stands up and my body starts flowing because he is a man who has mastered the art of debates in this Assembly.

Madam Speaker, we want to encourage the entire House across the political aisle. As you said we are a handshake assembly. We are never Jubilee; we are never ODM here. We are all the handshake assembly. My encouragement especially on my side as we are going through this procedural motions, Madam Speaker, you are aware the only party that you don't stifle most of the time is ODM. On my side I have already punished five members at the direction of the party, just for not subscribing to the party affiliation fees. That is why we are doing a lot of amendments and those who are holding some of the positions don't feel so bad at a particular moment when the member has finished paying the affiliation fees you will need to hold briefly and return back that particular member. On this side, we have 15 vacant positions that is why we made these amendments until they pay to the party what is due. That is the moment I will put my signature to return you to the committee. Those who are in suspension we are considering through petitions and in due time I will ask the Majority and Minority leader to reconstitute selection committee again and if you find yourself in two or three committees don't see so much comfort because your colleagues might finish up everything and we bring them back to their respective committees. All said and done Chege Mwaura and the Jubilee side good job. So far we are moving forward.

*(Question proposed)*

**Hon. Speaker:** Mover!

**Hon. Charles Thuo:** Thank you Hon Speaker I thank the House for passing the motion.

*(Question put and agreed to)*

## PROCEDURAL MOTION

### APPOINTMENT OF MEMBERS TO VARIOUS SECTORAL COMMITTEES

**Hon. Charles Thuo:** Hon Speaker, before I move this motion I want to register the fact that the Minority Whip and indeed the majority side is desirous of making some amendments to this ,but I would request my colleagues on the other side and with special mention of Hon Rose Kula to allow us to just pass this motion the way they are and we are going to make amendments later. Please, kindly.

Hon Speaker, I wish to move the following motion: That pursuant to the provision of Standing Orders 203(1), this Assembly approves the appointment of the following Members to the following Sectoral Committees as listed in the Third Schedule to the Standing Orders:

SECTORAL COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES

1. The Hon. Jeremiah Themendu, MCA
2. The Hon. Elijah Mputhia, MCA
3. The Hon. Peter Wahinya Njau, MCA
4. The Hon. Laura Mwendu, MCA
5. The Hon. Osman Adow, MCA
6. The Hon. Joyce Muthoni, MCA
7. The Hon. Mwaura Samora, MCA
8. The Hon. James Kiriba, MCA
9. The Hon. John Kamau, MCA
10. The Hon. Hassan Abdikadir, MCA
11. The Hon. Eunice Wanjiku Marimba, MCA
12. The Hon. Peter Imwatok, MCA
13. The Hon. Francis Ngesa, MCA
14. The Hon. Joseph Ndonji, MCA
15. The Hon. Rose Masitsa, MCA
16. The Hon. Millicant Okatch, MCA
17. The Hon. Emily Waithaka Wanjiku, MCA
18. The Hon Nicholas Okumu, MCA
19. The Hon. Michael Ogada, MCA
20. The Hon. Caroline Mayunzu MCA
21. The Hon. Evans Otiso, MCA

SECTORAL COMMITTEE ON TRANSPORT & PUBLIC WORKS

1. The Hon. Fredrick Njogu, MCA
2. The Hon. Mark Mugambi Macharia, MCA
3. The Hon. John Kamangu, MCA
4. The Hon. James Mwangi Wambui, MCA
5. The Hon. Mark Ndungu, MCA
6. The Hon. Susan Makungu, MCA
7. The Hon. Anthony Ngaruiya, MCA
8. The Hon. Joyce Muthoni, MCA
9. The Hon. Muchene Kabiru, MCA
10. The Hon. Margaret Mbote, MCA

11. The Hon. John Ngángá Mukiri, MCA
12. The Hon. David Ayoi, MCA
13. The Hon. Abdi Osman Khalif, MCA
14. The Hon. Kennedy Oyugi Odhiambo, MCA
15. The Hon. Francis Ngesa, MCA
16. The Hon. Evans Otiso, MCA
17. The Hon. Stazo Omung'ala Elijah Ang'ila, MCA
18. The Hon. Mary Ariviza Mwami, MCA
19. The Hon. Jared Okode Okoth, MCA)
20. The Hon. Jared Akama, MCA
21. The Hon. Geoffrey Majiwa, MCA

SECTORAL COMMITTEE ON CULTURE & COMMUNITY SERVICES

1. The Hon Mwangi Njihia, MCA
2. The Hon Paul Kados, MCA
3. The Hon Millicent Jagero, MCA
4. The Hon Patrick Karani, MCA
5. The Hon Leah Supuko, MCA
6. The Hon Nancy Muthami, MCA
7. The Hon Joseph Wambugu, MCA
8. The Hon Anthony Nganga, MCA
9. The Hon Anthony Karanja, MCA
10. The Hon. Jacinta Wanjiru, MCA
11. The Hon. Muchene Kabiru, MCA
12. The Hon. Clarence Munga, MCA
13. The Hon. David Mberia, MCA
14. The Hon. Jared Okoth Okode, MCA
15. The Hon. David Okelo, MCA
16. The Hon. Emapet Kemunto, MCA
17. The Hon. Jackline Apondi, MCA
18. The Hon. Mellab Atemah, MCA
19. The Hon. Omar Nimo Hajji, MCA
20. The Hon. Wilfred Odalo, MCA
21. The Hon. Maurice Ochieng', MCA

SECTORAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS

1. The Hon. Peter Wahinya Njau, MCA
2. The Hon. Juliet June, MCA
3. The Hon. Julius Njoka, MCA
4. The Hon. Elizabeth Nyambura, MCA
5. The Hon. Mwaura Samora, MCA
6. The Hon. Sylvia Moseiya, MCA

7. The Hon. Doris Kanario, MCA
8. The Hon. Jayendra Malde, MCA
9. The Hon. Daniel Ngengi, MCA
10. The Hon. Wanjiru Kariuki, MCA
11. The Hon. Asli Mohammed Mohamud, MCA
12. The Hon. Moses Ogeto, MCA
13. The Hon. David Ayo, MCA
14. The Hon. Kennedy Obuya, MCA
15. The Hon. Francis Ngesa, MCA
16. The Hon. Patrick Kanyangi, MCA
17. The Hon. Esther Nyangweso, MCA
18. The Hon. Millicent Okatch, MCA
19. The Hon. Cecilia Ayot, MCA
20. The Hon. Jairus Omay, MCA
21. The Hon. Osman Khalif, MCA

#### SECTORAL COMMITTEE ON LABOUR & SOCIAL WELFARE

1. The Hon. Peter Wanyoike, MCA
2. The Hon. Susan Mukungu, MCA
3. The Hon. Millicent Jagero, MCA
4. The Hon. Peter K. Wahinya, MCA
5. The Hon. Geoffrey Ng'ang'a Mbuthia, MCA
6. The Hon. John Kamau, MCA
7. The Hon. Anthony Kimemia, MCA
8. The Hon. Mbugua Kabiru, MCA
9. The Hon. Silas Matara, MCA
10. The Hon. Samwel Mwangi, MCA
11. The Hon. Margaret Mbote, MCA
12. The Hon. Jared Akama, MCA
13. The Hon. Evans Otiso, MCA
14. The Hon. Rose Ogonda, MCA
15. The Hon. Joseph Ndonji, MCA
16. The Hon. Esther Nyangweso, MCA
17. The Hon. Jairus Omayo, MCA
18. The Hon. Imapet Kemunto, MCA
19. The Hon. Patrick Musili Mbangula, MCA
20. The Hon. Mellab Atemah MCA
21. The Hon. Fredrick Omondi, MCA

#### SECTORAL COMMITTEE ON PLANNING & HOUSING

1. The Hon. James Mwangi Wambui, MCA
2. The Hon. Geoffrey Nganga, MCA

3. The Hon. Daniel Ngengi, MCA
4. The Hon. June Ndegwa, MCA
5. The Hon. Charles Thuo, MCA
6. The Hon. Ruth Ndumi, MCA
7. The Hon. Joseph Wambugu, MCA
8. The Hon. Paul Ndungu, MCA
9. The Hon. Waithera Chege, MCA
10. The Hon. Mark Ndungu, MCA
11. The Hon. Millicent Mugadi, MCA
12. The Hon. Alvin Palapala, MCA
13. The Hon. Kennedy Obuya, MCA
14. The Hon. David Mberia, MCA
15. The Hon. Osman Khalif, MCA
16. The Hon. Millicent Okatch, MCA
17. The Hon. Jared Okode, MCA
18. The Hon. Maurice Gare, MCA
19. The Hon. David Ayoi, MCA
20. The Hon. Geoffrey Majiwa, MCA
21. The Hon. Peter Imwatok, MCA

#### SECTORAL COMMITTEE ON TRADE, TOURISM & COOPERATIVES

1. The Hon. Chege Mwaura, MCA
2. The Hon. Abdikadir Hassan, MCA
3. The Hon. Charles Thuo, MCA
4. The Hon. Naphtaly Mathenge, MCA
5. The Hon. Solomom Magembe, MCA
6. The Hon. Jayendra Malde, MCA
7. The Hon. Beatrice Gakuru, MCA
8. The Hon. Paul Ndungu, MCA
9. The Hon. Millicent Mugadi, MCA
10. The Hon. Jeremiah Themendu, MCA
11. The Hon. Fredrick Njogu, MCA
12. The Hon. Maurice Ochieng', MCA
13. The Hon. David Mbithi, MCA
14. The Hon. Wilfred Odalo, MCA
15. The Hon. Fredrick Otieno Omondi, MCA
16. The Hon. Clarence Munga, MCA)
17. The Hon. Mary Ariviza, MCA
18. The Hon. Nicholas Okumu, MCA
19. The Hon. Kennedy Obuya, MCA
20. The Hon. Jane Muasya, MCA

21. The Hon. Osman Khalif, MCA

SECTORAL COMMITTEE ON WATER & SANITATION

1. The Hon. Paul Kados, MCA
2. The Hon. Leah Supuko Naikanae, MCA
3. The Hon. Mark Mugambi, MCA
4. The Hon. June Ndegwa, MCA
1. The Hon. John Kamangu, MCA
2. The Hon. Ruth Ndumi, MCA
3. The Hon. Margaret Mbote, MCA
4. The Hon. Pius Mbono, MCA
5. The Hon. Charles Thuo, MCA
6. The Hon. Anthony Kimemia MCA
7. The Hon. Susan Makungu, MCA
8. The Hon. Catherine Okoth, MCA
9. The Hon. Jared Akama, MCA
10. The Hon. Rose Ogonda, MCA
11. The Hon. Peter Imwatok, MCA
12. The Hon. Herman Azangu, MCA
13. The Hon. Emily Waithaka, MCA
14. The Hon. David Mberia, MCA
15. The Hon. Cecilia Ayot, MCA
16. The Hon. Jane Muasya, MCA
17. The Hon. Moses Ogeto, MCA

SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK & FISHERIES

1. The Hon. Muchene Kabiru, MCA
2. The Hon. Asli Mohammed, MCA
3. The Hon. Elizabeth Nyambura, MCA
4. The Hon. Patrick Karani, MCA
5. The Hon. Beatrice Gakuru, MCA
6. The Hon. Eunice Marimbi, MCA
7. The Hon. Ruth Ndumi, MCA
8. The Hon. Peter K. Wahinya, MCA
9. The Hon. J.M Komu, MCA
10. The Hon. Anita Thumbi, MCA
11. The Hon. Paul Kados, MCA
12. The Hon. Jackline Apondi, MCA
13. The Hon. Maurice Gare, MCA
14. The Hon. Catherine Ann Akinyi, MCA
15. The Hon. Hafsa Khalif, MCA
16. The Hon. Emily Wanjiku Waithaka, MCA

17. The Hon. Paul Shilaho, MCA
18. The Hon. John Kyalo, MCA
19. The Hon. Mary Ariviza, MCA
20. The Hon. Fredrick Okeyo, MCA
21. The Hon. Husni Alawi, MCA

SECTORAL COMMITTEE ON HEALTH SERVICES

1. The Hon. Peter Warutere, MCA
2. The Hon. Ann Thumbi, MCA
3. The Hon. James Kiriba, MCA
4. The Hon. Julius Maina, MCA
5. The Hon. Naphtali Mathenge, MCA
6. The Hon. Mbugua Kabiru, MCA
7. The Hon. Asli Mohamed Mohamud, MCA
8. The Hon. Geoffrey Ngang'a, MCA
9. The Hon. Pius Mbono, MCA
10. The Hon. Stephen Gikonyo, MCA
11. The Hon. James Mwangi, MCA
12. The Hon. Moses Ogeto, MCA
13. The Hon. Jairus Omayo, MCA
14. The Hon. Patrick Logendi, MCA
15. The Hon. Stazo Omung'ala, MCA
16. The Hon. Patrick Musili, MCA
17. The Hon. Carolyne Mayunzu, MCA
18. The Hon. Emily Ondenje Oduor, MCA
19. The Hon. Maurice Ochieng', MCA
20. The Hon. Catherine Okoth, MCA
21. The Hon. Alvin Palapala, MCA

SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD EDUCATION & VOCATIONAL TRAINING

1. The Hon. Anthony Nganga Gatune, MCA
2. The Hon. Millicent Mugadi, MCA
3. The Hon. Jeremiah Themendu, MCA
4. The Hon. Samuel Mwangi, MCA
5. The Hon. Waithera Chege, MCA
6. The Hon. Nafthally Mathenge, MCA
7. The Hon. Peter Warutere, MCA
8. The Hon. Margaret Mbote, MCA
9. The Hon. Chege Mwaura, MCA
10. The Hon. Muchene Kabiru, MCA
11. The Hon. Joyce Muthoni, MCA
12. The Hon. David Mbithi, MCA



13. The Hon. Catherine Akinyi, MCA
14. The Hon. Esther Nyangweso, MCA
15. The Hon. Paul shilaho, MCA
16. The Hon. Fredrick Otieno Omondi, MCA
17. The Hon. Hafsa Khalif, MCA
18. The Hon. Omar Nimo Hajji, MCA
19. The Hon. Rose Masitsa, MCA
20. The Hon. Mary Ariviza, MCA
21. The Hon. Kennedy Oyugi, MCA

SECTORAL COMMITTEE ON ENERGY & INFORMATION, COMMUNICATIONS & TECHNOLOGY

1. The Hon. J.M Komu, MCA
2. The Hon. Silas Matara, MCA
3. The Hon. Esther Waithera Chege, MCA
4. The Hon. Solomon Magembe, MCA
5. The Hon. Anthony Ngaruiya, MCA
6. The Hon. Patricia Mutheu, MCA
7. The Hon. Doris Kanario, MCA
8. The Hon. Kariuki Wanjiru, MCA
9. The Hon. James Mwangi, MCA
10. The Hon. Osman Adow, MCA
11. The Hon. Mwangi Njihia, MCA
12. The Hon. Alvin Palapala, MCA
13. The Hon. Jane Muasya, MCA
14. The Hon. Catherine Okoth, MCA
15. The Hon. Emapet Kemunto, MCA
16. The Hon. Jackline Apondi, MCA
17. The Hon. Clarence Munga, MCA
18. The Hon. Geoffrey Majiwa, MCA
19. The Hon. Emily Oduor Ondeje, MCA
20. The Hon. Mellab Atemah, MCA
21. The Hon. Fredrick Okeyo, MCA

I ask the leader of Minority Leader to second the motion.

**Hon. David Mberia:** Thank you Madam Speaker, before I second I want also to say a few things. Madam Speaker I want to congratulate all the members for getting a chance to serve in various committees both sectoral and select. Madam Speaker, these are the privileges members get from various parties and coalitions. Madam Speaker, it is imperative that members who have been proposed to these various committees to serve and give their best performance in those committees bearing in mind that any committee sitting is an extension of this House. Therefore, the leadership in this House has a duty to do periodic changes in these committees to measure commitment and performance of various membership of these committees.

Madam Speaker, I want to thank my brother Chege Mwaura, my senior and all members of Jubilee coalition that now at least and I want to quote Rev Al Sharpton that we want some people knees off our necks so that we can breathe. We want this House to breathe. We only have two years left. I can assure you that in 2021 through the power of social media people will be fully campaigning in our Wards. And nobody has something to show in the last more than 2 and half years for what you have done in your Wards. Madam Speaker, since the creation of Nairobi Metropolitan Services I want to congratulate the Director General Major General Mohammed Bardi for what he has done in less than 100 days. With the many powers and functions, he has which were transferred and the amount of budget he has been allocated by the National Treasury, we will do something and show something in our Wards before the next general elections.

Madam Speaker, I want to say this. That we are all elected and special elected members of this House. let us show love. Let us embrace each other now for the remaining part of our term. I want to reiterate that the 2010 Constitution created county governments and every county government has two arms – the county executive headed by the Governor and the county assembly- the legislative arm of the county government which is headed by the Speaker.

Madam Speaker the leader of this House is the Speaker. Whether you like it or not. There are no two centers of power in this house.

*(applause)*

I want to tell members that I have served as a councilor and one of my brother here my former boss His Worship Mayor Geophrey Majiwa and His Worship now the current member of Makadara George Aladwa. They were my two bosses then. There were no two centers of power.

I am the Leader of Minority, my brother is the Leader of Majority, my brothers here are the whips and deputies. We are all subject of the leadership of this House. Madam Speaker, let us embrace, let us respect each other. I know there are men who don't respect women leadership. We will not allow that. Whether you don't respect or don't love women respect the office those women hold. Therefore, Madam Speaker with your guidance and love as a mother we want you now to show the House the way before the end of our term.

Madam Speaker, these members you see here have nothing. Both to show in their Wards and in their pockets. I can assure you. It is a pity. Because of our infighting. What are we fighting for? Positions of power? Some of us were in power from 2013. I was Majority Whip then. And I was removed. I never went to court. I never cried. Some of those who removed me I am their boss now *(applause)*. What goes around comes around.

Let us create that warmth of love and affection amongst ourselves to ensure you get something to take home in the few years left when you are holding these positions of power. You are an MCA. You have powers whether over your wards or your party, which nominated you to this House. therefore, Madam Speaker I beg and pray members now that the House can breathe, I quote Al Sharpton again during the funeral of George Floyd. You all remember the cop that knelt for nine minutes on the neck and the black man was crying 'I can't breathe'. He urinated on himself, 'I can't breathe, I am aching everywhere'. This House was not breathing *(applause)*. And now that we have some air to breathe, can we move forward with the leadership of the Speaker, the entire leadership and members of this House.

Once gain I want to congratulate the members who have got a chance to be in these committees and I want to challenge the chairpersons of various committees which are chaired by Jubilee coalitions. My friends, up your game or else we will be taking over those committees as the opposition party. We have a way, a will and soon we are getting a way. leader of Majority, take charge of your cabinet. I only have two

members of my cabinet-the fake doctor, Chairman PAC and Chairman PIC. My brother Majority Leader make sure your cabinet performs. They must perform.

This House is supposed to check on the excesses of the Executive. Whether you belong to Jubilee and whoever the Governor is Jubilee but you have a duty to provide the oversight role which you were elected to do. You only have three functions to do here as member of this House: make laws, represent the Ward and parties and the major one is oversight. Whether you belong to NASA or Jubilee you must oversight the Kshs 40 billion which is allocated to this County. I want to remind that even the functions that have gone to NMS we have a duty to oversight over them as members of this House. Madam Speaker I beg to second this motion with amendments, thank you.

*(Question proposed)*

**Hon. Speaker:** Mover!

**Hon. Charles Thuo:** Hon Speaker the issue of membership of committees is usually a hot issue in this Assembly and in the past we have had members fighting so much to be allocated committees, which they eventually do not attend and they don't transact the expected business of those committees. A lot of thought and man-hour has been put in coming up with this list. It is not easy and it cannot be perfect. It is not possible to have a perfect list and satisfy the wishes of every member in this list that is only about 15 pages for 122 members with different aspirations and with the urge to serve their constituents and Nairobian. We will have to give and take. However, it is noted that both sides of the Assembly have passed this list with amendments. It means there is room for improvement because we agree we are not perfect. Hon. Speaker, one of the biggest consideration that we did as we were making this list is the ability to perform the duties in those committees, not trying to insinuate in any way that members not in a particular committee cannot perform those duties but I also look at the amount of time available.

All I am trying to say Hon Speaker in short words is that as we pass this list, we agreed with my colleagues that we want constructive engagements with anyone who feels left out in any way that they may have represented better in a certain committee. Please constructively engage the leadership because we can always reconsider anything but we are not going to entertain slander and name calling and mudslinging. I want to repeat that we wish to welcome constructive engagement from members who feel they have been left out and they would have done better in any committee. We will listen to them, that is why we have passed with amendment. But we will not agree to slander and mudslinging. I thank members for supporting the list. Thank you much Madam Speaker.

**Hon. Speaker:** Hon Members as I put the question, the most important thing I always look for as Speaker and I know our senior Speaker Hon Muturi had very fantastic ruling on issues of committees and I like each one of you to read the ruling. It will help us not to fight for committees. For me as Speaker it is my duty to ensure at least everyone has a sectoral and select committee and at least three or four. For the Minority side we are putting with amendments so that when the other members return they can be fixed easily. I plead with the members to liaise with the human resources to see what went wrong and how you are supposed to pay the party's contribution so that we don't infringe on your rights in terms of salary, which I know you are soon going to have issues. Kindly adhere to the party rules so that they can bring you back to committees.

*(Question put and agreed to)*

**PROCEDURAL MOTION**

## APPOINTMENT OF MEMBERS TO LOANS MANAGEMENT

**Hon. Charles Thuo:** Hon Speaker I wish to move the following motion: THAT, pursuant to the provision of the Nairobi City County Loans and Mortgage Regulations, this Assembly approves the appointment of the following Members to the Select Committee on Loans Management: -

1. The Hon. Charles Thuo, MCA
2. The Hon. Margaret Mbote, MCA
3. The Hon. James Kiriba, MCA
4. The Hon. Ruth Ndumi, MCA
5. The Hon. Nancy Muthami, MCA
6. The Hon. Hafsa Khalif, MCA
7. The Hon. Mary Ariviza, MCA
8. The Hon. John Kyalo, MCA
9. The Hon. Catherine Ann Akinyi, MCA

I call upon the Leader of Minority to second the motion.

**Hon. David Mberia:** Madam Speaker I beg to second.

*(Question proposed)*

**Hon. Speaker:** Mover!

**Hon. Charles Thuo:** Hon Speaker I beg that the House accepts this motion.

*(Question put and agreed to)*

**Hon. Speaker:** Hon Members I think the most important thing is that while we do our duties we want to ask for indulgence. I want to beg the majority side, the leadership of Jubilee and party; I really plead that let Nairobi have harmony and peace. You have changed the members; appreciate the committee you are going to but the most important thing is the work in that committee. Ask yourself what will be your legacy. For Jubilee I know the Fourth Estate will say the Speaker has ... I don't know what heading they will put but I want them to know I have done this not because I am the Speaker but because of the rules and regulations of the House, but more importantly for the interest of politics of Nairobi and the peace that need to prevail in this House.

**ADJOURNMENT**

**Hon. Speaker:** Hon Members, having said that Hon Members, the House stands adjourned till Tuesday next week at 9.30 a.m.

*(The House rose at 4.13 p.m.)*