



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – First Session

Thursday 25^h April, 2013

The House met at 2.30 p.m

(Mr. Speaker in the Chair)

PRAYERS

Hon. Speaker (Mr. Alex Sanaika Ole Magelo): Good afternoon Hon. Members, I will be making a communication at a later stage with regard to the office space for the Members of the County Assembly.

Hon. Leader of the Majority, can you have the floor.

MOTION- THE GOVERNOR'S SPEECH

Hon. Leader of Majority (Mr. Elias Otieno): Thank you, Mr. Speaker sir. I beg to move the following motion; that the thanks of the County Assembly be recorded for the exposition of Public Policy contained in the address of the Governor laid on the table of the Assembly on Thursday 18th April, 2013. That is, His Excellency the Governor's address. I think it is the motion which we should deliberate on, because it touches on a lot of things which are of benefit to our County. As far as am concerned I would implore the Hon. Members to look at the address in a positive way because it has a lot of benefits for our County; for instance, expansion of sewerage, water, and transport systems. As you are aware, today is the last session of deliberating on the Governor's speech, May I call upon Hon. Wanyoike to second the motion.

(Loud consultation)

Hon. Speaker: Thank you very much. *(Loud consultations)* Order Members! Thank you very much, Hon. Leader of the Majority. I now call upon, the Members to continue with their contributions with regard to the speech by His Excellency the Governor.

Hon. Member for Dandora 1 Ward (Mr. Peter Wanyoike Gitau): Thank you, Mr. Speaker Sir. My name is Peter Wanyoike, County Member representing Dandora 1 Ward. I want to support the motion and bring to the attention of the House that we have a fewer number of Members in the House because this afternoon we are having a burial ceremony of a brother to a Hon. Member. Thank you, Mr. Speaker sir.

Hon. Speaker: Yes, Hon. Member Please you can come forward.

Hon. Member: Thank you Mr. Speaker I am congratulating His Excellency the Governor for his well delivered speech. I also want to thank him for a good job in articulating all the issues affecting the good people of this County. I wish to raise three issues with regard to the speech. The first issue is about the Health care system. As you are aware, the health care system in our Country is in dire need.

Hon. Speaker: Hon. Member can you get closer to the microphone.

Hon. Member: Mr. Speaker sir, as you are aware the Health sector in our Country is in dire need of improvement in terms of staffing and equipment. I intend in the days to come to move a motion to compel that each dispensary be allocated an ambulance to serve residents living around them and patients in times of emergencies.

Mr. Speaker Sir, I also want to talk about disability. Our Constitution has provisions to cater for the people with disabilities. As you are aware, the people with disabilities have been neglected, looked down upon and their issues not adequately addressed. I therefore, urge this honorable House to put ways and means to enable the people with disabilities to get access to all that has been provided for in the Constitution. It is their right. We passed this Constitution and a majority of us supported it. It is important for this honourable House to look into the cry of these people. Because of stigma in our society, many parents who have children with disabilities do not even allow them to get out of their houses. It is therefore important for us to come up with legislations that would make people with disabilities feel part and parcel of our society.

Lastly, Mr. Speaker sir, is the issue of grabbed land. We don't have any open spaces left for social amenities. Our children are playing in dangerous places. For us to ensure that we have a sporting culture we have to support sports. We have to ensure that we have open fields even if it means opening schools' play fields to the public so that members of the community may have a place to nature their talents. We have rich talent in sports out there, whose actualization is hampered by lack of open space for exercise. Most public spaces that could have served this purpose have been illegally allocated. It will be fair and just for this House to ensure that all these open spaces are repossessed and allocated back to respective communities to serve the intended purposes. Thank you, Mr. Speaker sir.

(Loud consultation)

Hon. Member for Mlango Kubwa Ward (Mr. Andrew Macharia wa Mbau): Mr. speaker Sir, once again, I wish to thank you for giving me this opportunity to contribute on the Governor's Speech. My name

is Andrew Macharia Wa Mbau from Mlango Kubwa Ward. In the spirit of devolution, we need to devolve further, the funds that our County will be allocated by the National Government. We need to create a Ward Development Fund, with an initial amount of Kenya Shillings 20 million per Ward unlike in the previous dispensation where a Ward was allocated Ksh10 Million. I would propose that the amount be used to cater for several projects within the Ward with a maximum ceiling of Ksh5 million per project. A bursary kitty should also be catered for in the same amount. Being the people who have the electorates mandate at the Ward level, the Members of the County Assembly should have the discretion to disburse the funds as they are in a better position of identifying needy cases within their areas. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Ogada

Hon. Member for Embakasi Ward (Mr. Michael Ogada Okumu): Thank you, Mr. Speaker Sir. I only have one comment to make on the speech of our Governor. At a consultative forum, I overheard him talk about how they were going to get some money to be spent in our County. One of the things he mentioned was rates. From his speech I fail to understand what he is going to do about informal settlements. He talked about increasing rates revenue for the City of Nairobi from around Ksh3 billion to Ksh4.7 billion, forgetting that majority of the residents of Nairobi live in informal settlements that are not rate-able.

He talked about water provision for all city residents. This might be difficult for the residents of Eastlands and informal settlements where water is a priority, because one of the key requirements for connection to safe drinking water is possession of ownership documents for the piece of land where one wants to be connected. Something that majority of the residents lack.

The Governor talked about improving pre-primary education. He should look at evenly distributing the facilities to cater even for areas which have none, like Pipeline, which my friend, the area representative talked about. I know it is true there is no County Government facility in the Ward as my Ward borders his.

There is also an urgent need to check on development of informal settlements in our city, otherwise it will be difficult to attain targeted revenue especially from land rates for the County's development. Thank you, 'Bwana' Speaker.

Hon Speaker: Hon. Member, please mention your name.

Hon. Member for Zimmerman Ward (Mr. Pius Mwaura Mbono): Thank you, Mr. Speaker Sir. My name is Pius Mwaura Mbono, MCA, Zimmerman Ward. I want to contribute on His Excellency the Governor's speech. My concerns are on some of the proposals that the Governor intends to bring to the floor of this House. Some of them need immediate action, for instance, crime. As we look at crime, it is broad and I think that every Member may need security especially when we start thinking of where we are staying. I want to bring to the attention of all Members residing here in Nairobi City, some ugly situation I witnessed on Tuesday this week at the globe roundabout. The Police officers were chasing hawkers while street boys were chasing after cars in order to break the windows and steal. They were also after the

vehicle side mirrors. It was chaotic since on one side the askaris were chasing hawkers and on the other side, especially at the flyover where motorists cannot make a U-turn, the street boys were having a hay day.

My concern is on the level of insecurity in our county which is common knowledge to all. His Excellency the Governor did talk about it and his office should move with speed and present a Bill to this House soonest for deliberation to arrest the situation. A lot of crimes are committed by these boys and as we wait for proposals from the executive on handling of such situations I would propose that the City Inspectorate remove the street boys from the streets of the Central Business District.

My other concern is office space for the Hon. Members. We need office space immediately to alleviate the problems that we encounter walking around with our paper-work, for instance, the papers we read here now and then for the three working days of the week that we are in session. It is becoming cumbersome to carry the papers along owing to the long distance that we have to walk from the parking areas. Yesterday, I had parked at Grogan Street (Kirinyaga Road) and walked all the way to City Hall with the documents and I was expected to go back with them in the evening. Had I been allocated office space, I could be transacting my business from there. Today I came early at 10.00am and could have gone to my office to do my studies from there. Thank you, Mr. Speaker.

Hon. Member for Lindi Ward (Mr. Fredrick Owino Obenge): Thank you Mr. Speaker for giving me this opportunity to contribute on our Governor's speech. First of all with respect to the security situation in Kenya.....(*Microphone is adjusted for the Member causing laughter from Members*). Thank you so much! Okay, with respect to the speech that the Governor made I would like to emphasize on the security. All of us need security round the clock and there is no doubt about it. We must be given security 24 hours. Insecurity is bound to hamper our performance.

In respect to the spirit of devolution we need to make laws that will assist us because if we do not make laws that assist us we will not move forwards as expected. As Ward representatives, we need the Governor and together can make laws that will assist us in devolving resources to the people at the grassroots level.

Touching on informal settlements, including Lindi in Kibra Constituency which I represent, I expect the National Government together with ours to enhance security and introduce medical emergency services like ambulances to ease transportation of the sick to Hospitals as well as response to other emergencies. It is difficult to ferry people in case of an accident or a health emergency to hospitals from the informal settlements. Thank you, so much, Mr. Speaker.

Hon. Speaker: Hon. Member from the big industrial place

Hon. Member for Landimawe Ward (Mr. Herman Masabu Azangu): Thank you Mr. Speaker I am the Hon. Member from Landimawe. My name is Herman Masabu Azangu. I appreciate-

Hon. Speaker: Hon. Member, can you move closer to the microphone?

Hon. Herman Azangu: Thank you, Mr. Speaker. I appreciate the Governor's speech. The speech was good though there are some challenges, which our City County faces and I will read some of them. We have corruption within the system; low staff moral; negative employee attitude; high wage bill of eight hundred million per month and poor communication in the County management, which need to be looked at.

Though good, the speech too did not adequately address the issue of equitable sharing of resources within our Wards despite the matter being of importance as per Chapter 11 Article 174 (g) of the Constitution. Thank you, Mr. Speaker.

Hon. Member for Lucky Summer Ward (Mr. Kennedy Onduru Nyarumba): Thank you Mr. Speaker sir. First of all may I take this opportunity to congratulate you for having been elected as our Speaker; the Hon. Governor for his nice speech; the clerk of our County Assembly and also Hon. Members for being elected as Members of this House. My name is Mr. Kennedy Onduru Nyarumba, County Representative for Lucky Summer Ward. I have a few comments that I would like to make with regard to the Hon. Governor's speech.

First of all the Governor spoke about the wheel of the Country resting in our hands as the Nairobi County. This is a very great concern. We, as the Hon. Members, have to give an example to other County Governments within the Republic and this is very vital. So, whatever we discuss we have to know that we are the light for the other counties within the Country.

Secondly, he spoke about our business; how it can be good for us or destroy us. Here, he was referring to our conduct and how it is a very important issue. We have to know how we should conduct ourselves even in debates. *(Fumbles with the microphone)* Mr. Speaker sir, I don't know what is happening with this electronic gadget, I don't know if it is okay or I should leave it this way. *(A member adjusts the microphone).*

Thank you gentlemen, thank you Hon. Members. So our conduct can make us good or destroy us. There is also a time when he mentioned about our Constitution. The Governor said that he was aware of what was happening in the devolved Government. He said that there are arms of the Government the Executive and the Legislative; just like we were taught at the Kenya School of Government; he elaborated on them. So we have to differentiate them and that means we have to respect these two arms of Government.

The other thing he lamented about is infrastructure in general. Even though he did not widely address these issues but we know the speech was summarized to the point. I was impressed when he touched on the light rail system within the City. We have someone who works in the infrastructure and I know what it means because you know how hectic it is or how the rail traffic is within the County. So if this system can be revamped it is going to solve our problem of traffic jams in the city. Improved transport will reduce congestion in the City.

The other thing he talked about, which I was more impressed with, was about the support of this Hon. House or Assembly. He referred to himself as "the Governor" and recognized us and he made it clear

that he is ready to work with us so that together we may contribute to the introduction and maintenance of a sustainable order in the Nairobi City County.

The cleaning up of Nairobi, will contribute to sustaining Nairobi's development. Another important issue is controlling of crime and enhancing of security within the city. All of us know what it is all about and when we were campaigning we talked about all these things. Also he talked about increasing enterprises and employment opportunities. This is very important to us as a growing nation. The Governor talked about resources management where he recommended creation of trust, transparency and accountability within and among ourselves.

Lastly, he told us that he will review the bylaws of the former City Council of Nairobi. This means that he is very technical on this and he would like Nairobi to move forward. On the other hand he also cautioned us on the challenges ahead, which he trusts we shall surmount as a team, thus the Executive and Legislative arms of the County Government. Thank you Mr. Speaker sir, I would like to end there.

Hon. Member for Umoja 1 (Mr. George Maina Njoroge): Thank you, Mr. Speaker. My name is Njoroge John Maina better known as George Maina. First, may I thank the people of Umoja 1 Ward for according me an opportunity to represent them. May I also congratulate you on being elected Speaker of this honourable House. I also extend my congratulations to the Leaders of Majority, Minority and the rest of the Members. I have been brought this far by participating in solid waste management such that whenever it becomes the subject of discussion I am compelled to contribute.

Solid Waste Management has created a lot of employment opportunities for the youth of this County though the Hon. Governor's speech did not address the issue clearly.

I am looking forward to a Bill on the subject matter to be brought on the floor for deliberation especially with a view to guiding us in executing solid waste management. Solid waste management has the potential of creating a lot of jobs in our county right from collecting, handling and transportation of the waste.

Hon. Kiama from Kayole, whom I have dealt with in this issue will concur with me on the same. On the disposal aspect, I believe it is important to wait for the Bill to be tabled as I do not wish to speculate on the debate. However, once it is brought to the floor, being a young person below 35, I will defend the rest of the youth popularly referred to as "vijana wa mtaani". For the benefit of those who do not know what "vijana wa mtaani" is in this case; it is the average youth born and brought up in Nairobi. Once again, may I reiterate that I will support any matter, brought to the floor of this House, touching on employment creation through solid waste management. I am greatly honoured to represent the youth of Nairobi in this House. Thank you!

Hon. Speaker: Hon Chief whip of Minority, Hon. Hashim Kamau.

Hon. Chief Whip of Minority (Mr. Athman Kamau Hashim): Thank you Mr. Speaker Sir, Today I can see we have been served with bottled water, unfortunately I am not seeing "raisi wa maskini" holding any! According to the Governor's speech delivered on Thursday the 18th of April, 2013 during the official

opening of this Assembly and tabled by the leader of Majority, I noted that he talked about Pumwani Maternity Hospital and his wish to form a Health Management Committee for smooth running of the facility. As an elder and elected leader from the area, I am happy about the move. He should move further and look at the welfare of staff members serving at the facility in terms of timely payment of their risk and overtime allowances and even better pay from what they are currently earning; indeed commensurate with the work load they handle day in day out.

Mr. Speaker, Hon Imwatok , Hon. Mugo and Hon Osman will agree with me that the Governor should look into the issue of roads leading to the hospital. The contractor on site has taken a very long time to complete road works and renovations such that by the time patients get to the hospital some of the expectant mothers would either have delivered inside their vehicles or by the roadside, particularly in my Ward. Thank you.

Hon. Member for Kitisuru Ward (Mr. Alvin Olango Palapala): Thank you, Mr. Speaker. I am Hon. Member for Kitisuru Ward, that is Loresho for those Hon. Members who do not know where Kitisuru is. I have a point to raise concerning Members' welfare. Electorates back in 'mtaani' are really bothering us when they have funeral expenses to cater for. His Excellency the Governor told us that it is possible for us to get vehicles. I would suggest that since we are being paid peanuts, the said vehicles be allocated to each Constituency and if possible to every Ward as hearses so that we stop giving out Ksh10, 000 to cater for the expense. Since my election, I have contributed almost Ksh30, 000 to cater for almost ten 'Matangas'. My fellow Friend Hon. Otieno can bear me witness on this.

(Applause)

Hon. Member for Karura Ward (Mr. Stephen Kamau Thuo): Thank you Mr. Speaker Sir I would like to introduce myself once again. My name is Kamau Thuo also known as Fiyo. The Governor's speech set out the agenda for this County and just like the previous speakers, I would like to commend him. However, I wish to emphasize on a point or two.

First I will touch on the informal settlement. As a speaker who was here earlier said; in the informal settlements provision of water is a problem owing to lack of land Title Deeds. This makes it impossible for service providers to provide clean piped water to informal settlements. This state of affairs has created water selling cartels that operate in those areas and enrich themselves at the expense of the local "mwananchi".

Therefore, I expect the Governor's office to come up with appropriate Bills geared towards the upgrading of these informal settlements and table them before this House. I am sure that this House's relevant committees can handle the same.

Hon. Members, within each of the 85 Wards represented here, I am sure there is a slum and we have to do something for the residents of these slums. Politically, they are the ones who turned up during nominations and even during the General elections; they are the ones who voted for you!

Hon. Members we must come up with appropriate Bills and I appreciate that Nairobi as a County has a lot of challenges but we must also accept and appreciate that there are so many opportunities in Nairobi for each one of us.

Before I sit down I would also like to talk about the child care centres. The defunct Nairobi City Council did not take care of child facilities and I would urge the Governor's office to make the first move to ensure that they are taken care of. It is provided for in our Constitution in the fourth schedule. We ought to provide a child care facility in every Ward, which would be a very good move for a start. Once again if the Governor's office will be unable to initiate the same, the relevant House committees should be tasked to do so. Thank you.

Hon. Member for Kayole South Ward (Ms. Elizabeth Akinyi Manyala): Mr. Speaker sir, I rise on a point of order No. 80 and first and foremost I want to condole with our Hon. brother who has gone to bury his brother. Our hearts are with you and those who are close to him please pass our condolences because we know for those who mourn in Zion God shall bestow a crown of beauty instead of ashes and oil of gladness instead of mourning.

I thank the Clerk of the Assembly for having taken care of our welfare by providing us with parking stickers for our vehicles. However, this is not adequate because we still don't have a parking space reserved for us. As we come to the chambers here one really has to go round and round searching for a parking space.

Secondly on our welfare; yesterday as I was walking along the corridors, I overheard one of the Hon. Members say that "*in my ward I can't even pass by a Kiosk because I have taken a lot of goods on credit such that the kiosk man would wonder about the kind of Hon. Member I am.*" In short I am asking and wondering when we will be paid for the two months that we have been working as County representatives and even you, Mr. Speaker!

Thirdly, I want to ask passionately about security, especially for women MCAs. Our security is at risk especially in the Wards where we come from; we are vulnerable. In my Ward, Kayole South, there are a lot of groups of young boys; one group is called Kwekwe and another is called Gaza. These boys really terrorize women including me! When I go to the Ward my life is at risk based on what I heard. They even carry guns! I do not know what will happen to us as we go to work in the Wards. Thank you.

(Applause)

Hon. Speaker: Order Members! First of all thank you Hon. Manyala. Your statement is not a subject of debate. On behalf of the Nairobi City County Assembly, I would like to send my condolences to the family of Hon. Abdi I. Hassan, the Leader of Minority for the loss of his kin. I would also like to take this opportunity to send a message of condolence to Hon. Irungu, Member for Pumwani Ward on the loss of his beloved aunt. I would like to ask Members to be informing the Clerk's office in case of an emergency so that I can be notified. Regarding parking, we did what we promised but apparently there are still some

Members who are using the old stickers. From next week, old stickers will not be in use for parking in the designated areas for the Members of the County Assembly. Thank you. Hon. Elkana

Hon. Member for Kwa Reuben Ward (Mr. Elkana Omogi Mauti): Thank you Mr. Speaker. I hope we are almost concluding with regard to comments on the proposals in the Governor's speech. Most comments have been made.

(Interruption on a point of order)

Hon. Speaker: Hon. Mbatia

Hon. Member for Embakasi West Ward (Mr. Robert Mbatia): I would like guidance from you Mr. Speaker because the Hon. Member happened to have contributed on the Governor's speech. I can remember very well, yesterday, you said that a member is allowed to participate only once.

Hon. Speaker: Order Members! I apologize, Hon. Members. I Have just learnt that yesterday Hon. Elkana of Kwa Rueben actually contributed. *(Loud consultations)* Order Members! Order Members! Order Hon. Chief Whip of Majority!

Hon. Chief Whip of Majority (Mr. David Mberia): Thank you Mr. Speaker sir. I would like to remind Hon. Mbatia that several Members have contributed more than once since yesterday.

Hon. Speaker: Order! Order! That escaped my eye and will not be repeated. Hon. Chief Whip of Majority.

Hon. Chief Whip of Majority (Mr. David Mberia): Thank you Mr. Speaker, once again I would like to enjoin my colleagues in congratulating His Excellency the Governor. Indeed, the speech's content is very ambitious and if fully implemented, Nairobi City County will be number one in Africa and will be able to compete with other major Cities in the World.

However, Mr. Speaker, we don't want squabbles from Members of this House. We know there is scarcity of land in the city, occasioned by irregular allocation of public utility lands especially in the mid eighties when the retired President, Daniel Arap Moi, appointed commissions to run city affairs. There is land which is in the possession of grabbers since 1983. We know, that the Physical Planning Act states that, when a developer has land that is more than ten acres, he or she is supposed to surrender 10% of it for public use. I would urge the Governor to invoke the Act so that we can get land to put up the stated facilities for our people. Secondly, the Governor talked about putting up a modern market.

Hon. Speaker: Hon. Member! Sit down, Chief Whip. Are you saying that the Governor should repossess the grabbed land or ensure compliance with the stated Act? Clarify please!

Hon. Chief Whip of Majority: Thank you Mr. Speaker, if there is any land which belongs to the public and was illegally acquired, we would like the Governor to repossess all.

Secondly, there is a law which stipulates that when you sub-divide land more than ten acres, one is supposed to surrender 10% of that land to the public because you cannot build an estate without social amenities like play grounds for children.

My third point is on youth empowerment. We all know as leaders of this County, we come from Wards with large populations of youth. We know there is no Ward without criminal gangs because of scarcity of employment opportunities. We are aware that there was no run-off election during the last election exercise and there was money set aside for that runoff.

Hon. Speaker: Order! Order Hon. Chief Whip. Stick to the Governor's address!

Hon. Chief Whip of Majority: Thank you. I would like to urge the Governor to put up a kitty for the youth of Nairobi City County; a kitty that will provide grants to enable the youth put up small scale businesses. The other point is about water and sanitation. We are aware that the defunct City Council of Nairobi owned 100% shares of the Nairobi City Water and Sewerage Company. We would like to know whether this Company still belongs to the County and what will happen to the assets belonging to the County, that were under the custody of the said Company.

Hon. Speaker: Can you please repeat!

Hon. Chief Whip of majority: I think the defunct Nairobi City Council owned Nairobi City Water and Sewerage Company 100%. We would like to know whether this company still belongs to the City County and what will happen to the assets belonging to the County, that were under the custody of the said Company. *(Interruption)*

Hon. Pius Otieno: .A 20 litres jerrican of water in some areas costs Ksh20-

(Interruption by the Speaker)

Hon. Speaker: Order Member! We are on a point of clarification and I will give a communication, on what you have just asked, next Wednesday at 2.30 pm. Thank you, Members. Hon. Members have we exhausted our debate? Hon. Adams?

Hon. Member for Makina (Mr. Alhad Ahmed Adam): Thank you, Mr. Speaker sir. I am humbled to send my congratulations to you for being elected as the first Speaker of the first Nairobi City County Assembly, and my fellow Hon. County Ward representatives. I support the Governor's speech. He stated very clearly what the Hon. Chief Whip of Majority was trying to emphasize. My name is Alhad Ahmed Adams, a Nubian by tribe and unfortunately I am the only Nubian elected not only in Nairobi City County but in Kenya as a whole.

It's very unfortunate that during the last general elections we were two but at the moment I am alone! I wish to call on Kenyans to desist from negative ethnicity and move forward.

The Governor's speech had several elements which touched on my Ward and the people I represent. He talked about youth empowerment. However, he did not elaborate on how we are supposed to

eradicate poverty among the youth. This House should engage and emphasize on putting in place a youth fund where the youths and likewise the women can get at least something to enable them engage in gainful employment and receive legal earnings.

I wish to talk about security. We are all affected by insecurity which is not only affecting Nairobi City County but the entire nation. No one is safe! It is my hope that a motion will be brought to this Assembly to enable us have bodyguards and if possible, we be armed.

Regarding the County workers, the Governor talked about the increasing wage bill and hinted on the need to retrench. I happened to have been in the last council and realized that it was not possible to lay off staff as some departments suffer from severe under-staffing. If it will be done on the basis of competency, let people go back to school. I do not support retrenchment!

The previous day, a Member talked about the challenges of solid waste collection. I happened to have been a Member of the Environment Committee in the last Council and I know that Nairobi generates about 1, 200 tons of solid waste out of which we are only able to collect 800 tons leaving a balance of 400 tons. The 400 tons, if left to accumulate for a month is much! There is thus a need to engage further on this area and come up with a strategy for the Nairobi we want.

Regarding our welfare as County representatives, the Governor's speech did not address any of our welfare issues. I think he ought to have included issues concerning the welfare of Members of the County Assembly. Thank you.

Hon. Speaker: Hon. Njoroge Kairu

Hon. Member for Woodley/Kenyatta Golf Course Ward (Mr. David Njoroge Kairu): Thank you very much, Mr. Speaker sir. I have a brief comment. Much has been said regarding the Governor's speech. My contribution is on Education; He talked of allocating Ksh200 million in the Budget to be spent on bursaries and scholarships for the bright but needy children.

As a former Councilor, we had a bursary Kitty where we used to allocate funds to the needy children. My humble request to the Governor is for him to consult with the Members in order to come up with a fair way of distributing these bursaries. There are ways that the distribution may be done and create chaos in Wards because everyone perceives himself as poor. The people who cannot afford to pay their school fees are so many and if the Governor made that communication to the public, that he will use the fund for scholarship and bursaries, to educate students from form one to form four, he will not be able to afford to educate all the children thus the need for liaison with us.

On health, we have a County clinic in Woodley Estate which serves so many people all the way from Dagorreti corner, areas of Kibra and other areas. However, the facility lacks adequate medical personnel to handle the large number of patients visiting the clinic. Furthermore the clinic only attends to children aged below 5 years thus denying other patients the much required services while the next nearest hospital in this area is Mbagathi. It would be wise for the Governor to inject more funds into these County

clinics in the Wards so that they can help the older people and others who live around those areas. Thank you, 'Bwana' Speaker.

Hon. Speaker: Hon. Member for Kangemi, did you talk yesterday?

Hon. Member for Kangemi (Mr. Peter Isuha Vukindu): I had a point of order yesterday Mr. Speaker.

Hon. Speaker: You are on a point of order? Okay.

Hon. Member for Makongeni Ward (Mr. Peter Anyule Imwatok): Mr. Speaker, thank you so much for this opportunity, to comment on the Governor's speech. First I want to bring to your attention a challenge I have in my Ward, for Mr. Governor to address. I am privileged to be among those who were elected in two Wards that were combined, that is Mbotela and Makongeni. I recently went to visit clinics in the Ward. There are about four of them and one of them has been grabbed by Medics Association of Kenya and turned into a warehouse. Therefore, I want the Governor to address this issue so that the clinic can be returned to my people.

Secondly, I want to comment on security. This has become a big challenge in our City. For instance, yesterday I was a little bit late in coming to town and decided to park my car outside Ankara Restaurant at our allocated parking space. I ended up losing all my car's side mirrors!

In the same breadth, Mr. Speaker sir, I come from Western part of Kenya where we give respect to the dead and I appreciate that the last Council before devolution had issues with regard to the cemetery; issues that took people to court and yesterday I was privileged to have time to watch Television. It was mid-night news when the issue of the graves was aired. It was so embarrassing for a city where 10 people are buried in one grave and I didn't see anywhere in the Governor's speech a redress to this challenge. I feel that as the Governor hopes to relocate the Dandora dump site or improve the dump site, he must also consider where we are going to bury our people when they die in this city. He should also bear in mind that the last time there was a scandal whereby we lost an opportunity to acquire land to bury our people.

Mr. Speaker sir, I want also to bring to the attention of this House the challenges of the youth and garbage collection. My fellow Members have spoken about this, but I just want to emphasize on it. I come from Makongeni and Mbotela Ward whereby we have Kamaliza and Makongeni youth groups who are busy every morning, taking garbage from houses at a cost of only 30 Kenya shillings. However, it is unfortunate that there are contractors who are paid by City Council Ksh990 plus Value Added Tax (VAT) on every ton of garbage collected. These contractors have no idea with regard to how this garbage is moved from houses to the dumpsite. Mr. Speaker I think it is time that the Governor established a mechanism of decentralizing the issue of garbage collection. With due respect and without prejudicing the debate that will come before the budget allocation of 50 trucks as per the Governor's speech, I will prefer if the governor will allow all youth groups to take part in garbage collection so as to decentralize garbage collection instead of paying a few contractors Ksh990 per ton of garbage collected which they even don't collect. This money should come to the Ward level.

In conjunction with Ward administration, I would like to propose if possible we become presidents of our own Wards. For instance, in my Ward I have only 38 members of staff, yet the two former Wards combined, have a population of 38,000 people. Out of the 38 staff members, several of them are sick, four of them are very old, and I am therefore left with 21 staff to work with. These are the workers who have the task of opening up the sewerage lines in Makongeni, cleaning up the estates and at the same time taking care of the welfare of the entire community. I feel, Mr. Speaker, the Governor should consider the spirit of devolution which says services should be devolved from the central Government to grass roots. That is why we have these quarterly meetings in town hall whereby we are told that after every four months we must consult with our constituencies.

My proposal to the Governor in view of his speech is very simple; to allow us to use the resources available. For instance, the Wards should get 15% of the rent collected from the houses under their jurisdiction. For instance in Mbotela we are supposed to collect Ksh3.8 million as rent. Unfortunately, last month they collected only six hundred and forty thousand shillings. In Kaloleni we are supposed to collect eight hundred and forty thousand shillings as rent but we only collected Ksh130, 000. This means that there is a lot of revenue going to waste because the administration, down there at the Ward level, is not up to the game. I would prefer to direct this point to the Governor as he prepares to give the final word on revenue collection through his budget to be presented to this House. We should be allowed to manifest our powers in collection of revenue from the Ward level so that at least if I collect five million I can remain with 15% of the collection and employ a few young people to supplement the workforce at the Ward level. Thank you, Mr. Speaker.

Hon. Speaker: Order Member! You say you have a brief point? Hon. Member, please, are you rising on a point of order or on a point of information? Be specific. Order Member! Order Member! Order! On what point are you standing? Is it on a point of order or information! Okay, Hon. Member for Eastleigh.

Hon. Member for Eastleigh North Ward (Mr. Osman Adow Ibrahim): Thank you Mr. Speaker. Two days ago when I was leaving the Assembly, a young man came to me and said that he was the one in charge of security for the vehicles parked by the road side. He brought to my attention the fact that it was very dark and there were no street lights. He said this was making his work very difficult because he is not able to see the people lurking around in the dark shadows with intent to steal from the vehicles. He was worried that thieves would steal from the vehicles with the darkness providing cover for them. Hon. Imwatok attested to this by confirming that his side mirrors were stolen. So the young man was requesting that street lights be installed. That is all I want to say. Thank you.

Hon. Speaker: Hon Members, there is an issue and the clerk will liaise on the same with the Director of City Inspectorate. I also, yesterday, witnessed a lady's car being vandalized just opposite City Hall; right across at the Garden Square. It was very pathetic because we tried to give chase after the two guys who were vandalizing the vehicle but they both disappeared. Actually it brings to the attention of the Inspectorate Department that mugging is back in City Hall and my direction is that lighting be installed in the parking area for Members of the County Assembly, including the Governor's parking and it is something that I am addressing tomorrow morning with the Director of Inspectorate. We must have security because

at one time we will be leaving here at night. So we must have security and if they don't have enough security personnel let them bring the issue forward so that more security personnel can be employed because it has been noted that there is insecurity around City Hall. Hon. Members, I now call on the mover of the motion to reply.

Hon. Leader of Majority: Thank you Mr. Speaker sir and all Members. Before I reply I have some observations to make. First and foremost, I would like us all to support this motion of the Governor's speech because it tackles so many areas and they are all necessary for us; like Health care, better transport services, education system, employment and the needs and rights of women, children and persons with disabilities as well as better management of County resources. If we can make the speech practical it will be something good for this County. It is a theory at the moment as it is still on paper. We should therefore transfer it to practical. We also did not talk about something called Ward development fund. We must fight for it because it is our right.

(Applause)

Members of Parliament are called Members of the National Assembly and we are called Members of the County Assembly. We are just the same because even our qualifications are the same. So I don't see the reason why they can call people from the constituencies to elect Community Development Fund (CDF) committee members and yet we as the County representatives of the various Wards have not done the same. We must have allocations for our Wards and we will be calling people from our Wards to come and elect Ward development fund members. So, I think Mr. Speaker Sir, with regard to the Ward development fund, we are not going to beg; we are demanding.

(Applause)

Also may be others have not seen, it is only I. I have never seen anything like this before. Sewer systems are overburdened. For example in this area nowadays there are so many houses all over, yet the sewer systems that were there before, when Nairobi was having a population of 700,000 people are still the same ones expected to serve the current population of about 4 million people. It is a pity that the sewerage system still remains the same.

Even water pipes should be upgraded because we have so many houses nowadays in Nairobi compared to ten or 20 years back, so I think the Governor should expand the sewerage system and install new water pipes. I think this must be taken into consideration. The Governor will be notified about all the concerns from the Hon. Members.

I must take this opportunity to also tell you Mr. Speaker sir, that the Leader of Minority, the Leader of Majority and the two whips are very important to this County Assembly yet we don't have security up-to date. I think that is something horrible and very bad. I do not think that we should be begging for somebody to give us security. We are demanding for it since it is our right because even our counter parts in Parliament have security; don't they? Yesterday, I met the Deputy Leader of Minority in Parliament with a Government of Kenya (GK) branded vehicle and then I asked myself, "*Why am I a leader of Majority if the*

Deputy Minority Leader of Parliament has a GK vehicle and security?" So I think Mr. Speaker you should protect this House because somebody is taking us for a ride. Let us have the security from tomorrow. I don't know whether I can get one today because it is a little bit late. So Mr. speaker sir may I take this opportunity to thank you and the Clerk of the County Assembly for guiding us, taking us through and teaching us a lot of things we didn't know.

I also want to congratulate you very much for being the first Speaker of this very important City in Africa and the first Speaker of this County. I must also congratulate you Members for being the first members of this County Assembly in this important County in Africa. I will talk to the Speaker and the Clerk of the County Assembly to take you to various Cities in Africa then we are going to see Nairobi become number one. So thank you Mr. Speaker sir.

(Applause)

ADJOURNMENT

Hon. Speaker: The Hon. Members, I now put the question that as many of that opinion say 'ayes' and as many of the contrary opinion say 'nay'. The 'ayes' have it.

(The address of the Governor was adopted for exposition of Nairobi City County Public Policy)

I want to inform you Members that your submissions on amendment of the Standing Orders should be presented to the Clerk's office so that we can have time for the House Business Committee to discuss it.

The other point I would like to tell the Members is that tomorrow I will have to summon the Director of City Inspectorate for a lot of things which I will communicate to this House. I want to thank you all, Hon. Members, for the wonderful contributions. Indeed we have passed the test. I am proud of you for the way you have conducted the debate. Anybody who came to the gallery would have thought that you had been here for the last five years. So, I want again to thank you and the Governor of the County and I assure him of our support in regard to developing this great County.

Thank you very much Hon. Members. We will now meet on Tuesday 2.30 pm and for the committee meetings, we will get communication from the Clerk. There's indeed one point that I want to put to you Members. I am sure the Clerk of the Assembly is taking note of this. I am not happy when Members of the County Assembly are left to hang onto the walls of the County Hall, because they have nowhere to rest before the sessions begin. *(Applause)* I want this to be taken very seriously because I feel ashamed, when I find Members standing on the road near Ankara, carrying very confidential documents which we now have, because they have no lounge to rest in. It is wrong when Members of the public read our documents when we go for a cup of tea or go to wash our hands leaving the documents on the table. This is something that I have observed and I am actually refraining myself from busting with rage. Although it is a teething problem, it cannot be at the expense of the Hon. Members. Hon. Members, thank you very much. *(Applause)*.

(The House rose at.....)