



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Second Session

Tuesday, 28th October, 2014

The House met at 2.30 p.m.

(Mr. Deputy Speaker in the Chair)

PRAYERS

Hon. Temporary Deputy Speaker: Order! Hon. Members, before I read the petitions, I have just seen a Hon. Member of this House who is supposed to understand the rules and procedures of this House coming from this other side. I want to request you to honor this House, go back from where you have come from and come follow the right channel. You must bow to this House. Thank you Hon. Members.

(Applauses)

PETITIONS

Hon. Deputy Temporary Speaker: Hon. Members, we have a petition from the Nairobi Internally Displaced Persons. They are requesting for resettlement. Thank you for reminding me but remember very well I was on my feet, you would not have interrupted me but all the same I will take the blame and allow the Hon. Members who are on the other side to come in first. Hon. Hashim, I have watched you coming in. Can you give respect to this House the way it is required before you enter? Go back and bow, then you come back.

(Loud consultations)

Hon. Deputy Temporary Speaker: Discipline is highly required and more especially to this Honorable House. Let's move on.

I am reading a petition from Internally Displaced Persons and they are requesting for resettlement. Hon. Members, Standing Order No. 195(1) (a), provides that; *'A petition to the County Assembly shall be submitted to the Clerk by the petitioner and reported to the County Assembly by the Speaker and presented by the Member on behalf of a petitioner with the consent of the Speaker'*. Standing Order 200(2) (b), further provides that; *'In case of a petition presented through the Clerk, the Speaker shall report the petition to the County Assembly'*

Hon. Members, on 10th October, 2014, the office of the Clerk received a petition from the residents of Nairobi who are members of the United Internally Displaced Persons, made up of families who were affected by the 2007/2008 Post Election Violence whose prayer is a request for resettlement. The petition was subsequently processed, pursuant to the Standing Orders. I now wish to report the petition to the Assembly, pursuant to the Standing Order No. 200 (2) (b). it reads; *'We, the undersigned residents of Nairobi who are the members of the Nairobi United Internally Displaced persons, made up of families who were affected by 2007/2008 Post Election Violence, draw the attention of the Nairobi County Assembly to the following; that aware 2007/2008 Post Election Violence that rocked the country, led to displacement of persons from all walks of life across the country including the then Nairobi province which is now the Nairobi City County. As Nairobi United Internally Displaced Persons, we have faced similar challenges to all other displaced persons all over the country including; discrimination, sickness, poverty and long wait to be settled. Not much help as come our way from the National or County Government.*

Where areas of Internal displaced person in Nairobi City County could be comfortably settled in their homes and involving themselves in various economic activities; including urban farming since some are creative and can engage in making income generating products like key holders, necklaces, bags, rings, toys for sale, they have no means to undertake such income generation efforts.

The settlement of IDPs has received substantial amount of funding, yet Nairobi United Internally Displaced Persons remain unsettled since 2009. Frantic efforts have been made to address the matter, but not much has been realized since the displaced persons in the County are still in the camp facing endless problems such as discrimination, hunger, poverty, debt among others. I therefore humbly petition that the Nairobi City County Assembly looks into the Matter with the view to finding a solution to ensure that all Internally Displaced Persons within Nairobi City County are settled and provided with a means to resume their normal lives. This will provide them an opportunity to engage themselves in developing the County.

I commit this particular petition to the committee of Legal and Justice Committee Chairman to handle this matter.

Hon. Member for Kilimani (Mr. Moses Ogeto): Thank you Mr. Speaker Sir, I will take the matter and report the same after two weeks.

Hon. Temporary Deputy Speaker: Thank you. Clerk!

Hon. Moses Ogeto: Thank you Mr. Speaker, I have consulted my Colleagues and they have requested to be given 90 days for the same.

Hon. Temporary Deputy Speaker: Fair enough. Hon. Member I would like to recognize the Hon. Members from Kisumu County Assembly who are with us here at the gallery.

(Applauses)

Hon. Temporary Deputy Speaker: We have the Vice Chair Hon. Ashram Khan *(Applauses)*, We have the Chair who is Hon. Marine Orero *(Applauses)*, Other members of that particular Committee of implementation are Hon. Eunice Miluka *(Applauses)*, Hon. Caroline Ogot *(Applauses)*, Hon. Calvin Othembo *(Applauses)*, Hon. Elijah Omondi *(Applauses)*, Hon. Belding Osoko *(Applauses)*, Hon. Susan Omollo *(Applauses)* and the Serjeant-At-Arm Rose Baraza *(Applauses)*.

We want to welcome you to this City County Assembly, feel at home and you will interact with the Members after we finish the business of the plenary. Thank you very much.

NOTICES OF MOTION

Hon. Temporary Deputy Speaker: Hon. Leader of Minority.

Hon. Leader of Minority: Thank you Mr. Speaker Sir, that aware borrowing by the County is provided for under article 212 of the Constitution and specifically in section 58 141 and 142 of the Public Finance Management Act (PFM) 2012 which amongst other outline the condition on the authority of borrowing by the County Government noting that under the said provision such request for borrowing can be allowed only if the loans and the terms and condition for the loans are set out in writing and in accordance with article 212 of the Constitution section 58 142 of the (PFM) Art, the physical responsibility principal and financial objective of the County Government set out in its most recent County Physical Strategy paper and the debt management Strategy of the County Government over the Medium Term.

Deeply concerned, that the Assembly on Thursday 23rd October, 2014 passed a Motion pursuant to section 140 and 142 of the said Act. Authorizing the borrowing of amount of 2 billion without following the due procedure of the law and the Assembly own rules on such matter disturbed that the Assembly in its handling of the matter raises serious questions of the oversight of the role of the County Assembly given that no terms were forward with the request of the approval not even from which bank such monies are to

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be borrowed from no whether guarantees have been given by the National Government and whether the County Government can certain the said loan.

This Assembly resolve pursuant to standing order 46 2 (a) to decide its earlier resolution approving the County Executive Committee Member for Finance to borrow the sum of 1.5 billion as involving the overdraft to cater for the County Monthly personal bill to borrow the sum of 2.5 billion to cater for the capital project for the Financial year 2014/2015 in order to allow this said request for the approval to follow due procedure for such request and comply with the provision of Section 58 140, 141 and 142 of the Public Finance Management Act 2012 and article 212 of the Constitution Mr. Speaker sir. Thank you.

Hon. Temporary Deputy Speaker: Thank you very much it should take its own cause Hon. Ogeto

Hon. Moses Ogeto: Thank you Mr. Speaker once more and I want to take this opportunity also to welcome our visitors from Kisumu City. Mr. Speaker Sir, that aware the Constitution under the 4th Schedule vents the regulation of the County Transport including the Public Road transport to the County Government.

Further aware that the National Transport and Safety Authority (NTSA) recently passed recommendable regulation to bring sanity to the Public Transport Sector at the National level. Noting that whereas regulation is recommendable, they leave gaps and more needs to be done to provide for the regulations to cover Public Transport in Nairobi County.

This Assembly urges the County Government to develop a legislation providing for proper guidelines on County Public Road Transport in the City. Thank you Mr. Speaker Sir.

Hon. Temporary Deputy Speaker: Thank you.

STATEMENTS

Hon Member for Mwiki Ward (Mr. Isaac Ngige): Thank you Mr. Speaker, I have two statements on the floor today. Pursuant to Standing Order 41 2(c) I wish to request for a Statement from the Chairperson, of the Sectoral Committee on Transport and Public Works in regarding the installation of the Street lighting on Kasarani Njiru Road.

Hon. Speaker it is alleged that the project of installing Street lighting on Kasarani- Njiru Road is completed although the project has reached Mwiki Ward near Mwiki Police Station instead of Njiru Ward as proposed and budgeted for in the current financial year. Hon. Speaker in the Statement the Chairperson should inquire into and report on:

1. Budget allocated for the project
2. The areas which the installation of street lighting project was to cover

3. Name of contractor who was awarded the project
4. Whether the project is completed and inspected by the relevant authority.

Mr. Speaker on my second Statement, I request from the Chairperson of the Sectorial Committee on Transport and Public Works, regarding the state of the Kasarani-Njiru Road. Hon. Speaker, Kasarani-Njiru Road is in a dilapidated state despite being allocated money for repair for the financial year 2014-2015, moreover about 3 months ago, Kenya Urban Roads Authority (KURA) officials were seen at the site but there's no sign of work being undertaken. There have been increased cases of road accidents along Kasarani-Njiru Road especially around Gatharaine River to Mwiki police station due to absence of bumps, Hon. Speaker, in the Statement the Chairperson should inquire into and report on;

1. How much was allocated for repair of Kasarani-Njiru Road?
2. Whether Kasarani-Njiru Road is under KURA, KENHA or the County Government
3. Whether County Government has plans to repair the road and when?
4. Measures being taken by the County Government to avert the accidents along Kasarani -Njiru Road and specifically within Mwiki Ward. Thank you Mr. Speaker.

Hon. Temporary Speaker: Hon. Chairman for Roads and Transport.

Hon Member for South C (Ms. Dianah Kapeen): Thank you Mr. Speaker Sir, I undertake to give the Hon. Member responses for the two questions in a fortnight's time. Thank you very much Mr. Speaker Sir.

Hon. Temporary Speaker: A fortnight's time, are you comfortable with that? Fair enough. Hon. Mohammed Abdi.

Nominated Hon Member (Mr. Abdi Mohammed): Thank you Mr. Speaker, pursuant to Standing Order 41 (2) (c), I wish to request for Statement from the Chairperson of the Sectorial Committee on Transport and Public Works, regarding construction of Lavington Mall at the junction of Mugumo Road and James Gichuru Road in Kileleshwa Ward. The owner of the said Mall has fenced a public road for his private use, in the Statement the Chairperson should inquire into and report on;

1. Who authorized the public road to be closed?

2. Whether the Executive is aware of the said closed road and the steps being taken to remove the said fence? Thank you.

Hon. Temporary Speaker: Hon. Kennedy Oduru:

Hon Member for Lucky Summer Ward (Mr. Kennedy Oduru): I will give Hon. Member a quick response in two weeks' time. Thank you.

Hon. Temporary Speaker: Hon. Mohammed, are you comfortable? Thank you. Hon. Alexander Mulatya.

Hon Member for Kwa-Njenga Ward (Mr. Alexander Mutisya Mulatya): Pursuant to standing Order No. 41 (2) (c), I wish to request for a Statement from the Chairperson of the Sectorial Committee on Labour and Social Welfare, regarding the Sub-County Alcoholic Drink Control and Licensing Committee. The Nairobi City County Alcoholic Drinks Control and Licensing Act 2014, was passed by this Assembly on 16th April 2014. The Act provides the establishment of aforementioned Committee which shall be amongst other duties issue licenses in accordance with this Act.

In the statement, the Chairperson should inquire into and report on the delay in remitting of the Committee Members allowances for the last 3 months. Reasons why some inspection forms are being withheld by the Licensing office and the Director of Trade; Contrary to section 6 (2) and 8(1) of the Act, why is there violation of the Act on the issuance of certificates whereby the Chairperson of the Sub-County Committee should be allowed to sign contrary to Section 6 1(a)? Why has the Alcoholic Drink Control Fund not been established in accordance with Section 4 3(1) of the Act? Thank you.

Hon. Temporary Speaker: Hon. Chair for Labour.

Hon. Member for Utalii Ward (Mr. Wilson Ochola): Thank you Mr. Interim Speaker, I would like to report that, since we are going to recess the following day---

Hon. Temporary Speaker: You cannot anticipate. Can you say when you are going to answer?

Mr. Wilson Ochola: After recess Mr. Speaker, that means two weeks.

Hon. Temporary Speaker: I am well advised that this particular question Hon. Mulatya, Where's Hon. Mulatya? You were supposed to direct this particular question to the Committee on Children Culture ---

Hon. Alexander Mulatya: Infact I have just noted right now that they misled me, Clerk Office

Hon. Temporary Speaker: It's what? It was a mistake?

Hon. Alexander Mulatya: Yes it was a mistake; they did a wrong thing to me, so I am addressing it to Hon. Milare.

Hon. Temporary Deputy Speaker: Hon. Milare, I think that mistake is already noted and correction made on the same. Clerk.

Hon Member for Harambee Ward (Mr. Ronald Melkizedek Milare): Thank you Mr. Speaker, Mr. Speaker. I am quite aware that the rolling out is facing some challenges and I have some insights on actually what is happening on the ground and with your indulgence, I beg to give a comprehensive statement in a weeks' time.

Hon. Temporary Deputy Speaker: Hon. Malatya. Fair. Thank you very much. Clerk can we move to the next Order.

Response from the Secretarial Committee on Labor and Social Welfare, a question which was asked a while back by Hon. Maurice Akuk. With due respect simply because the Hon. Member Maurice Akuk is not in, Clerk can I know whether he's out on official duties? Okay he is out of the Country on official permission of the Speaker and because this particular question actually came from him, we would like to give him time to interrogate.

Hon. Wilson Ochola: Thank you Mr. Speaker.

Hon. Elizabeth Manyala: Point of order Mr. Speaker.

Hon. Temporary Speaker: What's the Point of Order?

Hon. Elizabeth Manyala: Is it in order that if a Member is not in because it is for the benefit of this County Assembly, that such question benefits all the Members, so even if he's not there he can come and catch up with us.

Hon. Temporary Deputy Speaker: Order Hon. Manyala! If you have any permission from Hon. Akuk so that you can hear this, do you have any permission from him? Yes we'll give the Hon. Maurice Akuk; it is in his best interest. I know it will cater for the entire Assembly, it's good for the entire Assembly but it is always good, we must follow the precedence of the Commonwealth Parliament. Permission granted.

Hon. Wilson Ochola: Thank you Mr. Speaker, I would like to concur with my Hon. Member the report belongs to the House of County Assembly of Nairobi, it doesn't belong to an individual. Could you please Clerk advice?

Hon. Temporary Deputy Speaker: We've a lot of respect for Hon. Maurice Akuk and since this particular Hon. Member is out on official duties we have to accord him that respect, unless and otherwise you fear to face him, I know he's the one who must have prepared to interrogate this particular issue. Order! I have already directed that we'll have to wait for Hon. Maurice Akuk to come back. Thank you. We have a Statement from Hon. Njoroge G. Maina, Chairperson of the Committee of Health Services; The Chair had undertaken to answer this particular question today. Where's the Chair, the Majority Leader, or any Member who seats in the Liaison Committee? Can you inform the Chair of Health or can you undertake to bring this answer or else he will be reprimanded?

Hon. Temporary Speaker: Hon. Thuo to take the undertaking. Actually he was supposed to first of all answer the statement from Hon. G. Maina regarding the services in Umoja I Health centre in Umoja One Ward.

Hon. Thuo Wainaina: Thank you Mr. Speaker Sir, I had confirmed with the Chairperson for Health that he was supposed to be in the Assembly this afternoon. Mr. Speaker I think some emergency must have come up because he was actually supposed to be here but I am sure since I sit in the Liaison Committee and also the Health Committee, I will converse with him tomorrow and we can give an undertaking with your permission.

Hon. Temporary Deputy Speaker: Since you sit in the Health Committee, can you undertake --- Order! Hon. Mberia. The Hon. Thuo is on the floor. Hon. Thuo, despite the fact that you sit in the Liaison Committee I have understood you are also a Member of the Health Committee. Can you undertake to answer this particular question and give us the timeline?

Hon. Thuo Wainaina: Mr. Speaker Sir I would like to be given time to converse with the Chair because I do not know how far he has gone. It would be unfair to the Member if I speak of a week or two and then it turns out ---

Hon. Temporary Deputy Speaker: I direct that you bring this answer --- Order! I direct that this particular answer be brought to this floor tomorrow 2.30pm.

Hon. Thuo Wainaina: I stand guided Mr. Speaker Sir.

Hon. Temporary Deputy Speaker: Hon. Mberia I want you to understand that I am a Member of the Health Committee. What is burning you?

Hon. David Mberia: Mr. Speaker I think the Chairmen of Committees are taking this House for a ride. The Chairman just walked out when I was coming in Mr. Speaker Sir. He gave an undertaking on Thursday that he is going to table that report today on Tuesday. I think we should not come here to joke. We came here to work for Nairobian Mr. Speaker Sir and if a Chairman commits himself that he is going to --- because the Member for Umoja had a very pertinent Statement. Now a Chairman comes and then his name is ticked and then he walks out. We should not entertain such behavior Mr. Speaker Sir. I think we need to be very serious. A Chairman is like a Minister. If you commit *Mheshimiwa* Thuo to ensure that the Chairman for Health brings this particular report tomorrow, how will he do it?

Hon. Temporary Deputy Speaker: Order! You cannot approach the microphone before you catch the eye of the Speaker. Even if it is on the same. Hon. Mberia actually I have noted what you have said with a lot of concern and indeed if we find that the Member was present on the floor of this House and he has failed to answer. I just want to give the benefit of a doubt because I have not seen him but if I find that he was present today and he failed to answer then he will face some serious ---. Hon. Thuo

Hon. Thuo Wainaina: Thank you Mr. Speaker. It is important to speak from a point of fact and information because the people who Chair Committees in this Assembly are not Members of the Executive. They are actually Members of this Assembly and the report that is usually sought by Members of this Assembly is supposed to come from the Executive. Mr. Speaker Sir you remember it has been raised on this floor that we should have a Committee of this whole Assembly where the Executive will represent the will as many are of that opinion say. It will be very unfair in my view if we were to punish any Chairperson and yet the report comes from the Executive. Thank you Mr. Speaker sir.

Hon. Temporary Deputy Speaker: Hon. Osman

Hon. Osman Adow: Mr. Speaker I think it is about a month since I asked the question on Health department about the contaminated chicken in Nairobi and people are probably dying out of eating the chicken and we are not getting any answers.

Hon. Temporary Deputy Speaker: Thank you. Hon. Manyala.

Hon. Elizabeth Manyala: Mr. Speaker it is sad that this Chairmen and assistant Chairpersons of these Committees are not taking their work seriously because issues of Health are pertinent to Nairobi's and even to us. For example even if it entails a pregnant woman who is giving birth, it cannot wait for like another one or two months and if the Honorable Member who is the Chairperson of Health Committee knows that he is going to be absent today he has his able assistant Chairperson and that is why he is there. Or if not, even another Member of that Committee to come and give a comprehensive report and that is why we are saying the days of honeymoons are over. All the Chairpersons and assistant Chairpersons who are not at par can they start packing and leave so that they can give this chance to able people like Manyala who can perform and are regular in this Assembly. Thank you Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you. Hon----

Hon. David Kairu: Thank you very much Mr. Speaker Sir. I stand here to be informed by the Majority Whip because he has complained several times that Chairmen are not here to respond to the questions and on my view Mr. Speaker Sir, it is his responsibility to whip the Chairmen to make sure that they attend his House so that they can respond to the questions in time and if he cannot do that Mr.

Speaker Sir he should resign. It is the work of the Whip to whip the Chairman to respond to question time. Thank you.

Hon. Temporary Deputy Speaker: Hon. Mberia Order! I think I have given enough --- you cannot respond Hon. Mberia. I have made the ruling a long time ago. I just gave you time to interact. You know very well you are supposed to whip Members to come to the House and the Hon. Members who are Chairmen --- Order! Hon. Mberia.

Hon. David Mberia: Mr. Speaker I cannot whip a Chairman who knows his job very clearly Mr. Speaker Sir ---

Hon. Temporary Deputy Speaker: Order! Hon. Mberia Order! You must understand when the Speaker is on feet you freeze immediately.

(Applause and Laughter)

Hon. Temporary Deputy Speaker: Hon. Members I gave you time so that you can exchange quite a bit but I had already made the ruling that that particular answer be brought on the floor tomorrow and--- Hon. Member from Good Reward do you want to be informed? Okay he has given you permission, inform him.

Hon. David Mberia: Thank you very much Mr. Speaker. I want to inform my Honorable Member for Woodley that it is not the work of the Whip to whip Committee Chairmen and come to table reports in this table Mr. Speaker. It is not my business. He knows when he sought votes, lend me your votes Mr. Speaker sir. When these particular Chairmen sought for votes to be elected Committee Chairmen, they knew very well their job cut. It is not the job of the Whip whether Majority or Minority to whip a Committee Chairman or to help him do his job Mr. Speaker. I want to inform the Member, I think the Member for Woodley does not know exactly what he came to do in this House Mr. Speaker Sir. It is not ---

Hon. Temporary Deputy Speaker: Order! Hon. Mberia with due respect. The Hon. Member from Woodley is just a Member like you and every Member in this House knows what he came here to do. You cannot just --- can you apologize and withdraw immediately.

Hon. David Mberia: Mr. Speaker I just wanted to inform the Member that my job --- let me finish. I withdraw but let him know that it is not my job to whip Members to come to the plenary.

Hon. Temporary Deputy Speaker: Order! Hon. Mberia. Take your seat. Order! Hon. Ochola, Ochar. Hon. Mberia, it is well known that your work is to whip Hon. Members and the Hon. Chairmen of various Committees are Members of this House. I want to remind you for the last time. You cannot approach the microphone before you catch the eye of the Speaker. So can you sit down? Let that matter rest there and proceed. Hon. Isaac

Hon. Isaac Njoroge: Mr. Speaker, I rise on point of Order No. 74 on Members address to the Speaker mainly concerning an issue I raised here on Thursday last week concerning my house being broken into and the Speaker giving a ruling on the security of Hon. Members in Nairobi. I seek your guidance on that Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you, that one we will reserve as a reminder and thank you very much. The same will be communicated to the House tomorrow 2:30pm. Next order.

Motion

Hon. Kennedy Oduru: Thank you Mr. Speaker Sir. Before I move my motion I would like to welcome Members of Kisumu County Assembly to feel free in Nairobi. I would like to move the following motion; That aware that Article 29 of the Constitution grants every citizen of this Republic a right to freedom and security; Further aware that recent years have witnessed a marked increase in the number of insecurity incidences across the Country and more so in Nairobi City County.

Concerned that most of the Wards in the County are in total darkness due to lack of security lights which has contributed to an increase in crime activities within the County especially at night; noting that most of installed lights have failed to function due to lack of platform vehicle for installation and repair of lights. Acknowledging that security of the residents and the public is vital for the County to achieve a 24-hour economy which is part of vision 2030.

This Assembly asked the County Government to purchase the equipment in every Sub-County and install security lighting in all wards, repair and maintain the existing ones to reduce the level of insecurity. Mr. Speaker this is vital since the security of Nairobi is paramount to all of us and if we base this one in the Kenya Vision 2030 which cherishes a 24 hour economy country. It is therefore important to have this one to be considered so that we can light our County in 24 hours' time.

Mr. Speaker considering that we know what the maintenance equipment for street lights are. The equipment which has got--- if you want to repair maybe the street lights and even change the valve, the equipment is important. Unfortunately, I have realized that there are only two platform vehicle for installation and repair of lights within the County and Nairobi is big with 85. I am requesting that each Sub-County of Nairobi be facilitated with one vehicle platform.

The purchase of the platform vehicle will sort out the problem of darkness which has greatly affected our people making them nit to continue with their daily activities. Most of our Wards are experiencing rampant insecurity. Some reports have been tabled made here on insecurity and if we can purchase the equipment we will curb the problem of insecurity because we know that all these activities are being undertaken in darkness and if we can light these areas we are going to secure insecurity problem in Kenya. Thank you Hon. Speaker I therefore call upon Hon. Njoroge David Kairo to come and second the Motion.

Hon. David Kairu: Thank you very much Mr. Speaker Sir. Allow me to second the Motion by saying that it is very important. It was supposed to be brought by yesterday and the reason why Mr. Speaker Sir Nairobi County has spent millions and millions of money putting those poles of street lights in our city. It is very unfortunate that they are not working and the reason why they are not working is that they are saying that the equipment that can help those people to install the light are not working or they are not available. Therefore Mr. Speaker Sir it is very important, the National Government is giving us a lot of money to light the streets. It will be very sad to be given that amount of money to light the city and we do not have the capacity to maintain those lights and that is why Mr. Speaker Sir if you go to our estates there is rampant darkness, thuggery, robbery everywhere. Therefore Mr. Speaker Sir allow me to second the Motion and say it is very important to this County. Thank you.

Hon. Temporary Deputy Speaker: Thank you. (The question is put and agreed to)

Hon Member of Mutu-ini Ward (Hon Martin Karanja Kingethe): *Asante sana Bwana Spika. Umeeleza hawa kuwa jina langu ni Karanja Kingethe, mwakilishi wa Wadi ya Mutu-ini. Nimesimama hapa kuunga mkono mswada wa rafiki yangu Bwana Oduru na pia kumpongeza sana kwa sababu amewaza jambo ambalo ni la busara sana. Bwana Spika, nimeletwa hapa na wananchi wa Wadi ya Mutu-ini ambayo iko katika eneo bunge la Dagoreti Kusini. Ni jambo la kusikitisha kuwa Wadi ya Mutu-ini ina taa tatu pekee. Ikizingatiwa kuwa ni upana wa kilomita saba mraba lakini ina taa tatu, limefanya swala la usalama kudidimia kwa kiwango cha juu sana.*

Wakati mmoja, nakumbuka Bwana Gavana alitembelea Wadi yangu na usiku uliopita kuna vijana wawili ambao walikua wameuliwa. Bwana Spika, katika Wadi yangu, kuna mahali ambapo reli upitia na hakuna majengo mengi, watu wengi hawaishi mahali pale. Kwa hivyo, ukosevu wa usalama umekuua mahali pale tangu enzi na mswada huu ambao umeletwa ni mswada ambao nimesimamia kabisa nikisema ya kwamba mambo ya platform, platform sijafahamu ni nini kwa Kiswahili Bwana Spika lakini kwanza sio gari Mheshimiwa Kairu.

Kuna jina Fulani la Platform lakini ningetaka kusema kuwa serikali kuu imesema ya kwamba itatusaidia kuweka taa katika Kaunti ya Nairobi kulingana na maono ya mwaka ulufu mbili na thelathini, 2030. Ni jambo ambalo sisi wenyewe kama wakaaji wa Nairobi tunalifurahia lakini itakua ni ndoto tu kama swala la usalama ambao unaambatana na mambo ya mwangaza katika Kaunti hii yetu ya Nairobi haitashugulikiwa. Bwana Spika ninaunga mkono na pia niseme ya kwamba; kwa sababu najua mswada huu utapita, wengi wetu hapa wamehathiriwa na ukosefu wa taa. Mswada huu utakapopitiswa, tunaomba usikae katika maktaba lakini utekelezwe kadri inavyotakikana. Nashukuru sana Bwana Spika. Asante.

Hon Temporary Deputy Speaker: Thank you very much, Hon Members-you have to be official Hon Thuo; can you request whatever...can you approach the mic and communicate. I want to hear you

Member of Karura Ward(Stephen Kamau Thuo): Mr. Speaker Sir, I was supporting the Motion, I think it is a good Motion and a thoughtful idea, I think the Member needs to be encouraged and it is important to note that the Member is the chairperson, so that those people who are busy fighting the chairperson of this Committee, of this House thinking we are not competent; this is a very good example of

Chairpersons of this House who are very active and thoughtful and have Motions and Bills that are key to development in this County. On the same note reading the mood of the House it is very clear that Members are in support of this motion and are very excited about it and I will only beg if you ask the mover to reply because....

Hon Temporary Deputy Speaker: Out of order Hon Thuo, when you want to call the mover to reply you don't contribute and you are aware of that Hon Thuo. Hon Kitavi...Hon Abuka you wanted to contribute on the same, you can move near here, we have seats which are vacant. Hon Kitavi...

Member of Laini Saba (Hon Boniface Kitavi David): Mr. Speaker, indeed I stand here to support the Motion, I think it is (*interruption*), given that Nairobi used to be called the city in the sun, of late we have people talking about Nairobi being the city of darkness. It is unfortunate that when darkness falls many things happen and I think even as much as we support this motion the department that is concerned, that is the Highways Department, many times they cry of not having adequate supplies to conduct this repairs of street lights and I think something needs to be done urgently so that Nairobi can be bright.

I represent an area where very humble people come, that is Line Saba area and we have very many people who conduct their business during the night selling small household items including vegetables. It becomes very difficult for them to conduct business in darkness and so I think by lighting up Nairobi and especially the non-formal areas that would be a wise idea even as we move towards ensuring the 24 hour economy that can only be achieved if we have adequate lighting.

Mr. Speaker it is common knowledge that where there is darkness many bad things happen that is why we have muggings, that is why we have rape and all the social evils taking place. If Nairobi County is to move steps ahead I think that this Motion urges the County government to ensure people are safe and can conduct their businesses in a secure environment. For that reason Mr. Speaker Sir I support the Motion, thank you.

Nominated Member (Hon William Abuka): Thank you very much, the Hon Speaker, for allowing me to speak from where I am. I really want to register my support for this Motion; I appreciate my good brother the Chairman Hon Kennedy Oduru for bringing up such Motion, Mr. Speaker although I didn't bring it here to the Assembly I was a victim of thuggery just because the area I stay is fairly dark, a lot of things do happen there and I thought maybe thieves or other people have taken advantage of the situation.

Mr. Speaker having said that with sounding repetitive because my able brother Hon Kitavi and the rest of the speakers ahead of me have brought it out so ably, left to the wananchi of this County can do whatever they think, they will put light even in middle of the road, recruit their own security agencies and do anything that they want to help them secure their lives and that would create a lot of disorder. I think it is only prudent that we don't need rocket science to bring out such motion that the county government really need to take charge of the process of lighting the County. In addition to reducing security but also to create orderliness so that things are done in an orderly way. I think it is only good to take care of this matter.

Mr. Speaker it is not good to give somebody food, give somebody whatever they want and then you tell them to be on their own when it comes to security, I think it is very dangerous. Some of the people that today are really harassing us were previously people who were providing security either to politicians or to leaders wherever they were but when they lost their jobs or the opportunity was not forthcoming then they decided to venture into the streets to harass innocent wananchi. By lighting up the City the way the Motion is proposing we are also reducing the number of young people who are likely to be outside there thus posing danger to our corporate and personal security. I want to rest my case there Mr. Speaker that I think this County government need to move with speed and ensure the streets of Nairobi is lit with a view to reducing crime. Thank you Mr. Speaker.

Member of Eastleigh North (Hon Osman Adow Ibrahim): Thank you Mr. Speaker, I rise to support the Motion but I will also recommend a reconstitution of the Implementation Committee because we have passed so many Motions that are lying everywhere and nothing is being done about it. So reconstitution of the Implementation Committee will be appropriate. Secondly we recently passed the Appropriation Bill, which had a lot of street lighting aspects to it but here we are introducing a new charge to the exchequer which is now vehicles that will be bought and I don't think...I think I will advise my colleagues to make sure that in the next year budget it is taken care of because I know even if we pass this Motion the Executive will not buy those vehicles. So that is my contribution, thank you.

Hon. Temporary Deputy Speaker: Hon. Adow wanted to pass some information but to wrong people. I know you know the best way to do it. I just gave you the benefit of doubt to just say whatever you wanted to say, on the same, Hon. Munga.

Hon. Member for Kabiro Ward, (Mr. Clarence munga): Thank you Mr. Speaker for giving me this opportunity. Allow me to contribute. Mr. Speaker I just realized that I am growing old

Hon. Member for Kayole South, (Hon. Elizabeth Manyala): Point of Order Mr. Speaker Sir.

Hon. Temporary Deputy Speaker: What is the point of Order Hon. Manyala.

Hon. Elizabeth Manyala: Is a Member in Order to contribute on a Motion in his comfort zone that he does not want to walk to the front and face the Hon. Members and he is digital just because Hon. Abuka has been given that preference so he wants to replicate exactly that...

Hon. Temporary Deputy Speaker: Order Honorable. When a member is on a point of Order, you cannot interrupt until he finishes.

Hon. Elizabeth Manyala: So is he sick or is he suffering from any disease that we need to know because he cannot just stand there...

Hon. Temporary Deputy Speaker: Order Hon. Manyala! Hon. Manyala can you apologize, not that Hon. Members who are sick are the ones who speak from their chairs and I am very sure I want to rule that the Hon. Munga is correct and has the right to address the House from where he is. Can you apologize that not only sick people...

Hon. Elizabeth Manyala: Mr. Speaker, I do not know why I am apologizing because.

Hon. Temporary Deputy Speaker: Then you must withdraw

Hon. Elizabeth Manyala: I did not use uncouth, uncultured word because I just said man is mortal and man can get sick.

Hon. Temporary Deputy Speaker: Order!

Hon. Elizabeth Manyala: So if one is sick then it is in Order.

Hon. Temporary Deputy Speaker: Hon. Manyala! You must withdraw. Hon. Abuka addressed the House from where he was and considering his state, he might think that whatever you are talking about...

Hon. Elizabeth Manyala: Mr. Speaker you are putting words into Hon. Abuka's. We empathized with Hon. Abuka. I said Hon. Munga.

Hon. Temporary Deputy Speaker: Hon. Manyala, can you withdraw. It is not sick people who address this House from where they are seated. Order Hon. Manyala, it is not a laughing matter you must withdraw. Hon. Abuka is not sick.

Hon. Elizabeth Manyala: Mr. Speaker, I beg your indulgence that I am being gaged, I said Hon. Munga what I said...

Hon. Temporary Deputy Speaker: Order Hon. Manyala! You take up your seat. You must withdraw the words you used that Hon. Munga is not sick. It implies that Hon. Abuka who spoke earlier must be sick and he has said that he is not sick. Order! You must withdraw. Can you withdraw?

(Loud consultations)

Hon. Temporary Deputy Speaker: I am giving you the last warning to withdraw the words you used.

(Loud Consultations)

Hon. Temporary Deputy Speaker: Order! Hon. Manyala I suspend you from the House for next two days. Order!

Hon. Clarence Munga: Thank you Mr. Speaker for your directions. I think the Hon. Member is not aware that even in the National Parliament Members just address the House while actually seated...

Hon. Temporary Deputy Speaker: Order Hon. Munga. Hon. Manyala, you are suspended for the next two days. The Hon. Seargent- At- Arm, you must ensure that, she should also not attend Committee meetings.

(Loud consultation)

Hon. Clarence Munga: Mr. Speaker, thank you for giving me this opportunity. Let me proceed actually by giving two points. Let me first appreciate the efforts made by our able Chairman to come up with this kind of a Motion. Street lighting and high mast lighting up the County is a major challenge and I think I want to commend my able chairman for thinking that way. Let me support the Motion by giving two points.

Hon. Temporary Deputy Speaker: The Hon. Joyce what is the problem. Are you on a point of Order?

Hon. Nominated Member, (Hon. Joyce Nambwire): Bwana Spika, Ni haki kumtoa Mhesimiwa Manyala nje. Hapa *Chief Whip* ameongea sana hata akaleta shida nyingi na hakutolewa nje. Kama ni wamama wakitoa *Motion* yao wakiongea wanatolewa nje si haki Bwana Spika.

Hon. Temporary Deputy Speaker: Hon. Ndigirigi.

Hon. Nominated Member, (Hon. Tabitha Ndigirigi): Thank you Mr. Speaker Sir. Allow me to speak in Kiswahili so that they listen very well.

Hon. Temporary Deputy Speaker: Permission granted.

Hon. Tabitha Ndirigi: Thank you Mr. Speaker. Ni haki ya kutii sharia ya *Assembly* hata kama ni mmama ama nani. Na hiyo ndiyo sababu ya kuwa ni lazima uheshimu, siyo kwa sababu ya kuwa wewe ni mama, *you are the Member of the County Assembly. You must respect yourself.*

Hon. Temporary Deputy Speaker: Ashante sana.

Hon. Tabitha Ndirigi: Nikiongeza hivyo, allow me to second this Motion for my Hon. Chair. Thanks.

Hon. Temporary Deputy Speaker: *Order! Hon. Munga was on the floor before you may be support this Motion. Na mama Joyce ningelipenda kukuambia kwa njia ya ufasa, mimi si mfasa sana kwa lugha ya Kiswahili lakini imenibidi ni kuelezea. Kwa kweli Hon. Chief Whip amekuwa machachari kwa upinzani lakini mwishowe aliridhi amri na akaondolea yale matamshi alikuwa ametumia mabaya. Na Hon. Manyala, tumemfukuza nje kwa sababu amekaidi amri ya kuomba msamaha na kuondoa matamshi ambaye alikuwa ametumia mbele hii Assembly. Kwa hivyo hatujamfukuza kwa sababu yeye ni mama, hii Assembly ni ya wahesimiwa wabunge wa County. Kwa hivyo hakuna cha wamama na wazee katika hii Assembly. Ashanteni sana. Kwa hivyo Hon. Munga.*

Hon. Clarence Munga: Thank you. Let me just wind up, let me just give out in brief what I wanted to say because I am being interrupted Mr. Speaker Sir. Protect me Mr. Speaker. First I wanted to say that, we need this platforms, if you check currently, we have like three vehicle platforms and in my ward currently I have a problem with the high mast, I need them to be repaired and when I called the Engineer who is concerned, he told me that I need to wait until these platforms are finished in another ward. So I had to wait, and not just within my constituency but in another constituency, so I am supporting this Motion because the Member is saying that every sub- County requires to have a platform which if the Engineer is repairing in my neighborhood, I can actually reach out to him and tell him to possibly pass by and actually repair my high masts.

Another point Mr. Speaker is that we need to drive this County to a twenty- four economy and for us to achieve that, we need to light up our County so that women and businessmen who want to trade, whoever wants to buy and sell his ware is assured of his security. Security actually starts by knowing who is near you and so for us to achieve this, we have to light up Nairobi, and lighting up Nairobi without these platforms will be like doing nothing. We will actually be installing these things but when they breakdown, repairing it will actually take time. So I support this Motion by saying that we need to actually buy platforms per every sub-County. So Mr. Speaker I support the Motion. Thank you.

Hon. Temporary Deputy Speaker: Can I call the mover to reply.

Thank you Mr. Speaker Sir. I salute our entire comrade Hon. Members for the support that they have given to this, this is a very wonderful job, and they are being geared to improve the standard of Nairobians. Thank you very much Sir.

Hon. Temporary Deputy Speaker: OK, I now put the question, that aware, article 29 of the Constitution grants every citizen of the Republic a right to freedom and security, further aware that the recent years have witnessed a marked increase in a number of insecurity instances across the country and more so in Nairobi City County. Concerned that most of the Wards in the County are in total darkness due to lack of security lighting which has contributed an increase in crime activities within the County, especially at night.

Noting that most of the installed light has failed to function due to the lack of a platform, vehicle for repair and maintenance, acknowledging that the security of the residents and the public is vital for the County to achieve the twenty hour economy which is part of the vision 2030. This Assembly urges the County Government to purchase a platform vehicle in every Sub- County and install security lighting in all wards. Repair and maintaining the existing ones to reduce the level of insecurity.

(Question put and agreed on)

Hon. Member for Kahawa West Ward (Mr. Ngaruiya Chege): Point of Order Mr. Speaker!

Hon. Temporary Deputy Speaker: Next order, Hon. Thuo. Order! Hon. Kagiri.

Hon. Member for Pipeline Ward (Mr. Samuel Kagiri): Mr. Speaker the House is literally empty; we don't have a quorum to discuss any business for this House please.

Hon. Temporary Deputy Speaker: Thank you Hon. Kagiri, can the Sergeant-At-Arms ring the bell for five minutes.

(The bell is rang)

Hon. Members, I know you all know what I am good at, I am going to make an announcement and I am wondering whom will this message reach if the Hon. Members are not in the House. It is common knowledge when the bell is ringing it is assisting the Whips for those Members who are around or who are within the precincts of the Assembly but the Whips when we said that the bell be rang I think the Whips are supposed to get out and whip Members to come to the House.

I saw a good friend of mine seated comfortably in the House not whipping Members to come to the House. But I want to give him benefit of doubt and may be remind him next time, you must whip Members to come to this House when there is lack of quorum. All the same, I am going to make an announcement; Hon. Members kindly note that there will be a House Business Committee meeting at the rise of the Assembly in this hall.

I would like to add this, if these Committees will not meet today, it is up to you the Whips to whip the members so that they can meet today, so that we can have tomorrow's Order of business. Thank you Members, the Assembly stands adjourned until tomorrow at 2.30 p.m.

The House rose at 4.25 p.m.