



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Second Session

Tuesday, 25th February, 2014

The House met at 2.30 p.m

(Mr. Speaker in the Chair)

PRAYERS

COMMUNICATION FROM THE CHAIR

Hon. Speaker (Mr. Alex Ole Magelo): Hon. Members, I have the following Communication to make:

Hon. Members, on the 13th February, 2014, pursuant to Standing Order 39 (1), I delivered a Message from H.E. the Governor regarding the appointment of Chief Officers, and proceeded pursuant to Standing Order 39 (3) (c) to refer the contents of the said Message to various relevant Sectoral Committees.

Hon. Members, Standing Order 42 (4) provides that reports of Sectoral Committees to which public appointments have been referred to for consideration must be tabled in the Assembly within fourteen days (14) of the date on which the notification was received.

Hon. Members, today marks the twelfth (12) day since receipt of the said notification. I therefore wish to direct as follows:

All Chairpersons of Sectoral Committees to which the appointment of a Chief Officer or Officers was referred for consideration must table their reports on the said appointments

tomorrow, Wednesday, 26th February, 2014 in order to comply with the provisions of Standing Order 42.

Hon. Members, once tabled, the reports will be scheduled for debate and adoption by the Assembly on Thursday, 27th February, 2014, which marks the fourteenth (14) day since giving notice.

Hon. Members, and particularly Chairpersons of affected Committees, failure to comply with the clear provisions of the Standing Orders and other relevant Statutes on this matter will leave the Hon. Speaker no choice but to invoke the provisions of Standing Order 1 and task the Committee on Appointments to fast track the process and table the report regardless of the progress made by Sectoral Committees on the same.

Chairpersons of Committees are therefore encouraged to fast track their reports on the said appointments and have them Tabled during tomorrow's, Wednesday 26th February, 2014, afternoon sitting.

Thank you.

Hon. Members pursuant to the ongoing construction of the precincts of the Assembly, it has come to the attention of Hon. Members and indeed the attention of the Hon. Speaker that a section of the precincts of the County has been allocated to outsiders. It is a very grave mistake and I would like to give the following direction in that regard:

That an Ad hoc Committee be formed to with immediate effect investigate and report back in a weeks' time --- (*Applause*) the findings on the said property of the Nairobi County Assembly namely the Garden Restaurant --- (*Applause*). Further to that, it is important in your deliberations as the Ad hoc Committee to go by what we know in English as correspondence, no rumours will be entertained in the County Assembly and I will ask the Clerk to give guidance in regard to the Ad hoc Committee with immediate effect.

I thank you.

(*Applause*)

STATEMENTS

Hon. Speaker: Thank you, Hon. Members, the Hon. Chege, you caught my eye.

Hon. Member for Ngara Ward (Mr. James Chege): Thank you, Mr. Speaker, let me take this opportunity to welcome you back to the Assembly together with the people who accompanied you. Mr. Speaker, mine is a point of concern; I did in fact raise a question regarding the devolving of accounting functions of the County to the various departments and Mr. Speaker you gave an undertaking and the Chairman of Budget promised to bring that Report a week ago. I do not know why it hasn't been tabled since. So, I would request for your guidance and direction on the same matter. Thank you.

Hon. Speaker: Hon. Members, I will tomorrow deliver a Message in regard to all Statements pending before the House. Thank you. Hon. Thuo.

Hon. Member for Karura Ward (Mr. Stephen Kamau Thuo): Thank you, Mr. Speaker, some of us have indeed missed you, welcome back to Kenya and in particular to this House. Mr. Speaker, I want to request for a Statement, and the Statement reads as follows. I had also furnished your office and that of the Clerk---

Hon. Speaker: Order Member! Order! Was it forwarded to our office?

Hon. Stephen Kamau Thuo: It was forwarded to your office, Mr. Speaker sir.

Hon. Speaker: Approach the Speaker please, approach the Chair.

(Hon. Kamau Chege approaches the Chair)

Hon. Speaker: Apologies, the Statement was not signed so it will appear tomorrow.

Hon. Stephen Kamau Thuo: Thank you, Mr. Speaker. You have also said you will give a Report on the pending Statements; I would also want to register that there was a Statement regarding the barriers in Runda, that Statement has taken a lot of time and that is a matter we need to dispense of, Mr. Speaker. With regard to that Statement, I will seek it tomorrow. Thank you

Hon. Speaker: Thank you, thank you. Thank you, Hon. Member, I think that one for the barriers the Chairperson for Works; if she is here she is aware that that Report is urgently required so we will have it because it is long overdue, thank you. Hon. Manyala.

Hon. Elizabeth Manyala: Thank you, Mr. Speaker, welcome back, we missed you and I rise here on behalf of Hon. Akuk who has sent his apology, he was going to enhance his capacity because he needs to enhance his medulla oblongata--- *(Laughter)* Last week Hon. Akuk had asked for a Statement on the status of 'Boiling' Green, *(Members interject with corrections)* Bowling Green---

Hon. Speaker: Order Members, Order! Bowling Green.

Hon. Elizabeth Manyala: Bowling Green, and this House wanted to know the status from the respective Committee. The Committee should furnish us with a comprehensive Report regarding this establishment. Thank you, Mr. Speaker.

Hon. Speaker: Is the Chairman ready with the Report?

Hon. Jairo Atenya: Thank you, Mr. Speaker sir, I will be ready with the Report by next week on Thursday.

(Loud consultations)

Hon. Speaker: Very well. So, Thursday, next week.

Interim Clerk (Mr. Jacob Ngwele): Order number 8; Motion.

MOTION

Hon. Leader of Majority (Mr. Elias Otieno): Thank you, Mr. Speaker, am just surprised because when these people came to give their Statements they did not welcome me back --- *(Laughter)* I don't know whether they missed me as I did but also it is very important, Mr. Speaker, as I want to move the Motion, it is very important you give me a few minutes because I did not want to talk during the time people were giving Statements. *(Clerk consults with the Speaker)*.

Firstly, Mr. Speaker, I don't know whether; I am talking and you and the Clerk are very busy doing other things; I don't know whether you people are hearing what I am saying. Clerk, why don't you have the time with the Speaker later? Mr. Speaker, I don't think we are taking this House seriously because all the time when we were away, there was lack of quorum; all the time. Yet, these are the same people who were making a lot of noise asking why we did not want to call them back to the Assembly because they didn't have allowances; but nowadays you people do not come.

And especially, Mr. Speaker, if somebody is a Chairman; I am talking to Chairmen right now. Chairmen if you are not ready for this House every day, just leave the Chairmanship. I do not see the reason why you should continue keeping this Chairmanship and yet you know very well you are not up to the task. All Chairmen must avail themselves in this House every day. Those are the Cabinet Ministers in this House, Mr. Speaker, so they must take this work seriously, and if they don't, Mr. Speaker, I am going to crack the whip as the Leader of Majority of this House. I am going to crack the whip. We are going to remove them and we are going to give those who are serious and who want to be Chairmen of these various Committees--- *(Applause)*.

Most of them are just coming and signing and then they walk out. After a few minutes we lack quorum. When we had our three abled Speakers panel, Mr. Chege Mwaura was here, Maurice Akuk and Nyang'wara, there was lack of quorum all the time because the Chairmen were not in the House, maybe two or three were present by then. So these Chairmen must know they wanted this Chairmanship because they are going to represent this House full time during the debate so there is no way, and I am not going to allow, Mr. Speaker ---

Hon. Member: Point of Order!

Hon. Leader of Majority: Sit down, you are not supposed to talk when your boss is talking --- *(Laughter)*

Hon. Speaker: Order! Order!

Hon. Leader of Majority: Mr. Speaker, I am not going to allow at any time, that you will want a Statement of a certain Committee and the Chairman is not there; the Chairperson is not there. We want these Chairmen to answer questions all the time whenever they are requested to do so. That is what authority is all about. Okay, Mr. Speaker let me go direct to the Motion now.

MOTION – RESUMPTION OF DEBATE ON THE GOVERNOR’S ADDRESS

THAT, the thanks of the County Assembly be recorded for the exposition of public policy contained in the Address of the Governor, delivered on February 12th 2014. Mr. Speaker, today you look like you are very busy, so Mr. Speaker I know the Report was discussed when we were away but I think today is the last day of this Report so let us be sober enough, let us have everybody in the House and we discuss this Report negatively or positively. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Members for the record; under Standing Order number 41 (b), “*the Leader of the Majority Party, or the Leader of the Minority Party as the case may be, or their designees may make a statement relating to their responsibilities in the County Assembly or the activities of a Committee;*” so that is where the Leader of Majority is coming from. Thank you, Members. Hon. Thuo.

Hon. Member for Karura Ward (Mr. Stephen Kamau Thuo): Thank you, Mr. Speaker. I would also like to seek clarification from Hon. Chege, from Kahawa West who in the last session came up with a Motion of Impeachment on the Governor of this City. We would want to know the status of that Motion? If it cannot see the light of the day, Mr. Speaker, the Member should go ahead and withdraw the Motion.

Hon. Speaker: Order! Hon. Manyala! Yes, indeed as a matter of procedure, and as a grave matter that you were discussing before we went on recess, it is important. The leadership of this County Assembly may be accused of sleeping over some segment. *(Applause)* So, it is important, Hon. Thuo, that the Member may at this particular moment process or terminate his Motion. I thank you, Members. Go ahead Hon. Thuo.

Hon. Stephen Kamau Thuo: So I think---

Hon Speaker: Order Member! Order!

Hon. Stephen Kamau Thuo: Thank you, Mr. Speaker, the Governor comes from my Ward and I would want to protect the Governor of this County. So, I am urging the Hon. Chege to come forward to tell us to either go ahead with the Motion or we withdraw the Motion. As we have said Mr. Speaker this House can be accused of pending issues, Mr. Speaker and the impeachment Motion is one of those issues. Thank you.

Hon. Speaker: Okay Members.

Hon. Stephen Kamau Thuo: Mr. Chege is here, can we have the right of reply, Mr. Speaker Sir? Thank you. *(Loud consultations)*

Hon. Speaker: Order Members! Order Members! Can we first proceed with the Motion at hand. This is also an important issue of this Assembly. Indeed it is an important Motion, but what I am saying now is that we are on Motion number 8. Motion number 8, please!

(Loud consultations)

Hon. Member for Kayole South Ward (Ms. Elizabeth Akinyi Manyala): Thank you, Mr. Speaker, I just want to tell you that the Hon. Member who stood on the floor of the House, did not even stand on a Point of Order and secondly, all these are allocated time in the contents of the Order Paper and the Motion on impeachment is lacking on the Order Paper. What is on the floor of the House is the debate on the Governor's Speech. I think you will withdraw the impeachment Motion after I have finished, because I am already on the floor of the House and I am contributing on debate on the Governor's address, thank you, Mr. Speaker. And thou shall keep quiet until--- *(Laughter and loud consultations)* you read and understand your Motions and Standing orders well. Thank you, Members.

Hon. Stephen Kamau Thuo: No. Mr. Speaker---

Hon Speaker: Order Member! Order! Sorry, I didn't hear. Order Member!

Hon. Stephen Kamau Thuo: Mr. Speaker, protect me I am being insulted in your presence, Mr. Speaker.

Hon. Speaker: I didn't hear what he was saying. Can you repeat what you have just said?

Hon. Stephen Kamau Thuo: Yes, Mr. Speaker this is not in order.

Hon. Speaker: I was consulting with the leader of Majority so, yes.

Hon. Elizabeth Manyala: Mr. Speaker, Thank you for protecting me, I did not abuse anybody

(Loud consultations)

Hon. Speaker: Order Members! Order!

Hon. Elizabeth Manyala: I have not abused anybody I have just said, the Member should check on his Standing Order which is at his disposal.

(Loud consultations)

Hon. Speaker: Order Member! Order please! Order! Order Members! Hon Members, I have authority to indulge with any Member that I feel or any Member that feels in need of advice from me or from

whom I want advice. I have the express authority to do that. We have to consult each other as brothers and sisters so when I am consulting--- I have been consulting with Hon. Thuo, so let us live and let others live but do not let others die. (*Loud consultations*) Order Members!

Hon. Elizabeth Manyala: Thank You, Mr. Speaker for protecting me.

Hon. Speaker: And can we now go to Motion number 8, please.

Hon. Elizabeth Manyala: Yes, I am proceeding on the debate on the Governor's address during the official opening of this Assembly, for the second time. His Excellency, the Governor's speech was quite comprehensive. However, in the fourth schedule of the Constitution touching on the Early Childhood and Education Sector, I did not see him emphasizing enough on village polytechnics which are under our docket and on which our performance will be measured as well as Early Childhood Development (ECD) institutions.

However, he dwelt a lot on the National part which touches the Primary, Secondary and University; but having said that, the other part of this speech, was really comprehensive because on the matters of Health he captured it very well because Mutuini is now going to be rehabilitated and we are going to have a full fledged hospital which is going to be elevated from level three to level four, Hon. Members. That is a plus because we need good health for our County.

Again in terms of Human Resource and capacity building he really emphasized about broadening the World view of the County Staff and the Members of the Assembly by even giving carrots and not sticks because he said that from now there is a budget that has been set for Members who will go and further their Education abroad. Members have access to education granted there; so, Members the ball is in your courts. That is a plus for the County. There is also the sharing of information between Counties, which he really emphasized and I think this will really make us become lively, burbling with ideas. Thank you, Mr. Speaker.

Hon Speaker: Hon. Chair Trade and tourism.

Hon. Member for Roysambu Ward (Mr. Peter Muriithi Warutere): Allow me, Mr. Speaker to welcome you back and at the same time, welcome other Members who had gone on overseas trips. I hope you have been able to come with goodies for this County. However, having said that, I further ask you with your indulgence to allow me quote a few words, that were made by David Commack at a time of grief and at a time when he strongly felt that things were not going in order and I quote "*Without a vision there is no direction, without direction there is no purpose, without purpose there are no targets, without targets there are no priorities, without priorities there are no plans, without plans there is no hope*". Why am I saying this? We are in a position that allows us to do exactly what is expected of us.

This Governor gave us a very beautiful speech a year ago, and ten months down the line he came up again with another very beautiful speech. But I am bothered by a few things that are happening. My people on the ground are asking, are you people in Nairobi doing enough, and are you people in Nairobi living to the expectation of the people of this great City? My answer, if I was asked, I would reply in a negative manner. Why? Because I still strongly believe nice speeches do not do roads, nice speeches will not allow us to come back in 2017. Tell a Member, that we can take stock and say we did something.

Therefore, to me this is high time we now start walking the talk. If I may pause and ask the Governor, the good Governor, to show me one Kilometer of a road that he has done in this beautiful City; to show me one unit of a house that he has constructed in this beautiful City, trust me he would show me none. *(Laughter and Applause)* If I ask him to name five scandals that are being publicized by his people he will give me enough because there are enough of them. Anyway it is for this reason that I stand here as the first person, to tell the Governor that if he thinks that he has done well, he can do better than what he is doing.

Why? Because, I don't want to be a one time Member of the County Assembly. I want to go to the statistic of *akina* Kado's of this House, so that I can live to see my third term and even graduate and translate to the next level. But with this Governor, with the same structures, if things are not done differently, trust me I am going to become a one time Member of the County Assembly and possible after that then I will have to translate and go back to my Publishing Business.

So I ask this question; honestly, is this what we want? We have been given teeth to bite and I know what is happening in Parliament today or what happened a few hours ago, is that Members of both Senate and the National Parliament, have decided that finally we need to give County Assembly proper teeth to bite, so that we can do the over sight work that we were given. Therefore, allow me not to criticize the good speech of the Governor and not to praise it, but as a friend to tell him the truth.

The time has come one year down the line we need to take stock of what we are doing. And if you ask if he has, sincerely, honestly, a sincere friend will tell you the truth. I think history will judge me harshly if I don't tell our good Governor that the time of talk is up, time to stand up to be counted is now.

We don't want to come as second or secondary to what is happening in other Counties. For example whatever is happening in the County of Machakos or others who are doing a good job. So I beg you friends, comrades that we tell the truth and that we start our oversight role and that we ask what is likely ours. I think with that I beg not to praise the good speech of the Governor but to tell him the truth that he needs to wake up and lead from the front. Thank you, Mr. Speaker.

Hon. Speaker: Can we give the lady, Hon. Diana Kapeen, then Hon. My friend.

Hon. Member for South C Ward (Ms. Dianah Kapeen): Thank you, Mr. Speaker, welcome back to the Assembly and thank you, the Leader of Majority. I wanted to welcome you back, but you got it ahead

of me. Mr. Speaker sir, I would like to comment on the Governor's speech and I would like to support what my able Chairman for Trade has said. But I would also like to tell him that during the transition time, the Transition Authority said that with regard to roads, the County Government could not afford to maintain and develop the roads for Nairobi and restricted us to Estate roads and the likes.

Through the Speaker, and in order for us to help the Governor to achieve what he said or what he read in his speech, I would think that, our Assembly--- all of us having ambition should support the Governor to bring back our roads from KURA, so that the Hon. Member for Trade can see the County constructing roads because right now roads for the County are being done by KURA. Therefore, Mr. Speaker through your good office probably we should tell this Assembly to help the Governor bring back all our roads so that we can achieve what he read in his speech.

I would also like to comment on the speech of the Governor regarding Education. I am glad that he said that they will grant funds for education for people to further their studies and I am hoping that it includes the County Assembly Members given the fact that in the year 2017 you will have to be a degree holder to be in the Assembly. So, through your office I would also request that in his--- Let it not be that we are making laws to benefit other people but we also need to benefit as a House and have good leadership that can contribute positively through education.

I would also like to comment on the side of health. In this House we have Hon. Members who are women and men of child bearing age and probably also some of us and in fact, one of us is going to have a baby soon. We want our maternities to be fully equipped so that we start by an example of not paying for ourselves at Nairobi Hospital but we can proudly go and visit one among our own in Pumwani or Mama Lucy courtesy of the good work of the Governor.

Therefore, Mr. Speaker sir, I would really say yes to the Governor's speech, indeed it has good words. I would really appreciate if all of us can come together and make the good works come to pass, not forgetting that we inherited a very defunct and bankrupt County. So I would really pray that whatever he has spoken to us, will come to pass. Thank you, Mr. Speaker.

Hon. Speaker: Thank you, Hon. Members. Who is the lucky one? Hon. Member---

Hon. Member for Kahawa West (Mr. Patrick Chege Ngaruiya): Thank you, Mr. Speaker. I want also to welcome you back together with the Majority Leader--- you know the people from the lake, if you don't see them they will have to ensure that they are seen (*The Speaker laughs*) Thank you, Mr. Speaker. I would also wish to inform you that while you were away I was also elected the Deputy Minority Leader of the Jubilee side. I don't know whether the Majority Leader is aware. So, thank you so much. Mr. Speaker, I would also want to contribute something to do with the speech of His Excellency the Governor.

I want to say that it is very important that he emphasized mostly on the Ward Development Fund (WDF). Mr. Speaker, I don't know what is happening with the Majority Leader because he is not giving us

any information on what to do, after we passed the Bill and the Bill became law and the Governor was very happy about it. As Members of this Assembly, as Hon. Members what are we doing to ensure that the WDF is not forgotten? We need to start moving because I believe this is what is going to save our people on the ground.

Mr. Speaker, he also mentioned something to do with slums. I remember sometimes back Hon. Onduru came here with a motion on how to ensure that those people who live in slums are given the relevant documents so that they cannot remain squatters for life. Mr. Speaker, up to today, nothing has been achieved. Every time we pass motions in this Assembly, I don't know where they end up and there is a Committee on Implementation. So many people live in slums and it is not their wish to do so. I think something should be done in this County whereby we should visit these slums, as the particular Committee that is in charge so that we establish how we can assist so that this particular people can get the relevant services that are also found in Kileleshwa and so many other places.

Mr. Speaker, on issues of ICT (Information Communication Technology), I feel sometimes bogged down because for one, this Assembly has heard the same rhetoric that was contained in the Governor's speech at the beginning of this Assembly on the issues to do with ICT. And I remember also saying that Members of this Assembly should not be carrying papers to this Assembly. The HANSARD writers should not be using these papers to come and--- I think there are a lot of papers around, Mr. Speaker.

It is becoming very difficult for the Hon. Members to carry those 'things'. I had requested last time, Mr. Speaker, that the Hon. Members be equipped with tablets, they be equipped with ICT gadgets so that at least they can be in a better position to communicate better and even carry their documents or whatever information that is in the Order Papers. They can also be in a position to do whatever is expected of them with ease. Mr. Speaker, I also remember that Hon. Akuk brought a motion in this Assembly where he had asked about the fiber optic cables. Those trenches are still being dug and all in the name of improving ICT in our County.

On issues to do with infrastructure, Mr. Speaker, it is indeed true that from the time we were elected in this Assembly--- it is very sad that we come from areas that have only one tarmac road. Mr. Speaker, in our County we only have one grader and that grader as we are speaking, has stalled. We cannot improve on infrastructure and yet we do not have the necessary equipment and facilities to do that work. I want, as we speak here, as we make very good speeches, we also do something that is going to be reflected on the ground.

Mr. Speaker, on issues to do with education we are happy as Hon. Members that the bursaries are being to be released. We are also asking that something should be done so that the education system in our County does not stall. We should ensure that the ECD (Early Childhood Development) section as per the 4th Schedule is taken care of and take stock of the number of youth polytechnics that were inherited by the County Government from the Ministry of Youth. If the transition period is still on, it would be important for us to know for how long and where these particular institutions will be getting their funds from. As we

are talking they should be aware of what they are entitled to or where to go. With those few remarks, Mr. Speaker, I beg to sit. Thank you.

Hon. Speaker: Mheshimiwa.

Hon. Member for Clay City (Mr. Erastus Muiruri Mwaura): Thank you, Mr. Speaker. Allow me to introduce myself because it is not a surprise that I am speaking for the second time ever since I was elected but I am not the only one and I want to encourage other Hon. Members, to take this bold step as the Deputy Speaker last week encouraged us to. Whether you know how to construct a sentence or whether you don't know, just make that bold move, because practice makes perfect. At one point I read a statement in a newspaper and there was a preacher who, before he mastered the art of preaching, could go to a maize plantation and preach to the maize plants and finally he could preach to a larger gathering.

So, aside from that, Mr. Speaker I come from a very unique Ward and I believe that there is no other Ward which has got a name like that one. There is no other Ward with such a name; it is called Clay City. No other Ward with has that 'city'.

Aside from that I want to support the Governor's speech although at the same time it has some shortcomings. In that speech he quoted that we have around 300,000 properties in Nairobi and out of those 300,000 only 124,000 make returns in form of rates. So believing that the County Government stands to earn a lot of money from rates on property, I wish our able Governor could have started by issuing Title Deeds to all informal settlements. I believe even through the package we were given after we were sworn in here, majority of us and I believe this is true, Hon. Members took some loan. Out of that loan majority of you, I believe 90% for those who did not have land by now, I believe they have a portion of land to construct a house--- that is totally true.

And we stand a very good chance, Hon. Members, and we will be held accountable by those who elected us. Let us bring Bills so that we can personalize issuance of Title Deeds, so that after one meets all the requirements to given a Title Deed, he/she should not be held behind by the other people in his/her farm who are not able to contribute for him/her to be issued with a Title Deed. So, that on individual capacity if you are able to meet your own requirements, you are given your own Title Deed. Mr. Speaker, I believe issuance of Title Deeds in the formal settlements and leaving out the informal settlements won't augur well, because everybody here in Nairobi or Kenya is equal. I also want--- and I wish all of us would rally behind my proposal, that we come up with a Bill so that issuance of Title Deeds--- all those hurdles which are there are removed--- because in Kenya getting a Title Deed may take you not less than 9 months. That is totally true; I believe that. And with those few remarks, I want rest my case there. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much, Hon. Member for Clay City. For your information the County is about to form a land Commission; the County Land Commission to look into what you have just said. Thank you. Hon. Mbau.

Hon. Member for Mlango Kubwa Ward (Mr. Andrew Mbau): Thank you, Mr. Speaker and welcome back together with the Leader of Majority. The Governor's speech was very comprehensive and expeditious but I want to dwell on one item that is education. They say this are your things, these are my things. I am talking about a fundamental issue. It is usually very disconcerting and especially this is a firsthand experience I have got, especially from my area. I understand the primary schools are not under our jurisdiction but we were given a period of three years to still look at them. But I think we should strive to do our best because Nairobi is a special place. The fact that every other primary school and their Title Deeds and everything belongs to this County, as it was the case before, I believe the County is special compared to other Counties.

The performance of public primary schools is very disconcerting and just recently the Governor launched a task force to look into bridging the gap between the performance of the public schools and private schools. Let me say this, the reason as to why public primary schools are performing so poorly is due to lack of finances. The majority of the people we represent belong to that category. I was thinking that because I believe in the words of--- I am a student--- the words of Abraham Lincoln who said that, "*Don't ask what the Government has done for you but ask what you will do for the government*", because at the end of the day, the government is me and you.

I believe the Governor's speech was okay but every good idea can become a better idea. Before I do that--- I want to quote the words of William Arthur who said that, "*Because I want to give, flatter me and I may not believe you, criticize me and I may not like you, ignore me and I may not forgive you, but encourage me and I may not forget you*".

Mr. Speaker I was thinking that it is high time we came up with a policy may be to start something like the Governor's Education Fund and go out to get corporate bodies' sponsorship. Although primary education is free, there are so many factors that make children from slum areas not to attend schools. There are issues of uniform, food and many others. Yes, I believe we have four categories of public schools. We have the highly well-resourced primary schools, the likes of the Agha Khan in Westlands, Hospital Hill and the like; we also have the medium schools, depending on where the school is, like City Primary is a medium school, St Teresa's. We also have the lower resourced primary schools like Mathare, old Kiboro and the like.

At the same time we should put into consideration the informal schools. What I meant by getting corporate sponsorship is being with funds and looking into what makes a poor kid not to perform. It could be because the child is obviously hungry or is a poor learner. If we could get this Governor Education Fund, a body that should be led by a person of high integrity, a person with a sense of strong leadership and a symbol of success; someone like Manu Chandaria, Joe Wanjui, Prof. Eshiwani or Prof. Mazrui. Those are people once their face is put at the front, we can easily access corporate sponsorship to run such a fund. I am proposing that this fund should also have a trustee and that trustee I emphasize should be a lady

whoever it should be, the First Lady, the wife of the former Prime Minister whoever is chosen to run it because this fund should also come with a criteria for awarding.

For instance the County should take responsibility especially of the best performance not from the well-resourced; the so called the highly resourced schools but the lowly resourced public primary schools whichever school performs exemplary; the body should come up with a criteria of awarding these teachers and students. For instance in a slum area when a kid knows if I happen to be from number one to number even fifty within the zone I will get a token or an award, be it 2,000 or 3,000 shilling or I will get a new uniform, they will be encouraged to go to the next class. A good example is Kiboro Primary School. This is a school in my Ward, where there is a donor who volunteered to be issuing free lunch to those kids and since the commencement of that project the rate of absenteeism has seriously gone down.

Hon. Speaker: Point of Order!

Hon. Member for Nairobi South Ward (Mr. Manoah Mboku): Mr. Speaker is what the Member is telling contained in the Governor's speech, really, Mr. Speaker?

Hon. Speaker: Point of Order.

Hon. Andrew Mbau: Mr. Speaker, I said when I was contributing--- I started, the Governor actually mentioned a lot of things even touching on education and my take was, a good idea can be made into a better idea and what I am doing now is making a good idea a better idea. I wish to rest my case because that's all I had.

Hon. Speaker: Thank you, Hon. Chief Whip, Hon. Mberia.

Hon. Chief Whip of Majority (Mr. David Mberia): Thank you, Mr. Speaker Sir. Let me take this opportunity to welcome you back plus the Leader of Majority. Mr. Speaker, while you were away, the Members of this House gave us a very, very rough time. We got it rough and don't ask me whether--- of course the speech is contained here. I am going to contribute to it, but, Mr. Speaker, I think Members must take the business of this House very seriously. It's not a must that the Leader of Majority or the Speaker or the Clerk must be present in this House for the business to be conducted properly, Mr. Speaker.

(Loud consultations)

Hon. Speaker: Order Member! Order!

Hon. Chief Whip of Majority: I believe respect is not demanded. Give respect, you'll be given respect but now that you are back, Mr. Speaker, I believe there is no go slow anymore in this House. If I can look at the same sides of the House, Mr. Speaker, this side of the coalition, seems to have a hidden agenda to the business of this House. The Leader of Minority is not present and the Minority Whip is not

present. We would like to know whether there is a go slow in this House, Mr. Speaker? Allow me this chance to contribute to the Governor's speech.

Hon. Speaker: Order! Order Member! I think I have noted with great concern and you know in English you call a spade a spade. I will be going to seek the leadership of the Jubilee Party to find out whether there is a deliberate move to derail the proceedings of this House. I am pleased to note the sentiments of the Leader of Majority in the National Assembly; the warning that has been sent across the country to Members of the County Assembly to really take matters of the Assembly seriously. I'll be left with no other choice than to make an adequate report forthwith to the leadership of both parties. Thank you, Hon. Member.

Hon. Chief Whip of Majority: Thank you, Mr. Speaker for that concern and I hope it will be addressed properly. Now, allow me to contribute to the Governor's address, which was just as ambitious as the first one, Mr. Speaker. As Members of this House we must always take stock of what has happened in the last one year. I think when the first session was opened by his Excellency the Governor, he made the same, almost the same speech and as a House we need to take stock exactly one year later whether what was said has been implemented or it is in the process of implementation.

It is one year, I think Members of the 85 Wards, you can say with confidence whether something is being done in your Ward or not, but that is a story for another day. Mr. Speaker, I am very happy that 7.6 billion has been set aside for development projects. I was concerned that some officers from the County went to our Wards to consult the people, even my people of Karen, on maybe the development they would like done and I was not aware. I think any consultative meetings must involve Members of this House; the elected Members must be involved even nominated because at the end of the day we want Nairobi developed, Mr. Speaker.

Mr. Speaker, the Governor talked about decentralizing garbage collection to all the 17 Sub Counties. Mr. Speaker a Sub County is a constituency and a constituency of course like Lang'ata has five Wards. If we decentralize this garbage collection to every Sub-County to have maybe a center for garbage and one greenhouse, Mr. Speaker, we would like our youth groups from our Wards to be employed to both carry out garbage collection and do the businesses from the greenhouses. I think it will be one way to create jobs to our jobless youth.

The Governor talked about mobilizing stimulus funds to rehabilitate and repair all roads in all 85 Wards. Mr. Speaker, in fact we brought proposals for five roads per Ward to your office, and as far as I know, nothing has really been done. We'd like to know from your office when these roads will start to be constructed and we want as a County to do things differently. We want our roads to be tarmacked or put gabbro 'things' so that we can be different from what CDF (Community Development Fund) or other CDF committees are doing.

The other thing, Mr. Speaker, there is this thing called UWEZO Fund which is now run by Members of Parliament. As Members of the County Assembly, we would like also the same to be integrated in the County Government because things cannot be done without even our consent in our Wards from maybe the Constituency level. Therefore, the same thing must be integrated into the County Government and then go to our Wards, Mr. Speaker. The Governor said that 30 % of our procurement jobs will be done by youth. Now, Mr. Speaker, these youth have a window of opportunity. They can register a company and they can buy maybe a bid, a tender for a particular job maybe to supply or to do any other job, but majority of these youth are very poor. They cannot raise money to do that job and then demand for payment.

I would propose that if these youth surely are given 30%, this is a really big percentage. We would like the executive plus the County Assembly to engage with our friendly banks so that after the youth, the groups have tendered then we engage the banks to give them loans and then after doing the job the loan is repaid back to the banks and this boys can now get something for themselves as profit. I think it can be possible because we have Equity, we have Co-operative Bank, we can cooperate and make sure that these youth get loans to do this bidding and then they supply or they do roads and then afterwards they will repay the loans to the bank.

Mr. Speaker, the idea of TV and radio of course is long overdue, we hope that before the next address of the Governor we'll have our TV station and our FM radio station. I think I've covered almost everything but the 300,000 properties in Nairobi, Mr. Speaker, can really give this County a lot of money. This is a rich County and if there are 300,000 ratable properties and it is only 124, which are accounted for, really we are doing nothing. But I saw a Bill, we are going to help the Speaker, the Executive, we are going to pass this Rating Bill and the Valuation for Rating Bill and I hope that they will capture every property.

If there is an association like in my Ward there is the Karengata Association which pays rates to themselves, we would like this money to come to the County Government of Nairobi. But I know if we do, if we collect rates for 300,000 properties and I remember the Governor saying that if we are going to help him collect good money there is no need of us going to beg for grants to buy cars. He told us we will go to CMC and everybody, every Member will pick a Mercedes Benz and we know it will happen, Mr. Speaker sir.

Thank you and welcome back, Mr. Speaker.

Hon. Speaker: Hon. Nyang'wara.

Hon. Member for Viwandani Ward (Mr. Samuel Nyang'wara): Thank you, Mr. Speaker. Indeed the mood of the House is that the report has been--- actually the address of the Governor has been exhaustively discussed and Members are in support of the speech that the Governor gave. I was requesting, Mr. Speaker, if you can call the mover to reply.

Hon. Speaker: Hon. Members I now call the mover of the motion to reply.

Hon. Leader of Majority: Thank you, Mr. Speaker, but before I reply, first I want to reply to the former nursery school teacher who said that the people from the lake want to be noticed even if they are not supposed to be. He also said that I did not know that he was elected minority whatever. That's a very small seat (*Laughter*) because if it is already minority then you become assistant to minority again then you are--- you make yourself to be smaller than what I think you should be.

Okay, Mr. Speaker, also I want to answer what he asked because he asked about Ward Development Fund. Yes he was very right to ask that question because that is what we want and what we are going to develop our people with, develop our Wards and the service delivery for our people who elected us. So, it is very important and I must assure the Member that we are going to constitute a committee in the next one week. We are going to have a committee on Ward Development Fund.

Also what was he was talking about--- I think Mr. Hon. Gatere -- but I think this name 'Hon.'--- I don't think I am going to use it because even the MP's (Members of Parliament) want to remove it from you people because I am also just thinking like this 'Hon.' thing is not matching you people because you people don't deserve it. Even the way you people--- you just say it is okay, Mr. Speaker, (*Laughs*) according to what Warutere has said, it is true---

Hon. Elizabeth Manyala: Point of Order, Mr. Speaker!

Hon. Leader of Majority: It is true, Mr. Speaker---

Hon. Speaker: Order! Order Member! Order!

Hon. Leader of Majority: It is true there is no way you can put a Point of Order on your boss. Mr. Speaker, what Mr. Warutere has said is true. We are not just going to eat good speeches from the Governor. He must do something because last year--- what he said last year is what he said this year again. It is about one year now, we have not seen anything in our Wards, so, somebody cannot tell us it is the transitional period. There are some Counties which are moving. There are some counties which are running and yet Nairobi is walking, we are just walking. So, I think it is high time we must tell the Governor-- - even if I am representing the Governor in this House, I must tell him the truth.

I don't see the reason why we are just going to say "*Oh! Governor your speech was good*". Good-- helping us with what? We must tell him the truth. He must wake up and he must work (*Applause*). He must wake up and work. So it's high time, Mr. Speaker. I am going to tell the Governor that his speech was good but he needs to do something. We don't want these theory things, we want practicals. These are just theory things. We want practicals. We don't want somebody to tell us that I am going to do, I am going to do, I am going to do. Actions speak louder than words.

So, in any case, you also, Mr. Speaker, if you meet the Governor, because I know he is your friend, just tell him the concern of our Members in the Assembly; that he must do something right now. It is one year down the line; we want to fill these potholes. We want good schools; nursery schools especially.

The reason why my friend here left teaching is because there is no school where he can put his nursery children. We also want clean water in our pipes. We want total security in Nairobi. We want street lighting. These things he can do. You know service is not only paying people's salary because one year down the line he has just been paying salary, all the time. We should just give service to the people. He should just stop this nonsense of cleaning all the time every Saturday. He should empower people to work.

If you meet him anywhere, just tell him the Leader of Majority said that. And I also, I will tell him. So, Mr. Speaker, with those few remarks, I must tell whoever wants to give birth today--- as I see these women here as Diana Kapeen said, I think you must be ready for it because we brought medical equipment to Pumwani. We signed a contract deal with those people of Denver. So I think you are going to get Pumwani ready, just have it; just have it (*Laughter*). You'll get it.

It is very important to tell you that, because we did not go there for leisure, we went there to do something for Nairobians. I saw two ladies here who are about to give birth. So, do not go far; Pumwani is just about four kilometers from here, so Diana *usifunge, endelea kuzaa*. So, it is very important, Mr. Speaker and I thank you for that and keep on guiding this Nairobi County because you have done a very good job for the last one and a half weeks when we were away in Denver. It was cold but as you know we are big men and we did not feel the cold. Thank you.

Hon. Member for Ruai Ward (Mr. Daniel Mari): Point of Order!

Hon. Speaker: Yes.

Hon. Daniel Mari: Mr. Speaker sir, I rise on Point of Order number 80 and I want to make a personal statement concerning the security of the Members.

Hon. Speaker: Just hold on please. Hon. Member, as you are aware, we are just about to close, that one should have been done under number 7; Statements. So, could we leave it for tomorrow, Hon. Member? We leave it for tomorrow?

Hon. Daniel Mari: It is an emergency matter; it is a very urgent matter.

Hon. Speaker: Hold on, please!

(The Speaker consults with the Clerk)

Hon. Speaker: Hon. Members, I now put the question that the thanks of the County Assembly be recorded for the exposition of the public policy contained in the address of the Governor delivered on February 12, 2014 and as many as of the opinion say 'aye' and as many of the contrary opinion say 'nay'. The 'ayes' have it.

(The Question was put for the debate on the Governor's address and agreed to)

Hon. Members, can I take the emergency Point of Order? Hon. Mari.

Hon. Daniel Mari: Thank you, Mr. Speaker, Sir. I rise up to raise a matter that has been happening to my life from last year. Immediately we came into this House on March 15th, during the month of April my family was attacked by thugs and we raised this matter in this House. My wife was cut on the forehead, she received 15 stitches on her face and then on her right hand, the palm of the right hand, she received 12 stitches. I reported the matter to Kasarani Police Station and up to date nothing has happened.

We reported to our leaders and also to this House and the matter was taken very lightly. Up to date four times I have been followed by thugs, by people I do not know, in vehicles. When I am driving I can see about three vehicles away from my vehicle and I know a vehicle that is following me. I live in Kiambu and when I see them following me I head to Kiambu Police Station to shake them off. This year in the month of January and last year, November, a young man - and I perceive this man has been sent by these guys - insulted me so badly in front of the Assembly on the other side.

We were with some Hon. Members here and they told me, no, just leave the guy alone. Then this year when I was coming from the precinct of the Assembly I met the same guy in the parking lot and he repeated the same but I could sense that he wanted to provoke me into action so I refrained. On Friday last week I went on air and I talked about it because this is a political move and I believe if we do not highlight these things in the Assembly and know what the County Assembly is doing concerning our security, we will be losing one Member after the other.

Already the opponents, those that were opposing us on the ground, have ganged up. It is either I am out on Petition or Appeal that is in the High Court or they put me out completely. Therefore, I am requesting this House under your direction, Mr. Speaker, to give us a concrete plan on how the security of the Members will be handled in this House.

(Applause)

The precinct of the Assembly is another thing and I am deeply concerned. Now reading from that script, if a person can come and insult me in the precinct of the Assembly, what can happen outside? So, political positions are very sweet but life is sweeter than the positions. Thank you, Mr. Speaker.

Hon. Elizabeth Manyala: Point of Concern, Mr. Speaker!

Hon. Speaker: I know your concern. Hon. Members, I am deeply, deeply concerned and at the same time I want to take the full responsibility for not taking action at that particular time when you reported that case here. Indeed, Hon. Members, it is only about three weeks or a month ago when Hon. Elizabeth Akinyi was in very serious problems, but I advised her to report to the police but she has not come back again to me to report what happened.

Once again, Hon. Members, I want to tell you that I take full responsibility for your security. Members, when I speak here this afternoon I speak with a heavy heart because I know what you are going through, from people who want plots from your areas, people who want your seats, they are all hovering around and you are not sleeping. Hon. Members, I have a problem with the Executive, I have a problem with the Executive Members and the problem is that when we try to arrange even your parking spaces it becomes completely problematic.

The Clerk and I have tried to summon some of the officers to deal with the issue of the precincts of the Assembly. But if they have the audacity to try and take over the garden here, what else can they not take? We are alone; here, before you I want to ask the Leader of the Majority to pass a message to the Government of His Excellency, Dr. Kidero that we are going to take some very serious, serious steps with regard to the security of the Members. In fact, it is the other day that I was telling the Clerk to ask them to remove my security, is that not correct, Clerk?

Interim Clerk: Yes.

Hon. Speaker: I asked him, what is the point of my security being denied even a walkie talkie? You remember, Hon. Elizabeth, when there was a fracas in the office of the Governor we were having tea with you. Some of the things would not have happened because we would have been there in a very short time if we had communication. I even tried to call the Hon. Leader of Majority because we had heard there was a problem from 411 and we were only 20 metres away from the office.

I have security in my house who do not even have a *panga* and I told the Clerk, ask them to withdraw my security I do not need them and that is why most of the time you see me driving myself around. I feel a bit secure when I am alone because I can handle the situation when I am alone but not when I am depending on somebody who has nothing.

Hon. Members, and these are instructions from me, Mr. Munyambu should be in my office tomorrow at 9.30 a.m. and I would like to ask the leadership of this House to be with me when we put these things across. I also want the Members who have had various incidents to come with the occurrence books so that we can follow them immediately. I know people here do not care about the Members. We also have plans, Hon. Members, to close up the whole of the Assembly and we have found it fit that the contractor who is on site should be given the work to put up the *chumas*.

When I sat out there when there was the Committee of the Whole House and I saw that you were standing with the people, idlers, and I looked at my Members and I said, my goodness, these people are sitting ducks. Hon. Members, tomorrow at 9.30 a.m. you be in my office and please, Hon. Manyala, and any other person who thinks his or her life is in danger, we must now stand up.

The other thing is on the issue of parking, the other day they clamped cars and I was called by one Member who said that the Hon. Speaker had ordered the clamping of peoples cars and I said, how would I order the cars of the Members to be clamped? I kept quiet because I did not want a confrontation with anybody because we were going on safari.

Nonetheless, I want the Committee of Works to meet me tomorrow morning at 10.00 a.m. in my office so that we can address these issues momentarily together with the security and I want to tell you once again that I take full responsibility of what has happened to you Members if we have delayed a little bit but I will now engage the leadership of this House at the meeting tomorrow so that we can now leave it to Mr. Munyambu who is the head of security of this County. If he is not able to, then we will look for other ways to deal with these matters.

You will find Chief Officers with vehicles and walkie talkies while your Speaker goes with a mobile phone. So, Hon. Members, I want to thank you once again and as the Leader of Majority pointed out, we had a very successful trip and I know in time you will realize how important that meeting of ours was. It was extremely cold, very cold. We signed a Memorandum of Understanding to supply the County of Nairobi with medical equipment and perishables worth 450 thousand Dollars, which is equivalent to about 38 million or 39 million Kenya shillings, thereabouts.

We will be signing documents in a short while to pay for the freight of the same to Nairobi. We have also put systems on education which we will avail to you in writing very shortly. The other one that we did is indeed not only the pride of Kenya but the pride of Nairobi County Assembly in twining up with Denver City, the twining up of the two cities which is under the Sister Cities Initiative. We were so fortunate and by the way, we had gone for other important issues but we also witnessed a signing ceremony, a very emotional ceremony of the return to this country of items stolen and stored in the Denver Museum of Arts and Science for 23 years.

(Applause)

These are priceless ornaments for the people of the Mijikenda community but they could only come through you because of the relationship between Nairobi and Denver and indeed, our own personal friends in the United States of America and we want to thank his Excellency, the President, who sent his own Ambassador in the United States to accept the items on your behalf. We will be having a ceremony to hand over this document that we have signed to the Governor who will later communicate to the President of the Republic and then the shipment of the items which are very heavy will be done. 30 of them could weigh up to three and a half tons.

So, I am proud of you for even allowing me and my delegation to go to Denver to do that for the country and also for the County Assembly. We have tentatively identified the most problematic hospital, the Pumwani Hospital to receive the latest state of the art gadgets for our mothers from the slums who always go to that hospital for delivery and as we continue in our efforts we will continue to help Mbagathi and other hospitals. I am proud of you indeed, for giving us that opportunity to go to the USA and do what it takes and I am also happy to inform you that we followed the laid down procedures of going to the USA or Europe through all the departments of the Government and I want to announce to you that you are a very special people.

When the Hon. Deputy Speaker went to meet the Minister for Foreign Affairs, I am told he was told that the President had said that you people be given your visas to go. So, I also want to thank His Excellency the President and the Ministry of Foreign Affairs and the Ministry of Devolution for giving us that service. So, whenever you want to go out we will go, this County Assembly has 127 Members, this is not a County Assembly of 12 Members or 20 Members, and any opportunity that comes for you to travel I will sanction your travels anytime. So, I thank you, Hon. Members and there being no other business the House remains adjourned until tomorrow at 2.30 p.m. Do not forget, Hon. Leader of Majority the House Business Committee will sit after the rise of the House and I will request the Leader of Majority to Chair the Committee. I thank you.

(The House Rose at 4.30 p.m)