



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Third Session

Thursday, 12<sup>th</sup> February, 2015

The House met at 2.30 p.m.

(Hon. Deputy Speaker Mr. Kennedy Ngondi in the Chair)

### PRAYERS

#### COMMUNICATION FROM THE CHAIR

**Hon. Deputy Speaker:** Hon. Members, I have a Communication to make and this in regard to the letter approved by the Speaker and this is the protest against the House Business Committee Members list.

The above Matter refers, in accordance with the provisions of the Standing Order no. 152. I constituted and submitted the list of Jubilee Member's House Business Committee. I expected equal representation of the House Business Committee in the Assembly. Thus, forwarded nine Members from our side to the Principal Clerk for further action, now I have seen that the names of the Jubilee list have not been included in today's schedule of House in the Order Paper.

I clearly don't understand and wish to strongly protest against it. Hence propose the immediate withdrawal of today's Motion in the Order Paper or otherwise include the Jubilee Members. Kindly, advice appropriately and intervene to harmonize the current standoff. Thanks in advance.

Okay, Hon. Members, I will just make a directive in a short while, so can we proceed.

**STATEMENTS**

**Hon. Deputy Speaker:** Hon. Members we have a request for statement from Hon. Kamau Thuo regarding the fire outbreak at the City Park Market from the Chairperson of Select Committee on Trade, Tourism and Cooperatives. The Chairperson for Trade, Okay! Hon. Thuo proceed.

**Hon. Member for Karura Ward (Mr. Kamau Thuo):** Hon. Speaker thank you for-----

**Hon. Deputy Speaker:** Excuse me, is the Chair Trade in?

**Hon. Kamau Thuo:** Former Chairman is in, the substantive Chairman is in.

**Hon. Deputy Speaker:** Granted.

**Hon. Member for Mwiki Ward (Mr. Isaac Njoroge):** Thank you Mr. Speaker I need your guidance in Standing Order No.152 concerning the Constitution of the House Business Committee.

**Hon. Deputy Speaker:** Order, I have just said that I will communicate on the issue later. Please, Please! Let us proceed with Order No 7.

**Hon. Isaac Njoroge:** My question is whether we should continue with business having not constituted the House Business Committee because the statement been read here Mr. Speaker

**Hon. Deputy Speaker:** Order! We are going to come there.

**Hon. Isaac Njoroge:** Mr. Speaker, I think the statement is a House business so we should not even continue to transact business

**Hon. Deputy Speaker:** it is under Order No. 8, so we will deal with it when we reach in Order No.8 just allow us to proceed.

**Hon. Kamau Thuo:** Thank you Hon. Speaker, my Statement is in form by the fire that destroyed City Park Market on 5<sup>th</sup> February, 2015. Mr. Speaker, pursuant to Standing Order No. 41 (2) (c), I wish to request for a Statement from the Chairperson of Sectoral Committee on Trade, Tourism and Cooperatives regarding the fire outbreak at City Park Market.

Hon. Speaker on 5<sup>th</sup> February, 2015 there was fire outbreak at City Market where traders at the Market lost many of their goods. In the Statement the Chairperson should enquire into and report on the following:

1. Probable cause of the fire outbreak at City Park Market
2. Whether the County Executive has plans to compensate traders who lost their property;
3. Plans to rehabilitate the Market and when and
4. Measures County Government is taking to reduce causes of fire outbreak at the County Market.

Hon. Speaker I will still add that this is an urgent matter with your indulgence I will appeal to the Chair to report on the same probably next week with your guidance sir, thank you.

**Hon. Deputy Speaker:** Thank you, Chair Trade.

**Hon. Member for Mbatini Ward (Mr. Wilfred Odalo):** Yes Mr. Speaker following with the urgency of the matter I will make the response latest Tuesday next week. Thank you.

**Hon. Deputy Speaker:** Thank you for the convenience.

**Hon. Member for South C Ward (Ms. Diana Kapeen):** Point of Order Mr. Speaker.

**Hon. Deputy Speaker:** Granted Hon. Diana.

**Hon. Diana Kapeen:** Thank you Mr. Speaker. I rise on a Point of Order under Standing Order number 80 on Personal Statement. I would want to request that I be furnished with audited reports for the County Assembly regarding the Chambers that they are building. I think it has taken long.

**Hon. Deputy Speaker:** Order! Order! Order Hon. Diana! Are you rising on a Point of Order or you are requesting a statement?

**Hon. Diana Kapeen:** It's a Personal Statement, number 80 Mr. Speaker.

**Hon. Deputy Speaker:** Can you give us time we dispense off with what is in the Order Paper first and then we give you.

**Hon. Diana Kapeen:** Thank you.

**Hon. Deputy Speaker:** Hon. Manoah Mboku. Excuse me Manoah, the statement requested by Hon. Thuo also touches on matters dealing with fire so kindly Hon. Chairman for Culture you also need to interject a bit and bring in your input because there is also a question touching on your Department. Can you respond before Manoah takes the floor?

**Hon. Member for Harambee Ward (Mr. Ronald Milare):** Thank you Mr. Speaker. I think I'll consult the Chair for Trade so that we can work together on this.

**Hon. Deputy Speaker:** Thank you, so joint report on---

**Hon. Member for Ngara Ward (Mr. Chege Mwaura):** Point of Order.

**Hon. Deputy Speaker:** Granted.

**Hon. Chege Mwaura:** Mr. Speaker, following your advice on the inclusion of Culture, I think fire response also squarely lies under the Transport Committee to look at the response because I am also a victim when fire raged in Ngara. It took a while before there was a response. I think it would also be in order if you requested the Chairman of Transport to be part of that Joint Committee.

**Hon. Deputy Speaker:** That is in order because this cuts across three Committees, Chair Transport for your indulgence please.

**Hon. Member for Lucky Summer Ward** (Mr. Kennedy Oduru): Thank you Mr. Speaker sir. What the Hon. Member of the Committee for the sector has said is true and we are going to work as a team to solve the problem, thank you sir.

**Hon. Deputy Speaker:** Okay, so we expect a joint report from the three Sectoral Committees, thank you.

**Hon. Member for Nairobi South Ward** (Mr. Manoah Mboku): Thank you, Hon. Speaker I have a request for statement. Just before I read this statement kindly, allow me to say this as Chair of the Sectoral Committee on Health that the International Condom Day is held every 13<sup>th</sup> day of February each year.

*(Loud laughter)*

*(Loud consultations)*

**Hon. Deputy Speaker:** Order!

*(Loud consultations)*

**Hon. Deputy Speaker:** Proceed, proceed.

**Hon. Manoah Mboku:** Mr. Speaker, as Chair---

**Hon. Deputy Speaker:** Order Members! Order Whip!

**Hon. Manoah Mboku:** Mr. Speaker, as Chairman of Public---

**Hon. Deputy Speaker:** Minority Whip order!

**Hon. Manoah Mboku:** As Chairman of Public Health Mr. Speaker I have this information to give to these Hon. Members that the International Condom Day is held every 13<sup>th</sup> day of February each year. The purpose of this event is to sensitize the public on condom use as a method of HIV prevention. The event involves publicity, condom promotion and distribution.

The Department of Health intends to distribute over one million condoms to the public during this function. I am kindly inviting all Hon. Members of this Assembly to attend this function tomorrow. We shall be moving around with trucks within Nairobi to supply these condoms, thank you Mr. Chairman.

*(Applause)*

**Hon. Manoah Mboku:** Mr. Chairman, coming back to my statement, pursuant to Standing Order number 41(2) (c) I wish to request for a statement from the chairperson of Sectoral Committee on Planning

and Housing regarding the sale of Mariakani Estate in South B. Mariakani Estate which belongs to the County Government has been sold to--- Mr. Speaker I need your attention.

**Hon. Deputy Speaker:** Proceed.

**Hon. Manoah Mboku:** Thank you Mr. Chairman. My female MCAs are complaining that they have been left out of this function and maybe for their digestion we have one million male condoms, ten thousand female condoms and ten thousand lubricants.

*(Loud Consultations)*

**Hon. Manoah Mboku:** Mr. Speaker, if I come back to my statement pursuant to Standing Order number 41(2) (c) I wish to request for a statement from the chairperson of the Sectoral Committee on Planning and Housing regarding the sale of Mariakani Estate in South B. this is an estate where I personally also live with my family.

I am an MCA from that ward and this estate has secretly been transferred to one Lap fund without following laid down procedure, members of that estate and residents of South B are pressurizing me to tell them what I know about this and since I cannot get this information from the Executive it is through this House that I can request for that statement. My role is oversight and representation so I'm representing the residents of South B in this Assembly. For that matter, in this statement the chairperson should inquire into and report on:

- I. Ownership of and acreage of that estate
- II. Value of estate as at 30<sup>th</sup> December 2012
- III. The Chairman to table copies of all possible transaction on estate if there is any

Mr. Speaker it is terrible that we are losing properties through dubious collusion with former City Council staff. In this agreement Hon. Robe Duba who was by then the Town Clerk has signed on transfer agreement when he was already a serving MP. This agreement was done last year and the signature of Hon. Duba is appearing in that transaction. I am wondering how Hon Robe Duba was an MP 2013 and he signed as a Town Clerk when he had already left the office. The Chairperson should furnish this House with that information so that the Assembly can interrogate that issue. Thank you

**Hon. Deputy Speaker:** Hon Imatwok, why are you standing? Please can you sit down?

**Hon. Member of Korogocho Ward** (Maxwell Ochieng Ochar): Thank you Mr. Speaker, I think it will be prudent to bring the statement or the answer in 14 days' time because the things he mentioned need thorough investigations, thank you.

**Hon. Deputy Speaker:** Hon Imatwok can you sit down, what is it?

**Hon. Member of Makongeni Ward** (Mr. Peter Imwatok): I want to give a statement on behalf of the chair of Agriculture

**Hon. Deputy Speaker:** I have not even commented on the response from the Chair, just remain seated. Hon Members you are very much aware that this issue of Mariakani estate was sometime last week raised in our daily newspapers and as serious Members of this Assembly this will not go down well if we do not bring justice and sanity in regard to the sale of this estate. It is a serious issue and I don't expect the committee tasked with this to do at least a steady job. It is something very serious and it is going to dent affect our image either in a positive way or negative way. So the chair, Planning, please let this not be another milking... to do your business. Please this House expects a lot from that report, thank you

**Hon. Peter Imatwok:** I would like to inform the Hon Chair that as much as the statement has been given, that is the Mariakani issue, it is an issue which is already before the PAC committee, I wonder what directives your Chair can give because the statement was given to Member of Mariakani but it is still a matter under investigation and inquiry by Public Accounts Committee. Maybe Chair if you can give direction to these two Committees to correlate together to work out on this because already it is in the hands of Public Accounts Committee, maybe my Chair can be there to support the same

Secondly I want to give statement on behalf of Chair of Agriculture, which was asked by Hon Ngaruiya, it is a response Mr. Speaker---

**Hon. Deputy Speaker:** Is Ngaruiya in? Anybody can stand for him? Unfortunately he is not in and we normally give at least ---

**Hon. Peter Imatwok:** He has given Chege chance to stand for him---

**Hon. Deputy Speaker:** But it must be in a written form

**Hon. Peter Imatwok:** It is an SMS form Mr. Speaker---

**Hon. Deputy Speaker:** Let us allocate it for next week on Tuesday.

**Hon. Peter Imatwok:** Kindly tell him to write an SMS, thank you.

**Hon. Deputy Speaker:** Hon Member for PAC, chairman.

**Hon. Member of Embakasi Ward (Mr. Robert Mbatia):** Thank you Bwana Spika on same issue, actually it is a very serious matter and we have discussed with Hon. Manoah and we also made resolution in our Committee that we want a Joint committee meeting. The letter had not gone to the Planning Committee but we were requesting a joint committee meeting with the Planning Committee, because matters of policy, obviously Planning Committee comes in. So we still seek your direction on the same.

**Hon. Deputy Speaker:** Okay, Hon Members today is Thursday so the earliest we can make communication on that is Tuesday 2.30 p.m. Proceed.

**Hon. Rachael Kamwere (Nominated Member):** Point of Order,

**Hon. Deputy Speaker:** Granted

**Hon. Rachael Kamwere:** Mr. Speaker, I have issues regarding a statement that had been requested on 12<sup>th</sup> June last year, on the track if you go online, it is on tracking No. 041, on agriculture and environment. Mr. Speaker I wanted to--- Mr. Speaker I need your attention--- on the tracking is No.041 on issue of power plant to be built in Dandora Ward up to today I have never been given proper response, even after telling us to go and deliberate, so I don't know what is happening; some committees are sleeping on their job and on tracking, it still says 'pending',

I also had an issue which we have not been given response and it is pending, it is to do with Special Elected Members; we are now on new Session and up to today we don't know where our offices are, we don't know where our employees are, we don't know where our bursaries are, Mr. Speaker could you give us direction on that matter because we have letterheads lying on our cars, but we don't know where to put these letterheads. Let us not continue with that issue this year. My prayer is that the Board will sit down and allocate offices and personnel for these Members. Mr. Speaker, I need your direction on these two issues. Thank you.

**Hon. Member for Makongeni Ward (Mr. Peter Imwatok):** Mr. Speaker, again on behalf of the Chair of Agriculture...

**Hon. Deputy Speaker:** Hon Imwatok can you take your chair please. You don't just...

**Hon Peter Imwatok:** I want to respond to Agriculture issue.

**Hon. Deputy Speaker:** No, I have not even responded. Hon Member, I will direct that the Chair of Implementation Committee will do a follow-up and may be you just remind a bit on the actual case because you have it. You are now able to liaise with him and give him all the necessary facts so that he comes with the findings in our next sitting; that is on Wednesday. Thank you.

For the Special Elect, also we have representation from the County Assembly Service Board; that is the Leader of Minority and Leader of Majority. So they are able to handle that and give a convenient report on the same date; that is on Wednesday. Hon Imwatok.

**Hon Peter Imwatok:** Mr. Speaker, as the Chair of Implementation is going to give this Report, on behalf of the Chair of Agricultural Committee, and on behalf of my Chair we want to tell Hon Kamweru, that the Report which was brought before our Committee was not satisfactory. So as much as the Chair of Implementation is going to inquire into this, he should keep in mind that the answer Hon. Kamweru had given us as Committee on Agriculture was returned back to the Executive. Up to date we have not received it.

On the second issue, as the Elected Member of this County, even as I stand before you, I don't have an office. Therefore, Mr. Speaker, it is a grievous matter. The County Assembly, through the Procurement Department and office of the Clerk, has failed to find within the jurisdiction of my Ward where my office can be simply because there was limitation of expense in terms of the rent of the office. Kindly as you give directives on behalf of the Special Elect, consider areas where Kshs 20,000 cannot rent an office. Thank you.

**Hon Deputy Speaker:** Thank you. Do you have to respond, Hon Chairman for Implementation?

**Hon Majority Leader** (Mr. Elias Otieno): Mr. Speaker, I think the position is the same because as far as I am concerned, the answer which we got from the Executive was not satisfactory. So we called the person who is in charge of the Environment and we are going to have a meeting with him then we will give you satisfactory answer after that.

For the office, I think the process of giving the Elected Members offices in the Wards is going on, even me also I want the Valuer to go and look for somewhere where I can put up my office at the ward level. But for these Special Elect, I don't know I can come and stand here to please you people that you are going to get the office. I don't know how to do that. I will not answer that one now until we meet as a Board.

We are going to consider if there is anywhere we can get an office because the Equity Bank were supposed to move out for us to get the office but I think somebody somewhere is frustrating it. That is the position of the Board and I don't think it will be very soon so just continue sitting where you are sitting all the time. Madam Rachael, thank you.

*(Loud Consultation)*

**Hon Deputy Speaker:** No, I don't expect reaction. Please can you wait? The response of the Majority Leader, I take it as a formal way of response I had already communicated that we are going to get the response from the County Assembly Service Board on Wednesday for the position. So please just hold your horses. Please Karen, I beg, let this not attract a debate.

**Hon Karen Wanjiku:** Point of Order.

**Hon Deputy Speaker:** Granted

**Hon Karen Wanjiku:** Point of Order on Standing Order, No. 74 so that you can know why I am standing. Every Member desiring to speak shall address a request to the Speaker. Mr. Speaker, I am requesting that every Member should know that even Special Elect have a right, we are not begging. It is a right, it is in the Constitution and the law is very clear. We are not begging for an office, if we have to bulldoze and sit in these offices, we are going to do that and the ones with the offices in the Wards...

**Hon Deputy Speaker:** Order Karen! That is unparliamentarily.

**Hon Karen Wanjiku:** I withdraw Mr. Speaker.

**Hon Deputy Speaker:** Yeah.

**Hon Karen Wanjiku:** I am saying, even our fellow Elected Members; you see every time you want to relax we sit here on these sofas. We need an office so that they can join us and have a place to relax and see how we can deal with services in this Nairobi County. We cannot work along the corridors, Mr. Speaker sir.



**Hon Deputy Speaker:** Sit down please, Hon. Kambi. The Member is on the Floor.

**Hon Karen Wanjiku:** We cannot work on the corridors or Ankara Hotel, we are Hon Members and we are not begging.

**Hon Deputy Speaker:** Order Member! Hon. Zulfa.

**Hon. Zulfa Hakim Mohammed** (Nominated Member): Thank you Mr. Speaker sir. Indeed it is very sad how some Members of this House want to treat the Special Elect. I am in.

**Hon Deputy Speaker:** Order Member! I said it is in an informal way from the Majority Leader so I don't want this to attract debate.

**Hon Zulfa Hakim Mohammed:** Kindly let me make my point, Mr. Speaker.

**Hon Deputy Speaker:** Wait until Wednesday.

**Hon Zulfa Hakim Mohammed:** Kindly allow me to make my point.

**Hon Deputy Speaker:** Okay.

**Hon Zulfa Hakim Mohammed:** I just want to assure my fellow Members of this House. Please don't look us as a threat; we will not threaten you in any way. Don't be scared of us. We are not asking for the offices in your Wards, we are asking for our rights to get offices in town. We will appreciate offices in town because we are also recognized as leaders, we need a place where we can address the special needs of this County. We have a representative of PWD who does not have an office; we have the youth representative...

**Hon. Deputy Speaker:** That is why I was saying that you give yourself time then you will respond on Wednesday.

**Hon Zulfa Hakim Mohammed:** Thank you Mr. Speaker, but...

**Hon. Deputy Speaker:** Hon. Diana Kapeen.

**Hon. Member for Nairobi South C Ward** (Ms. Diana Kapeen): Thank you Mr. I rise again on the same Point of Order No. 80. I would like to be furnished...

**Hon. Deputy Speaker:** Order Members!

**Hon. Member for South C Ward** (Ms. Diana Kapeen): I would like to be furnished by the office of the Clerk, the status of the new Assembly, how long it will take for the Assembly to be completed, how much they have paid so far and how much has not been paid. Mr. Speaker sir, it is almost two years down the line, I would like to be furnish with that information. Thank you.

**Hon. Deputy Speaker:** That also goes to the County Assembly Service Board.

**Hon. Leader of the Majority Party:** Mr. Speaker, I want to respond as follows; I think the Assembly will be operational by April. Again it has taken almost two years because I think everybody in this House knows very well what is going on the other side, even those who are chasing payments there do not get it.

The money usually comes directly from the other side and they are frustrating payments to the contractors from this side so as to pay their contractors first. It took two years because we did not have instant money in our accounts, forcing us to give the contractor the little money we get. If a contractor needs a hundred millions, they give the contractor ten million or five million something like that. I think that is why the work is going on very slowly.

On the Auditor's Report, I think the office of the Clerk will furnish Hon. Diana Kapeen with all the details. I am not in a position to give that one. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Kapeen.

**Hon. Diana Kapeen:** Thank you Mr. Speaker I appreciate the response of the Majority however, for my own satisfaction and knowledge I would really appreciate if you give timeline when I am going to get an audited report for the purposes of pushing the other side to pay this side their money. Thank you.

**Hon. Deputy Speaker (Ken Ngondi):** Thank you. On what! Not granted! That's too informal! Adow what is it before you come for the microphone? It has been said here by April.

**Hon. Member for Eastleigh North Ward (Osman Adow Ibrahim):** Thank you Mr. Speaker, I would like also to ask a question as to when the Assembly Service Board will complete the process of hiring the person who is supposed to represent the Nairobi public in the Service Board. Thank you.

**Hon. Deputy Speaker (Ken Ngondi):** I think Hon. Members we've the guiding principles in this Assembly, that's our Standing Orders, we don't just do things in a casual way, so if you truly need an answer you should have forwarded the same for approval so that it becomes an official document for this Assembly. Hon. Hashim what is it? Not granted. Hon. Ngare can you sit down?

**Hon. Member for California Ward (Hashim Kamau):** Thank you Mr. Speaker, for the thirty seconds that you have given me, unfortunately I don't see *Mheshimiwa Makondoms* that I wanted to address this issue to, why am I saying this Mr. Speaker, is because when houses were collapsing we expected the town Planning Committee to be there the following day.

When the issue of an impure skilled came up we expected the Justice Committee to be in the command room to check our CCTV system. Mr. Speaker an issue of tomorrow, a national day for condoms I don't know whether it is because of Valentine day the following day, there's a very serious issue Mr. Speaker that the chairman doesn't want to talk about. There's a strike at Pumwani Maternity Hospital, expectant mothers are experiencing torture in the highest magnitude ever seen in this County.

For example you go to Mama Lucy you are turned away, you go to Pumwani Maternity you are not admitted or you are turned away. Last night I was at Pumwani Maternity hospital there was a young mother who was to go through CS, she was almost dying even I left her early in the morning in the hospital benches writhing in pain.

So Mr. Speaker the Committee on a serious note, because last week on Wednesday that hospital was closed we've not gotten that information from that Committee, so I was asking is this how we are going to treat our Nairobian? Or is it a shame to this County that what we are doing to Nairobian is good. That's the issue that I wanted to raise to Chairman instead of him giving us ten thousand condoms I don't know for women how many? So Mr. Speaker he needs to be serious with his Committee.

*(Applauses)*

**Hon. Deputy Speaker:** Hon. Gari can I first respond to the Hon. Member. Where is the Chair Health? He is not in? Okay. Hon. Members sitting in the Committee of Health before you proceed because it is evidenced that there has always been a strike at Pumwani Hospital and for the last three-four days the nurses have been on the streets, so maybe you can tell these Members the exact position and what is happening in there and what are the measures you have taken as a Committee. Have you visited the hospital? Proceed.

**Hon. Nancy Luchiri** (Nominated Member): Mr. Speaker sir, I would like to respond to Hon. Hashim's allegations. They are actually very true. The Health committee is going through a rough time and you can prove that from last year the Minister for Health was suspended for not working and we have been working on that. Last week Pumwani had a strike and their machines stopped working; Hon. Racheal Kamweru can attest to that. We sympathize with what is happening in Nairobi County. Mr. Speaker sir we were requesting that since the Health Committee is a Sectoral Committee, if we can be funded more than other committees so that we can be able to---

**Hon. Deputy Speaker:** Order! Hon. Member. What has the Committee on Health done in regard to the strike of these nurses?

**Hon. Nancy Luchiri:** Mr. Speaker sir, we have discussed on this at length and have summoned the CEC Member Mercy and we are supposed to talk to her next week and deliberate on the same on Tuesday.

**Hon. Deputy Speaker:** Not at all. Hon. Members! Can you sit; the Member is on the floor. Order Members. I am communicating to the Members of the Health Committee; kindly proceed to Pumwani hospital tomorrow *(Applauses)* and get all the facts right. Find out what is happening. The issue is not about summoning a CEC Member, this is very serious. If it needs a Special Sitting tomorrow then we will do that. Thank you.

**Hon. Nancy Luchiri:** Thank you. We shall do that.

**Hon. Deputy Speaker:** Hon. Ogeto.

**Member for Kilimani Ward** (Hon. Moses Ogeto): Thank you Mr. Speaker sir. There is no way a Hon. Membr can say that they want to sympathize with the Nairobiian's and yet they have a mandate to give clarification in this House.

**Hon. Speaker:** Thank you Hon. Ogeto. We have concluded the matter.

**Hon. Leah Mumo** (Nominated Member): Point of Order Mr. Speaker

**Hon. Deputy Speaker:** On what? Welcome

**Hon. Leah Mumo:** Thank you Mr. Speaker. It is now seven months down the line since I came here with a statement about health workers not being paid. They have being going round the streets demonstrating and that statement is with the Labour Committee. I have come here three times now still asking for the same statement without any response. Thank you.

**Hon. Deputy Speaker:** Thank you Hon. Mumo. We have given a directive so you will get an answer most probably on Tuesday at 2:30pm. Hon. Gari

**Hon. Member for Nairobi West Ward** (Mr. Maurice Gari): Thank you Mr. Speaker sir. I rise on a point of Order No. 80, Personal Statement. I am so concerned with the security of Nairobi and more so the Members of the Nairobi City County Assembly. The way guys are walking out here without signing the attendance list and you cannot know whether the person was in attendance or not. Mr. Speaker I am urging you to ask the Speaker to revive the previous---

**Hon. Deputy Speaker:** Excuse me. You are talking to the Speaker

**Hon. Maurice Gari Otieno:** Okay. I am urging you to revive the previous message you made about the signing of the attendance list. It is very serious. In case I go out now and I was here and something happens to me outside there then what will I tell my people or where will you start with the statement? The statement must be traced back to the time of entry and exit. Thank you.

*(Applauses)*

**Hon. Deputy Speaker:** Thank you Hon. Member. Noted. Hon. Mwaura Chege.

**Member for Ngara Ward** (Hon. James Mwaura Chege): Mr. Speaker I just wanted to remind you of what Hon. Hashim was talking about on the issue of the matter of security in the city. It is a big issue and I think it was an oversight when you were giving direction on health, you never gave the directions on what we need to do.

Recently I was in a media station and I was being bashed for letting the National Assembly take over our job because as we speak they have a Committee that is investigating into the issue that led to the death of Hon. George Muchai. Our committee which I also belong too did a visit to the control room and I hear that it only has two screens and yet we passed a huge budget on the issue.

So I think even if it is not coming out as a question, we need to be able to interrogate the deadly issues of security and capacity so as to be able to guard citizens. I need your directions on that Mr. Speaker.

**Hon. Deputy Speaker:** Okay. Hon. Members Chege Mwaura is asking direction on the insecurity of Nairobi but fortunately enough the Committee on Transport and Public Works visited the CCTV control room and I hope they are compiling a report on their findings. We expect that their recommendations to be availed to this House latest Tuesday next week.

### **MOTION**

**Hon. Member for Kileleshwa Ward (Mr. Elias Otieno Okumu):** Thank you Mr. Speaker. Let me just thank you again. But before I go to this Motion, I want to clarify something. There are some rumors, it is not a rumor as such, but it is a campaign.

Since the Senator came here on Tuesday, Hon. Senator Mike Mbuvi Sonko, there is a lot of attention everywhere, because if somebody meets people at the corridor and says "I am telling people that Majority and Minority promised to give them 50,000 and they should come up with modality to pay". Then that person, asks why today? Why for the last 2 years? Mr. Speaker, we had a meeting at Tulip Plaza in 2013, isn't it?

Can you remember when we had a joint meeting with the Executive in Tulip? They suggested they are going to give 50,000, isn't it? I think it was just a PR somewhere because when we went there with the Minority to know how they are going to give this 50,000. They should give it but how will they deal with auditor's query, isn't it? That was the position.

Then I told them; "why don't you take this 50,000 to the Wards so that we can employ people in the Wards?" Instead of doing that, they came up with Traffic Marshals which never was. So, these people are diverting attention all the time. Let us not be hoodwinked by this people all the time. If somebody feels the kitchen is hot, just walk to the sitting room. I don't think somebody should continue with my name.

No! If you use my name, I just hit you here on the floor. You cannot use my name and you go scot free. I am not a liar. We did not beg for that money. They are the people who said it because they wanted us to pass and certify bill on something.

That is why they came up with this 50,000 for each one. Then they ask modalities. Okay, just give each and every Member. But what are we going to do with Auditor's query. Then I told them; "Since we don't know the modality, why don't you use your modalities? Why didn't use their modality? So, they should not divert attention on what we are talking about. Mr. Speaker, I think I rest my case and I have put it clear to the Members.

**Hon. Deputy Speaker:** That one was for noted, Members.

**Hon. Majority Leader:** So, Mr. Speaker, I think we should not proceed with this Motion number 8 because as far as I am concerned, the Members are less. It does not meet the threshold of the 16 members or 17. So Mr. Speaker, can we adjourn until Tuesday next week for the Minority to bring the remaining names.

**Hon. Deputy Speaker:** Okay, you can take Chair.

**Hon. Majority Leader:** Okay, thanks.

**Hon. Deputy Speaker:** Okay. Hon. Members---

**Hon. Minority Leader:** Thank you Mr. Speaker sir. I am very perturbed with this Order Paper for today. I presented my list yesterday and the Hon. Leader of Majority didn't present his yesterday. That is the reason it was not in the Order Paper yesterday.

Today I am perturbed to see the Cord list on the floor and Jubilee list is not in the list, Mr. Speaker sir. I want to tell the Office of the Clerk to take this House seriously. We don't want to joke around with him. He should take us seriously and he should make sure that the list of Jubilee is in the Order Paper minus the Minority Leader's name which is 8. Thank you Mr. Speaker sir for giving me this opportunity.

**Hon. Deputy Speaker:** Hon. Members—

**Hon. Minority Leader:** And Mr. Speaker sir, I think you have seen my protest letter on the same.

**Hon. Deputy Speaker:** I read out the letter.

**Hon. Minority Leader:** Okay.

**Hon. Deputy Speaker:** Hon. Members, on Motion number 8, I just want to give a direction. Under Standing Order number 152, on the composition of the House Business Committee, Standing Order 152 (D) requires membership of the same to be not less than 14 and not more than 16.

So, as you are aware and you can see on the Order Paper, Motion number 8 has got 9 Members. That is below the requirement under the principle of this guiding administrative. So, I direct that the House Business Committee be constituted and the list be forwarded to the Assembly for approval on Tuesday 2:30p.m. Thank you.

The Assembly adjourns to 2:30 p.m. on Tuesday next week.

***House rose at 4.00PM.***

