



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Second Session

Monday 29th June, 2015

The House met at 2.30 p.m.

(Hon. Speaker (Mr. Alex Ole Magelo) in the chair)

Hon. Speaker: Order Members! Order!

PROCEDURAL MOTION

NAIROBI CITY COUNTY APPROPRIATION BILL 2015, ASSEMBLY BILL NO. 7 OF 2015

Hon. Majority Leader: I need your attention, former teacher. Thank you, Mr. Speaker for this morning because it is not usual, so that is the reason why, maybe, the former teacher is the way he is because he does not usually come here on Monday.

Mr. Speaker, I beg to move the Procedural Motion. That pursuant to the provision of Standing Order no. 117, this Assembly resolves to review the publication speed of the Nairobi City County Appropriation Bill, 2015, Assembly Bill no. 7 of 2015, from 7 days to 4 days. So, that is the thing that I came to do this morning, Monday. Since it is Procedural Motion, I don't think I would call somebody to second. Okay, since you are making a lot of noise, and you don't know what is going on, come and second the Motion.

Hon. Minority Leader: Mr. Speaker sir, I don't have to answer back my counterpart because I think he is suffering from hangover of Migori. Let me take this opportunity to second this Motion and urge the House to approve the reducing of period of publication, Mr. Speaker sir.

Hon. Speaker: Very well Hon. Leaders of Majority and Minority.

(Question proposed)

Hon. Jacqueline Nyangala (Nominated Member): Thank you, Mr. Speaker sir. It seems that the mood of the House is agreeable. So, I would like to request you to call the mover to reply.

Hon. Speaker: Thank you very much, Hon. Members. Can I call the mover of the Motion to reply? Hon. Leader of Majority.

Hon. Majority Leader: Thank you, Mr. Speaker. The Members accepted this Motion without even debating on it. Since it is Monday, I know many people are going to attend to their Members in the Ward. So, maybe, they are in a hurry to pass all these Motions, and then they go other businesses. Thank you.

Hon. Speaker: Very well. Thank you.

(Question put and agreed to)

NAIROBI CITY COUNTY APPROPRIATION BILL, 2015, ASSEMBLY BILL NO. 7 OF 2015; A BILL FOR AN ACT OF COUNTY ASSEMBLY OF NAIROBI CITY TO AUTHORIZE THE ISSUE OF A SUM OF MONEY OUT OF THE COUNTY REVENUE FUND AND ITS APPLICATION TOWARDS THE SERVICE OF THE YEAR ENDING 30TH JUNE, 2016 AND TO APPROPRIATE THAT SUM UNDER A SUM VOTED ON ACCOUNT BY NAIROBI CITY COUNTY ASSEMBLY FOR CERTAIN PUBLIC SERVICES AND PURPOSES.

(First Reading)

NAIROBI CITY COUNTY APPROPRIATION BILL, 2015, ASSEMBLY BILL NO. 7 OF 2015

(Second Reading)

Hon. Member for Embakasi Ward (Mr. Michael Ogada): Thank you very much, Mr. Speaker sir. I think all Members of this House are aware that last week, we dealt with our estimates and they were able to pass the estimates. As a requirement, generally, once the estimates have been passed, we have to follow it up with an Appropriation Bill that authorizes the Executive and the Assembly to spend.

Therefore, Mr. Speaker sir, I want to request this House that we allow the Executive and the Assembly to be authorized to spend in terms of development to a tune of 19.8 billion without going into many details. That is for recurrent and in terms of development, we authorize the County Assembly and the County Executive to spend to a tune of Kshs.11 billion. Thank you Mr. Speaker sir. I wish to call upon Hon. Irungu to come and second it.

Hon. Speaker: Very well.

Hon. Member for Komarock Ward (Mr. Samuel Irungu): Mr. Speaker, I rise to second this Motion with only two remarks. Mr. Speaker, you do recall, in the last Financial Year, we passed the Appropriation Bill and if you look at our Budget Committee report, majority of the sectors were unable to absorb the amount that was appropriated. So, upon passing this Appropriation Bill, for it to be effective, and we recommend it, let all the sectors come with a procurement plan because I remember last year after we passed the Appropriation Bill, the procurement plan was passed by the Executive and that is why the project has delayed.

Secondly, Mr. Speaker, now it is the work of various Committees to do the oversight work to make sure that all the projects that had been earmarked in the budget 2014/15 and 2015/16 are rolled out. Mr. Speaker, I second.

(Question proposed)

Hon. Speaker: Hon. Imwatak.

Hon. Member for Makongeni Ward (Mr. Peter Imwatak): Thank you. Mr. Speaker for according me this opportunity to be part of the ink that will make history. Mr. Speaker, first of all, I must appreciate the good work done by the Budget and Appropriation Committee and the entire leadership of the Assembly and more so the Planning Department of the City County of Nairobi, and the Budget Department. As my learned friend who just seconded the Motion has said, it is so unfortunate, as I support this Motion, bearing in mind that we have Kshs.11 billion. That is equivalent to two counties allocation by the Central Government as development agenda for this County.

Mr. Speaker, you remember when we were sworn-in in 2013, we started a quarrel about Ward Development Fund, which we started with allocation of Kshs.15 million. But as we are talking today, the allocation of 2014/2015 is not yet concluded in terms of procurement process; about more than 57 projects. Aware that tomorrow is the end of the Financial Year, we are calling upon the Chair of the Ward Development Committee because this is the only fund that brings equality among all the 85 Wards.

Mr. Speaker, when I look at the Budget itself, worth Kshs.30 billion, a common *mwananchi* in Makongeni will always say, "yes, our County has money". But I want to challenge the County Executive, especially the revenue side, because we wouldn't see our able Chairman of Budget and Appropriation Committee again coming here with another Supplementary Budget scaling down the budget simply

because the revenue department of this County is unable to collect enough revenue for us to be able to conclusively finance this budget.

I am taking exception in particular the parking in this County. When we came in, we are all aware as a House that the parking was then Kshs.140 in the CBD. We increased to Kshs.300 but up to date, I believe we have not realized the potential of these fees from the parking. This is a challenge to the Budget and Appropriation Committee, the Public Accounts Committee and the Implementation Committee. There is no reason as to why we will be called for emergency meetings to pass budgets for the Executive arm, especially revenue sector just to sleep on the budget.

Mr. Speaker, this time, as the Chair says, the relevant Committees of this House must take the bull by its horns aware that we are serving the second last budget of our term. If we cannot implement anything whatsoever within this budget, I am sorry, some of us will be on a political obituary. We are not going to allow that.

Hon. Peter Imwatok: Lastly, Mr. Speaker, it is time this Assembly takes the bull by the horns. On the misappropriation of the County funds; Mr. Speaker, I must congratulate the Ethics & Anti-Corruption Commission. The Governor himself is standing firm and those who are mentioned whatsoever in the misappropriation of County funds, to be out of office. I believe, as a Member of Makongeni, my people are suffering; we have had no water for the last 25 years. We have had no tarmacked road for the last 70 years. We have nothing to show in this County, but I believe that now with a new system in place especially the Finance Department - the Audit Department is also in place - I believe that by the end of this financial year, the people of Makongeni, Kaloleni, Mbotela Ward will at least feel that something is being done.

Mr. Speaker, on the issue of projects, it is so unfortunate that we pass a budget but when it reaches implementation it takes the last five days of the end of the financial year. That is the time the Executive arm tries to procure things in a hurry. I support my friend and I second the Motion and I am asking, where is the procurement plan for every sector which has to be approved within this Department?

Mr. Speaker, I want to quote this, in the last financial year, the social department allocated Kshs.50 million for rehabilitation of social halls across Nairobi City County. However, Mr. Speaker, unfortunately somebody somewhere had an interest on this rehabilitation of these social halls. One of these social halls was Kaloleni Social Hall and this is a social hall that has nurtured talents in terms of boxing, karate and taekwondo for many years. Even the Queen of England went there to watch taekwondo.

However, Mr. Speaker, because somebody had an interest, he decided to change a development vote without the consent of this Assembly and consolidate the entire budget of Ksh.50 million to a single project just because he had an interest in this. I think by availing the procurement plan in this Assembly, it gives us a chance to scrutinize what every sector is doing. Mr. Speaker, I beg to support.

Hon. Speaker: Thank you very much. Hon. Kagiri

Hon. Member for Pipeline Ward (Mr. Samuel Kagiri): Mr. Speaker, Hon. Imwatok has said most of the things that concern this paper and I would just want to echo a few items on what he has talked about.

Our year is ending tomorrow but in terms of development we have done nothing. Mr. Speaker, my worry is this financial year starting on Wednesday will end the same way as this financial year. It will be a big shame for us, we are remaining with a very short period for our terms to end, what are we going to show we did for Nairobians? I am begging that, let the revenue collectors do their work; we have enough money in Nairobi that is being wasted, is uncollected and is being stolen.

Mr. Speaker, we need to take action and something has to be done about our revenue. The budget is very good and I remember last week when I stood here, I spoke about the Budget Committee preparing a budget just to show Nairobians figures, but at the end of the day we are only able to finance the recurring expenditure. It is time that action starts being taken immediately, projects start rolling out and as Hon. Imwatok has said, our Ward projects for the 2014/2015 not even a single coin has been put on the ground and our financial year is ending tomorrow.

Mr. Speaker, as we start our financial year 2015/2016, let our projects that are pending start being implemented immediately and the projects for the current financial year that are stated here also start being worked on. Ksh.11 billion is not a simple amount but we can raise it if only we are serious that we want to raise that amount but I wish that we have a smooth running year. Thank you, Mr. Speaker.

Hon. Speaker: The Hon. Diana Kapeen.

Hon. Diana Kapeen: Thank you, Mr. Speaker sir. I rise to support this document, however I have reservations. My reservations are that since the day we were elected and sworn in, we have been passing budgets in terms of billions and we have not seen any service to the people. It is half way through our period and I am hoping that the County will pull up its socks just the way it suddenly pulled up its socks in terms of cleaning Mombasa Road, picking pebbles from the roads in preparation for a general or someone like that who is probably coming to look at the development of the County.

Mr. Speaker sir, the Environment Committee has been allocated quite an amount of money and the Transport Committee has been allocated quite a budget. Mr. Speaker, we pray that this County through the oversight of Members will serve the people of Nairobi not only when we have guests because these guests come to the Country once in a blue moon.

Mr. Speaker, I am hoping that with this budget worth billions, Nairobi will get the service that it demands because actually, we have a lot of money and this is the only County that can choke with money if all the revenue was collected and accounted for. I can only say that I am personally passing the budget because of deadlines but I am not passing the budget because I am hoping or expecting any service to be done in Nairobi, unless a miracle happens.

(Applause)

Mr. Speaker sir, some of us are going to be elected via a score card. We shall be evaluated and that is including the Speaker of this House. I am sure you do not want to lead a failed Assembly Mr. Speaker, and I am sure the Governor is privy to our contribution. I want to tell my side of the coalition that literally we have failed in service delivery.

Mr. Speaker, I stand to second the Motion and I hope that Nairobi will get service, not only when we have guests because I believe that we will not have another important guest again apart from the Pope who is supposed to come before the end of the year.

Mr. Speaker sir, I also appreciate that since the County has demonstrated that it can actually clean Nairobi. Let it allocate resources on a daily basis to get rid of the garbage around. Let it not go and hide the street children in Ruai for only two days and then bring them back but improve the facilities of the County so that we can develop together. Thank you, Mr. Speaker.

Hon. Speaker: Very well. Hon. Warutere.

Hon. Member for Roysambu Ward (Mr. Peter Warutere): Mr. Speaker, I rise to support this very important Motion. We are glad that finally we are on our 3rd year but we have nothing to show for the past 3 years. Yesterday, Mr. Speaker, just for the record, I watched the Governor on the Chair on Citizen TV at 7.00 p.m. and 9.00 p.m. news and I was excited when I saw him---

Hon. Leader of Majority: Point of Order!

Hon. Speaker: There is a Point of Order.

Hon. Leader of Majority: Mr. Speaker, maybe there are some languages that we do not understand because did he 'wash' the Governor on the news or he 'watched' the Governor on the news? (Laughter) There are sometimes you use the proper language. (Laughter)

Hon. Speaker: Very well, Hon. Leader of Majority.

Hon. Peter Warutere: Allow me. You know the Majority Leader has a problem with English---

(Laughter and Applause)

Hon. Speaker: Order! Order! Go on.

Hon. Peter Warutere: Having said that, I said I 'washed' the Governor of Nairobi---

(Laughter and Applause)

Hon. Speaker: Order, Hon. Members! Order, Hon. Thuo!

Hon. Peter Warutere: I am from Nyeri and Mr. Speaker, you must allow me to proceed because probably where we come from, we have issues with 'L' and 'R'. (Laughter) So, when I was watching Citizen TV---

Hon. Pius Otieno: Just give him time.

Hon. Speaker: Order! Go on.

Hon. Peter Warutere: Mr. Speaker, I am seeking your protection. Now, when we were--- that word that you do not want me to mention, yesterday, we realized that this Governor has a serious agenda for Nairobi. I wish he could marshal what he said with actions. We are on our 3rd year and Nairobians have nothing to show. All we are praying is that we have a serious issue here in terms of collection and if we could be allowed to optimize on the issue of collection, trust me Nairobi would be heaven. We have realized that things have started to roll on and the only thing we are saying is that we do not want to see demonstrations from Nairobi's because service delivery is not being achieved.

We do not want to see situations whereby we are being ranked as the last County within the 47 counties because we are not doing anything. History, as I said will judge us harshly for having served for 5 years and not having anything to show off after our tenure. We must be alive to the fact that we were elected on a platform of change, we were elected to deliver Nairobi to the next level but 3 years down the line we cannot and have not seen anything. We pray that the money that is coming this year and going forward we are going to make a difference.

Mr. Speaker, with that I support that we pass this budget and we must play our rightful role, we must shake the Executive and this should be the year when we start seeing heads rolling. If the Executive is not delivering let the CECs be held to account. That is my take, thank you, Mr. Speaker.

Hon. Speaker: Can we have Hon. Karen on the gender.

Hon. Karen Githaiga: Mr. Speaker, I want to support this Motion just as Hon. Kapeen has said because of the timelines. Mr. Speaker, I want to speak about education. The Education Department has been given Ksh.1.5 billion and only Ksh.436 million for development. I want you to look at this department; it has youth affairs, sports, culture, social services and early childhood education. Mr. Speaker, you can imagine with Ksh.436 million what are we going to develop? Okay, I am supporting but I think next time we are going to improve on that. Mr. Speaker, I also want to speak about what the Governor said yesterday.

Mr. Speaker, we are going to be given Ksh.3 billion to build a new Pumwani Hospital and I do not know where that is coming from because as we sit here and look at our paper, it is only Ksh.5 billion that has been allocated to the Health sector and that is recurrent. The development is less than that, it is only Ksh.1.7 billion.

I wish just as Hon. Warutere has said that the Governor is going to stick to his word. Maybe he knows where he will get the Ksh.3 billion to make a new Pumwani Hospital because that is what concerns me. Probably, I will be having a baby there in Pumwani and I would not want to have a problem in that hospital. I will not go to any other hospital because I want to show Nairobians that Pumwani is really our hospital and even Hon. Members go there to give birth honorably.

I want to speak about Agriculture, they have been given Ksh.288 million, and I don't know where we do Agriculture in Nairobi. May be it is the kales in the sacks, you know it is funny but we do not have alternative, the deadline is due and we are going to pass it.

I don't want to complain too much but thank the Committee for this markets, they have been given Ksh.700 million for development and I believe if this one is implemented, we are going to solve the hawkers menace ones and for all. I am especially excited at the Wakulima Market that will be transferred to Kasarani, I don't know how much time that will take but I just hope I will still be a Hon. Member by that time. We only have two years here and I want to say that I was there when Wakulima Market was transferred to Kasarani which is my Sub-County.

Lastly, I want to talk about the Ward Fund. The Ward is the smallest unit of devolution, but they are the most important units that will make us deliver. Devolution cannot do without the Wards and we don't have just to sit here and say my Ward, what are we going to do in terms of development? We have been talking about Ward fund for projects but what are we doing? We just pass Bills and nothing is done.

We want to see things happening and we are telling the Executive Members that this time round we have seen it all and we are not going to joke with them. We want development and implementation, we want this budget implemented. We don't want formalities and rubber-stamping, we come and pass bills and Motions. We are tired of rubber-stamping and formalities.

Mr. Speaker, what is bidding in procurement because that's what's ailing this County and misappropriation of Public funds. We just passed a Motion on reducing the days of this Bill but will we be doing that every time? Every time we come here we are reducing, why? We have failed in our work, Majority Leader. I want to end there.

(Majority Leader stands on a Point of Order)

Hon. Speaker: Order Hon. Majority!

Hon. Majority Leader: Mr. Speaker, I don't think the timeline--- I think the People who delayed with this Budget are the Senators and not Majority Leader nor this House. Sometimes when you are talking, I know you are eloquent on those lines of Standing Orders but you must also understand this one.

Hon. Speaker: Hon. K'Otieno!

Hon. Member for Sarang'ombe Ward (Mr. Pius Otieno): Thank you, Mr. Speaker. Contrary to what the Majority Leader is saying that it is the Senate that has brought this delay, I want to start by commending the Senate for having increased the allocation to the County Government and particularly to the Nairobi City County Government. I know the process of give and take, the hustle it has probably the Clerk of the Assembly could have found himself negotiating for this particular allocations.

Two, I am supporting this process, not because of the timelines per se, but because of the 'give and take spirit', the process of compromises, the process of bridging the differences probably between the

Legislature and the Executive. This tool is an important tool in as far as transforming the lives of the people and even improving the livelihood of the people living in this County is concerned.

I have always premised my thoughts about the Budget or any Government and have come to believe that the purpose of politics is not only to change Governments but also to change and improve the lives of the people. The only way that we can improve the lives and the development of the people is by giving that due priority to where it falls and that due priority to me cannot be anything other than discussing and passing this Budget.

We are only three years into devolved Government and I am very sure that County Governments are corporate bodies. They being corporate bodies, they have perpetual succession, meaning any debts that were inherited from the defunct City Council are part and parcel of our debts. I believe those are the debts that Nairobi City County has been servicing and will continue to service them because now we have an obligation to service them. We are servicing known debts and unknown debts but what I must also implore to Hon. Members, I have heard Members casting aspersions against this budget.

I also want to interrogate and question our roles and even the Committees that we sit in, what has the Committee done in so far as implementing the past budgets are Concerned? What are the challenges that they have brought to this House that they have recommended or they have not recommended to us. Other than complain are we going to be a House of complain forever or we can sometimes stand up to, if there is that willingness from the Executive and if at all we are going to be in that conducive environment that is going to ensure that development germinates.

Mr. Speaker sometimes I am appalled because if you have a Committee on Transport, for example, and money has been allocated for the Committee, it is upon that Committee after we pass this budget now to start scrutinizing line by line what is it that has been allocated to this Ward? What is it that has been allocated to this other Ward and if there are developments, what kind of development? If at all we are going to provide, we can only provide oversight by knowing line by line, Ward by Ward, item per item.

It is that Committee that should now break down these big monies that we are now seeing rather than just complaining that we have not seen roads. Those roads will not come if at all we are not following and we are not--- Luos, I want to use a Luo word, Luos say "*ka ok wago pier Gavana torch*" (Laughter), Meaning, if we are not going--- yes.

Hon. Speaker: There is a Point of Order.

Hon. Pius Otieno: That is the word, Mr. Speaker.

Hon. Speaker: There is a Point of Order.

Hon. Pius Otieno: From where?

Hon. Diana Kapeen: Mr. Speaker sir, the Standing Order is very clear that the House should only be addressed in two known languages, Kiswahli and English.

Hon. Speaker: Correct.

Hon. Diana Kapeen: The Hon. Member with his good English, with his good whatever should withdraw the words because they are un-parliamentary.

Hon. Speaker: Very well, Hon. K'Otieno, withdraw the words in Dholuo and insert them in English.

Hon. Pius Otieno: Okay, I am withdrawing those words in Dholuo and I am saying that this thing can only come to pass if we train our spotlights on the door step of the Governor. It is only that you cannot translate word for word but Luo is a very diverse and rich language in as far as literature is concerned. Some might take it literally but I know, Luo is a rich language, diverse and when you come to literature, there we are. But what I wanted to say, if we train our spotlight on the Executive and sometimes I even want to propose---

(Loud consultations)

Hon. Speaker: Order, Members! Order!

Hon. Pius Otieno: I even want to propose a road map for this House that after passing this budget; the Executive should now give us a blue print of how they want to transform Nairobi. If it comes to the issue of Ward fund, last time we were told that the Executive would be depositing Ksh.5 million a day. That one has never happened, how are we going to ensure that come this financial year, we are not going to be beaten by the same rainfall that beat us last time.

The same House also called the Executive at Naivasha, that meeting ended in disarray. I am appealing to Hon. Members, if we are only remaining with only two and half years to go to the ballot, let us give the Executive their portion of work and we also do our portion of work but I am insisting that we should make compromises with the Executive, we should do away with our differences and we should see how to transform this Nairobi City County. With those many remarks, I beg to support.

Hon. Speaker: Very well. Hon. Thuo, Dandora.

Hon. Member for Dandora Area III (Mr. Charles Thuo): Thank you, Mr. Speaker. For once you have referred in the right name; you have always called me Gathundo which is still fine.

First of all, I would like to inform this House that this is not a budget, it is an appropriation Bill. Like Hon. Warutere said, the English language is not common to many, so first of all I want to say that going through the Bill and looking at the figures, I think we are doing well and it is not right to say that the Governor of Nairobi has not performed.

May be he has not done as much as we would like to but he has really done something, something is happening on the ground. I have a hospital coming up in my Ward, we have roads being built, we

actually have road in Mr. Warutere's Ward. So, the Governor of Nairobi is really working and Nairobi is actually lucky to have Hon. Kidero as the Governor of this County and he is the *dawa*. We are sure that once we pass this appropriation Bill and we eventually pass the budget, our Governor, His Excellency the Doctor is going to perform and we are going to see that the monies that we are to pass in this Assembly, you can be rest assured that it is going to serve the people of Nairobi as we have seen.

(Loud consultations)

Hon. Speaker: Order, Hon. Members! Order, Hon. Thuo!

Hon. Charles Thuo: You may not like what I am saying but it is a fact. It is clear and known to everybody that we inherited a County Government that was full of debts, it is not a secret. We came into a Government that inherited nothing but debts, we have people here who were Councilors then, not a very good word but you know we accommodate them but Mr. Speaker sir, it is those Councilors who were there that gave us a County Government that was full of debts. What was the Government expected to do? We were paying the debts for those years but as for now, we are going to work and I can assure you *Daktari, dawa ya Nairobi* is going to perform and our budget is going to be excellent. Thank you Mr. sir.

(Loud consultations)

Hon. Speaker: Yes Hon. Kamweru. Order, Hon. Members!

Hon. Rachel Kamweru (Nominated Member): Mr. Speaker---

Hon. Speaker: Order Hon. Thuo, Dandora! You have made your point.

Hon. Rachel Kamweru: Mr. Speaker, I am here in support of the Appropriation Bill. But one area of concern is on a code R5313 on communication information technology e-Government and public communication sector. Money has already been allocated but who does the proper check of these sectors? We are still waiting for these Committees to be formed so that proper checks are done. I am happy monies have been put in this appropriation. We are very keen on e-Government and the public communication and more so Nairobi is not visible because our communication strategy is not right. Mr. Speaker, let ICT, e-Government and public communication be taken with seriousness it deserves. I support this Motion.

Hon. Speaker: Point of Information, Hon. Leader of Majority. Order!

Hon. Leader of Majority (Mr. Elias Otieno): Mr. Speaker, I think there are two items which I am supposed to respond to. When the so called former Councilors who were there, the former Kamiti was also in Kamiti, so he was just being reformed by the Government. Okay, Mr. Speaker I have just passed that

one. I'm on what the mama was asking about, *ooh pole*. We are going to bring more Committees on board and I think she is one of them because I know you want to be in one of those ICT things, so just hold your hoses, you will just get it. All the time you sing ICT, ICT, you are going to get it, thank you!

(Laughter)

Hon. Speaker: Hon. Ogeto.

Hon. Member for Kilimani Ward (Mr. Moses Ogeto): Thank you Mr. Speaker sir, once more I want to support this Appropriation Bill simply because I want to refer back to my colleague, Hon. Diana Kapeen.

Mr. Speaker sir I would wish that whatever is in this bill is being implemented. When we were entering this Hon. House we were given very big books and I looked at Nairobi County; when you see Nairobi County, its absorption of development is very low. Why? You see in the last financial year the Government was able to send the same county Ksh.7.34 billion but when you look at implementation you wonder what happens. I can be able to trace that the Ksh.6.2 billion which has been allocated for many works in the city, when you go to my Ward Kilimani, there are potholes everywhere. Why should we allocate huge amounts but when it comes to implementation these monies are pocketed. This book from the Controller of Budget, and I would wish this Hon. House, we were misquoted in the media that we squandered over Ksh.900, 000 as allowances. With them, they have explained very well, let us also look on the recurrent expenditure.

Approximately of 128 MCA's we only get Ksh.95, 000 as compared to Ksh.124, 000. Also this House and starting from the office of the Clerk, should ensure that our Ksh.124, 800 which has been recommended by the Salaries and Revenue commission has hit the target, not just getting the peanuts we get on our pay slips, SRC and it is in the Controller of Budget, am not reading this because of malice but also what has been captured in this serious book.

Mr. Speaker sir, as you compare to the last financial year the SRC was able to see two guidelines: one the County should put in place the mechanism to address the absorption of the development budget of the last financial year. This Hon. House let the money the way they had been tagged to be used to its purpose, ICT, and the IFMIS be implemented. This will deter conmen who are in the Executive, to ensure what has been captured in the budget are used for the rightful purpose.

They have also complained about the County Treasury which is a monster to this city. They usually spend money which has not been tagged to the votes which we are approving in this House. I want to tell the Chairman of Budget and Appropriation Committee that this time around, we are remaining with two years, let the money which have been tagged to its codes be used according to the codes. Let us not mix recurrent expenditure and development expenditure. I beg to support and let me hope the Governor of this city will ensure everything is implemented as per this appropriation Bill, thank you.

Hon. Speaker: Hon. Chief Whip Majority

Hon. Majority Chief Whip (Mr. David Mberia): Thank you, Mr. Speaker I rise to support this Bill not because I'm a happy man but because it is supposed to and it must pass, this House must approve these estimates.

I want to concur with my colleague K'Otieno because all the Chairmen of Committees of this House sit with executive, with Committee on Budget and Appropriation and prepare these estimates.

For the last two years no Chairman of any Committee has come out here and told the House that whatever was budgeted in the various Committees was either implemented or somebody somewhere from the Executive side decided to change the votes and do other things. The Chairman of various Committees, let us take example, after this estimates we know all the Committees, these departments have been allocated monies. Let us say, pick maybe the Committee on Trade and Tourism. Some hundreds of millions of shillings have been allocated to build new markets. Before maybe we are half the financial year we need the Chairman of Trade to come here and tell us out of the Kh.200 million or Kshs500 million which was allocated to do new markets something has been done. We want the Chairman of Transport and Roads when we were half the financial year he should come and tell us the Ksh.2 billion which was allocated to various roads to do roads has been done.

Let us not complain here we have done nothing. When we passed these estimates, as an oversight body we need to make sure that whatever we passed is implemented to the latter. Otherwise we are going to sing songs without choruses until we write political obituaries just like the Hon. Imwatoke has been singing in this House. I beg to support.

Hon. Speaker: Hon. Magdalene Mbogori

(Applause)

Hon. Magdalene Mbogori (Nominated Member): Thank you Mr. Speaker sir. I don't know whether they intend to intimidate or support me but I thank them for the support.

I stand here to support this Appropriation Bill with several concerns. First of all as we said we have passed two budgets, OK yes we know this is an Appropriation Bill Hon. Gathundo, yes it is appropriate to different sectors but still Mr. Speaker sir this is exactly what is going to come to the budget.

I don't know whether the Members are aware that the Committee on Budget is the sole custody of this budget and they are the ones who are to tell us what has been implemented. There is a notion in the House that the Implementation Committee implements, oversees the implementation of the budget but it does not.

So Mr. Speaker sir, the Budget Committee before even bringing the Appropriation Bill to us, or bringing the budget to us should by now have brought to us quarterly reports from the Executive showing what they have done within the previous budget.

Mr. Speaker sir in the two years I have been in this House I have not seen that. My concern also is that even if the Sectoral Committees hold the budget of their sectors many of them--- we meet with many of the CEC Members from these sectors and they are very concerned because nothing happens because of the way procurement is done in this County. And there was Motion brought by Member of Karen Hon. Mberia asking us to decentralize procurement system in this County and in my opinion taking the bull by the horn means exactly that: decentralizing the procurement system because nothing will ever be done, nothing will ever become fruitful in this County if that does not happen.

So I urge the Members of this Assembly when the Implementation Committee brings the report on that Motion, if we have decided to censure anybody in the Executive I beg this Assembly to support that Motion by Implementation Committee because the decentralization by procurement if it is not done nothing is going to be fruitful. Thank you Mr. Speaker.

(Applause)

Hon. Speaker: Hon. Members, order, just to refer you to Standing Order 189 Implementation Committee: There shall be a Select Committee to be known as the Committee on Implementation. The Committee shall scrutinize the resolution of the County Assembly including adapted Committee reports, petitions and undertakings given by the County Executive Committees and examine whether or not such decisions and undertakings have been implemented and the extent to which they have been implemented and whether such implementation has taken place within the minimum time necessary, and whether or not legislation passed by the County Assembly has been operationalized and the extent to which operationalization has taken place within the minimum time necessary. The Committee may propose to the County Assembly sanctions against any Member of the County Executive Committee who fail to report to the relevant select Committee on Implementation status without justifying reasons.

Hon. Speaker: Therefore Hon. Members, the Implementation Committee, has all what it takes to follow what resolutions including like this City County supplement of today's Kenya Gazette, the Appropriation Bill. So it is the work of the Implementation Committee to follow the Committees to the letter. I thank you. The Hon. George---

Hon. Member for Hospital Ward (Mr. George Ochola): Thank you Mr. Speaker sir for according me this opportunity. I stand to second the Bill and Mr. Speaker it is a tradition that after the budget

estimates what follows next is the Appropriation Bill to allow the CEC Members, Treasury and County Government to spend.

Mr. Speaker to start with as I support, there is an issue of procurement which some Members have spoken about, we realize that if you go to the Procurement Department---

Hon. Speaker: Order Hon. Members, listen to the Member. Order! Consult in low tones, Hon. Chairman.

Hon. George Ochola: Mr. Speaker we have experienced a lot of delays in the Procurement Department and again if you go to the Quantity Survey Department, this has been noted now for almost a year and I can remember last year some of the CECs and some of us, were saying that they were going to contract the students from the Nairobi University to come and help in drafting the BQs, Mr. Speaker. I don't know whether we have incompetent people in QS Department or what, Mr. Speaker. But if this is the case, then there should be a reshuffle so that we incorporate a very strong team that can make our documents from QS to move with a lot of speed so that procurement can be done and then services can be taken good care of.

Mr. Speaker sir, we passed the Appropriations Bill, it means that all that we have budgeted is going to get its spending. I want to take an issue which is in the budget and is the issue of gratuity; I call upon the County Assembly to help us come up with a policy on how we are going to get that allocation and how we are going to move that allocation to LAPFUND. Mr. Speaker again if you go by the budget estimates that we passed the other day, you will realize that the Ward Development Fund was not given a lot of consideration and therefore I call upon the Chairman of Ward Fund next time we need more increment in terms of Ward Development Fund.

Mr. Speaker, the issue of revenue on parking, we are losing a lot of money in parking and this because those who used to be in Moi Avenue from 1996, up to date, they are the same people in the same street. Therefore this is one way of harbouring the issue of stealing because I don't see another word to put. But I was of the opinion that, if you want to see the efficiency in revenue collection we need to do alteration in a way that if one month, the attendant is in Moi Avenue then in the other month he should be in Kenyatta Avenue and the other one rotate to Moi Avenue to help us in evaluation so that we can ascertain actually what was collected in July is the same with what that was collected in August.

Mr. Speaker as we do all this, we call upon the acting County Secretary that all that will be taken to his table be fast-tracked so that we can actually do away with the delay. Mr. Speaker before I conclude, we talked about the Committees and we know their roles. They should investigate and report into. The Majority Chief Whip said very well that no Chairman has brought the report before this Assembly of what was allocated and was not done as it was intended.

But Mr. Speaker I want to speak on something that will force most of the Members to go and do theology so that we can come and sometimes call a prayer session in this Assembly, so that we can pray and hope that Holy Ghost fire should fire in between some of the Members and some other departments, and Mr. Speaker I don't want to say as David that I will stone, but we will pray for them. But Mr. Speaker we want to call upon what you have just read, the Implementation Committee, a lot is lying on their table which Members did pass here, and we say that Holy Ghost should fire in between the Implementation Committee and the County Treasury Department be it Gatimu or whoever, so that things could be done right and at the right time. Therefore I say I second, Mr. Speaker.

Hon. Speaker: Hon. Alex Otieno

(Laughs)

Hon. Member for Mugumoini Ward (Mr. Alex Otieno): Thank you, Mr. Speaker sir. I rise to support the Bill, but I would like to talk about the Internal Audit of the Nairobi City County. As we all know, recently we read on the paper that somebody earns Kshs.85,000 but 400 million were lying in his account. And we have a fully-fledged Internal Audit that is supposed to be checking any payment, any misuse of public funds.

Talking about Internal Audit, professionally I am an Auditor, having worked for KPLC for 17 years and what we used to do was to conduct impromptu checking like in Nairobi County the Internal Audit is also supposed to do impromptu checking of the parking, how parking fees are being collected, the money collected by Planning, the money that is being paid, checking the cash book, checking the banking, under banking. So in my own view, I tend to think we have a weak Internal Audit to check the public funds that come to the Nairobi County and I would propose or recommend that there should be an Audit Committee that is supposed to oversee the Internal Audit whatever they are doing so that all the money that comes is protected and then used for the intended purposes.

Some of us said here that there is a delay in procurement, but let me say this, the current procurement that we have are up to date, probably there is a problem with the QS, when you go to QS, somebody will tell you that the documents are lying in Procurement while they have not even left the QS. The procurement that we have even the in charge of Procurement, I am not protecting him but he has made the office to be an open office with glass, you can see what is happening, Mr. Speaker. So that this notion that a document takes long in the procurement, it is not true. Even when we were protecting our budget in Nakuru, the Director procurement said categorically, that he needs everything to be purchased in the next financial year to be all advertised so that the work can move smoothly.

So Mr. Speaker as I support this Bill, there is a Motion that I brought some years back, I can call it some years back because it was one of the first Motions that was discussed in this House about the cemetery. The current cemetery as I stated that it was recommended that it should be relocated because it got full in 1996 and this is a time bomb, this is a City and very soon, Mr. Speaker if you can remember in the last Council, we lost one of us and he was buried on the road side because of the space, so this one also needs to be looked into so that we can have a new cemetery. With that Mr. Speaker, I support. Thank you.

Hon. Speaker: The Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you, Mr. Speaker sir. I rise to support but as I also beg to kindly to ask you to call the mover to reply because the Members have got a lot of opportunity to ventilate on this Bill and I think nothing has been left out. So thank you, Mr. Speaker.

Hon. Speaker: Thank you Hon. Deputy Speaker. I now call the mover of the Motion to reply.

Hon. Michael Ogada: Thank you very much Mr. Speaker sir. I am happy because really Members have put forward their cases and I want to confirm to the Members of this House that the Budget Committee has been alive to the fact that we really need to see development in the County, and when we were starting to look at the budget estimates, one thing that we did promise as a Committee was that anything to do with development was not to be interfered with at all and we even went to the extent that we allowed several amendments that were proposed by the Executive after the estimates had been proposed because they were touching on Development and as a Committee we did appreciate and we incorporated them.

Mr. Speaker sir, I will be in brief responding to some few issues, one on which *Mheshimiwa* has talked about having a mega fund that was allocated to Education subsector and I wish to respond to her by stating that basically the role of this County is not much in terms of Education, we only have the Technical institutes and Early Childhood and I think putting 200 million to Early Childhood is just good enough. This is because primary education is really being taken care of by the Central Government and when it will have been devolved if they bring it then definitely as a House we will see the sense of giving more money to that sector but as a Committee we thought the 436 million allocated was enough.

Mr. Speaker sir, another thing that I need to inform the Members is as a Committee we have been trying to ensure that there are no strikes, confusions, no wars and unnecessary arguments within the County. As such we went to the extent that we really made sure that the budget which appeared before us was as inclusive and consultative as possible. I wish to inform the Members that we really talked to each and every sector, Chairman, PS and Minister including the Governor himself so, whatever we have put before us is really consultative and we even had a problem with the County Assembly budget because it was far much above the requirement and legal threshold. It was really going to be impractical and we knew definitely that the Auditor General was going to return our budget.

We talked with the Clerk of the Assembly when he was outside of the Country on phone and we did agree that we are going to sit once he comes back, which we did and we have shorted that out because the gratuity was out and it was not in the budget because when the letters came from the other side of the Government, when we dealt with the strategy papers. After consultation the gratuity has been put now in our budget and it is definitely there, because consultation made it possible.

Mr. Speaker sir, another thing that we need to appreciate is that Members have been complaining about the issues of non-implementation of the project, one thing the Whip has just spoken. The role of the Budget Committee is to make sure that the budget document that comes before this House is as practical as possible and is really able to be implemented and that is what we have done. The rest now goes to the Sectoral Committees.

Mr. Speaker sir, it is upon the Chairmen of these Committees to ensure if you are allocated money, be on top of things and make sure these things are working. It is not really necessary for all this blame to be put to the Budget Committee and it has given out money and therefore the Sectoral Committees must take their responsibilities seriously and make sure that these things are implemented.

Let's say for example in the Works Department, Mr. Speaker sir, as a Committee we have discovered some issues in Works, like now we have given them 6 billion for development.

Mr. Speaker sir, we have given 6 billion to Works Committee but you will realize when you call these people from the department you will only hear lamentations and complains from the Chief Officer in that Department who are not working in harmony, which means there is no single time they will be able to achieve the target as it has been put down here. It is my request to the Committees Chairman of that Committee, to put their feet down and make sure that the Committee is able to perform and deliver. If they are going to continue complaining from morning to evening, that they are not able to work together that is none of our business. Our business is to ensure development is in the City. It is therefore upon that Committee to make sure the Chief Officer, Minister and Technical people in that department are working and delivering services.

Mr. Speaker sir, that is a serious plea that really needs to go to Works Department because that is the Department that is supposed to look and oversee development in the County. If they can't work then it will really not make much sense. The other thing is about issues to do Ward Development Fund, Mr. Speaker sir, I think we need to understand the situation and the times in which we live. Sometime it becomes tricky because you will realize across the County many Governors and other Leaders are really complaining day after the other, in terms of lack of resources. You see we need to really change our mind set in terms of development because if we are going as a Ward Development Fund Committee, if they are going to put much of their efforts in looking for cash to ensure that there is enough money.

Mr. Speaker sir, we will be taking years and years to experience development, one thing they need to ensure is that developments are rolled out and we need to see it. It is upon the Executive to make sure that money is in the account in order to pay for the work. But if they turn us they will turn Members of this House in walking around looking for money. There is no single day money will be enough and we cannot wait until we have enough money in the account in order to start development. So we need to deviate from issues of looking for money into issues of starting rolling out development. It is upon the Executive to make sure money is there so it is none of our business.

Mr. Speaker, I have been a Chairman for this Committee in some years and I used to have Munge as the City Treasurer, and people were saying that I was so close to Munge and then I informed them to sack him. Munge was removed and Ngugi was brought then people started complaining that I am close to

Ngugi, I told them to remove him and he was also removed. Then they brought Kiamba, they said that I am close to Kiamba, I told them to remove Kiamba. So it is not the issue of closeness it is issues of----

(Laughter)

Hon. Speaker: Order Hon. Members!

Hon. Michael Ogada: Mr. Speaker sir, what I am taking about here is if you want performance it is simply P.R, whereby you should have a good P.R and make sure that there is performance. Strikes, complains and wars doesn't really achieve much. So what I am trying to say here it is not the business of sacking officers which will make us achieve. It is the business of being on top of things and ensuring that whatever has been put in the documents are implemented.

When you keep on saying that these people are stealing do you have enough evidence to prove that they are stealing? Make sure that they are working, so I am not saying that people are not stealing am not saying that and I don't want to defend any thief. The only thing I am saying let us really focus on development and make sure we push these people roll over these things and to pay. When you call I am telling you that you will sack everybody. So Mr. Speaker sir, I am glad because Members have seen the sense and essence of passing this document.

There is another issue that was raised by *Mheshimiwa* Mbogori about the Budget Committee not bringing the reports. Last year I remember bringing a report of progress report on reviews of Budget Implementation. I think by next week we are working on another document that we are going to bring you a report which is going to be furnished in this House and it is really going to show people how much they have done and what they have not been able to really implement. So I think the Budget Committee is on top of things and we are going to make sure all the necessary documents are furnished in this House. So thank you Mr. Speaker, for giving me this time.

Hon. Speaker: I want to thank the Chairman of Appropriations and the challenge is to the Chairperson of the Committees he mentioned, especially Works and Ward Development which are the core development vehicles of the County Assembly Members, so it is up to you now to move.

Hon. Members, I now put the question that,

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House today by leave of the House)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

(The Hon. Speaker left the Chair)

IN THE COMMITTEE

(The Deputy Speaker)

(Hon. Kennedy Ngondi took the Chair)

THE NAIROBI CITY COUNTY APPROPRIATION BILL, 2015

Hon. Deputy Speaker: Let us sit down Hon. Members, we are now in the Committee of the whole House to consider the Nairobi City County Appropriation Bill (Assembly Bill No. 7 of 2015).

CLAUSE 2

Hon. Deputy Speaker: Hon. Members, we are in the plenary now and you have the Bill No. 7 of 2015 Clause 2.

(Question put and agreed to)

FIRST SCHEDULE

(Question proposed)

Hon. Deputy Speaker: Hon. Members, any debate on that?

(Question put and agreed to)

SECOND SCHEDULE

Hon. Deputy Speaker: Order! Order! Hon. Odalo, Order!

(Question proposed)

Hon. Deputy Speaker: Any debate? Order! Order! Odalo.

(Question put and agreed to)

TITLE

(Question proposed)

(Question put and agreed to)

Hon. Deputy Speaker: Order Hon. Odalo! Hon. Members I propose that the second schedule be part of the Bill. Any debate? Order! Order Odalo! Allow me now Hon. Members to put the question that the second schedule be part of the Bill.

(Question put and agreed to)

TITLE

Hon. Deputy Speaker: Hon. Members, I propose the question that the title be part of the Bill. There being no debate, allow me now to put the question that the title be part of the Bill.

(Question put and agreed to)

CLAUSE 1

Hon. Deputy Speaker: Hon. Members, I propose that clause 1 be part of the Bill. Debate on clause 1. Hon. Members I now put the question that clause 1 be part of the Bill.

(Question put and agreed to)

Hon. Michael Ogada: Thank you very much Mr. Chairman. I beg to move that the Committee do report to the Assembly its consideration to the Nairobi City County Appropriation Bill 2015, Assembly Bill number 7 of 2015 and its approval thereof without amendments.

Hon. Deputy Speaker: Thank you Hon. Chairman for Budget. Hon. Members I now put the question which is that the Committee do report to the Assembly its consideration of the Nairobi City County Appropriation Bill 2015, Assembly Bill number 7 of the County and its approval thereof without amendments.

(Question put and agreed to)

(Hon. Speaker resumes the Chair)

Hon. Speaker: Very well.

Hon. Deputy Speaker: Thank you Hon. Speaker, while you were away this Assembly considered the Bill. I beg to report that the Committee of the whole Assembly has considered the Nairobi City County Appropriation Bill 2015, Assembly Bill number 7 of 2015 and approved the same without amendments. Thank you Hon. Speaker.

Hon. Michael Ogada: Thank you Hon. Speaker. I beg to move that the Assembly do agree with the Committee in the said report.

Hon. Speaker: Thank you very much Hon. Chairman and Hon. Deputy Speaker. Hon. Members I propose the question which is that the Assembly do agree with the Committee in the said report. Hon. Members I put the question that the Assembly agrees with the Committee in the said report.

(Question put and agreed to)

Hon. Michael Ogada: Thank you Mr. Speaker. I beg to move that the Nairobi City County Appropriation Bill 2015 Bill number 7 of 2015 be now read a third time.

Hon. Speaker: Hon. Members I propose the question which is that the Nairobi City County Appropriation Bill 2015 Assembly Bill number 7 of 2015 be now read a third time, Hon. Members.

Hon. Michael Ogada: Thank you Mr. Speaker sir. I am glad because we have really spoken about this document and looking at how the Members have been really positive about it, we are all glad that we've seen the sense. I really want to appreciate the commitment of the Members of this House because it is really unusual that on a Monday you can find Members sitting to pass a document. It proves their commitment because one of the legal requirements is that the document had to be passed before we cross over to the other month which we've been able to do with the help of all the Members of this House to make sure that that happens. The only thing I can say is that we are happy with the Leadership of the House and to the Members of this Assembly for making this wonderful document to succeed and see the light of day. Otherwise, thank you very much Mr. Speaker sir.

Hon. Speaker: Thank you very much Hon. Chairperson Appropriation and budget. Hon. Members, I put the question which is that,

(Question put and agreed to)

Hon. Speaker: Next Order.

MOTION

Hon. Majority Chief Whip: Thank you Mr. Speaker.

Hon. Speaker: Order Hon. Members!

Hon. Majority Chief Whip: Mr. Speaker, I beg to move the following Motion. THAT, aware that miraa is a key crop in Kenya whose trade across the City accounts for the employment of thousands of Nairobi residents. Deeply concerned that unlike other crops and sectors of the economy that have been allocated markets for their commerce, miraa traders do not have a designated market for selling their wares. Noting that several association of traders who deal with the commodity have written letters requesting that the County Government allocate a market for miraa traders with minimal success.

Taking note that miraa exports rank among the Country's top ten exports with a significant contribution to the Country's GDP. For example 20 tonnes plus for the commodity is exported to Somalia from Nairobi weekly and to other local markets. Recognizing that miraa traders have suffered under the hands of the enforcement officials of the County Government, who often harass them for allegedly selling their wares in undesignated places. This Assembly resolves that the County Executive set aside a special market for miraa similar to the markets of farm produce, livestock, fish and apparel

Mr. Speaker, without a doubt miraa farming spans more than 2000 years as far as I can remember, because I am a native of the miraa growing County. It is a crop in Kenya whose trade across the City and the Country at large accounts for the employment of thousands of Kenyans. There is no doubt about it. As an economic ministry of population especially from Meru County, miraa has not only supported livelihoods of the residents who grow the crop but it has gone a long way to educate their children to the highest level of education. It has also contributed highly to economic development of this Country. Unfortunately, some of the international miraa markets have banned miraa especially the UK and the Netherlands. To illustrate the significance of the trade, like I said when moving the Motion, weekly there are 20 tonnes exported to Somalia which comes to hundreds of millions of shillings every week.

Mr. Speaker, the ban on miraa to London and Netherlands have not killed the spirit of the miraa farming and trading because the Meru farmers grow the commodity but it is traded by almost every tribe in this Country and there is no doubt about that. It is very unfortunate that the County Government of Nairobi has refused to designate a special market for this commodity despite letters written to the County Governor from several associations. As a result, the County Government has failed to seize an opportunity to ensure that there is increased revenue. If there is a designated market for this crop and the County Government knows through the County Department of Finance that there are several tonnes of this crop which has been dropped to that market. It can regulate and get more money to finance other development activities to this County.

Hon. Majority Chief Whip: I cannot understand why the County has not responded to the letters written by these traders. We all know that we have market for clothes, fish, livestock and other products, what about *miraa*, Mr. Speaker? We are asking the County Executive to ensure that these traders do not trade their wares by the roadsides.

Currently, these traders are doing their wares along Muratina Road, in Pangani Ward. This crop has been there for the last 1,000 to 2,000 years. It is a shame that these traders are looked down upon by the County and the National Government. This is not a drug, and if it is a drug, the NACADA must declare this crop a drug so that these traders and farmers leave the business and do other farming activities.

Mr. Speaker, I am urging the Members to pass this Motion. I am sure the Committee on Implementation will follow it up for the traders to be settled once and for all. Let me call upon Hon. Kanyi alias *Ahsanta* to come and second this Motion, thank you.

Hon. Member for Airbase Ward (Mr. Martin Mugo): *Ahsante sana, Bwana Spika. Sijui mwenzangu ameniita kwa ila gani lakini ni swala muhimu na ni jambo ambalo baadhi ya sisi viongozi tunaowakilisha sehemu ambazo miraa nyingi huuzwa tulikuwa tunataka soko ambalo imetengwa na Kaunti hii ya Nairobi. Ni aibu kubwa sana ukiangalia mahali ambapo miraa inazushwa ili ije kuuzwa; ni nje ya hospitali kubwa katika Afrika Mashariki na Kati ya kuzalia watoto, hapo Pumwani. Barua nyingi zimeandikwa kwa Serikali ya Kaunti ili kumfahamisha Gavana kutenga sehemu ya kutengeneza soko la kuuza miraa.*

Jambo la pili, kadri ya tani 170 huwa yaja Nairobi ambapo ni soko kubwa ya uuzaji wa miraa. Miraa pia ilikuwa inatumwa Ng'ambo. Ukisikia kama vile mwenzangu amesema, takriban tani ishirini tu ndio inaenda pande za Somalia, Djibouti na Yemen, lakini kwa siku moja, takriban tani 170 yauzwa Nairobi.

Serikali yetu ya Kaunti ya Nairobi inapoteza mapato makubwa, karibu shilingi laki mbili kila siku. Hiyo ni kati ya shilingi 72 na 100 milioni za pesa tunazozipoteza.

Tatu, kadri vile Bajeti ambayo tutaipitisha, kati ya shilingi milioni 200 na 700 zinatengwa katika uundaji wa masoko na kunazo sehemu ambazo wauzaji miraa wamesema zinaweza tengwa ili soko hili lijengwe. Nasema kwamba, Wizara inayoshughulika na maswala ya masoko iweze kutenga mahali katika sehemu ya Pangani. Kuna sehemu ambayo imependekezwa kuwa soko hilo yaweza kuundwa. Mimi nasema kwamba, ni jambo muhimu na naomba wajumbe wenzangu tuweze kupitisha mswada huu ambao umeletwa hapa na Kiranja wa Walio Wengi Bunge hili, ahsante.

Hon. Speaker: Thank you very much. Hon. Members, I now propose,

(Question proposed)

Hon. Speaker: Hon. Members. Hon. Elkanah.

Hon. Member for Kwa-Reuben Ward (Mr. Elkanah Mauti): Thank you, Mr. Speaker; I am here to support the Motion. I know that the County Government of Nairobi needs revenue. We are crying that we need money for development, where do we get money? Out of revenue. It is very simple; *miraa* does not need even shops, it just needs a place to be allocated and in return, we collect revenue. We know in this County Government of Nairobi, this is the easiest commodity to get a market for it. It is not a matter of setting up of a big market, it is very simple. We have to get the revenue out of the *miraa* growers from Meru County.

Mr. Speaker, it is high time we urge the Executive to allocate space even if it is within town. If we had the powers as the Assembly, we would have organized that every Saturday, they sell outside here but we don't have that capacity. So it is high time we urge the County Government of Nairobi, may be they don't know there is a commodity called *miraa* which is being sold in Nairobi but let us tell them there is that commodity and it needs an open market. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Alex Mulatya.

Hon. Member for Kwa-Njenga Ward (Mr. Alexander Mulatya): Thank you, Mr. Speaker. In fact it is long overdue that we don't have market for this cash crop in Kenya; in Nairobi especially. You can actually compare tea, coffee, cashew nuts and *miraa*. For instance, in Somali land, there is a very big market in Afmadow Town, just past Mandera. In Mogadishu, we have a very big market specifically for *miraa*, whereby they are sorted in their specifications. In Kenya, we are being harassed whenever---

(Physical confrontation between Hon. Akuk and Hon. Ambani)

Hon. Speaker: Order, Hon. Alex! I can see there is a commotion. Can the Sergeant-At-Arm approach the Speaker? Hon. Ambani and Hon. Akuk, please, cool your tempers in the Assembly, thank you. Yes please!

Hon. Member for Nyayo Highrise Ward (Mr. Maurice Akuk): Thank you, Mr. Speaker for giving me this opportunity to explain myself. It might look like there are some tempers flaring but indeed it is not coming from me. I was seated where I have been sitting the whole morning and the Hon. Member approached me and slapped me. I am taking action on that. He claims that I have removed him from the Committee, which is not my prerogative. I don't have the powers to remove anyone from any Committee. It is wrong to be slapped, however strong he is, Mr. Speaker sir, I think action needs to be taken. Thank you.

(Hon. Ambani approaches the microphone)

Hon. Speaker: Order, Hon. Ambani! Order! Hon. Members, this is a House of rules and regulations and respect. I am appalled by what has just happened in that corner. It has been brought to my attention that indeed there was a commotion. I want, at the rise of this House, the report from the Sergeant-At-Arms of what transpired. That matter will immediately be referred to the Committee of Powers and Privileges of this House and subsequently, the Speaker will take appropriate action in regard to the Members who did what they did in a short while. I think this is going to set an example of what we should be doing in the Assembly. Thank you.

Hon. Majority Chief Whip: Mr. Speaker, let me take the opportunity to apologize for what has happened. As the Majority Chief Whip of CORD Coalition in this County Assembly, I am not aware of any reshuffling of Committees and I am not aware of anybody who has been removed from any Committee as far as I am concerned. Thank you.

Hon. Speaker: Thank you very much. Let us continue Alex was on the Floor.

Hon. Alexander Mulatya: Thank you, Mr. Speaker. I was just giving sentiments that Nairobi County has lagged behind. I gave an example of Afmadow in Somalia and Mogadishu where I happened to be sometimes back. To work on the same issue, *mira* is actually a cash crop in Meru and neighbouring Counties. In Nairobi, it should be an income generating commodity, whereby any vehicle carrying *mira* just drops and leaves without even paying parking fees because of its area where it is supposed to be dropped.

Secondly, a lot of youth have been self-employed---

Hon. Speaker: Order, Hon. Alex, you will continue tomorrow. Hon. Members, the House is adjourned until tomorrow 2:30 p.m. Thank you.

The House rose at 12.25 p.m.