



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Fourth Session

Tuesday 22<sup>nd</sup> March, 2016

The House met at 2.30 p.m.

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

### PRAYER

**Hon. Deputy Speaker:** Hon. Members, the attention of the Speaker has been raised. There is lack of quorum in the House, and I so direct the Serjeant-At-Arm under Standing Order no. 31 to ring the bell for ten minutes.

*(Quorum is rung for 10 minutes)*

Order Hon. Members! You may get seated. Serjeant-At-Arm, we have enough quorum in the House. Clerk, we may proceed. Order Hon. Mugo!

### COMMUNICATION FROM THE CHAIR

#### VISIT BY HON. MEMBERS FROM THE KITUI COUNTY ASSEMBLY

Hon. Members, I have a communication to make before the Assembly. This is in regard to the visit by Hon. Members from the Kitui County Assembly Select Committee on House Business. Hon. Members, our sitting this afternoon is graced by a delegation from the Kitui County Assembly who have paid us a visit to benchmark on several key issues of our operations as a County Assembly and the operations of the larger Nairobi County Government.

Hon. Members, the delegation from the Kitui County Assembly is comprised of Hon. Members of the Kitui County Assembly Select Committee on Assembly Business led by Hon. Speaker and his able Deputy Speaker. Hon. Members, it is my prayer that through their interactions with us, they will take back home lessons that add value to the service delivery for the people of Kitui County.

The delegation with us today consist of the Hon. George Ndoto, Speaker of the Kitui County Assembly and head of the delegation. Hon. Speaker, feel great honor and welcome.

*(Applause)*

We have Titus Mbithi who is the Deputy Speaker.

*(Applause)*

We have Hon. Jacob Maundu who is a member of the Committee and a Member of the Assembly.

*(Applause)*

Hon. Jane Mutua who is a member.

*(Applause)*

Hon. Patricia Kimanzi.

*(Applause)*

Hon. Ruth Kimunyu.

*(Applause)*

Hon. Jennifer Munuve.

*(Applause)*

Hon. Nzuki Wambua.

*(Applause)*

Hon. Jackson Mwanduka.

*(Applause)*

Hon. J. Ngava.

*(Applause)*

Hon. Mwendwa Munyoki.

*(Applause)*

Hon. Peter Mutemi.

*(Applause)*

Hon. Samuel Ikunga.

*(Applause)*

Hon. Stephen Wambua.

*(Applause)*

Hon. Patrick Mutua.

*(Applause)*

Hon. Catherine Kazimu.

*(Applause)*

Hon. Alex Ng'ang'a.

*(Applause)*

Hon. Jacob K. Kimanzi who is the Committee Clerk.

*(Applause)*

Hon. Members, on behalf of the Nairobi City County Assembly family, I wish to recognize their presence and give a warm welcome to the Hon. Members and staff of the Kitui County Assembly. Feel welcome and enjoy experience in Nairobi County Assembly. Thank you.

#### THE ISSUANCE OF COMPUTER TABLETS FOR MEMBERS

Hon. Members, I also have another communication to relay. This is in regard to the issuance of computer tablets for Members. Hon. Members, on Wednesday 17 March 2016, the Hon. Jackson Ngare, MCA, rose on the floor of the Assembly to deliver a personal statement pursuant to Standing Order no. 80 regarding the issuance of computer tablets to the Members of the County Assembly. The Chair then committed to deliver communication. I wish to inform you as follows;

Hon. Members, the quest to go digital and cut down our expenditure on the use of printing papers has been ongoing for some time now. I am pleased to inform you that the procurement process has been completed and the County Assembly is in the process of receiving delivery of the computer tablets for Members very soon. Hon. Members, the Assembly therefore expects the final delivery of the gadgets in the

next two weeks at most. Hon. Members, I therefore urge you to remain patient as we wait for the tablets to be made available and issued as soon as possible. Thank you.

Clerk, you may proceed.

### NOTICES OF MOTION.

**Hon. Deputy Speaker:** Hon. Members, under notices of Motion, we have Hon. Kennedy Oduru who will give notice of Motion urging County Executive to provide strategic direction to each County office and information desk located strategically at every entry point to the County offices in order to direct the members of the public to various offices and ensure efficiency in service delivery. Hon. Kennedy Oduru. Order Hon. Mugo!

**Hon. Member for Lucky Summer Ward (Mr. Kennedy Oduru):** Thank you Mr. Speaker sir, I have a notice of Motion that you have just gone part of it. That aware that under article 35 section 2 of the constitution states that every citizen has a right of access to information held by any person and required for the exercise---

**Hon. Deputy Speaker:** Order Hon. Immaculate! Please give the Member an opportunity convey the notice.

**Hon. Kennedy Oduru:** ---or protection or any right on fundamental freedom; Further aware that Nairobi City County Government has many different offices under various departments; concerned that some departments in the City Hall main building have offices at City Hall Annex which are not well labelled for identification purposes hence leading to difficulties by members of the public in accessing information and services at the County offices; noting that the main function of the County Government is to provide services to County residents; this Assembly urges the County Executive to provide strategic directions to each County office and information desks located strategically at every entry point to the County offices in order to direct the members of the public to various offices and ensure efficiency in service delivery. Thank you Mr. Speaker.

**Hon. Kennedy Oduru:** ...this Assembly urges the County Executive to provide strategic directions to each County Offices and an information desk located strategically ate every entry point to the County offices in in order to direct the Members of the Public to various offices and enhance efficient service delivery.

Thank you, Mr. Speaker sir.

**Hon. Deputy Speaker:** Thank you. Hon. Oduru. We are also expecting Notice of Motion from Karen Wanjiku on Motion urging County Executive to establish a Gender Based Violence Desk and well trained staff at City Hall to make use of central location and significance within the County. Hon. Karen!

**Hon. Karen Wanjiku** (Nominated Member): Mr. Speaker sir, I beg to give Notice of the following Motion that aware that article 28 of the Constitution specify that every person has inherent dignity and the right to have that dignity respected and protected. Further aware article 25 (a) of the Constitution provides for freedom from torture and quarrel in human, or degrading treatment or punishment.

Concerned that there has been an increase in incidence of Gender Based Violence and Sexual Gender Based Violence and there is need for a Gender Based Violence Desk for reporting such cases and also have trained staff able to deal with such delicate cases. Noting that since several police stations establish these desks, many Gender Based Violence victims have come out and reported such cases and justice prevailed.

This Assembly urgency the County Executives to Establish a Gender Based Violence Desk and a well trained staff at City Hall to make use of its central location and significances within the County.

**Hon. Deputy Speaker:** Thank you Hon. Karen. Hon. Diana Kapeen!

## STATEMENTS

**Hon. Member for South C Ward** (Ms. Diana Kapeen): Thank you Mr. Speaker sir, I wish to put in a statement Pursuant to Standing Order No. 41 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Planning and Housing and Agriculture, Environment and Natural Resources regarding the illegal upcoming construction of shops and cutting down of trees on public land in Almunkaram Estate in South C.

Hon. Speaker, in order to safeguard public land and public utilizes around the Estate, the NYS cleared illegal garages and shops that had sprung up on the Public land around the Estate and subsequently planted trees to green the area.

However, there has been a reviving of construction of shops in the cleared land and the trees planted by the NYS have been cut down. It is not clear who authorized the said construction works on the public land or the felling of trees.

Hon. Speaker in the statement, the Chairperson should inquire into and report on:-

1. Who authorized the said construction of shops on the land and the cutting sown of trees meant to green the environs of the Estate;
2. Procedure for obtaining permits to cut down trees on public land and whether the law was followed in destroying the painstaking work undertaken by the NYS;
3. Action taken against County Officials who collude with private developers to bring sown trees on public land with impunity.

**Hon. Deputy Speaker:** Thank you, Hon. Chairperson for Water and Sanitation. You started with P or W so you skipped A. Okay! Hon. Diana, I think you have two statements request let me at least complete with P because before me I have Roman A and B.

Hon. Chairperson for Planning or the Vice Chairperson for Planning is there any active Member for Planning Committee Member who can do the undertaking on behalf of the Committee.

**Hon. Member for Gatina Ward (Mr. Mike Obonyo):** Mr. Speaker, let me take the undertaking in the next one week, we will respond on the same.

**Hon. Deputy Speaker:** I think Hon. Obonyo may be you were not keen enough to listen to the concern the Member has raised, as contained in her presentation. Please as a matter of urgency you need to move with speed and I expect this report to be given before the Assembly by Thursday. So convene meeting and visit the place and stop the exercise before anything and then we get the report on Thursday.

**Hon. Mike Obonyo:** Okay! Grant us permission until next week on Tuesday. We have only one day and there are procedures to be followed for site visit.

**Hon. Deputy Speaker:** On this one at least we can understand the urgency so Thursday is not possible.

**Hon. Mike Obonyo:** Not possible but on Tuesday next week.

**Hon. Deputy Speaker:** Thank you. Hon. Diana! The Assembly is on next week.

**Hon. Diana Kapeen:** Thank you, Mr. Speaker, but I wish to remind you that I had the same question last year regarding the same from the two committees on Environment and Planning.

Mr. Speaker sir, the area is getting into a dump site and people are cutting trees, I therefore hope the Committee will give a comprehensive report because they have failed in the past. I also have a request for a statement Pursuant to Standing Order 41 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the biting water shortages often experienced in various parts of the City.

Mr. Speaker sir, the water and sanitation sector receives an annual allocation, for instance Ksh. 346 million in FY 2015/16, In addition to bills collected by the NWSC purposely to ensure efficient water provision to residents.

However, this has often not been the case, for instance in South C, especially in Green Estate. Lebern Estate, Ruby Estate and its environs where residents have been left at the mercy of water vendors/bowers and borehole owners who retail water expensively.

**Hon. Diana Kapeen:** ...Residents have made various visits to Nairobi Water and Sewerage Company without success. In this statement, the Chairperson should inquire into and report on:

1. When does the Nairobi Water and Sewerage Company plan to restore reliable water to the said estates and the reason for the erratic supply
2. Procedure for licensing private water vendors, bowsers and whether the said vendors have approvals from the City County to distribute water in the said estates
3. Thorough investigations on whether the persistent lack of water in the greater South C is an act of sabotage to provide a ready market for the water vendors and if not reasons why no measures have been put in place by the Executive to restore the reliable water supply once and for all.

Thank you Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Alex Ouda.

**Hon. Member for Mugomo Ini Ward** (Mr. Alex Ouda Otieno): Thank you Mr. Speaker sir. I request for two weeks.

**Hon. Deputy Speaker:** Order Hon. Alex! Are you privy to the calendar of the Assembly? If you say two weeks we'll be away on recess.

**Hon. Alex Otieno:** Mr. Speaker---

**Hon. Deputy Speaker:** Can you give us the response the first week after recess?

**Hon. Alex Otieno:** That one translates to two weeks. After two weeks the answer will be ready.

**Hon. Deputy Speaker:** Thank you. Hon. Ronald Milare.

**Hon. Member for Harambee Ward** (Mr. Ronald Milare): Hon. Speaker, pursuant to Standing Order 41 (2c) I wish to request for a statement from the Chairperson of the Sectoral Committee on Health Services regarding operations of Jericho Health Centre.

Hon. Speaker, there is concern that Jericho Health Centre is experiencing administrative challenges and area residents are suffering due to lack of medical services. Additionally, staff of the said Health Centre have reported that the welfare conditions have deteriorated. The Health Centre's operations were originally being funded by Danish Embassy Aid, DANIDA which provided clinics with day to day health care resources. DANIDA has since pulled out of the clinic and handed it back to the County.

Hon. Speaker, in the statement the Chairperson should inquire into and report on:

1. Status of the DANIDA's pending casual laborer's dues and the fate of the three casual laborers whose accrued debt is not paid

2. Reasons for the lack of essential supplies such as gloves, syringes, cotton, bandages
3. Measures put in place by the County Executive to improve the staff welfare and ensure that funds are received from the County Executive to facilitate operations of the health centre.

Thank you Hon. Speaker.

**Hon. Deputy Speaker:** The Chairperson for Health.

**Hon. Member for Nairobi South Ward (Mr. Manoah Mboku):** Thank you Mr. Speaker. If given two weeks the Committee shall---

**Hon. Deputy Speaker:** The first week after recess.

**Hon. Manoah Mboku:** Yes Mr. Speaker, we shall avail that report.

**Hon. Deputy Speaker:** Thank you. Hon. Mike Obonyo Guoro.

**Hon. Member for Gatina Ward (Mr. Mike Obonyo):** Hon. Speaker, pursuant to Standing Order number 41 (2c) I wish to request for a statement from the Chairperson of the Sectoral Committee on Justice and legal Affairs regarding improper use of Nairobi City County logo.

Hon. Speaker, section five of the Nairobi City County Flag and Symbols Act 2013 provided for restricted use of certain symbols, names, words, likeness of the professional or commercial purposes and for the matters incidental, there are two billboards erected on the streets of Nairobi City County of Senator Mike Sonko and Hon. Margaret Wanjiru with the logo of the County. It is not clear whether permission was granted by the Governor for the said as required by the relevant law.

Hon. Speaker, in the statement the Chairperson should inquire into and report on:

1. Whether there is a written permission from the Governor on the use of the County symbols as per section 5 (1) of the Nairobi City County flag and other symbols Act 2013 by Senator Mike Sonko and Hon. Margaret Wanjiru
2. The authority or the consent that the advertising company had on the publication of the City County logo as per the Nairobi City County Flag and Symbols Act 2013.
3. Measures put in place within the law by the County Executive to ensure enforcement of section 5 of the Act
4. Action taken against those found culpable of misusing County symbols without authorization

**Hon. Deputy Speaker:** Hon. Obonyo it is quite disturbing today you are not in your line of profession but anyway Hon. Jaffer Kassam. We expected to hear from the Lands Department.

**Hon. Member for Parklands Ward (Mr. Jaffer Kassam):** Thank you Mr. Speaker. We will be in a position to respond to it on Tuesday next week.



**Hon. Deputy Speaker:** Thank you our able Chairman of Justice and Legal Affairs. Hon. Diana Kapeen.

**Hon. Diana Kapeen:** Thank you Mr. Speaker. I would like to bring to your attention that I had put a request on the 9<sup>th</sup> of June, 2015. My Motion was directed to the Committee of Environment regarding unauthorized sand that is being sold along roads in South C, efforts made by the County to maintain the environment and plans to get rid of the sand.

Mr. Speaker sir, a response was given to the Assembly on the 22<sup>nd</sup> of July the same year. However, on the same day the response was given I rejected it and I have been waiting for the Environment Committee to Act on my request. We cannot be bringing requests and being given some documents that have no value at all.

**Hon. Member for South C ward (Ms. Diana Kapeen):** I returned the report to the environment committee. Sand hawking has blocked our drainage, every day we have a new sand vendor and new ballast vendor. Every time we have a lot of half-baked reports that are being brought to the House which is an insult to what we are doing. I would want this Committee on Environment to call me back to the Committee or conduct site visit to see how these vendors on pavement are destroying our drainage. Thank you.

**Hon. Deputy Speaker:** Thank you. The chairperson of Environment, could you please respond to the concern of the Member?

**Hon. Member for Upper Savannah Ward (Mr. Benson Amutavi):** Mr. Speaker sir first I want to respond to the concern of Hon. Kapeen, I would like to ask the House to help this Committee because we have had problem with Implementation Committee and Inspectorate department because as we report such issues they go to the ground but we don't know what they are told or given, so the issues end up not being solved.

We ask you Mr. Speaker to help us by doing letter to Inspectorate asking them what action they are taking when Members report their issues in their area. The responses we are getting from executive even us as Committee we always complain but we have nothing to do or say, we have to present it as it has been given to Committee, we cannot add things that we can't implement. I also have the response with me...

**Hon. Deputy Speaker:** Order Member! You may sit. Hon. Diana did you highlight areas you are not comfortable?

**Hon. Diana Kapeen:** Yes Mr. Speaker I did highlight the area which I was very uncomfortable with. I highlighted the fact that the County Assembly is not aware who is licensing the people who are doing the sand things. Then I also raised a concern whereby they were not sure. If they attached receipts...

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

*(Point of Information)*

Who do you want to inform? Chairman do you want to be informed? Thank you. Chairman on the efforts you made on requests of Diana Kapeen, in your ability as Chair of Committee, now you think the Office of the Speaker can do undertaking on behalf of the committee?

**Hon. Benson Amutavi:** Mr. Speaker sir not the Office of the Speaker but the Office of the Speaker in conjunction with the Environment Committee because we had a problem, am told there was seven member enforcement team that used to be in place before but it was disbanded and it used to help a lot in the department, so that is what we are requesting. If the enforcement team can be reformed then I think our duties will be...

*(Point of Information)*

**Hon. Deputy Speaker:** Declined. Thank you Hon. Member you can sit. Hon. Karen you may proceed.

**Hon. Karen Wanjiku** (Hon. Nominated Member): Mr. Speaker sir I want to inform the house the Hon. Member does not know what he is speaking about

**Hon. Deputy Speaker:** Order, order that is unparliamentarily language, can you please sit down.

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

**Hon. Deputy Speaker:** Order can you sit down. Hon. Kagiri please.

**Hon. Member for Pipeline ward** (Mr. Samuel Kagiri): Mr. Speaker am a member of Environment Committee and am in support of the Chairman. We as a Committee visited the ground that Hon. Kapeen is talking about, we came and wrote our report and presented it to the Executive. The problem as he says the implementation is the problem; it is not the Committee that has failed. We did our work, presented our report but the Executive is taking their time to do the implementation. So what should be done is another letter to be written to the Executive to effect what has been recommended by the Committee, thank you.

**Hon. Deputy Speaker:** Thank you Hon. Member, we have to conclude this issue. I think there is Vice Chair of Liaison to take up the issue of the Environment Committee. Do we have Hon. Kitavi in the House? If the Hon. Kitavi is not in the House we have the Chair of Budget Committee which is the Senior Committee after the Liaison Committee. Maybe at least you raise the issue in the Liaison Committee Hon. Ogada. Can you do the undertaking?

**Hon. Member for Embakasi ward** (Mr. Michael Ogada): Thank you very much Mr. Speaker, on behalf of the Liaison Committee we will be reporting after two weeks.

**Hon. Deputy Speaker:** Thank you. Hon. Diana are you comfortable?

**Hon. Diana Kapeen:** Mr. Speaker sir am not comfortable, please this is an issue that is really affecting me directly. This issue was raised on 9<sup>th</sup> June 2015, we are in March meaning it is almost 9 months. It is just a matter of scooping the dust; if they cannot to do that are we expecting the department--- how long will it take to clean Dandora dumpsite? And then again yes we had an issue with Environment Committee because we used to know there was someone who was untouchable, just give direction that the new Chief Officer should go and clean my Ward.

**Hon. Deputy Speaker:** Thank you Hon. Diana, the matter has been taken up by the Liaison Committee and they will convene at least a joint sitting with the Environment Committee and come up with a conclusive position on the same. The Hon. Deputy Whip.

**Hon. Member for Kahawa West Ward (Mr. Ngaruiya Chege):** No the Deputy Minority Leader. Thank you Speaker and you should know people. *(Laughs)* Mr. Speaker, I pity the Chair Environment, I remember one time---

**Hon. Deputy Speaker:** Order! Could you please---

**Hon. Ngaruiya Chege:** Thank you. I wanted to raise to your attention a request I had made in this House about a perimeter wall being constructed by Kenyatta University along Northern By-pass. Mr. Speaker, the answer that I got in this House was half-baked and they had even come up with a notice that the wall should be pulled down. But as we are speaking the construction is ongoing and yet the approval for this particular wall has not come to this County for it to pass the test of time.

So I request for your indulgence and I don't know how we are going to move about it, through your wisdom kindly guide this House and me on how we are going to go about it because it's going out of hand and there are no service lanes that can be constructed at that particular time and even I request the Committee to visit the site. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you. Do we have Hon. Atinya in the House, the Chairperson of the Planning Committee? The Vice Chairperson of the Committee? Planning Committee, thank you.

Hon. Member please before you move to the microphone at least, can you adjust your tie a bit?

**Hon. Member for Kitusuru Ward (Mr. Alvin Palapala):** We will confirm next week about the matter of the perimeter wall.

**Hon. Deputy Speaker:** The Member has raised a pertinent issue where now the construction of the wall is ongoing.

**Hon. Alvin Palapala:** We will go for a site visit next week.

**Hon. Deputy Speaker:** Are you sure of what you are saying Hon. Member?

**Hon. Alvin Palapala:** Yes I am sure.

**Hon. Deputy Speaker:** Declined you are not a Member of the Planning committee. Please you may sit. Order Imwatok! Hon. Ngaruiya Chege we will revisit your issue tomorrow when the Chairperson of Planning will be in the House then we will know how to go about it. Thank you. Hon. Members we are still under Oder No. 7 and we have the following responses for statements which are supposed to be presented before the House. Hon. Imwatok what is it?

**Hon. Member for Makongeni Ward (Mr. Peter Imwatok):** Mr. Speaker I know you declined me to speak but on the same the Committee of Planning, I have an issue. I asked for a statement long time ago but I don't know whether the site visit happened, but unfortunately after the site visit the nitty gritty of the site visit has never been told to date. The same Committee approved the road to be split and new road and to date I have never received the report. Mr. Speaker I think this Committee is moribund and---

**Hon. Deputy Speaker:** On which location of the City?

**Hon. Peter Imwatok:** In my Ward Mr. Speaker. I think it is a Committee full of cartels---

**Hon. Deputy Speaker:** Order Hon. Imwatok! Hon. Marion had requested a statement from the Chairperson of the Committee on Agriculture. Do we have Hon. Marion in the House?

**Hon. Member for Upper Savannah Ward** (Mr. Benson Amutavi): Mr. Speaker sir, she said I proceed that she is unwell.

**Hon. Deputy Speaker:** Have you received an official communication in regards to that?

**Hon. Benson Amutavi:** She called me.

**Hon. Deputy Speaker:** Hon. Members are you ready to receive the report?

**Hon. Benson Amutavi:** The ayes have it.

**Hon. Deputy Speaker:** Can we proceed? You may proceed Chairman.

**Hon. Benson Amutavi:** For the first time the nays have it. Response to a statement requested by Hon. Marion Githinji, MCA form the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources regarding solid waste management in the County. Hon. Speaker sir, on Wednesday 17<sup>th</sup> February 2016, the Hon. Member Marion Githinji, MCA rose on the floor of the Assembly pursuant to Standing Order 41 (2c), and requested the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources for a statement regarding garbage collection in the County. She further asked the Chairperson to inquire into and report on:

1. Reasons for breakdown of garbage collection services and measures put in place to prevent such failure in future;
2. Assessment of policies put in place on garbage collection contracts and whether the same need reworking for efficiency;
3. Number of companies contracted per zone and what are the payments; and
4. The roles and duties of County workers in the Environment department under the Cleansing Section in light of the failure to streamline garbage collection.

Mr. Speaker sir, the Committee wrote to the Chief Officer Environment, Energy and Water with a copy to the County Executive Committee Member responsible for Environment, Energy and Water on 18<sup>th</sup>

February 2016 requesting to be furnished with a written response--- (*Interruption*) ---to the statement by the Hon. Member.

The Chief Officer responded vide letter ref. CO (EE &W) 1/33/100 dated 26<sup>th</sup> February 2016. In this regard Mr. Speaker sir, I wish to report to the Assembly as follows; that

**Reasons for breakdown of garbage collection services and measures put in place to prevent such failure in future**

Breakdown in solid waste management has in the recent past been occasioned by frequent refuse truck breakdown, withdrawal of contractor trucks and poor state of the final disposal site. The County owns a total of 43 trucks. Out of these, only 13 are operational on a normal day while the rest are awaiting repair works at our NCC garage or the Suppliers' yard, that is the Foton yard. Delayed payments have seen contractors withdraw substantive fraction of their fleet from the respective zones. The poor state of the final disposal sites has often resulted in long turnaround times with some of the trucks taking 8 hours to offload. All these factors combined negatively affect service delivery.

**Measures put in place to prevent such failures in future.**

The department has been advocating for timely procurement of truck repair services both from the NCC garage and Suppliers facilities. The department has also been striving to ensure that the Finance department settles contractor bills in good time so as to avert service disruption. There has been major improvement works going on in Dandora and these include hardcore placement on access roads and erection of a wall around the dumpsite. A taskforce was recently appointed by H. E. the Governor to make recommendations on what needs to be done.

**Assessment on policies put in place on garbage collection contracts and whether the same needs reworking for efficiency.**

Whenever tenders for solid waste collection, transportation and disposal are due, revision of formally binding documents is done. Preparation of new contract documents is advised by experience. Need for service improvement and prevailing dynamics – improvement is therefore done from time to time.

**Number of companies contracted per zone and their payments.**

The following is a tabulation of companies contracted to work in individual areas and the amount they are paid per tonne delivery to Dandora dumpsites from each of the zones. I will read the name of the firm, the area and the unit per tonne.

1. Usafi Solid Waste Collection, Embakasi Central Zone. They are paid Ksh.1685.00 per tonne. It belongs to Jeshi Suppliers.
2. Ramsi Enterprise, owned by J.W. Mwangi, Embakasi East Zone. It is paid Ksh.1630.50 per tonne.
3. Victoria Builders. Belongs to Ramsi Enterprises, Embakasi North Zone. It is paid Ksh.1,666.50 per tonne.
4. Shujaa Industries – Belongs to Commodity Waste Management – Embakasi West Zone. It is paid Ksh. 1741.60 per tonne.
5. Nepp Hardware and Construction – Belongs to Commodity Waste Management and Tema Home Care Co. Kamkunji Zone, Starehe Zone. Paid Ksh. 1,700 per tonne.
6. Pukka Investments – Belongs to Gigwent Enterprises and Giko Investments – Kasarani Zone. Paid Ksh. 1,700.00 per tonne.
7. Creative Consolidated Ltd Better Best Enterprise and Sifa Cleaning and Bins Services – Kibra Zone, Langata Zone, Dagoretti North Zone and are paid Ksh.1, 990.00 per tonne.
8. Jesca Enterprises – Makadara Zone – Paid Ksh.1650.00 per tonne.
9. Capital Waste Management – BevaRose Co – Westland Zone, Mathare Zone and they are paid Ksh.1,650.00 per tonne.
10. Vineyard Holdings – Njigu Kenya Ltd – Creative Consolidated Systems – Roysambu Zone and they are paid Ksh.1, 752.30 per tonne.
11. Sifa Cleaning & Bins Services – Ruaraka Zone - paid Ksh.1600 per tonne.

The role and duties of the County Workers in the Environment Department under the cleansing section in light of the failure of streamlining garbage collection – The cleansing now referred to as solid waste management section has staff members of different cadres. The roles, duties and responsibilities of each of the officers are well stipulated in the respective hiring/employment document. In respect to streamlining solid waste collection activities, there have been numerous challenges some of which are beyond the sections mandate. For instance, the section's staff may not do much matters of payment of solid waste collection to contractors or even procurement of heavy plant machinery used at Dandora. Officers are however committed to provision within their jurisdiction. Mr. Speaker sir, I beg to lay this response. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Amutavi. Hon. Members, I have received a request from Hon. Marion Githinji in regards to the same and I so direct that under Order 7 we create 10 minutes for the Member to interrogate the report tomorrow under the same Order 7. Thank you. We may proceed. Hon. Kenneth Irungu, is he in the House? Hon. Irungu, you made a request to the Committee on Trade, Tourism & Cooperative Committee and the Committee on Agriculture, Environment & Natural Resources regarding Quarry Road Market Dumpsite on Pumwani Ward. *Mheshimiwa* Irungu is not in. Hon. Hashim.

**Hon. Minority Chief Whip** (Mr. Hashim Kamau): Thank you Mr. Speaker. He requested that that statement be brought tomorrow and I have communicated the same to the Chairperson.

**Hon. Deputy Speaker:** That will depend with the House Business Committee on whether they find space to slot in the same. You were to respond so just wait for a communication tomorrow. You may not proceed. Hon. Members under order number 7 allow me to give the Chair of Budget Committee time to make a request before the Assembly

**Hon. Member for Embakasi Ward** (Mr. Michael Ogada): Thank you very much *Bwana* Speaker. Today being the last day when we were supposed to bring our Strategy Paper, unfortunately as a result of many issues within the Assembly, the Committee was not able to complete the work and therefore I am requesting that we be given 14 more days so as to finalise.

**Hon. Deputy Speaker:** Chairman what happens to the timeline?

**Hon. Michael Ogada:** We tried to work hard but the Speaker gave a communication that we need to suspend the work until some issues are sorted out between the Executive and the---

**Hon. Deputy Speaker:** Is this in line with the Constitution? What do you think as the Chair of Budget?

**Hon. Michael Ogada:** I really do not know but as a Committee, I am alive to the fact that I am supposed to bring that document and I beg that my time can be extended so that it is not overtaken by events. As of the rest, I believe it is at the wisdom of the House to interrogate.

**Hon. Deputy Speaker:** Hon. Members I direct the office of the Clerk to make a communication tomorrow for the Chair so that Members are informed on the position of the Fiscal Strategy Paper. Is that in order Members? An official communication will be made on the same.

Clerk you may proceed.

## MOTION

**Hon. Member for Embakasi West Ward** (Mr. Robert Mbatia): Thank you Mr. Speaker. I beg to move the following Motion; THAT, the Assembly adopts the report of the Select Committee on the Public



Accounts on consideration of the report of the Auditor General on the financial operations of the Nairobi City County Assembly for the period from 1<sup>st</sup> July 2013 to the 30<sup>th</sup> June 2014 laid on the table of the Assembly on the Tuesday 24<sup>th</sup> November 2015.

Mr. Speaker, on behalf of the Public Accounts Committee and pursuant to the provisions of the Standing Order 180 (6) it is my pleasure and privilege to present to this House the report on the findings of the said Auditor General's report. The mandate of this committee is derived from Standing Order no. 186 (2) which states that there shall be a Select Committee to be designated as the Public Accounts Committee and shall be responsible for the examination of the accounts showing the appropriations of the sum voted by the House to meet the public expenditure and of such other accounts laid before the house as the Committee may think fit.

The Committee's membership then was;

1. Hon. Andrew Mbau
2. Hon. Alex Otieno
3. Hon. Rose Ogonda
4. Hon/ Magret Sewe
5. Hon. Tabitha Juma
6. Hon. Julius Mwaniki
7. Hon. Steven Kambi
8. Hon. Jackson Mwangi Ngare
9. Hon. Martin Waweru Gichuhi
10. Hon. Njuguna Mwangi
11. Hon. Martin Mugo Kanyi
12. Hon. Ronald Milare
13. Hon. Benson L. Amutavi
14. Hon. Oscar Lore
15. Hon. Peter Isuha
16. Hon. Maurice Gari Otieno
17. Hon. Moses Ogeto
18. Hon. Daniel K. Mutiso – Vice Chairman

19. Hon. Robert Mbatia – Chairman

Mr. Speaker, this Audit Report covers the period from 1<sup>st</sup> of July 2013 to---

**Hon. Deputy Speaker:** Permission granted Hon. Akuk.

**Hon. Member for Nyayo Highrise Ward** (Mr. Maurice Akuk): Thank you very much Hon. Speaker for catching my eye. I would like to suggest to this Hon. House that the matter being discussed is very weighty and it will be wrong to pass such a document without a quorum.

**Hon. Deputy Speaker:** Clerk can you confirm if indeed there is lack of quorum in the House?

(Clerk confirms)

Hon. Members under Standing Order 32 (2), I direct the serjeant-At-Arms to ring the bell for 8 minutes due to lack of quorum in the House. Sarjent-At-Arms please find out what is happening in the City and get the Chair informed.

Hon. Oduru you cannot walk out when the bell is ringing!

Order Member, be orderly! Under Standing Order 34 can you be seated!

Hon. Members there is no cause for alarm. There is a company which is launching a drill exercise in the City and so you are very safe.

Hon. Members after the bell has been rung under Standing Order 32 (2) there is still lack of quorum and the Standing Order requires that I may give further directions for five minutes which I am not going to give. The Assembly then stands adjourned and Motion 8 and 9 are to appear in the Order Paper for tomorrow.

The House Business Committee sits at the rise of the Assembly.

***(The House rose at 3:48 p.m.)***