



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Fourth Session

Tuesday 23rd August, 2016

The House met at 2.30 p.m.

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

### PRAYERS

**Hon. Ken Ngondi, Deputy Speaker in the Chair**

**Hon. Deputy Speaker:** Hon. Members, there is still lack of quorum in the House under Standing Order number 31(2) I direct the Seargent at Arms to ring the bell for 10 minutes.

*(Quorum bell is rang for 10 minutes)*

**Hon. Deputy Speaker:** Hon. Members, we can now proceed.

### NOTICES OF MOTION

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

**Hon. Member for Kwa Njenga (Mr. Alex Mulatya):** Thank you, Mr. Speaker. I would like to give Notice of Motion, THAT aware paragraph 12 of Part 2 of the 4<sup>th</sup> Schedule of the Constitution of Kenya 2010 devolved the responsibility of firefighting and disaster management to the County Government. Further aware that the County Assembly enacted the Nairobi City County Disaster and Emergency Management

Act 2015 which requires the County Government to put in place adequate measures to respond to disasters such as fire outbreaks wherever they occur. Noting that Nairobi City County frequently experience fire disasters especially in the informal settlements where fire causes considerably property damage and immense suffering to citizens. Deeply concerned that most fire-fighting equipment such as fire engines and personnel are stationed within the Central Business District, (CBD) thus making it difficult for timely response to fire disasters since the CBD is always congested due to heavy traffic while the informal settlements lack appropriate roads to ensure efficient movement of the fire engines. Whenever the fire disasters happen this Assembly urges the County Executive to decentralize firefighting services to the Ward level to ensure timely and effective response to fire disasters wherever they occur. Thank you Mr. Speaker.

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

## STATEMENTS

**Hon. Deputy Speaker:** Statements due for response. There was a request from Hon. Peter Ishua from the Chairperson of Planning and Housing regarding the intended grabbing of a parcel of land, LR 5875/2 Kasarani off Thika Rd. The Vice Chairperson of Planning? A member of the Planning Committee who might be aware of the Committee happenings.

**Hon. Member for Korogocho Ward (Mr. Maxwell Ochieng):** Thank you Mr. Speaker. By next week on Tuesday the Committee will provide the statement required by the Hon. Member.

**Hon. Deputy Speaker:** Thank you. Statement requested by---

**Hon. Member for Clay City (Mr. Erastus Mburu):** Hon. Speaker, I am the area MCA of Clay City who requested that statement and the longer the Committee takes--- The work on the site is ongoing so at some point it will be of no use so I wish you would urge the Committee to move with speed and conclude whatever is required from them. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Peter Isua.

**Hon. Member for Kangemi Ward (Mr. Peter Ishua):** Thank you, Mr. Speaker. I think the Member is confused---

**Hon. Deputy Speaker:** Order, Hon. Member. Can you withdraw the word confused because no Member who is insane or confused is present in the House.

**Hon. Peter Ishua:** What I am saying Mr. Speaker, you just indicated that the Statement was requested by Hon. Peter Ishua. I fail to understand why the Member wants to take over the statement that was asked for by me?

**Hon. Deputy Speaker:** Order, Hon. Ishua. At least you rose before Hon. Mulatya meaning you had something even before the comment from Hon. Mulatya meaning you had something even before the comment from Hon. Mulatya.

**Hon. Deputy Speaker:** Please proceed.

**Hon. Peter Ishua:** Mr. Speaker, I think that statement was requested by me and I am the one---

**Hon. Deputy Speaker:** Are you okay with waiting for the response in one week's time?

**Hon. Peter Ishua:** I am okay with that.

**Hon. Deputy Speaker:** Thank you. We may proceed. Statement requested by Hon. Shadrak Juma from the Chairperson of the Committee on Agriculture, Environment and Natural Resources in running the conservation in the County. Hon. Members, Environment Chairperson. Hon. Amuavi? Any Member of the Committee?

**Hon. Petronilla Achieng (Nominated Member):** Thank you Mr. Speaker, we hope to bring the Statement next week because we have not received the reply from the Executive.

**Hon. Deputy Speaker:** Then how do you assure the Assembly, that you will bring it next week?

**Hon. Petronilla Achieng:** Because we have asked the Clerk to follow it up.

**Hon. Deputy Speaker:** So you are not sure they will give you response in good time.

**Hon. Petronilla Achieng:** We are pushing them and we hope we will get it by next week.

**Hon. Deputy Speaker:** Can you please response and tell the Assembly the status by Thursday before you commit it to the Assembly, before Tuesday next week.

**Hon. Petronilla Achieng:** That is okay!

**Hon. Deputy Speaker:** Okay! Statement requested by Hon. Githinji from the Chairperson of Sectoral Committee on Planning and Housing and the Liaison Committee regarding the recent collapse of the buildings and walls in the County. Hon. Kitavi on behalf of Liaison! Hon. Odalo can you stand in for Liaison Committee, or at least you are not present in the House physically you are but.....

**Hon. Member for Mabatini Ward** (Mr. Wilfred Odalo): Thank you, Hon. Speaker, next week on Tuesday.

**Hon. Deputy Speaker:** What is next week on Tuesday?

**Hon. Wilfred OdaloS:** The response for the Environment Committee, Thank you.

*(Loud Laughter and Consultations)*

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

**Hon. Karen Wanjiku** (Nominated Member): Point of Order Hon Speaker.

**Hon. Deputy Speaker:** Declined Hon. Karen! Hon. Members, this is an opportunity maybe to pick up from where we were, the Statement requested by Hon. Marion Githinji from the Chairperson Sectoral Committee on Planning and Housing and Liaison Committee regarding the recent collapse of buildings and walls in the County. So the Vice Chair for Liaison is not present that is when I requested any Member of the Liaison Committee to shade some light on this. Hon. Alex Ouda!

**Hon. Member for Mugumoini Ward** (Mr. Alex Ouda): Thank you Mr. Speaker sir, the report is very extensive and it is not only that one. As a Liaison member Mr. Speaker, we are compiling the whole Nairobi so that we can give a full detailed statement regarding the same. Thank you.

**Hon. Deputy Speaker:** Can you give at least the time line.

**Hon. Alex Ouda:** Mr. Speaker, let us review it on Thursday and that is when we can determine and give a full report.

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

## MOTION

**Hon. Deputy Speaker:** Order No.8 on Motion this was an interrupted business on Thursday 11<sup>th</sup> August, 2016 and it was due to lack of quorum, so the mover! Hon. Members, this was a Motion moved by Hon Elizabeth Manyala and actually you only took four minutes and before she was done at least with the Motion and even to call upon one Member to second, the Motion was interrupted due to lack of quorum.

So I think it is in order and since she is not around to give her at least another opportunity because actually we didn't even know who her prevalent seconder was in this Motion. Is that in order? So I direct that the Motion to appear in the Order Paper tomorrow and the Clerk to communicate the same to Hon. Elizabeth Manyala. Thank you.

**Hon. Deputy Speaker:** Hon. Karen!

**Hon. Karen Wanjiku:** I beg to move the following Motion that aware that Article 42 of the Constitution of Kenya, 2010 states that every person has the right to clean and healthy environment; further aware that Article 43 (1) (b) Constitution states that every person has the right to reasonable standards of sanitation; concerned that some service providing institutions such as hotels and entertainment joints operate without proper and adequate sanitation infrastructure such as clean toilets and adequate water supply within the County, noting that poor sanitation contributes significantly to deaths from diarrhea and can hinder child development by impeding the absorption of essential nutrients and reducing the effectiveness of life-saving vaccines; acknowledging that paragraph 11 (b) of the Part Two of the Fourth Schedule to the Constitution of Kenya provides for the water and sanitation services as the function of the County Government, this Assembly urges the County Executive to ensure that all public places especially hotels and entertainment joints within the County have proper and adequate sanitation infrastructure (clean toilets and adequate safe water supply) to reduce contagious and communicable diseases that may devastate human health as well as the environment.

Indeed Mr. Speaker sir, we have seen some public places mostly in hotels and bars in the CBDs when you go there you eat and probably you are having a running stomach and there is no toilet, imagine what will happen. We have some here and I don't want to mention their names just outside here without a toilet.

Mr. Speaker sir, we know that if you use your hands or maybe you go to the toilet and you don't want to wash your hands what will happen or if those people who like going to wars and urinating, what happens probably they will urinate on some *sukuma wiki* and then you will come and take that *sukuma wiki* and maybe that person had a disease you will all contract that disease so it is important to have a toilet and clean water Mr. Speaker sir, I want to call Alexina to Second as I finish we have had problem of water so some people have toilets and they don't have water to flush.

**Hon. Deputy Speaker:** Order Otieno! Declined you can't interrupt the Member when she is moving a Motion.

**Hon. Karen Wanjiku:** I beg *Mheshimiwa* Alexina to come and second my Motion thank you.

**Hon. Alexina Moddy** (Nominated Member): I thank you Mr. Speaker sir, this afternoon once again just to echo what my colleague has said that it is quite unfortunate in this City not even within the CBD as we extend beyond the CBD you will realize that there are so many operation especially alcohol whereby there is no place to hide let alone even just a toilet, you will find may maybe some.....

**Hon. Alexina Mudi:** Thank you Mr. Speaker this afternoon. Just to echo what my colleague has said is that it is quite unfortunate in this City not even within the CBD as we extend beyond you will realize there are so many operations of especially alcohol whereby there is no place to hide let alone even just a toilet. You will find some of them have been put maybe in the middle of the estates. In these estates we have got children living there. When one has taken alcohol we don't know how they are driven and especially our brothers just open up themselves exposing their bodies to the children even in the estate.

Something has to be done. We are parents. As if that one is not enough, water is life. If we can't have water in an operation like that then I think something is not very good.

It is quite unfortunate just along City Hall Way we have an eatery which I am not going to mention the name and they have the best food so far. When you ask for a place to go and hide you are kindly shown the door and led to the neighboring one which we find interesting. Why should such people be given licenses in the first place? Before anyone is given a license to operate an eatery or a drinking place I think some of these things especially the hiding place, the toilet, taps and water should be put in place to make sure that this is part and parcel of the qualifications for one to be given a license to operate this kind of business.

With these few remarks Mr. Speaker, I urge the Hon. Members to at least come out and support our Hon. Member so that we at least have the best Nairobi, estates, running businesses in place and in a rightful manner. I therefore second the Motion.

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

*(Question proposed)*

**Hon. Deputy Speaker:** Hon. Nyangala.

**Hon. Jacqueline Nyangala** (Nominated Member): Thank you Mr. Speaker. Clean water and sanitation is a simple necessity. We can start from City Hall. It is very unfortunate that sometimes we don't even have water in our toilets here. I don't see how we are going to regulate water outside two steps from City Hall and it is something that we should ensure that we do. We should have water in toilets and anywhere like my colleague said. I don't see how we give anybody a license and they don't have a toilet or to where to wash hands, instead the place has no water and you have to go to the neighboring facility. Mr. Speaker, I support.

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

**Hon. Member for Hospital Ward** (Mr. George Ochola): Thank you Mr. Speaker. It is very interesting that you have eaten and the place where you have eaten this person is not interested in where you will take the waste especially those who don't have a speed governor. This person is not caring about these kind of people. We always have a hand washing day. As a reminder why do we have a hand washing day? Because of hygiene. Come to think of it, a person gets issued with a license to operate an eatery and then the digestion of other people moves with a lot of speed and this person will have to excrete. The person knows all that is needed before you open an eatery. I request that you direct this kind of place to be closed until they meet the requirements and then they can re-open. This will bring order to the City and in terms of caring about our people. It will improve hygiene and control because they say prevention is better than cure. If we go that way, I think we will be on the right track therefore; I support Mr. Speaker, thank you.

**Hon. Deputy Speaker:** Thank you Hon. George Ochola. Hon. Alex.

**Hon. Member for Mugomo Ini Ward** (Mr. Alex Otieno): Thank you Mr. Speaker sir. I am here to support. Let us be serious on what we are doing. This is the Capital City of our beloved Country. If we have visitors like this week we are also going to have some visitors. In case a visitor visits a restaurant and then maybe he or she asks for a private room then he is told to go round yet the County licensed these people to do that kind of business. Let our people be serious. Recently, we saw the Commission for Higher Education going round within the mushrooming Universities. They recommended quite a number of them to be closed until such a time that they will provide all the necessity....

**Hon. Alex Ouda:** ---They recommended quite a number to be closed until such a time that they will put in place all the necessities. So, it is high time our Public Health Department be entrusted to do such kind of job. Let us ask the public to go round and ensure that even if you are given the license, there are other requirements they have to meet so that we can have a clean City with a clean environment.

On the water issue, Mr. Speaker, water is life and everybody needs to have it. There are other places where people rush to make money without thinking that tomorrow, how will I be serving my customers. Other buildings don't have even water connections or water was disconnected some years back yet they are running the business. So, I would urge the Executive to be serious and bring sanity to our County. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Bishop.

**Hon. William Abuka** (Nominated Member): Thank you very much, Hon. Speaker. I really want to appreciate and congratulate the Hon. Member, Karen for bringing to the floor of the Assembly such a noble Motion to discuss issues of sanitation, cleanliness and overall hygiene within the City County.

Mr. Speaker, while in support of the generous contributions from the previous contributors, I would want to say that some of the eateries and joints we patronize, you find even the washrooms are a hindrance to the facility itself. You go to the washroom which is on the third floor, there is no lift. People with disability cannot even access the usage of the same. I think while issuing licenses to people operating such joints, they should ensure that those facilities are accessible to every member of the public, and specifically, people with disabilities. We have used some of these facilities where you cannot even bend, and if you do, your head is already past the door (*laughs*). It is quite stressful. They should have some standard way of looking at these things. A latrine or washroom should have a certain measure in terms of height, cleanliness and hand washing should be there. It should be in a place where every member of the public can access. Otherwise, I support. Thank you.

**Hon. Deputy Speaker:** Hon. Kitavi.

**Hon. Member for Laini Saba Ward** (Mr. David Kitavi): *Ahsante sana, Bw. Spika kwa kunipa fursa hii niweze kuchangia Mjadala huu.*

**Hon. Deputy Speaker:** Order!

**Hon. David Kitavi:** *Unasikia Waheshimiwa wakilia wakitaka bursary na kweli kilio chao ni cha haki, ni kilio cha wanyonge. Wabunge Waheshimiwa, msiwe na wasiwasi, nipo hapa kuchangia huu mjadala kabla niongelee mambo ya bursary.*

**Hon. Deputy Speaker:** Order, Hon. Member! Can you comment a bit then we proceed.

**Hon. David Kitavi:** You have allowed me?

**Hon. Deputy Speaker:** Yes.

**Hon. David Kitavi:** *Waheshimiwa, ni kweli kwamba kumekuwa na kuchelewa kwa vijikaratasi vya bursaries kwa sababu ambazo hazingeweza kuhupukika. Kuna tetezi kwamba Idara ya Elimu katika Kaunti ya Nairobi hawajapewa fedha za kununua makaratasi ya kuchapisha bursary. Najua kwamba, Bw. Spika---*

*(Loud consultations)*

**Hon. Deputy Speaker:** Order! Give the Member time.

**Hon. David Kitavi:** *Najua Mh. Akuk amepewa msukumo na watu wa Wadi yake wakitaka bursary. Kwa hivyo, jibu ni kwamba, kulingana na Waziri wa Elimu katika Kaunti hii, wiki ya kwanza au ya pili ya mwezi ujao, amenihakikishia ya kwamba Waheshimiwa wote watakuwa na fomu zao za bursary kulingana na bajeti. Mheshimiwa akitaka kujua atapata fomu ngapi, aende kuchukua bajeti aangalie tumetengewa pesa ngapi.*

**Hon. Deputy Speaker:** Sawa, Mheshimiwa, umesema---

**Hon. David Kitavi:** *Wiki ya kwanza ya mwezi ujao.*

**Hon. Deputy Speaker:** Thank you, you may proceed now.

**Hon. David Kitavi:** *Ahsante sana, Bw. Kiranja. Nilikuwa nachangia swala hili la---*

**Hon. Deputy Speaker:** Order, Hon. Akuk!

**Hon. David Kitavi:** *Mh. Akuk, unajua Mwenyekiti wa Maji yuko hapa.*

**Hon. Deputy Speaker:** Please, can you proceed.

**Hon. David Kitavi:** *Bw. Spika, swala la maji na usafi katika mikahawa yetu ni swala la muhimu sana. Ningependa kusema hivi, zaidi ya kuweza kuhakikisha kwamba mikahawa ina sehemu za kunawia mikono, ni muhimu pia maswala ya kuhelimisha watu kuhusu mambo ya usafi izingatiwe. Sijui kama Kaunti hii ina mpango wowote maalum wa kufunza watoto shuleni umuhimu wa kunawa mikono. Mara nyingi unapata ata kuna sehemu ya kunawia mikono lakini watu wengi hawatumii kwa sababu elimu ya afya hawajafunzwa.*



*Kwa hivyo, mchango wangu ni kwamba, tusimulike tu mikahawa ambayo iko hapa mchini, kule pia kwenye vitongoji katika wadi zetu kuna mikahawa mingi sana ambayo haina sehemu za kunawia mikono na pia mahali pa kujisaidia. Wale ambao ni washika dau na wahusika katika maswala ya afya kwenye hii Kaunti wanastahili watembe katika Wadi zetu wakifanya ukaguzi kuhakisha kwamba sehemu hizo zimetengwa.*

*Vilevile, kuna watu wengi ambao huuza vyakula kwenye barabara kama vile mtura, maembe na kadhalika. Ni vizuri hao wafanyibiashara wazingatie usafi. Utakuta mara nyingi watoto hununua vitu hivi. Wametoka shule ilhali wamecheza kwenye mchanga na pia takataka na kuna uchafu mwingi kwenye makucha yao na wanunua vile vitu.*

*Kwa hivyo, zaidi ya kuwa na sehemu za kunawia mikono, Kaunti hii itie mikakati. Kwanza, maafisa wa elimu watembe kwenye mashule wakihamazisha watu umuhimu wa usafi, kukata kucha, na kuosha bidhaa za kula kama vile maembe.*

*Pili, Bw. Spika, ni kwamba mikahawa mingi katika miji kama Nairobi, utakuta wakati mwingine hakuna maji. Kwa hivyo, wale wateja wanalazimika kukula chakula bila kunawa mikono. Ni vizuri tuje na mikakati ama sharia ambayo inalazimisha hao wanabiashara wawe na mitungi ya maji. Kama kutakuwa na ukosefu wa maji kwenye bomba zao za maji, wateja wanaeza wakanawa mikono yao. Hiyo itakuwa inasaidia. Lakini hoja kubwa kabisa ni mambo ya hamasisho. Tuwe na vijikaratasi. Tuwe na vipindi vya redio ambavyo nathamniwa na hii Kaunti ya Nairobi kuhamasisha watu kuhusu umuhimu wa usafi. Hiyo ndio njia ambayo ni ya mwafaka na ya kudumu ya kuweza kuzingatia maswala ya usafi. Naunga mkono huu mswada.*

**Hon. Peter Imwatok:** Mr. Speaker, first of all is to appreciate the Chair of Education for the assurance that next week, in September, as our kids open school on 6<sup>th</sup>, most of them will go with the bursary forms to be stamped by the respective schools so that by latest October we have cheques for them.

Mr. Speaker, also to appreciate the emergency relocation of the Assembly, I was a bit worried about where we would have a sitting today. More so, Mr. Speaker, on the same, the Motion is very important. This County, I don't understand what the problem is. A County of 4.5 million residents, has all sorts of eateries, including in the CBD. If you go just across City Hall, you will find many eateries there. You will find Café Lena, you will find Petma, there is Capsino, and there is KFC. There are all types of eateries but you dare go to the latrines or to the toilets of these eateries and if you have not eaten yet, you might end up not eating, Mr. Speaker. Number one, the toilet itself, there are fumes coming out of the toilet because of the space, because the kitchen is designed behind that particular toilet. It is time the County Government regulates on how to license these houses. Mr. Speaker, people are demolishing buildings to provide provisions for eateries which is a disaster to this County, Mr. Speaker.

Going back to my respective Ward, if you go to Makongeni, I understand we are looking for a way to uplift our people's living standard and I am very particular with the issue of bars. During day time they are

restaurants and in the evening they turn to night clubs or dancing halls. The situation there is pathetic. I think the County Government under the Ministry of Health, in particular Public Health Sector, is not doing enough on how to regulate these things. Mr. Speaker, as we go along, one day you will find a particular place has been infested by a dangerous disease that can cause a catastrophe in the County. As we resolve this, it is very important to put the Executive on notice in particular the Public Health sector. If they cannot really safeguard the lives of Nairobians, it is not food, it is about the type of foods you eat that matters.

It is time this House takes this issue, especially the Implementation Committee, when this is passed, it is prudent to them now to summon this respective department to give them a directive and spot what is to be resolved. I beg to support. Thank you.

**Hon. Deputy Speaker:** Hon. Andrew.

**Hon. Andrew Mbau:** Thanks Mr. Speaker. When I was growing up, our class teacher always used to say that cleanliness is second to godliness. And where this cleanliness counts most is in our eating houses. Mr. Speaker, it is very true, especially in the informal sectors. We don't have toilets in our eateries. It should be made a rule. What sort of toilets should we have and basins for washing? Mr. Speaker, if I were to be asked, in every other eating there should be an attendant whose duty is specifically to attend to the toilets and basins because not every toilet is good for an eating house. And this rule should include that every two hours there should be somebody who should be checking on the cleanliness of the toilet.

Mr. Speaker, these businesses use the excuse that they don't have water. Through the department of water, we should have enough water bowsers. And the water should not be that exorbitant to make the prices of food high. The County Government should come in and see how we could have available water 24/7 for the eating houses. Mr. Speaker, very few people have experienced cholera in an informal area but I am telling you it is catastrophic when it strikes. And the source of this communicable disease is in our eating places and the only way to mitigate is to have good sanitation and good toilets in our eateries.

**Hon. Deputy Speaker:** Thank you. I call the mover to reply.

**Hon. Karen Wanjiku:** Thank you Mr. Speaker sir. I want to thank all the Hon. Members who supported either silently or verbally. I know everyone is supporting this Motion. Mr. Speaker sir, indeed, charity begins at home. If we start from our own City Hall Annex, our own City Hall, even the toilets we use as Hon. Members. Mr. Speaker, I understand that even your office does not have a toilet.

Mr. Speaker sir, we cannot go out there, we must start from Jerusalem. So, we start from where we work, going outside. And indeed, as Mheshimiwa Kitavi has said, we need sensitization. We need to sensitize people. We need to do what the chiefs used to do back then. They used to come to the villages and look for toilets. People were building shelters and they were saying *hii ni choo ya chief*. You know they didn't understand. They thought when the chief goes, we can continue going to the bush as if it is the chief who will get the diseases. So, I think we are not in that era. We should sensitize people. The County has enough money to sensitize people on why we should wash hands and why we should use toilets.

Mr. Speaker sir, also speaking from what Hon. Bishop has said about ramps. If we have a toilet upstairs, we need a ramp for the disabled because they are our people and the Constitution of Kenya today identifies and recognizes the disabled and they should be given at least a ramp so that they can reach the toilets. Mr. Speaker sir, as I conclude, it is important---. If we do all these that we have suggested, we will save the County a lot of money and even the National Government. The money we use in communicable and contagious diseases can be used in something else. Maybe they can be used to build a cancer center. Mr. Speaker sir, I beg to reply. Thank you.

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

*(Question put and agreed to)*

Point of Order? Ok Hon. Akuku I will invoke Standing Order no. 1 to allow you to communicate to the Members.

**Hon. Member for Nyayo Highrise Ward** (Mr. Maurice Akuk): Thank you very much Hon. Speaker. I stand here on Order Number 49 (h). If you could refer to it, it is a Motion without notice and it dwells on our privileges, if infringed upon. Members here are not quite happy, this is because their privileges are being infringed upon by one Mr. Jonathan Mueke, the Deputy---

**Hon. Deputy Speaker:** Order Hon. Member! Can you withdraw that!

**Hon. Maurice Akuk:** I withdraw that Mr. Speaker. As you are aware in the financial year 2015/16 there was Ksh. 3 million allocated to each and every Ward for development of water issues. This was a privilege given to all the 85 Members and each and every Ward had the opportunity to identify a type of development that would be confined to Ksh. 3 million. As a member who represents Nyayo Highrise Ward where we do not have water most of the time, I did request for water tanks to be provided to my constituents. About 35 Wards did request for these tanks and 500 were procured. Mr. Speaker, they are lying in the central stores and we are made to understand that authority has come from the Deputy Governor that we should not be given the tanks. This is because he wants to distribute them to his fellow tribesmen.

This is wrong. I feel like our privilege is being taken away from us and even though we are in the campaign mood, we are not only identifying a particular tribe in this City. This City has over 49 tribes inclusive of the refugees, Hindus and all the other foreigners. You cannot take 500 tanks and take to one particular tribe just because you are a Deputy Governor who was not even elected Mr. Speaker sir.

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**Hon. Deputy Speaker:** Order Hon. Akuk! You are going out of order.

**Hon. Maurice Akuk:** It is a Motion Mr. Speaker sir if you can allow me.

**Hon. Deputy Speaker:** No! No! No! Declined. Allow the Chairperson for Water to make a remark or observation on the same then we conclude.

**Hon. Alex Ouda:** Thank you Mr. Speaker for giving me this opportunity

**Hon. Deputy Speaker:** This is not a Motion. I have invoked Standing Order Number One

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

**Hon. Deputy Speaker:** Order Hon. Karen! Declined. Please can you proceed

**Hon. Alex Ouda:** Thank you Mr. Speaker. I just wanted to clear the air. As the Chairman of Water and Sanitation Committee of Nairobi City County, my Committee took the initiative of introducing water based projects and we factored in Ksh. 3 million per Ward (85 Wards) amounting to Ksh. 255,000 and we followed due process. About 35 Wards requested for the water tanks and the 515 were delivered. The proposal was that each Elected Member sit-down with the Ward Development Committee within his or her Ward and come up with a project of their own. Some came up with the issue of water tanks and others boreholes, water tanks and others water points.

Mr. Speaker, when the procurement and delivery of the tanks was done, I was requested to present the list of the beneficiaries which should be the youth, children and women, and persons with disabilities. One of the conditions was that they have to be registered as a group which the Members that had proposed for the water tanks presented with copies of their certificates indicating the names of chairpersons and their secretaries. But when it came to the time of release of the tanks, another scenario came up as has been indicated by Hon. Akuk and seeing that this issue was being delayed. I requested both Minority and Majority Whips to invite Members for a Kamkunji today. I did what I could and to my surprise only a few members turned up to support me in this worthy mission Mr. Speaker.

We went to the Deputy Governors this morning and we agreed to iron up the issue and he categorically told me to liaise with the CEC Member in charge of Water for the release of the water tanks.

As I stand here Mr. Speaker, I know that as of tomorrow or the day after, Members should start receiving the water tanks. Thank you Mr. Speaker

**Hon. Deputy Speaker:** Thank you Hon. Alex. Hon. Members the House stands adjourned to tomorrow 2:30 p.m. There shall be a House Business Committee meeting after the rise of the Assembly.

*(The house rose at 3.40 p.m.)*