



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Fifth Session

Thursday, 29 June, 2017

The House met at 2.30 p.m.

[Hon. Speaker (Mr. Alex Ole Magelo) in the Chair]

PRAYERS

Hon. Speaker: Chairperson Implementation? Can we proceed? Hon. Members, please consult in low tones. Order!

PAPERS LAID

Hon. Maurice Gari: Thank you Mr. Speaker. Pursuant to Standing Order 180 (6), I beg to move the following paper on the table of this Assembly today Thursday 29th 2017, the report of the Select Committee on Ward Development Fund on study visit to Arusha City Council, United Republic of Tanzania. I beg to lay.

Hon. Speaker: Thank you Hon. Chairperson

Hon. Boniface Kitavi: Hon. Speaker, pursuant to Standing Order number 186, I beg to lay the following paper on the table of the Assembly today Thursday 29th June, 2017. The report of the Select Committee on Implementation on meeting with the counterpart committee of the County Assembly of Mombasa held on the 30th and 31st March, 2017 at Mombasa County Assembly precincts.

Hon. Speaker, pursuant to Standing Order number 186, I beg to lay the following paper on the table of the Assembly today Thursday 29th June, 2017, the report of the Select Committee on Implementation on the taking stock of the progress made by the Committee for the last four years, ahead of the impending conclusion of the first Assembly.

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NOTICE OF MOTION

MOTION OF ADJOURNMENT UNDER STANDING ORDER NO.30

Hon. Speaker: Hon. Adow?

Hon. Osman Adow: Thank you Mr. Speaker. I have a notice of Motion which is the adjournment on definite matter of urgent County importance pursuant to Standing Order number 30. Hon. Speaker, I beg to give notice of the following Motion; that aware that article 43 (1) (F) of the Constitution of Kenya 2010 states that every person has a right to education. Further aware that the County Government has been funding students from informal settlements through bursary cheques issued to the Members of the County Assembly for each year since 2013. Concerned that the County Executive has delayed the issuance of bursary cheques for this year which has locked most students out of school due to lack of school fees; acknowledging that most students from the informal settlement in the County depend on the bursaries issued by the County Government as school fees. This Assembly adjourns pursuant to Standing Order number 30 to discuss the delay by the County Executive to issue bursary cheques to students who depend on them as a matter of definite County importance.

Hon. Speaker: Thank you Hon. Adow. Are you done?

Hon. Osman Adow: I was told that I am required to have 20 members stand to support the Motion

(Members rose on their feet)

Asanteni sana. Mkae chini.

(Laughter)

Hon. Speaker: Hon. Adow, I will allocate time after Order Paper number 8.


STATEMENTS

Hon. Speaker: Hon. Members, we have responses from Chairperson Sectorial Committee on Planning and Housing on a statement requested by Hon. Hashim Kamau regarding the 120 hectare land purchased for Ksh. 283 million in Mavoko for cemetery purposes; Statement requested by Hon. Milare regarding the grabbing of public land meant to house critically needed fire stations across the city; Statement by Hon. Wilson Ocholla regarding the grabbing of land LR. No 7879/25; Statement requested by Hon. Tabitha Ndigirigi regarding the grabbed plot number 37386 opposite Nairobi West hospital. There is also a statement requested by Hon. Alexander Mulatya regarding the grabbed of part of land hosting Embakasi Girls secondary school which is public land. We have six responses. Hon. Chair, are you in position of the six?

Hon. Caroline Muga: I have four

Hon. Speaker: Okay. Indicate the ones you have so that we know.

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GRABBING OF LAND HOSTING EMBAKASI GIRLS SECONDARY SCHOOL

Hon. Caroline Muga: Yes Mr. Speaker. Thank you. On Tuesday 4th October 2016, Hon. Alex Mulatya, MCA pursuant to Standing Order 41 (2c) requested the chairperson of the Sectorial Committee of Planning and Housing for a statement regarding the grabbing of part of the land hosting Embakasi Girls Secondary School which is a public land. He further asked the Chairperson to inquire into and report on;

1. How part of the land was allocated to the private developer?
2. The acreage of the school compound and table documents on the transfer of the land from public to the private developer?
3. Measures being taken by the County Executive to stop grabbing of public land, especially land belonging to schools?

Mr. Speaker, the response to the statement is: here is the information sought on some of the properties. LR. No. 14930. The property measuring 2.68 acres or 1.04 hectares was first entered into a valuation in 1989 in the names of Mr. G. W. A. Robinson of P.O. Box 30026 Nairobi. This entry indicated that the property was registered on the 14th September 1955 originating from a subdivision of LR. No. 2244/2. The land was allocated by Commissioner of Lands. On 27th December 1969, the property was transferred to Jonah Okongo Ouma and Ester Atieno Ouma of P.O Box 47529 Nairobi at Ksh. 250,000. The name appearing in our computer system, that is Ouru Rialta Limited have never appeared in my records. There is no indication as to whether that land is public land. At The date of this report, all the rates were duly paid.

LR. No. 37/386. Land measuring approximately 0.205hectares or 0.509 hectares initially belonged to the former council for public use. On 30th August 1992, the council transferred the property to Bufarmer Company Limited who may have transferred the property to third parties.

LR. No. 9363/66. This parcel of land resulted from subdivision of LR. No 93663 by Gethioko Company Limited and is registered in the names of Steven Maina Waruinge.

LR. No.DAG/Ruiruta/936. This parcel of land refers to public primary school that neighbors Precious Blood High School. As per the current survey plan, the school land is intact. The Catholic Church were fencing the land to put off would-be grabbers.

Embakasi Girls Secondary School is a school run and managed by the National Government. In conclusion, where it has been established that a public land was irregularly and illegally transferred, then the same is forwarded to the National Lands Commission for review and determination. Please be advised accordingly. This was by the Chief Officer Lands.

Hon. Speaker: Thank you. Hon. Mulatya

Hon. Alexander Mulatya: Thank you Mr. Speaker. I also want to thank the Chairperson for planning. As far as the statement is concerned, I find it not satisfactory to the residents and operators of

Embakasi Girls' Secondary School. As we speak, private developers are out there almost acquiring the whole land. We had agreed with the Committee that we hold site visits on the ground but that never came to pass. This is a half-baked report on a white paper with black printings. I requested for this statement in October 10th and up to date, almost 10 months today yet when we are going for *sin die*, they bring it to the attention of this Assembly. I urge the Speaker to ensure that we get substantive reports concerning such issues. People are being driven out of their residential areas for the school to get a piece of land to develop. Some of my residents will be moved from where they reside as a result of not responding on time. It would have been prudent if the Chief Officer had forwarded the documentation to the National Lands Commission so that we receive a written document to show that indeed this was being worked on. Thank you Mr. Speaker.

Hon. Speaker: Hon. Chair you have heard the sentiments of the Hon. Mulatya. Hon. Mulatya, public land is only dealt with by the National Lands Commission. Chair, reply on whether the National Lands Commission is actively involved in that issue. Chair, you are supposed to reply.

Hon. Caroline Muga: Mr. Speaker we have noted the sentiments of the Hon. Member. According to the response that we got from the Chief Officer, the documents that the Member is asking for were not there. I am hoping that in the Second Assembly, this matter will be taken up by the Hon. Members then and have this matter brought to a finality so that we guard school properties. Thank you

Hon. Speaker: Thank you very much Hon. Chairlady. Second response please.

120 ACRES OF LAND PURCHASED IN MAVOKO FOR CEMETERY PURPOSES


Hon. Caroline Muga: Hon. Speaker sir, on Wednesday 24th June 2016, Hon. Hashim Kamau, MCA pursuant to standing order 41 2C requested the Chairperson of the Sectorial Committee on Planning and Housing for a statement regarding 120 acres of land purchased at Ksh. 283 million in Mavoko for cemetery purposes. He further asked the Chairperson to inquire into and report on;

1. Plans the Nairobi County Government has for the idle land in Mavoko?
2. Measures' being taken to ensure the property is not lost to unscrupulous individuals?

Mr. Speaker sir, the Committee wrote to the County Executive Member responsible for Urban Planning and Lands requesting to be furnished with a written response to the statement requested for by the Hon. Member. The Chief Officer Lands responded via a letter dated 15th June 2017. In this regard Mr. Speaker, I wish to report to the Assembly as follows;

Statement on the land purchased in Mavoko area for purposes of a cemetery LR. No. 14759/2. The land in question was purchased specifically for cemetery purposes and when it was declared unsuitable for cemetery purposes, the activities planned for the land stopped. The defunct City Council of Nairobi had not approved plans for the land and so the land is still idle to date. However, in view of the pressure that we currently have on the land in the City, we already had proposals which are yet to be discussed and adopted. The preparation of the proposals was negatively affected by the court case that ensued in relation

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to the acquisition of the same. The Nairobi County Government can put the land to immediate use if approval is granted to this. In the meantime, in order to ensure the property is not lost to unscrupulous individuals, the Nairobi County Government has secured the title for the land and is currently in possession. Other measures to be taken will involve fencing of the property and enhancing security in the area to wade off any encroachers. More updates will be provided once the envisaged proposals are adopted. The response was by S.M. Karani, Deputy Director, Survey. Thank you Mr. Speaker.

Hon. Hashim Kamau: Thank you Mr. Speaker. Unfortunately the response took a whole year since I made the request. There is a letter from the Chief Officer Finance that has been attached, and not signed. It only has a stamp. If that land stays idle for long then it will be grabbed. My suggestion is that land valuation be done and sell it so that we get back our money. The answer is not adequate in terms of the attached document and other means can be employed in the plot. Thank you.

Hon. Speaker: Thank you Hon. Hashim. Proceed Chairlady

Hon. Caroline Muga: As I responded to the previous Hon. Member. This is matter that is a challenge to the County Government. Just as they say that an idle mind is the devils workshop so the same is that an idle land could be a devils playground. We are praying that the next Government will be quick to take measures and secure that land. Mr. Speaker, I want to respond to a statement requested by Hon. Wilson Ocholla. On Tuesday 3rd December 2015---

Hon. Speaker: Is Hon.Ocholla in?

Hon. Caroline Muga: He is not.

Hon. Speaker: For records purposes, respond.

GRABBING OF LAND LR. NO. 7879/25

Hon. Caroline Muga: For record purposes? Okay. On Tuesday 3rd December 2015, Hon. Wilson Ocholla, MCA pursuant to Standing Order 41 2c requested the Chairperson of the Sectorial Committee on Planning and Housing for a statement regarding the grabbing of land LR. No. 7879/25. He further asked the chairperson to inquire into and report on;

1. Status of the said piece of land in terms of ownership and title
2. Whether the subdivision plan was approved by who since the rightful owners of the land never authorized any such subdivisions?
3. Who authorized the illegal construction of buildings on the said land and disciplinary action taken against them?
4. Measures being taken by the County Executive to address the current land grabbing?

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for Urban Planning and Lands on 21st January 2016, 9th November 2016, 24th January 2017 and 15th June 2017 requesting to be furnished with a written response to the statement requested by the Hon. Member.

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The Chief Officer Lands responded via a letter REF: LS/006/001357/SGM/MK dated 15th June 2017. In this regard Mr. Speaker sir, I wish to report to the Assembly as follows;

Your letter REF: NCA/SCPH/2016/AJ/05 OF 21st January 2016 on the above reference matter refers: the subject property is not in our valuation records. However, we have made arrangements to secure survey plans and carry out official searched to establish the status. We shall therefore revert back to you once the information is made available. Mr. Speaker I want you to note that the Committee wrote to the CEC Member four times for the response. Thank you.

Hon. Speaker: Let us proceed

Hon. Caroline Muga: Yes. Response to statement requested by Hon. Ronald Milare. Hon. Speaker sir, on Thursday 18th June 2015, Hon. Ronald Milare, MCA pursuant to Standing Order 41 2c requested the Chairperson of the Sectorial Committee on Planning and Housing for a statement regarding the grabbing of public land meant to house critically needed fire stations across the City. He asked the chairperson to inquire into and report on;

1. When the County Executive plans to repossess Gigiri land block 91/56, Westlands plot Lr. No. 1870/111/284, Karen plot LR. No. 1159/70 and Lunga lunga plot LR. No. 209/8844 and reconvert them to the intended use as fire stations?
2. Actions taken against officers of the County Government involved in the illegal allocation of public land to private individuals?

Mr. Speaker sir, the Committee wrote to the County Executive Committee Member responsible for urban Planning and Lands requesting to be furnished with a written response to the statement requested by the Hon. Member. The Chief Officer lands responded via a letter REF: LS/006/001357/SGM/MK dated 15th June, 2017. In this regard, I wish to report to the Assembly as follows;

1. LR. No. 17338: This is the parcel that accommodates the staff houses at Karura Health Center on Kiambu road. No title issued to private party and anybody who has ownership of this has no basis.
2. LR. No. 209/2323 fire station headquarters: The above mentioned facility was first surveyed and defined by the survey plan Fr37/98 and identified as LR. No. 2323 in the year 1932. Since then, we have had several subdivisions, amalgamations and re-subdivisions at various times related to this facility. The last survey carried out at this facility is the subdivision in the year 2001 which resulted in two portions. LR. No. 209/14444 and LR. No. 209/14445 of 0.325 hectares and 0.720 hectares approximately respectively. No deed plans are shown for this survey as it appears on the survey plan FR396/184. In all these surveys, the work has been carried out by private surveyors. Further, the authorities requested the surveys appear to emanate from the Commissioner of Lands. It is evident that no council authority was granted for any of the surveys and this raises the question of the legality of this work. In view of this, it is recommended that the

status be restored to the original position as per the survey plan FR37/98 and registration of title be made for LR. NO. 2323. Towards this, we have applied for the registration of this facility. Survey of Kenya reports that several deed plans have already been issued on the said land and they want to carry out exhaustive investigations on this before they issue the same to the County Government.

3. The County Government did not have allotment letter for the facility. The land in question has no County documents and it belonged to the Ministry of Lands. We now have the allotment for nursery school and in the process of obtaining the title
4. Nanyuki road stores and depot. On 12th March 1998, the Commissioner of Lands allocated the said parcel of land to the then City council to half for 76 years, 3 months with effect 1st October 1971. Expiry will be in 2047. The land was to be used for a go down or factory use. The council was to pay annual ground rent of Ksh. 48,635 to the Government. On 3rd February 2011, the defunct council gave a lease to Hass petroleum for part of the land equivalent to 5 hectares to hold for 50 years from 1st January 2010 expiring in 2060 at an annual ground rent of 650,000 for use as a fuel depot. This was provided via general purpose committee meeting under minute 17 item number 925 of 19th January 2010 and ratified at the full council meeting held on 26th January 2010 on page 836. In April 2013, ground rent was revised from 650,000 to 1.5million. Rates were also assessed at 65 per annum at 17%. In July 2013, a demarcation survey was carried out to determine the actual acreage for the leased land. The survey indicated that the actual area leased to Hass petroleum is 1.277 hectares or 3.031 acres and the one left with the County government is 2.464 hectares---

Hon. Manoah Mboku: Point of Order Mr. Speaker.

Hon. Speaker: Yes. Order! You have to ask through the system, not just like a *baraza*.

Hon. Manoah Mbuku: Mr. Speaker, I believe this information *Mheshimiwa* is reading here has been shared with the Member who had requested. It will be in the interest of time---

Hon. Speaker: Thank you. Hon. Milare?

Hon. Ronald Milare: Thank you Mr. Speaker. First of all, I want to sympathize with the Member. I think she has just been ambushed and given the response to come and read because what she is reading is something totally different from what I had requested because she is giving us response in regards to a nursery school, Nanyuki stalls, an AIC Church in Milimani etc whereas my request has been very specific on the plots on Gigiri, Westlands, Karen and Lungalunga which had been earmarked for fire stations. But the response she is giving us is totally different. It is about the petition by the County Government Workers Union on Land Grabbing. It is totally different from what I requested.

Hon. Speaker: Very well Hon. Milare. Hon. Chair, I think you go back and bring--- the Member is not satisfied although you have given him a tip of what has been grabbed. I hope the next Assembly will be

able to dig deeper into this and I hope you will be among the Second Assembly. Thank you. Hon. Kennedy Ngondi, please insert your card.

Hon. Kennedy Ngondi: Thank you Mr. Speaker. It is in record that while I was chairing the session when a resolution was made in the House regarding statements and responses. The House made a resolution that if a Member who had requested for a statement is satisfied with the statement in its form, then we don't have to be taken through the statement again in the plenary so that we save time and address issues which are of importance. Thank you.

Hon. Speaker: Thank you Hon. Kennedy Ngondi. I think we can proceed. Thank you for the information. Next order please. Order Hon. Manoah! Are you responding to something?

Hon. Manoah Mbuku: Mr. Speaker, yesterday you directed that the Committee on Health respond to an issue regarding the nurses' strike. Can I go ahead?

Hon. Speaker: Yes please.

WAY FORWARD REGARDING THE NURSES STRIKE

Hon. Manoah Mbuku: Mr. Speaker, in an Assembly sitting that was held on 28th June 2017, the sitting Speaker directed the Sectoral Committee on Health Services to hold a meeting with the County Executive with a view to finding a way forward regarding the nurses' strike on 29th June 2017 because it is a matter of great importance to the County.

Mr. Speaker, in pursuit of the above directive, the Committee held a meeting with the Chief Officer for Health Services and representatives from the Public Service Management and the Finance and Economic Planning today to deliberate on the subject matter.

Mr. Speaker the Sectoral Committee on Health Services expressed concern over the strike that was taking long time to resolve given that the residents of the County are being subjected to poor health services at the various County health facilities. This is particularly because the nurses offer critical services that are necessary for conclusive processes related to health services delivery.

Therefore, the Committee called upon the Executive to give a promising response to this critical matter for reporting to this Assembly.

Mr. Speaker, submissions from the Executive were that it informed the Committee that there are two sets of unions to which nurses in the County are affiliated: the Kenya National Union of Nurses (KNUN) which is the national union and the Nairobi County Governments Workers Union (NCGWU).

Mr. Speaker, the Committee was informed that the main bone of contention for the striking nurses relates to the extraneous allowance and health risk allowance that the staff inherited by the County Government and who are members KNUN get as per earlier negotiation between the National Government and said union.

Mr. Speaker, the Committee was informed that the County had earlier liaised with the Salaries and Remuneration Commission (SRC) who sanctioned payment of the same allowances to the County Government nurses under the County Government Workers Union. Therefore, all the Nurses working in the County health facilities have been receiving these allowances.

However, Mr. Speaker, later on, SRC wrote to the County Government advising that payment of both allowances to Nurses under the NCGWU be stopped justifying that these Nurses already earned more than those inherited from the National Government.

Mr. Speaker, it is on this basis that the Nurses under the NCGWU are protesting and are demanding that the allowances be reinstated because the circumstances and exposure to risk are uniform across the board.

Mr. Speaker, the Nairobi County Workers Union (NCGWU) has forwarded a draft Return to Work Formula to the County Government. The County has reviewed the document and agreed with the terms set out by the union in it.

In view of the foregoing, the County is looking forward to meeting with the officials of the Union today (29th June 2017) so that the return to Work Formula can be signed and the strike to be called off forthwith.

And on recommendations by the Committee, Mr. Speaker, the Committee further made the following recommendations to the Executive:

1. That the County Government moves with speed to ensure that the return to Work Formula is signed so that the Nurses can resume work as agreed;
2. That pursuant to the recommendations made after the job evaluation exercise that was carried out by the SRC, inconsistencies in the remuneration of all health workers in the County should be addressed; and
3. That the County Government to liaise with all the unions to which the Nurses are affiliated so that it is clear the outfit that the County Government will operate with going forward.

Mr. Speaker, Mr. Lebo, who is the County Chief Officer of Public Health Service has also written a letter to Clerk, informing him of the same. Thank you.

Hon. Speaker: Thank you very much for the response. Next order please.

Hon. Peter Imwatok: Thank you Mr. Speaker. I was trying to be so patient to allow my Chair of Health to read this statement without interjecting. It should be on record that today, 29th of June 2017, that we are Members of Health Committee. I think the next Government must look at who they appoint to these offices. There is a big failure in the health sector. From the Minister and the Chief Officer in-charge, the directors, there is a lot of moribund in this sector. Mr. Speaker, there is no way the Nurses are busy on the

streets and the Minister is busy defending Weston Hotel. There is a problem in this sector Mr. Speaker. We must say as it is that the Minister in-charge of Health in this County is a sleep. He should wake up to the call. Thank you Mr. Speaker.

Hon. Speaker: very well. Can we go to the next order?

PAPERS LAID

Hon. Kennedy Ngondi: Thank you Hon. Speaker, but I am sorry to take the Assembly back to an order which we are done with. This is on "papers laid". Hon. Speaker, pursuant to Standing Order no. 192 (3), I beg to lay the following paper on the Table of the Assembly, Thursday, 29th June, 2017. This is the report of the Liaison Committee on the consideration of the annual progress reports of all committees during the period June to December 2016. Thank you.

Hon. Speaker: Thank you Hon. Kennedy Ngondi.

Hon. Kennedy Ngondi: On the same order, I wish to lay the following paper. Pursuant to Standing Order 192 (3), I beg to lay the following papers on the Table of the Assembly today, Thursday 29th June, 2017; the report of the Liaison Committee on the consideration of the progress report of all Committees for the period 2013-2017. Thank you.

Hon. Speaker: Thank you. Next order please.

BILL

SECOND READING

DEMOLITION BILL 2017 (ASSEMBLY BILL NO. 10 OF 2017)

Hon. Speaker: Hon. Masiga?


Hon. Kennedy Ngondi: on this, I had actually directed that this Motion in question be directed back to the House Business Committee so that it may be considered for the next time. Because Hon. Masiga himself who is supposed to move the Motion has deliberately been missing from the Assembly. This is now the fifth occasion. So, I actually directed that the Motion in question be expunged from the Order Paper and be directed back to the House Business Committee. Thank you

Hon. Abdi Hassan: Is the Deputy Speaker in order to direct the Chair or is he requesting?

Hon. Speaker: Hon. Leader of Minority, the Deputy Speaker is talking on when he was in the Chair. Order Hon. Hashim! Thank you very much Hon. Kennedy Ngondi. Hon. Members, Nairobi City County eviction, resettlement and demolition Bill 2017, Assembly Bill no. 10 of 2017, is expunged from these documents. Thank you.

MOTION

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THE REPORT OF THE SELECT COMMITTEE ON PROCEDURE AND RULES ON THE AMENDMENTS
TO THE STANDING ORDERS

Hon. Speaker: Order Hon. Adow, order!

Hon. Kennedy Ngondi: Thank you Hon. Speaker. I wish to move the Motion that this Assembly adopts the report of the Select Committee on Procedure and Rules on the amendments to the Nairobi City County Assembly Standing Orders laid on the Table of the Assembly on Tuesday 27th June 2017. Hon. Speaker, this is in regard to Standing Order no. 236.

The Select Committee on Procedure and Rules is established under Standing Order 188 to, among other functions;

- i) Consider and report on all matters relating to these Standing Orders.
- ii) Propose amendments to these Standing Orders and any such amendments shall upon approval by the County Assembly; take effect at the time appointed by the County Assembly.
- iii) The Committee may propose rules for the orderly and effective conduct of committee business and any such rules, shall upon approval by the County Assembly, continue in force until amended or repealed by the County Assembly.
- iv) Any rules approved under paragraph (5) shall be annexed to the Standing Orders and shall be binding upon Committees to the same extent as these Standing Orders.

Hon. Speaker, the County Assembly, through this Committee undertook a comprehensive review of the Standing Orders as provided for under Standing Order no. 236 on the review as well as for purposes of alienating the Standing Orders with changing prevailing practices as experienced over the last 4 years since devolution and county assemblies. It is instructive to note that the Assembly's Select Committee on Procedure and Rules has in the past received numerous proposals to amend the Standing Orders from Members as well as staff.

Hon. Speaker, the objectives of the Periodic Review were as follows:-

1. Periodic review of Standing Orders under SO 236, which provides thus -

At least once in every term of County Assembly, not later than six months to the end of the term, the County Assembly Procedure and Rules Committee shall review the Standing Orders and make a report to the County Assembly recommending the Standing Orders, if any, to be amended.

In line with the foregoing, and given the fact the Assembly is at the end tail of its Fifth and final Session of the First Assembly, it was imperative that the Committee on Procedure and Rules give life to the provisions of Standing Order 236.

2. The need for a comprehensive review or overhaul of the interim Standing Orders is necessitated by the uniqueness of the circumstances the Assembly operates. These circumstances differ in certain aspects from the experiences of the National Assembly from which the Standing Orders were initially borrowed. For instance, the Assembly has constituted Committees unique from the National Assembly's, and therefore ought to provide for their functions and operations accordingly.
3. Further, over the last four years, the Assembly has encountered situations, for example in the conduct of business, that require a radical shift from the prescriptions detailed in the current Standing Orders for dealing with the said situations.
4. Additionally, the interim Standing Orders have grammatical and formatting errors that needed correction, to ensure clauses which touch on other clauses make proper references etc.

Mr. Speaker sir, some of the areas that the Committee has proposed for amendment includes:-

1. Election of the Speaker and Chairperson of the Committees
2. Membership of the Speaker's Panel
3. Procedure for appointment of the fourth Member
4. How to Address disorderly conduct
5. Consideration of memorandum from the Governor on a Bill
6. Membership of Assembly Business Committee to include Members of Speaker's Panel
7. Adoption of CIDP
8. Establishment of AD-Hoc Committees amongst other detailed amendments contained in the tabled report.

Mr. Speaker sir, the Select Committee on Procedure and Rules urges this Assembly to adopt the report of on the Committee on amendments to the Standing Orders of the County Assembly in order to facilitate the next and subsequent Assemblies to dispense off their mandate well.


Hon. Speaker, I am the Vice Chairperson for the Procedure and Rules Committee which is chaired by the Hon. Speaker. This Committee comprises of 11 Members. The Members sat on several occasions and did consider the request from various Members of this House and it is good time that this House considers these changes which we have identified as we were going through the daily business and operation of our Assembly. In this regard I would request that Members who are at the edge of exit of this First Assembly do put in measures that will be of good consumption generally to the residents of Nairobi and to the representatives who are about to be elected on 8th of August. I wish to call Hon. Minority Leader who is also a Member to second the Motion. Thank you.

Hon. Leader of Minority: Thank you Mr. Speaker. I do second the Motion.

Hon. Speaker: Thank you Deputy Speaker and Leader of Minority.

(Question proposed)

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Hon. Peter Imwatok: Thank you Mr. Speaker for giving me this opportunity. As I said before, today is the 29th of June. When I come here I come to give my closing remarks to this Assembly because we are going for the *sine die* recess and I will be very busy in my Makongeni Ward trying to recapture my seat. The Committee on Procedure and Rules amending the Standing Order has done a good job but at the wrong time. I believe when you are a good shepherd you know where the thorns are. It is high time we allow the next Assembly to know where the Standing Order is pinching them. I expect this Assembly to give a farewell to Nairobianians for the time we have been together with them. But amending this Standing Orders with the pretext that we are setting a stage for the next Assembly is denying the next Assembly the right to do what they are supposed to do after testing the current Standing Order. As much as we want to feel that we are the pace setters of this Assembly, the timing is wrong.

(Hon. Kennedy Ngondi stood on a Point of Order and was granted)

Hon. Kennedy Ngondi: I think the Hon. Member is misleading the House because the current Standing Order has a provision and it provides that the membership or the Assembly actually do the amendments on the Standing Order under Standing Order no. 236. So, I don't see any reason why the Hon. Member should actually punish those Members who are just about to be elected for his own reason because if he is passing the button to the new Assembly, then we shall have failed in our duty and responsibility as the current Assembly to honour the Standing Order no. 236.

Hon. Peter Imwatok: Mr. Speaker, as you are aware at any particular moment you want to amend a Standing Order, there must be a proposal on the same amendment. Maybe this House, apart from the Committee undertaking the amendments on a select portion of the Standing Order, it must be---

Hon. Speaker: Order Hon. Member! You are very much aware of all the progress of these amendments. Members put in the amendments, they proposed, and all this was done. And I want to take you back to the periodic review of Standing Orders. Standing Order 236 says;

At least once in every term of County Assembly, not later than six months to the end of the term, the County Assembly Procedure and Rules Committee shall review the Standing Orders and make a report to the County Assembly recommending the Standing Orders, if any, to be amended.

So, all these have been done. They have been amended and therefore you might have not been aware but all these Members are aware.

Hon. Peter Imwatok: Thank you Mr. Speaker. After a lot of consultation with some Members, even if you look at the iPads, the amendments are not here. We have asked for a copy of the amendments but it is not available. It means, these amendments are hurried. It is wrong timing for this amendment.

Hon. Speaker: Order Hon. Member! You must follow the Standing Orders.

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Hon. Peter Inwatok: As much as we follow, it is also within the framework of the calendar.

Hon. Leader of Minority: Mr. Speaker, I don't understand why my colleague Hon. Jateso is anticipating that he will be in the next Assembly for Makongeni. No one here is sure that come August 9th we will be Members of the County Assembly. This thing is done for posterity. It is not done for any political thing or anything else in mind. Mr. Jateso, kindly support the amendments. Thank you.

Hon. Speaker: Hon. Wanjiku?

Hon. Karen Wanjiku: Thank you Mr. Speaker for this golden opportunity to debate on the review of the Standing Orders which is very important because the Standing Orders are the ones that guide us. They are our Bible and our Quran. Indeed, as the Deputy Speaker has said, the Committee is in order to bring these Standing Orders according to Standing Order no. 236 on the periodic review of the Standing Orders.

Mr. Speaker, I want to start from the new Standing Order 2(a) where the Mace of the Assembly is introduced. It is indeed very sad that the Mace, which is the authority of the House, was not included in the Standing Order. I believe that this is good, to include the Mace. And also to include what will happen if--- let me read; "the Mace of the Assembly shall be part of the Speaker's procession". That one we know. It goes on saying what will happen to a Member who plays with the authority of the House, which is the Mace. Hon. Members, the new Standing Order no. 2(a) is just to provide clear place for and sanctity of the mace as a symbol of authority of the Assembly and to provide sanctions against attempts to demean the authority of the Mace as practice from Commonwealth parliaments.

Mr. Speaker sir, as I proceed, I don't know whether the Members have this report because I have been looking for it. I have gone for this report in the Table and Journals office. Let me talk about the elections of the Chairperson of Committees. The Committee proposes that Standing Order no. 14 be deleted. Standing Order no 14 talks about the Chairperson of the Committees. They deleted it and now they are talking about the Chairperson of all Committees who will be deputizing the Speaker. I believe that is in order because we have been calling Hon. Kennedy Ngondi Deputy Speaker and yet the Standing Order did not provide for that. So, now, the Deputy Speaker has an office according to these proposals.

Hon. Members, I will go on to the new Standing Order no. 14 (b); Chairpersons in the Speaker's Panel. Mr. Speaker sir, as you know, I am one of the Members of the Speaker's Panel. And that one has not been provided for in the Standing Order. I believe this is good. The Panel will be helping you sit when you are not there.

(Hon. Gari stood on a Point of Order)

Hon. Speaker: Hon. Gari, she is on point. Hon. Gari, you cannot talk without the microphone. Proceed, Hon. Karen.

Hon. Karen Wanjiku: Thank you Mr. Speaker. Mr. Speaker sir I am debating on this very important review of the Standing Orders and I am going to proceed. I believe I still have my time. The Standing

Orders have introduced the Panel which is now in law. When I sit on that seat I will do so having the full authority of the Standing Orders, the ones who will come because we are going. But God knows who will come back. So it has gone on to say about the discharge of a member from Chairperson's Panel which is very important because anybody cannot just be disposed. If you are put there, you see some order, I think when you are being removed it is in order to be removed. Let me read so that you can understand what I am saying; the new Standing Order 14 (c) discharge of a member from Chairperson's Panel;

'4(c) reads; the Speaker may in writing to the Assembly Business Committee give notice that a member sit or be discharged from the panel within 14 days of receipt by the Assembly Business Committee of a notice and under paragraph 1; the Assembly Business Committee shall consider the notice and give notice of Motion to replace the member. iii) The discharge of a member of a panel shall not take effect until the assembly has approved the Motion for replacement under paragraph 2. I believe that is in order because we are law makers we should follow the law'.

Mr. Speaker sir I want to go on I have seen that in electing the Minority Leader and the Majority Leader, we will not do it the way you did, I was not there but I understand you did elections. The new proposals are saying that the party or coalition of parties in the Assembly shall, I am not in that Committee, I am reading what their proposals say.

(Loud consultations)

Mr. Speaker---

Hon. Speaker: Order Hon. Members!

Hon. Karen Wanjiku: Protect me Mr. Speaker.

Hon. Speaker: Order Hon. Members! Order Hon. Jateso and Hon. Gari!

Hon. Imwatok: Point of Order Mr. Speaker.

Hon. Karen Wanjiku: Hon Speaker, I will proceed.

(Loud consultations)

Hon. Karen Wanjiku: Mr. Speaker, the review says that the largest party or coalition of parties in the Assembly shall designate a Member of the County Assembly belonging to the party or coalition of parties to be the Assembly Deputy Majority Leader. They are talking about the Majority, the Minority and their deputies. So you will not do it the way you did the other time the ones who will come back. That is what it says. So you will know whether to oppose or support.

Hon. Speaker: Order!

Hon. Karen Wanjiku: It is your party which will---

(Loud consultations)

Hon. Speaker: Hon. Hashim! Order Members! Hon. Jateso order! This is our last day together so do not let me to--- Order Jateso! Allow the lady to complete.

Hon. Karen Wanjiku: Mr. Speaker due to public demand you will allow me to read what it says about the Majority and the Minority Leaders.

Hon. Speaker: Hon. Jateso the last warning please!

Hon. Karen Wanjiku: Hon. Members Standing Order No. 15 I don't know whether you have your Standing Orders that was deleted which was saying about the Majority Leader and about the way they are you elected, and now I am telling you what they have proposed. Let me read; *County Assembly political parties' leadership Standing Order No 15 be deleted and substituted with the following new Standing Order. Leader of the Majority Party and Minority Party Whip 15 (i): the largest party of coalition of parties in the County Assembly shall designate a member of the County Assembly belonging to the party or coalition of parties to be the Leader of the Majority Party that is the Majority Leader.*

Number two, the largest party or coalition of parties in the Assembly shall designate a Member of the County Assembly belonging to the party or coalition of parties to be the Assembly Deputy Majority Leader and so goes the Minority Leader, we are together. As I finish Mr. Speaker, there is this very controversial proposal; I will just talk about it. I am supporting the Motion but I believe that I am supposed to give my observations. I want to give my observations on this.

Mr. Speaker sir, it says 7, that a member designated under paragraph (i), that is the Majority and the Minority Leaders, or coalition of parties has designated him or her, by two third of all the members of the largest party or coalition of parties in the County Assembly. That member can only be removed by two thirds of votes of all members. Mr. Speaker sir I want to give my observations. I believe a simple minority is supposed to remove the Majority or the Minority Leaders because we have democracy in this country; we have democracy in our Constitution, Mr. Speaker. I am just giving my observations, members you know what to do. But I am supporting the Motion because I cannot oppose it because of this. The ones who will come I think they have some work to do; we won't do everything for them.

Mr. Speaker, as I finish---

Mr. Speaker: Your time is up Hon. Karen.

Hon. Karen Wanjiku: Mr. Speaker I am praying for just five minutes to say this is very important; the New Schedule 4 if you allow me Mr. Speaker. The New Schedule talks about the documents that a Speaker needs to be in the office. It is very important to note that it should be provided for mandatory documents required for consideration of candidates for position of Speaker as required of MCAs in nomination since the Speaker becomes an MCA on election that is very important Mr. Speaker, that when a person wants to be a Speaker, he should have the same qualifications as an MCA. For example, a valid

certificate of Good Conduct from the National Police Service, certificate from the HELB, Tax Compliance certificate, Clearance certificate from the Ethics and clearance certificate from other relevant state agencies. I believe that is in order. Thank you Mr. Speaker, I support.

Hon. Hashim Kamau: Thank you Mr. Speaker. Mr. Speaker I am a Chairman of a certain group of certain members in this Assembly, a caucus of MCAs and whatever---

Mr. Speaker: Order Hon. Hashim! The issue of caucuses is outside this Assembly not here.

Hon. Hashim Kamau: Yes Mr. Speaker and whatever brings disharmony in the parties, we are supporting. Mr. Speaker, there is nowhere in the amendments of what has been brought has indicated independent MCAs---

Mr. Speaker: Order Hon. Hashim! And you must be on your mike. Are you supporting or you are opposing?

Hon. Hashim Kamau: Mr. Speaker I said whatever brings disharmony---

Mr. Speaker: Order Hon. Hashim!

Hon. Hashim Kamau: I am supporting the Motion.

Mr. Speaker: I am not entertaining issues that are not on our Standing Orders and our Constitution, Hon. Hashim Kamau. So what you are saying here you will say that on the 9th of August, not now.

Hon. Hashim Kamau: Thank you Mr. Speaker I stand to support---

Mr. Speaker: Be seated! Hon. Abuka please.

Hon. William Abuka: Thank you. Mr. Speaker personally I am taken aback when members, I probably think it is out of excitement or whatever, I don't know will want us to postpone what is ideally your responsibility to execute right now. That somebody else should come after us probably with a lot more wisdom infused in their system to do what ought to be concluded now within our mandate. I want to say that whoever comes after this Assembly comes with a different political mind set and chances are, them following the same route are very minimal. I want to say Mr. Speaker, that as Hon. Members with a mandate to represent, to oversight and legislate, what can be done to make this Assembly work better should be done even to the dying minute of the life of this Assembly. It is very important because if you fail to do that it is like one saying I am leaving my torn jacket for somebody else who is going to put it on to repair and that does not sound very wise.

I want to urge Members that despite the limping notes that probably we have gone through, the weaknesses we have seen and we have gotten ourselves and managed to go through, there are Standing Orders that fairly managed us as well but we noticed that certain things that probably we were not giving it

the right teeth that could enable us now to execute the full mandate given to us by the Constitution. I therefore feel that the amendments that have been effected here should really make us proud that we left having done this, having done that for the betterment of the next legislative Assembly. Mr. Speaker I want to persuade Members if we were to postpone responsibilities then I think this session now ought not to have been there, we should have sat back and waited for another government or another Assembly to come in. These are pieces that I think we should be proud of that at least during our time and Mr. Speaker just yesterday we adopted the report of the disability. I want to really appreciate the contributions that members put in place to pass that.

Mr. Speaker I want to conclude by saying none of us even my excellent brother Hon. Hashim has said and none of us is really sure, even some of us who preach violent faith like it is written in the book of Hebrews with all respect to our different faiths, none of us is pretty sure that on the 9th of August they will be here. I am saying this because we only got note of it apart from the election of the people put in ballot paper there is also the life that is at the mercy of God. So let us do what we can do today and leave the rest to God. Thank you very much and we may meet or not meet again, but thank God I met you and you supported me, we worked together. May the Lord bless you, campaign peacefully and win big in Jesus name!

Hon. Zulfa Hakim: Thank you, Mr. Speaker. I rise to support this Motion though with reservations. I have noted with a lot of concern that this is a Procedural Motion that is very important and will determine the running of this Assembly in Second Assembly Mr. Speaker. I wish to propose to you that we cannot be oblivious to the fact that we might just have a few independent sitting MCAs and I want to ask the Mover of this Motion to consider may be amendment to indicate what the role of the independent MCAs will be, Mr. Speaker because that is a very big possibility that we cannot ignore. At least I know with the political wave that is out there, we might just see this third force in this Assembly. Mr. Speaker which is very possible, we cannot leave that Pandora box. I think you understand what I am saying.

Number two Mr. Speaker, regarding the appointments of the Chairpersons of Committees, I would also like to request the mover of this Motion consider at least to indicate in the Motion how they will even balance gender as per the Constitution because we have run this Assembly with your good leadership and it is not that we are complaining but I think it would be more prudent to have a few more women as chairladies. With that I beg to support, thank you.

Mr. Speaker: Hon. Member, thank you very much. Now, I want to rest the blood of the so called new members coming in, I cannot mention that word for now. In nominating members to select committees, County Assembly Political parties, the Committees on Selection or the sponsor of the Motion establishing a select committee other than those provided for under Standing Order shall as much be visible taking into consideration the need of fair representation of various political parties in the Assembly.

'The interest of the independent, regional balance, gender and other special interest groups in the County and shall ensure that not more than two thirds of the nominees are of either gender'. So you are

covered for when you come next August. So relax and hold on. I now want to call the mover of the Motion to reply, we have a lot of business.

Hon. Kennedy Ngondi: Thank you. Hon. Speaker, as I move to reply on the Motion, Hon. Speaker I am grateful but I would only remind the members that the amendments of the Standing Orders is not custom-made Hon. speaker, the Members have unlimited opportunities to do amendments as much as they wish to. So this is not something which is binding to an extent that they cannot do any adjustments or any future amendments. So I am grateful thank the Members who have actually contributed and have considered the Motion and thank you.

(Question put and agreed to)

(Loud consultations)

Mr. Speaker: Next order!

(Loud consultations)

(Members stood shouting)

Mr. Speaker: We are on next order.

(Loud consultations)

Mr. Speaker: Order No. 10, Motion. Be seated.

(Members shouted, "we are on our feet!")

Mr. Speaker: You be seated.

(Loud consultations)

Mr. Speaker: Get seated.

Hon. Pius Otieno: Mr. Speaker, the Committee considered the proposed Public Finance Act, the Nairobi City County Assembly Car Loan and Mortgage Scheme Fund Regulations 2017 laid on the table of the Assembly on Tuesday 13th June 2017. Mr. Speaker---

(Loud consultations)

Mr. Speaker: Hon. Members order! Proceed Hon. K'Otieno.

Hon. Pius Otieno: Mr. Speaker our Committee considered these regulations pursuant to Standing Order No 190---

Mr. Speaker: Hon. Members!

Hon. Pius Otieno: Our committee did consider these regulations Mr. Speaker and these amendments or these revision that was being done on these regulations are borne out of the fact that for the last four years, I think the Assembly and the County Assembly Service Board was very lenient to Members and I must also acknowledge the very fact that probably this could be the only Assembly that had no issues in so far as this scheme was concerned. I keep on reading on dailies, be it 'Nation', 'Standard', the way Assemblies have actually or members of these assemblies have suffered under the leadership of those Assemblies that have had problems. There are some other committees that gave their members between 7 million to 10 million shillings. There are those members of those assemblies that are not able to pay or to repay their loans. Their fate is already sealed Mr. Speaker. Those are members that probably their properties would be auctioned. I am happy that as we shall be leaving this Assembly; this scheme shall not only be extended to Hon. Members of this Assembly but also the staff that have also been assisting us in doing our work because this Assembly cannot be there if the staff are not there and the staff cannot be there if the Hon. Members are not there.

The Committee observed the proposed regulations are well intended and they meet the requirements of the Constitution and all other enabling legislations of the Public Finance Management Act and are aimed at safeguarding the public resources invested in the fund. Mr. Speaker, the Committee recommends that in accordance with Standing Order No.1 44 (a), this Assembly approves the Public Finance management Nairobi City County Assembly Car Loan and Mortgage Scheme Regulations without amendments. I call upon Deputy Speaker to second.

Deputy Speaker: I thank the Hon. Member to giving me the opportunity to second the Motion. This is in regard to the report of the Select Committee on Delegated Legislation which is to consider Public Finance Management Act, Nairobi City County Assembly Car Loan and Mortgage Scheme Fund. Hon. Speaker as you are aware when we came in, actually there was no structure in place to take care of the interests and actually even the procedures were not in place on how the finances on the loans particularly the mortgage and the Car Scheme were to be managed. They were not outlined and in the report actually they have considered and put in place all the regulations and policies in place. For that reason Hon. Speaker, I second the Motion.

(Question proposed)

Hon. Osman Adow: Thank you Mr. Speaker. I do rise to support the Motion only that I am a little bit confused because the Public Finance Management Act I thought it was an Act of parliament from the National government. Having said that I trust the Committee that probably they did come up with the proper regulations, I don't know how they would inter-marry the two of them together. But I do support the the report. Thank you.

Hon. Jaffer Kassam: Mr. Speaker sir, looking around and seeing the mood of the House, I request you to call the Mover to reply, sir.

Hon. Speaker: Thank you Hon. Chief Whip. I now call the Mover of the Motion to reply.

Hon. Pius Otieno: Thank you Mr. Speaker. I want to extend my gratitude to the Hon. Members towards their co-operation and probably just to inform my friend Hon. Adow, that the Public Finance Management Act Section 116 clearly empowers the County Executive Committee Member to establish a fund. So this fund is established pursuant to Section 116, without that Section we could not be in a position to come up with these regulations. So Mr. Speaker, whatever has been contemplated in this regulation is in tandem with that particular section of the Public Finance Management Act.

I am aware that by the virtue of passing or adopting this regulation, we have indeed established a framework and a smooth one that would enable these Hon. Members either to access Car Loan or Mortgage and to see to it that they perform their duties the way the *wananchi* expect them to do. Thank you, Mr. Speaker.

(Question put and agreed to)

Hon. Speaker: Hon. Member I will reorganize the Order Paper, we go to Order No. 13. Sorry on the Motion, the ayes have it.

(Hon. Speaker consulted the Clerk)

Hon. Members after consultation, we go to Motion, Order No. 11.

MOTION

THE WITHDRAWAL FROM THE COUNTY REVENUE FUND OF THE SUM OF KSH.17, 954,090,400/=

Hon. George Ochola: Thank you Hon. Speaker. I beg to move that pursuant to the provision of Section 134 of the Public Finance Management Act 2012, the withdrawal from the County Revenue Fund of the sum of Ksh.17,954,090,400/= made up in the manner set in the vote of account schedule laid before the County Assembly be authorized for the purpose of meeting expenditure necessary to carry on the services of the Nairobi City County Government and County Assembly during the financial year ending 30th June 2018 until such a time as the Appropriation Act for the financial year 2017-18 comes into operation.

Mr. Speaker sir, it is noted the Constitution gives circumstances under which funds may be withdrawn from the County Revenue Fund. This includes; Appropriation Act by the authority of vote of account during the transition between physical year where the County Assembly approves withdrawal of not more than half of the approved amount for a vote through supplementary appropriations and finally through the authority by the Constitution or County Legislation. The last method is a case where a law is passed which occasions the expenditure of public funds that shall then impose a direct charge on the County Revenue Fund and not the regular appropriations.

In line with the second withdrawal method above, Mr. Speaker sir and so as to ensure that the County does not grind to a financial halt from 1st July 2017, the Finance, Budget and Appropriations

Committee urges this Assembly to approve withdrawal out of the County Revenue Fund total amount as tabulated in the table scheduled. The provision of Section 134 anticipated this scenario and indeed state that; *if the County Appropriations Bill has not been assented to, or it is not likely to be assented by the beginning of the financial year, a County Assembly may authorize withdrawal of money from the County Revenue Fund.*

This is a temporary and an important middle ground that grants the County Department authority to spend, not more than 50% of the amount contained in the table estimated as required by the provision of section 134 (2) (b).

Mr. Speaker sir, just to underscore the important of this process it is important for Members to note that without this authority the County Government will not have any legal backing to pay County employees and Members their salaries for July, remit the remedial amounts of the Members gratuity, operationalize the second County Government among other related call expenditure items. As a Committee, we would once again like to thank all Members of this House for the support they have rendered to the Budget Committee during the entire life of the first Assembly. Our consideration and approval of various budget documents has been devoid of acrimony due to untiring desire to see to it that Nairobian gets nothing but service from their elected representatives.

Mr. Speaker sir, it remain my hope and desire that all of us seated here today would be part of implementation of this budget as elected Members of the Second County Assembly of Nairobi City. Mr. Speaker sir I beg to move and call Hon. Kairu to second the Motion.

Hon. David Kairu: Thank you very much Mr. Speaker sir, I want to second the Motion it is important because it will allow the County spend some few coins to meet its needs. The Authority needs to be advised that they need to be doing things the right way, because there was no reason why they published that act, before the House passed it. So they need to be given that warning for doing that. Thank you, sir.

(Question proposed)

Hon. Karen Wanjiku: Thank you Mr. Speaker and I stand to support the Motion as you know the County cannot operate without money but we need accountability. I want to comment about the money given to health. I can see that recurrent they have been give 5 million and over and I believe the report that we have been given as a Health Committee, will be implemented with this money because the Nurses were striking because of the allowances. Some of the allowances were not being paid the same to all the Nurses. These include the Nurses that were devolved and the other Nurses. I believe now that the County cannot have any more excuses. We give them this money because we believe we are going to pass this Mr. Speaker. They will pay the Nurses and they will prevent the Doctors looming strikes.

Mr. Speaker, I can now see that we have been given more than 1 billion in terms of development in Health, I believe that some of the pending project like in the health facilities and I want to give an example

like in Clay City Maternity, that this money will be used to complete that maternity and it will help Mama Lucy and Pumwani among other maternities to reduce congestion in those facilities.

Mr. Speaker sir, I want to speak about the money that is given to the County Assembly which is over a billion in the recurrent and 121 million and I believe this is for the rehabilitation that is going on. I can see that we have a library that is coming up which is good but unfortunately I will not be there to read in that library. I believe as a County Assembly as we go I believe we need to review all the more than four and half years we have been in this House.

The challenges, observation and recommendation we need to do a report as the first County Assembly of Nairobi and I believe some of this recurrent money Mr. Speaker sir we can get funds to go for a retreat to do that because actually I don't believe that we can just go as pioneers. We can't just go like that. We have done many things in this House and we need to know the implementation status of Motions and Bills that we have passed in this House. We don't want to be blamed that "those Members were just going to Mombasa to do nothing".

Mr. Speaker sir, you know we have done a lot and Nairobians should know that it is the implementation status "Executives" that is Governor Kidero and his people that have failed us in this County that one should be on record. We have done our work of legislation, oversight and representation for the people of Nairobi County. What I am saying in short is that we cannot go out of this House and I believe Mr. Speaker that we have time from now to 8th of August, 2017. We are not going anywhere we can still call a Special Sitting because I believe you are going to pass the Appropriation Bill and also call us for a retreat to go and review what we have done in this House. Thank you Mr. Speaker sir and I beg to support.

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

Hon. George Ochola: Thank you Mr. Speaker sir, and I want to thank Hon. Members in this House for being patient and indeed finding it fit, actually even if we are going out there to do our campaign we have the House, Staff and expenditures that we have to meet. In any Institution even if the director is going for one month's leave he must set aside some fund that will do the running cost for expenditure and other things he or she needs for his institution.

Mr. Speaker sir, the document that we have it's only the terminology where we refer to it as vote on account but what we have actually captured is what is authorized under the PFM Act and therefore Mr. Speaker we are in line with the rules and I want to say that I will applaud what Hon. Karen has said because actually is also over due to review how far we came from and how we have reached. Also some of the developments which actually the Committee has made more effort to the other side of the Executive to make sure that they have realized.

Therefore, Mr. Speaker as we go to *sine die* let's look unto that than you.

(Question put and agreed to)

CONSIDERATION OF THE SESSIONAL PAPER NO. 1 OF 2017 ON THE NON-MOTORIZED POLICY

Hon. Speaker: Next order. Order Hon. Oduru! How can you talk without a mic?

Hon. Kennedy Oduru: I thought that it was on, Hon. Speaker! Mr. Speaker sir, I beg to move the following Motion that this Assembly adopts the report of the Sectoral Committee on Transport, Roads and Public Works on the consideration of the Sessional Paper No. 1 of 2017 on the non-motorized policy, laid on the Table of the Assembly on Wednesday 28th June, 2017.

Mr. Speaker sir, the Sessional Paper No 1 of 2017 of non-motorized transport was Tabled in the County Assembly on 15th June, 2017 for approval in accordance with section 8 (1) (e) of the County government Act 2012. The Sessional Paper was therefore committed on the Sectoral Committee on Roads and Public works for Consideration and reporting to the Assembly.

The Committee compiled a report after considering the policy as I invite Hon. Members to pass through the said report I request the House to support the Committee to fulfill its mandate by making a resolution favouring the Implementation of NMT Policy so that in the long run the residents of Nairobi City can have access to improved and quality roads that will free our roads from congestions and time wasted in traffic that is impacting on economic growth and productivity of the City.

Hon. Speaker sir, I know call upon none other than one Hon. Osman Adow to come and second.

Hon. Osman Adow: Thank you Mr. Speaker, I do second the Motion and I hope that the Members will support this very comprehensive and well thought of Motion that meets international Standards and I hope that everybody is going to support it. Thank you.

(Question proposed)

Hon. Elias Otieno: Mr. Speaker, according to the way I am seeing the mood of the House, I think you should just call the mover to reply because our brothers have just come from the long fasting I think it is high time they are going to cover their lost needs in the evening so just call the mover to reply.

Hon. Speaker: Leader of Majority you are using my card today! Hon. Member I call the mover of the Motion to reply.

Hon. Kennedy Oduru: Mr. Speaker, I want to thank the Hon. Member for their continuous support to the work of the Committee in its effort to ensure the priority of this County as the access to better roads. I want to assure all the Members that the Committee will follow up to ensure that all the implementation of its solution is finalized. Thank you, Hon. Speaker sir and all the Members for their support and the Committee members for having worked hard towards the success of this Committee. Thank you, Hon. Speaker sir.

(Question put and agreed to)

ADJOURNMENT OF THE ASSEMBLY IN ACCORDANCE WITH THE CALENDAR OF THE COUNTY ASSEMBLY

Hon. Speaker: The Hon. Leader of Majority!

Hon. Elias Otieno: Thank you Mr. Speaker, I think Hon. Adow.....

Hon. Speaker: Hon. Adow we are coming to your Motion after this one.

Hon. Elias Otieno: Thank you Mr. Speaker. That is the reason why I had requested before that the Minority and the Chief Whip who are independent since they have just come from long fasting that is why he doesn't know the procedure.

Mr. Speaker that pursuant to the provisions of Standing Order 25 (3), this Assembly do adjourn *sine die*. I think it is a common practice that this is the end of the term and whether we like it or not, we must go back the *wananchi*. Therefore, it is today 29th of June, 2017 that we call this Assembly to adjourn *sine die* because we had also extended our sittings by two weeks because of the business which we had not finished.

I must also take this opportunity to thank Members for this four and half years we have been together, and we must thank God nobody amongst us who as.... Mr. Speaker, I also wish everybody here and those who are going for elective position I would like to wish them good luck and those who are going for good, I hope you will be staying at home well. I also call upon the Clerk of the County Assembly of Nairobi that in any case, because these are our Members and you know them very well in case you see them applying for anything in this Assembly, you should always consider them. We have Hon. Otieno, Hon. Karen and Hon. Zufla these are people whom we know we can work with.

Therefore, Mr. Speaker even those who have been opposing they didn't know why they were opposing for who because even when we depart, I don't know if I will be back or not or even the Minority Leader, since we don't know who is going to be elected during the 8th of August, 2017. We don't know who is going to be the Minority or Majority Leader in future, so when you are doing something don't just oppose it for the sake of opposing it because maybe the son of Jennifer or Minority... Just do it as if you doing it for yourself.

Mr. Speaker, I also want to thank the staff of this County Assembly of Nairobi for working together with us and the Clerk of the County Assembly of Nairobi, the Serjeant-At-Arms and also you for guiding this Assembly for the last four and a half years. Even if you are not going anywhere, you are still here with us. So those who are going to be elected and if you see Hon. Magelo's name anywhere just vote for him without blinking your eyes, because you know he has been with us for the last four years and he is a good man.

The Deputy Speaker here wants to have that seat because he thought that Hon. Magelo is going to be appointed somewhere else. We should also consider our own in this Assembly and not consider

outsiders. Therefore, the reporters who are there just report that we are not going to give the outsiders any position we are going to give it among ourselves. Even the Members who are not going to be elected we are going to consider them to be one of our fourth Members we will not pouch Members from outside the likes of Zulfa, Joyce Bocha and Jane Mwasi and other several Members are here.

So we don't have any reason to pouch somebody from outside. We can all as well just recruit among ourselves Mr. Speaker, I thank you all and may God bless you as you go for your election and also as you go for your long retirement thank you and may God bless you all. I propose Leader of Minority to come and second the Motion.

Hon. Abdi Hassan: *Asante sana Bwana Spika, na ningelipenda kuunga mkono hoja hii ya kuairisha Bunge mpaka, bunge lingine amabayo litaazishwa tarehe nane mwezi wa nane mwaka wa elfu mbili kumi na saba. Bwana Spika ningependa kuchukuwa fuluza hii kuwa shukuru Wambunge wote kwa kazi nzuri walioifanya kwa munda ya miaka nne na miezi tano.*

Mbwana Spika hii Bunge ya Nairobi ni mbuga ya kwanza katika katiba hii yetu ya Kenya ambayo iliweza kupitishwa mwaka wa elfu mbili na kumi, nani bunge mupia lakini kazi ambayo imefanywa kwa hii Bunge in kazi ambae inafaa kusifika. Ni kazi ya tajiliba mzuri nawa heshimiwa wale ambo wamekuwa kwa hii Bunge kwa hii munda wa miaka nne na miesi tano wanafaa kupongezwa.

Bwana Spika, hili Bunge limepitisha muswaada, na sheria zaindi ya hamusini na kitu. Muswaada imepitishwa zaindi ya mia moja, hiyo nikumanisha wambuge walikuwa wana fanya kazi yao kwa kujitolea. Ningependa pia kuchukuwa fulza hii kushukulu Karani wa hii Bunge, na wafanyi kazi wake wote, wamewezesha waheshimiwa kufanya kazi yao. Bila hao wafanyi kazi hatulingeliweza Kufanya kazi yetu kulingana na sheria.

Bwana Spika, pia nigeponda kuwa ombeya waheshimiwa wezangu wale wanenda kwa siasa na wale wanaongombea Chama tafauti, na wale pia wanaongombe chama cha uhuru nawaombea mungu awajalie waweza kupata viti ambazo wanazo zingombea.

Bwana Spika, nigeponda Kuombea rafiki yangu ambaye ni kiongozi ya walio wengi kwa hii mbunge aweze kurundi kwa hii bunge na apunguze mazungumzo ambayo aina musingi kwa hii Bunge. Aweze kupata nafasi ingine ya kuongea na kiongozi walio wengi kwa hivyo wacha nimalize mazungumzo yangu. Bwana Spika nilisikia mwezangu aki sema ati tumeongeza hii Bunge kwa wiki mbili ya kuwa hatuna mali kwa mifuko yetu hiyo matamshi ilikuwa aina musingi wowote.

Bwana Spika tuliweza kuongeza wiki mbili kwa sababu kazi ambayo tulikuwa tumebakisha kwa hii Bunge ilikuwa mingi sana. Kama tungeweza kuwa hirisha Bunge bila kupitisha ile mambo tumefanya kwa hii wiki mbili tungelikuwa na shinda mingi sana kwa hii County. Nigelipenda mwenzangu siku ingine akisimama kuongea ajaribu kupima maneno yake kwa sababu kama kiongozi ya walio wengi kwa hii Bunge maneno yake ikona uzito sana.

Waandisha wa habari walichukuwa hiyo maneno na wakaenda kuandika. Waka sema Bunge la Nairobi linagiongezea munda kwa sababu hawana fedha kwa mifuko yao. Bwana Spika tuko na pesa na tumelipwa mishahara kwa miaka ine na nusu. Na sisi wengine ni wana biashara kwa hivyo hatuwezi kosa hela Bwana Spika. Tulikuwa tunataka kuhundumia watu wa Nairobi kwa sababu tuna kula mishahara. Bwana Spika kwa hiyo machache nigelipenda kunga mikono. Ashanteni sana na Mungu awabariki.

COMMUNICATION FROM THE CHAIR

SPEAKER'S FINAL SPEECH

Hon. Speaker: Very well, before I propose or go on, I will do my final speech for the time that I have been here.

Hon. Members, adjournments of the First County Assembly: First of all I want to thank our Almighty God that we are coming to an end with all of us intact. It is a blessing from the almighty God and we hope the Second Assembly will be inducting as we are. I want to remember our Hon. Millicent, who was involved in that terrible accident and we wish her quick recovery.

Hon. Members, today Thursday 29th June, 2017 marks the last sitting of the first County Assembly of Nairobi City in line with the Assembly Calendar for the Fifth Session adopted early this year.

Hon. Members, it will be remiss if today's sitting adjourns without the Chair taking this early opportunity to wish all of you the very best of luck in your endeavors as we close the Fifth and final Session of the First County Assembly of Nairobi City County.

Hon. Members, we have truly travelled a checkered path over the last four and half years of this Assembly's existence. You will recall that at its establishment following the General Elections of March, 2013, the Assembly began from essentially nothing and through sheer hard work planning and commitment, transformed itself to what it is today.

Indeed Hon. Members, we leave this Assembly an accomplished lot. It is my firm belief that we have bequeathed the second Assembly a legacy upon which to build on and a firm footing upon which to commence the Next Session. From challenges with infrastructure, to properly established Committee rooms and a state-of-the-art Assembly Chamber that can now accommodate 137 Members of County Assembly, 69 person at Speaker's gallery as well as 48 person in the public gallery, to provision of offices for staff and facilities for Members.

Hon. Member, I must thank you most sincerely for tirelessly growing your capacity to execute your mandate throughout the first Assembly's term and for embarking on that task with the zeal we have witnessed over the last four and half ears. Through your untiring efforts, the Assembly has considered a total of 352 Motions; including Motions for adoption of Reports, 16 Petitions and 45 Bills processed 326 papers laid and handled 331 Statements since 2013. We have earned ourselves the distinction of being

the only County Assembly to pass a many law as we have over the term of the first Assembly. Indeed, not even the Senate of the Republic of Kenya has passed that many laws over its First Term.

Specifically, Hon. Members, the Speaker was encouraged by the robust engagement undertaken by Members on crucial day to day issues that affect residents through statements, that are most popular avenue for legislative oversight and representation among Members.

It is my prayer that the Second Assembly will pick the mantle from where we leave it today and not just continue with the good work we have done, but leave the Assembly better than we do today.

Hon. Members, I wish to thank you most sincerely for your cooperation, friendship and commitment of service. The very best as you embark on your campaigns for the upcoming elections, and the very best as well for those of you embarking on other endeavors in life.

I want to thank the Clerk and the staff of the County Assembly for the cooperation that they have given me as a Speaker and I wish them well. I wish that in the next coming office will have the same that we have had ourselves. I therefore thank all of you Hon. Members the leadership of this Assembly Hon. Leader of Minority, Majority, the Deputy Speaker, the Chief Whips and Deputy Whips and Deputy Minority. It is my sincere hope that the Almighty God will see you well as we go on to 8th August, 2017 and those who are contesting I wish you victory.

God bless you. God bless Kenya. I thank you.

(Applause)

I now call upon the mover to reply

(Question proposed)

Hon. Deputy Speaker?

Hon. Kennedy Ngondi: Thank you Speaker. I rise in support of the motion of adjournment as you have indicated sine die. I kindly request this Hon. House to consider that under motion 10 we passed a vote on account leaving out a very crucial document which is the Appropriations Act for the financial year 2017/2018. Given the magnitude of the recurrent expenditure in the County; both the Executive and the Assembly Hon. Speaker, it will be wise for this Assembly to call for a special sitting and consider the Act. Our current wage bill stands at about Ksh. 1.6 billion and sh. 17.95 billion is just a drop in the ocean. This is the period with which members expect to get their gratuity and till the time you shall be handing over and hopefully, you will be my predecessor. Am eyeing that seat and I wish that you give me your blessings as an elder brother. I also wish to extend a special request to the office of the Clerk led by Jacob Ngwele. With his support I know that I can never be wrong. I want to congratulate the staff, way down from the support staff to the office of the Clerk. It will go in record that being the pioneer Assembly, we were blessed to have someone with brains as Jacob Ngwele who has guided this Assembly to where we are at today. This is

because, when we first came, we were very green in matters experience and how to run an Assembly in devolution. We got the necessary guidance in line with the principle and statues and the Standing Orders, we would not have been able to actualize bills.

We also got support staff of sound mind, dedicated and ready to learn in good time and that is the reason as to why we are holding our heads up high leaving this Assembly with a lot of might. I normally say that if we did not get the character of the Majority leader then this Assembly would have been in total mess. We have gone through difficult times with members who know it all and others who don't have any regards to law and I think that being a bully to some extent is necessary. I wish that the Minority Leader--- please give me time

Hon. Speaker: Hon. Deputy Speaker, there is a point of order!

Hon. Abdi Hassan: Is the Deputy Speaker confirming that the Majority Leader is bullying? In this House, we don't have bullies. I think the Majority Leader is a Hon. Member. He is not a bully. So, the Deputy Speaker should not defend my good friend. He should not assassinate the character of my good friend, Hon. Majority Leader. Thank you.

Hon. Speaker: Thank you, Leader of Minority. Hon. Deputy Speaker?

Hon. Kennedy Ngondi: I reverse my comment on that area where the Minority Leader has pointed out but each and every leader in this Assembly is known for their actions and participation. It would not be good for me and my conscience to just leave this Assembly without painting the correct picture of each and every leader. Hon. speaker, we had the whips in the Assembly, Hon. Hashim and Hon. Jaffar Kassam who have been very good and active Members of this Assembly. It is out of my powers to make them come back. It is not possible. But for those who got the ticket and those who opted to go for independent candidature, I just wish them well and as they come in, I would wish to be with them and when they vote for the new Speaker, let them be guided by conscience and principle so that we get the right people to steer this Assembly to the next level. I am grateful and am honored and privileged to serve in this Assembly for a period of 4 and half years. May God bless everyone thank you.

Hon. Pius Otieno: *Asante sana bw. Speaker, Wabunge washeshimiwa wenzangu. Kwanza nachukua fursa hii kuweza kushukuru haswa wananchi wa eneo wodi ya Sarang'ombe kwa kuweza kunipatia hii fursa kwa miaka mine maanake wengi wanataka fursa hii na hawaiapati. Licha ya kuwa wameifanya maamuzi yao na maamuzi ya wananchi ni maamuzi ya Mungu na ni sharti tuyaheshimu. Hizi miaka minne ambayo tumekuwa hapa, tumekuwa kama ndugu na dada. Na hata wakati huu ambao muhula wetu unayoyoma, na fikiria pia umejizatiti na bado pia tumejiona kama mandugu na madada.*

Bw. Spika, pia lazima nikubali ya kwamba sisi kama waanzilishi wa mfumo huu wa ugatuzi, ni muhimu tuelewe ya kwamba kunazo vile vitu ambavyo vimekuwa ni changamoto na kunazo pia sehemu kadaa wa kadhaa ambao pia tumejitahidi na kukaweza kufanya vyema. Pale ambayo ningelipenda niongelee Bw. Spika ni kwamba ili bunge ijayo iweze kuwa na makali, bunge inakuwa na makali kama

wanachama wake wanajizatiti, wanfika mapema na wanachukuwa kazi yao kama kazi ya dharura mabayo mwenyezi mungu amewapatia. kamati ndo uti wa mgongo wa bunge. Ningeliomba ya kwamba ule uongozi ambao utakuja waweze kujilinda maanani. Wale wajumbe ambao wakuwa kwenye kamati tofauti tofauti, kiongozi wa wengi na kiongozi wa wachache waweze kutilia maanani ya kwamba kale watu ambao watazishika zile kamati wakuwe na hiyo moyo, wakuwe na ule subra, wakuwe na ule ukakamavu na wakuwe na hata muda wa kuweza kuchoma mshumaa wakienda nyumbani maanake kazi mingi inafanyika katika zile kamati. Na hizo kamati kama hazitawapata viongozi ambao wako na niya ya kuweza kusukuma huu gurudumu mbele pengine kutakuwa na sitofahamu.

Lazima pia niwashukuru viongozi wa kuweza kujitolea mhanga maanake najua mahali ambao watu wanakutana na hawana uhusiano wa kiroho ama hata damu, lazima kuwe na mtafaruku hapa na pale. Lakini hatukuwa na mtafaruku kama huo. Mungu alikuwa mwema sana kwetu kama wajumbe. Tuliingia hapa tukiwa wajumbe 127 na tunatoka hapa tukiwa wajumbe 127. Hakuna mtu tuliempoteza. Licha ya kwa saa zingine tumekwaruzana na tumekanyagana hapa na pale lakini la muhimu ni kwamba hakuna jamii ambao watu watafikiria sawa na watatekeleza mjukumu zao kisawa. Yule Mwenyezi Mungu Subhana wa Taala ambaye pia ametuumba, mimi namuomba wale ambao wanaenda kutafuta kura awasaidie, awafungulie. Na kama kunao wale wenzangu ambao wanasema niliwakosea, mimi naomba msamaha maana mimi ni mtu mwenye roho nyepesi na pengine kwa wale ambao pia walinikosea kama kunaye mmoja ama wawili, mimi pia nawasamehe. Manake ningependa nitembe katika Mji wa Nairobi kama sina ndoa ama sina uzito wa kimwili ama wa kiroho ya kwamba pengine mtu fulani alinikosea. Tukikutana kule nje tunasalimiana, ukiniona mahali pengine, wewe sema Otieno nimekuona, ata kama sijasikia, mimi ni mtu mwepesi nitakua pale. Asanteni sana kwa uoguzi.

Siwezi sahu wale makarani wetu ambao walikuwa wanatusaidia kwenye Kamati, wale ambao wanaitwa Committee Clerks, hao watu walikuwa wangwana. Hawo mabwana ama hao madada walikuwa wazuri hatujakosana nao na walifanya kazi yao vema. Jacob Ngwele, Karani Mkuu wa hii Kaunti, Mungu akusaidie. Spika Ole Magelo, vile vile Majority Leader, Minority Leader, Whips, watu wote siwezi kuwa na muda wa kuyaita majina yote mia moja ishirini na saba, lakini tulikuwa kama madugu na madada. Nitamiss hii nyumba, nitamiss wengine tutakuwa tunakutana and we shall be friends by the end of the day. May God help you all.

Hon. Zulfa Hakim: Thank you, Mr. Speaker. I rise to support this Motion and I am standing on behalf of the women of this County Assembly Mr. Speaker as their Vice-chair of the Nairobi Women Caucus. I will not go without speaking the voice of the women of this County Assembly, Mr. Speaker.

Mr. Speaker and the Clerk of this Assembly together with the Leadership of this assembly, we take this opportunity to thank you for supporting our programmes for recognizing that we needed to be sharpened a little bit and for always being on our side Mr. Speaker. All those trainings that we have been going to supported by yourselves and the County Assembly have actually improved the leadership qualities of the women of this assembly. And that one we don't take it for granted Mr. Speaker. We are better off than we came in, most of us are now going for these elective posts and I must also note that we are not

doing very bad. We have very strong women on the ground and most of this can be attributed to the very training that we have been facilitated by our Clerk, Mr. Speaker. And on that we are very thankful and we wish you all the best in the future endeavors.

We also thank the Clerk Assistants of the Caucus and we appeal to the Clerk to consider making the Caucus a bonafide entity as ours was just a pilot one. It was just on pilot stage and going forward it will be necessary for women to have their Caucus. We also have to appreciate that the women were very vibrant at the committee levels, our women have contributed immensely in this assembly. They have done their part without fear or favour. They have been respectful to this House Mr. Speaker. We have not had any incidences Mr. Speaker and that is something that will write the history of this Assembly in golden letters, Mr. Speaker. And with that I also need to appreciate the Constitution for having a provision for the two thirds so that we can have more women in the assembly. As the pioneers of the County Assemblies, we realize that indeed women do contribute in legislation, in leadership, in representation and also that they are very vibrant. I am having a lot of respect for our men Mr. Speaker, but they also realize that in the Committees they have two or three women who they depend on to make decisions and that one we should not for granted.

Mr. Clerk Hon. Jacob Ngwele, we call you Hon. because your work has been honorable, I wish to appeal to you on behalf of all the women to make this caucus a bonafide entity with their own programmes because we realize we have had challenges as Nominated Members of this Assembly. We have had a lot of respect having not operated with offices and staff, but I appreciate as teething problems as the First County Assembly. So Hon. Speaker, and your entire team, I wish you all the best. To my fellow colleagues, I wish you all the best. I want to come here and see the familiar faces next time. The independent candidates as well, I wish you all the best. Thank you very much.

Hon. Speaker: Hon. Members, I will only call two members but we have been left with only two minutes because we are just about to close.

Hon. Karen Wanjiku: Thank you Mr. Speaker sir for giving me this opportunity to support the Motion of adjournment. Indeed it has been a learning session Mr. Speaker being pioneers of this House. I want to say one thing Mr. Speaker sir, we had conflicts when we came here with the fellow elected members, but for those who went for these elections we know why they behaved the way they behaved. Because it is not easy, it is good to say the truth. It is not easy and they were just wondering how you can just be given a seat when I have struggled and sweat, you know. So we appreciate you elected members. Thank you for making us tough and empowered and we are coming out of this House empowered. And if God willing I come back in this House, Deputy Speaker, I am coming back may be to vie as a Speaker. We will meet there, Hon. Members who will come back I ask for your vote and you know women are better workers (*laughs*) Thank you very much.

I want to appreciate the fact also that you gave me the Speakers' Panel to assist the Speaker. We have worked very well and the experience I have had there Mr. Speaker will help me to move forward and also empower other people through that experience. I want to wish all Hon. Members who are going to the

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elections, even the independent candidates, though I am 'team loyal' because this is a democratic country and we want to see what happens. I believe it will be a surprise election and I believe God will let us see that surprise come 8th August 2017. Till we meet again, God bless you.

Hon. Patrick Ngaruiya: Thank you Hon. Speaker, I also rise to support this motion so that we can adjourn *sine die* and Mr. Speaker, first of all I have to appreciate and thank God for giving me this opportunity to serve and also the people of Kahawa West for giving me the opportunity to serve them. I want to say that in future, I trust that the Assemblies and the County Executives they are going to have that kind of a symbiotic relationship.

Mr. Speaker we have been having wars between the Executive and the Assembly and we hope this will come to an end. We want a symbiotic relationship whereby we relate well. I want to say that probably we have at one point crossed each other, probably on line of duty and as Karen as put it, it is those pleasure that particularly comes from the people that we represent.

Therefore, I say sorry to the Speaker probably we have wronged one another sometimes and the Clerk and everybody in this particular House. I also believe and trust that in the next Assembly the Minorities and the Deputies will be given some powers not just like the flower girls. I hope the Deputy Minority and Majority of the next house and the Deputy Speaker should have powers to be given some responsibilities as per the County Government Act.

So Mr. Speaker, I want to say that in this House we have done a lot if history is to be written I know it will not be a paragraph; we can write as many pages as possible and we can also write a book and also many things that we have done. And in future we can also want to encourage the House that we can put a lot of money especially on public participation and civic education because most people out there do not understand the role of MCA's. If that one can be done and they can be educated I believe in future we can have MCA who now what it entails to lead those particular Committees and this particular House.

So Mr. Speaker, that one we can take it to the bank and it could be done and the Clerk is here and he is responsible. Thank you for everything and I know, believes and trusts my God I will be back in this House and when I come back I will have moved from political parties and I represent the people very well. So thank you and God bless you all.

Hon. Speaker: I call upon Hon. Joyce Bocha.

Hon. Joyce Bocha: Bwana Spika, nina simama mbele yenu, watoto wangu nikiunga mkono kwa kufunga Bunge la kwanza la County la Nairobi. Kwanza na shukuru sana Mwana Spika, Clerk, na Majority na Minority kwa ile kazi muzuri tume kuwa nayo kwa ushirikiano. Unajua kitu aiwezi kuendelea bila ushirikiano.

Jambo la kwanza ni kuwa shukuru watoto wangu vijana ambao nilipata hapa. Wengine walisema huyu shosho, nikiingia hapa, nimekuja kufanya nini? Lakini hawakujua huyu shosho ile kazi amefanya huko nyuma ndio imemufanya aingie hii nyumba.

Nina ombea watoto wangu, wale wame simama wote na amabo wanarundi, tunajua sasa muna ujuzi wakutosha kutayarishia ambao wanaingia, na mukuwe na upendo vile tulikuwa nayo. Nashukuru sana nyumba hii kunipatia nafasi ya kuongea, ingawa kitu kimoja vijana wangu mulikosea mulipenda kizungu sana, na hapa ni mahali ya Kiswahili. Watu wengine wanataka kuchangia lakini kwa sababu hawasiki maneno ilikuwa inawafinya kukaa chini, lakini mimi Bocha nimezoea kuongea.

Kwa hivyo, bunge letu limekuwa, bunge la maana. Natumaini kuwa na ushirikiano kazi ambayo tumefanya zaidi, na chairman na nina mushukuru sana chairman wa Delegated [Legislation] na ako hapo musomi. Amenifunza Kiswahili nanimeweza kuchangia mambo mengi na siku moja nitaongea.

Nilitaka tukuwe na kiti cha wabunge pamoja, lakini sikuona, nimeona nikiingiza na kusema sasa kwa ajili shosho alipewa hiyo mawazo ku-consider, lakini mtoto wangu alisema kitu ya kwamba kabla hatujaenda hilo jambo lifanyike. Mimi ninasema asante na Mungu atulinde na wale watakuja, na hata wale watakuwa ije wakikuja hapa mwasalimie. Nashukuru asateni sana.

Hon. Speaker: Hon. Members we have 4 minutes to knock off, 4 minutes only.

Hon. Abdi Hassan: Thank you Hon. Speaker, I want to go on record by cautioning the Executive because the rumours are flying around that Executive is about to privatize/selling the Nairobi Water company. I want them to know Nairobi Water Company is a public entity...

Hon. Speaker: Did you say that it was privatized?

Hon. Abdi Hassan: Yes, privatized/ selling. I want to caution and tell that Nairobi Water Company is a public entity. They have no authority to privatize or sell it without the express legislation which has been passed by this assembly which by now there is no legislation on privatization that has been passed by this assembly. As we are speaking the staff of Nairobi Water have been striking yesterday and today because of that issue. It is a very serious matter, a matter of grave concern to Nairobians and I think media people are here, this is a very serious matter. I want to tell the executive which is led by Kidero that Nairobians will not allow their property to be auctioned at the last minute when we are heading to the polls, thank you.

Hon. Speaker: I think Hon. Leader of Minority that is a very serious thing and I am calling on Members to keep their ears on the ground and incase those allegations are found to be true then the Leader of Minority and Leader of Majority can always come here and protect what is ours, I thank you. I call upon Majority Leader to reply.

Hon. Elias Otieno: Thank you Members, I will not answers those who attacked me like Minority and Deputy Speaker. Being straight doesn't mean you are a bully, am just straight not a bully because I know what is good is good, what is wrong is wrong. That doesn't mean bully, Deputy Speaker. When you are Speaker in this house and you do something wrong then you say am a bully I will not allow you to do because we should always follow the law. That should go on record. Mr. Speaker I thank all Members and I wish them safe journey as they go to their homes or offices and those who rents houses here on this [Minority] side.

ADJOURNMENT

Hon. Speaker: Hon. Members I want to thank you once again. Order, order, Members! Hon. Members, That pursuant to the provision of Standing Order 25 (3) this assembly do adjourn *sine die*. Asanti.

The House rose at 5.33 p.m.