



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Third Session

Tuesday 19th November 2019

The House met at 2.30 p.m.

[Hon. Speaker (Ms. Beatrice Elachi) in Chair]

PRAYERS

QUORUM

Hon. Speaker: Sergeant-at-Arms, ring the bell for ten minutes.

(Quorum bell was rung)

COMMUNICATION FROM THE CHAIR

DESIGNATION OF HON. DAVID MBERIA AS MINORITY LEADER

Hon. Speaker: Hon. Members, I have a communication to make. You may recall that on Thursday 14th November, 2019 I notified this honorable house of a communication from the Minority Party whip received by the office of the Speaker pursuant to Standing Order 21 (8) communicating the decision of the minority coalition on the removal of Hon. Elias Otieno Okumu, MCA member of Kileleshwa ward as the Minority leader of the County Assembly pursuant to Standing Order 21(1).

Subsequently Hon. Members you may recall that the chair directed the Minority coalition to designate a member as minority leader to replace Hon. Elias Otieno Okumu, MCA as provided for in Standing Order 21(1) within 48 hours pursuant to Standing Order 21(9).

In the above regard Hon. Members, the office of the Speaker received a communication from the Orange Democratic Movement (ODM) executive director Mr. Oduor On'gwen vide a letter REF: ODM 1115ED4 dated 15th November, 2019 communicating the change of the Minority leader.

In the letter and pursuant to the provisions of Standing Order number 21 99), the Orange Democratic Movement has designated Hon. David Mberia, MCA of Karen Ward as the leader of Minority party and coalition in Nairobi City County Assembly.

Hon. Members, I wish to remind you on the provisions of Standing Order number 243(1c) on the sitting order in the chamber which provides that there shall be reserved seats in the chamber of the County Assembly for the exclusive use of amongst others the Leader of Minority party. In the above regard Hon. Members, I now request the Minority Leader Hon. David Mberia MCA to take his designated seat

(Applause)

(Hon. David Mberia took the Minority Leader seat)

Hon. Speaker: Hon. Members, for the interests of the newly appointed Minority leader, allow me to refer you to all the provisions of Standing Order number 173(1) on providing for the establishment of the committee on Selection dictates the Leader of the Minority party as one of its default member.

Equally Hon. Members, Standing Order number 196 establishes the select committee on Appointment consisting of the Speaker as the Chairperson, the Leader of Minority party and Majority Party as the prescribed members. Now therefore Hon. Members, similar with the earlier change with the Leader of the Majority party and his whips, the change herein for the leader of Minority party does not necessitate nor rely on the Assembly's approval or otherwise.

Consequently, Hon. Members, I direct that the membership of the said committees be affected forthwith. Lastly, Hon. Members under Order number seven on statements, I will grant the newly appointed leader of Minority party pursuant to Standing Order number 45 (2) a chance to say something relating to the new appointment and responsibility as the Minority leader.

(Applause)

Hon. Speaker: Order! When we get to statements Hon. Minority Leader. Hon. Members, I have received a letter from the Jubilee party REF: MKTRA01019. Nomination of the Nairobi City County Assembly Service Board and it says that the party has no record of nominating Hon. Hassan Abdi Abraham to the Nairobi City County Assembly Service Board in the first place so please take note. This is from your Secretary General Raphael Tuju.

PAPERS

Hon. Speaker: Deputy Majority Leader

Hon. Millicent Mugadi: Thank you Madam Speaker. Pursuant to Article 228/6 of the Constitution of Kenya, I beg to lay the following paper on the table of the Assembly today 19th November 2019. The Annual County Budget Implementation Review report for the financial year 2018/2019 and the national government Budget Implementation Review report for the financial year 2018/19. I beg to lay.

Madam Speaker, pursuant to section 166 of the Public Finance Management Act 2012, I beg to lay the following paper on the table of the Assembly today 19th November 2019 for financial year 2019/2020 First Quarter Revenue Expenditure report. I beg to lay.

Madam Speaker, pursuant to section 59 (1d) and (5) of the County Government's Act 2012, I beg to lay the following papers on the table of the Assembly today 19th November 2019: The Nairobi County Public Service Board report to the County Assembly. I beg to lay.

Madam Speaker, pursuant to section 20 of the Urban Areas and Cities Act 2011, I beg to lay the following papers on the table of the Assembly today 19th November 2019: The Draft Local Physical Development Plan for the projects under Kenya Informal Settlements Improvement Projects (KISSIP). I beg to lay. Thank you.

Hon. Speaker: Thank you Deputy Majority Leader. Budget committee to take over the financial year 2019/2020 First Quarter Revenue and Expenditure report. I know they are not around, kindly note. The report on Draft Local Physical Development Plans to be taken over by the committee on Planning and the Nairobi City County Public Service Board report to the County Assembly to be taken care of by the Labour committee.

Lastly, the annual County governments Budget Implementation and Review and the national Government Budget Implementation Review be the responsibility of the Budget committee.

NOTICES OF MOTION

Hon. Speaker: Hon. Immapet

Hon. Immapet Kemunto: Thank you Madam Speaker. I beg to give notice of the following motion; That aware that the sister cities international was founded by President Dwight D. Eisenhower in 1956, is a nonpartisan and nonprofit organization which serves as the national membership organization for individual sister cities, counties, and states across the United States;

Further aware that the organization was establishment on a mission of promoting peace and prosperity by creating bonds between people from different cities around the world, by forming these relationships that people of different cultures would celebrate and appreciate their differences and build partnerships that would lessen the chance of new conflicts. Acknowledging that sister cities members continue to expand and strengthen existing relationships where members boast exchanges in arts and culture, business and trade, youth and education and community development that not only bring them friendship but help them tackle the world's most pressing issues at the local level

Noting that the Nairobi City County signed Government a memorandum of understanding with the Nairobi sister cities international organization, which is part of the sister cities international based in the United States of America. The Nairobi sister cities initiative was to create bonds between people from different cities within Kenya and around the world for local and global friendships, peace, unity and prosperity.

Further, that the purpose of the MoU was to set out and outline framework for the parties on areas of need, provide forum on matters of socio-economic.

This Assembly resolves to establish a special committee to be known as the Nairobi City County Assembly Sister Cities committee comprising of the Speaker as the chairperson, nine members of the County assembly, a representative from the office of the county secretary, three members of the public who are familiar with the operations of Sister Cities International and the first Speaker of the County Assembly who was one of the architects of this noble idea to interlink the county and its residents with other cities of the world in matters of socio-economic. I beg to lay.

Hon. Speaker: Hon. Silas Matara

Hon. Silas Matara: Thank you Hon. Speaker. I beg to give notice of motion on management and sharing of revenue from Nairobi National park. Hon. Speaker, I beg to give notice of the following motion that aware under article 186 (1) of the Constitution of Kenya, the functions and powers of the County Government among others covers public entertainment and public amenities including County parks and recreational facilities.

Further aware that paragraph seven of the Fourth Schedule provides for the functions of the County Government, which include regulation of local tourism, acknowledging that the Nairobi National park has attracted tourists both locally and internationally because of its strategic place and richness in various species of wildlife.

Concerned that despite the park being located in the County, the management and operations of the park under the national Government, which is against the spirit of the fourth schedule of the Constitution.

Further concerned that the County does not share any revenue from the park. Noting that the intergovernmental relations Act 2012 provides for the establishment of the National and County Governments Coordinating Summit which will provide a forum for consultation and cooperation between the two levels of government.

This Assembly urges the County Executive to engage the National Government with the view of gently managing the operations of the National Park and sharing revenue from the park between the National Government and the County Government.

Hon. Silas Matara: Hon Speaker I beg to give the second motion; the subject is: Establishment of a County Waste Management Authority.

That aware that solid management which is the function of the county government remains a serious challenge to the Nairobi city county government and residents, concerned that the implementation of waste management faces numerous challenges ranging from inadequate capacity to handle the challenge, corruption within and beyond the county government, cartels and lethargic nature of county staff and citizenry faced with apathy and collective irresponsibility for waste management.

Acknowledging solid waste is an emerging health threat to both levels of government and underscoring its effect on the lives of the people living in Nairobi, the environment and wellbeing of the city; acknowledging that the county assembly passed the Nairobi City County Corporation Bill which provides a framework for establishment and dissolution of county corporations; this assembly urges the county government to establish a county entity or corporation to be known as Nairobi City County Waste Management Authority with a view to provide leadership and regulate the sector.

Hon. Kennedy Oyugi: Thank you Madam Speaker, I beg to give notice of a motion: Aware that Article 6(2) of the Constitution recognizes that both the national and county governments are distinct and interdependent and devolution is an important principle in the new structure of governance.

Further aware that the function of village polytechnics is vested in the county government pursuant to provision of part 2 of Fourth Schedule to the constitution 2010.

Acknowledging that there has been an increase in enrollment in both primary and secondary schools in recent years.

Concerned that the low number of primary school years transiting to secondary and from secondary to universities and colleges has become a cause of alarm for both national and county governments.

Further concerned that some student especially from informal settlements in the county are unable to proceed with their education due to lack of fees.

Acknowledging that technical and vocational training constitutes a form of education. Training and learning activities that leads to acquisition of practical knowledge and skills relevant for gainful economic engagements both and informal.

This assembly urges the county executive to develop a policy that provides for establishment of a kitty to support needy students in technical and vocational training institution across all wards in the county. Thank you.

STATEMENTS

MAIDEN SPEECH BY HON. DAVID MBERIA AS MINORITY LEADER

Hon. David Mberia: Thank you Madam Speaker for this opportunity to address this hon house (*Applause*) after my nomination to lead the minority party and coalition in this assembly.

Madam Speaker first and foremost I want to thank most profusely the ODM party leader His Excellency the People's president the Right Hon Raila Amollo Odinga for nominating me to the leader of minority in this county assembly.

Madam Speaker I did not ask for votes like my friend revolutionary Kennedy Oyugi, Obuya and Oganda. I am not better than them; I am just one among equals.

Madam Speaker I also thank the handshake. As you all know you were the first product of the handshake before Imram Okoth th the member of Kibra constituency. We thank God for that.

Madam Speaker I want to thank you and my members for the confidence they have shown me since the day I was nominated. ODM party is not a village party. It is a national party; it has members of all the 42 tribes in Kenya, me included.

I am the only Meru ma who has been elected in this party for three consecutive terms. In football it is called hat trick and when you score hat trick in football you re given the ball which was played on the field. You take it away it home. I believe probably they will give me Karen ward to take it home. Madam Speaker I believe the task ahead now as a house is to bring unity of purpose among members and more specifically as the head of this house which is another arm of the government after executive you have duty to unite the members across the political divide.

I want to say that now the storm is over. We need to bring back public trust and confidence after the fiasco we have witnessed for the last almost once month. I know you are equal to that task – bring embers together, both the Nasa and Jubilee to ensure we have prudent oversight over the executive.

Madam Speaker yes we have the handshake but also we should not forget our duties, our three main functions of legislating, representing and oversight over the county executive. Therese are the three main aims of an MP or MCA.

Madam Speaker I know you're equal to the task. I know that the wrangles we have witnessed have now faded away, it is now time for business and I know my members will give me the support I need and unanimously we are going to give you the support you need to ensure the mandate of this county assembly is realized.

Madam Speaker kindly before we go for long recess call a Speaker's kamkunji for both of us. We have a tee-tee together and heal. The leadership of majority and minority are in a new dawn. We need to sit down and plan for Nairobi. Let us bring the confidence back to Nairobians. Thank you and God bless Nairobi City County Assembly.

Hon. Millicent Mugadi: Thank you Madam Speaker. Let me take this opportunity to congratulate Minority Leader David Mberia and as you can see in this house he is one of the seniors and he deserves the crown and I want to tell him welcome to the board, the party is over and it is time to work.

I would wish we unite the house as leaders from both parties. Madam Speaker you are the Speaker of the house, lets unite the house, let's bring the executive, the Governor and Nairobians on board. We have wasted a few times trying to play here and there and Nairobi people want to see change and everybody is happy. When you walk out there, people are congratulating at you, smiling at you, people telling you to enjoy the leadership; but we don't want to enjoy the leadership: we want to work.

Let's not hate. Let's find it in our heart to forgive whoever hurt us because sometimes the wind has to blow strong for you to find your vision. Whatever happened was a strong wind. We all love each other. We have a bond; we have history. One way or another we help each other. We can't say that we have not come across though our happiness and tear. I stand to congratulate you and ask members that let's take this responsibility as our and let's serve Nairobians. Thank you.

Hon. Peter Imwatok: Madam Speaker thank you on the afternoon of 19th Nov 2019. This is auspicious afternoon that the hon members of minority side are officially having a new boss. The new boss is one David Mberia, a man I met in this assembly from being a councilor, joined as MCA, reelected again as MCA, he was my boss as whip of the majority side. He used to sit where Mheshimiwa Millie sits as my boss and now he is more of my boss, senior than before.

Madam Speaker I want to congratulate members of minority side. As you can see we lead by example. Indeed, ODM and Nasa coalition is a team that is perfectly mature enough to understand transition can be done in a smooth way.

We had a good comprehensive meeting with our leader in the morning and he applauded the hon members from this side for exercising maturity to an extend that leadership can exchange hands in a very peaceful way, bloodless coup, in a way that everybody can appreciate until the former minority leader had a chance to shake hands and hand over power officially without any iota of pepper spray, neither tear gas or gun shots.

(Applause)

I want again to congratulate my boos, welcome and lead the opposition side under the BBI or handshake.

Madam Speaker as you are aware Nairobi is a city with 4 million Kenyans, during day about 5-6 million. It tells you that more than 500 buses coming and out of Nairobi on daily basis. More than 2000 flights transit across Nairobi or land in Nairobi. That shows this is the hub of decision making.

What we do as county assembly in Nairobi is what Nairobians will take. In some cities you don't find the national parliament in the capital city. But here what we do replicates in the entire country. Therefore, it

has replicated that opposition in Nairobi can have a leader regardless. They can change leadership without any wars or fiasco.

We are asking, in spirit of handshake, I am asking my leader Millicent Mugadi and entire Jubilee side let's make this house warm. Let's make this house worthwhile. It might not have gotten your way but at least you have your say. Therefore, it is time we have a conversation and debates on motions that one day we will leave this house and say 'I Ndumi MCA I participated in passing a Finance Bill.

Madam Speaker, I have been a leader for two and a half years, but I can tell you for free that I am a free seated next to Mberia today than ever before.

As an SDA, I will not hide away from the truth. That this Assembly has been suffocated of its freedom. And because freedom is now here with us, do not waste it. Use it well. If you have an issue against the Speaker, walk to her chamber, discuss with her. If you have a problem with me, she will call and tell me that I have wronged a Member and the three of us will sit.

If there is an issue on the Jubilee side and the Minority Whip has erred against someone or the Majority or Minority Leaders...sometimes, we are human beings. My Minority Leader can wake up with family challenges. He comes and you go to his office demanding for a trip. He then tells you he is not in a mood to discuss. Come back to the Whip. I will have my own style as a leader to discuss your issue. That is the only way we can run this Assembly forward.

Nairobians will understand that this House is full of educated people. The picture we paint out there is a House of dimwits. People who have never stepped into a classroom. It is not right. It is time we salvage ourselves and our image to put ourselves in a different pedigree. That we can do things differently.

I agree with my party leader this morning. He said the same words you said. He doesn't want to see in 2020 that Nairobi County Assembly has pettiness and mediocrity in us. He needs a constructive assembly that will pass BBI expressly. And we want to tell anyone who has a challenge with BBI that we are sorry. On the side of minority, we don't read it. As long as Raila has read it, it is already confirmed to be the best thing to do.

To our seniors from the other side, we implore you, let us make this House warm again. We all came here as MCAs. No one came as a special MCA on his back. Everyone is an MCA. We just get to be a whip courtesy of Raila Odinga, Mberia courtesy of Minority and on the other side, courtesy of Uhuru Kenyatta. Just for the purpose of leading the Assembly.

So, when you leave this door, we all remain members of county assembly. Raila says there nothing called nominated. He says we are all elected. There is election by the people and another one by the party. He educated us about South African constitution today and we agreed that there is nothing called nominated. We were all elected.

We are all Hon. MCAs of Nairobi. We agreed that we are going to treat all Members equally. Not because you cannot speak, you become a lesser member. Not because you feel you are too short, you don't deserve. Not because you come from a constituency where you lead poor people, now you are not going to speak.

This house must be free. Because for you to learn to speak, you must talk. There is no way a member comes here and he has no chance to even give a maiden speech since he came here because he fears

these 4 benches. It was across the divide. It was the alpha and omega. The time has come, Members. I ask of you again. Let us make this house warm again. On our side, we will support our leader fully. If he says we go against the government, we will go against the government. If he says we support the government, we will support the government. But I can assure you, we know him. Be prepared as the government side. If you are not up to the game, the game will be up on you. We welcome our new leader and we will see how this Assembly will go in the spirit of handshake.

We don't fear to say that we are prepared as the opposition to work together for the interest of Nairobians. But also we are not prepared to face mediocrity and pettiness. This Assembly must be a house of order and procedure and we do oversight in a constructive way.

We guarantee you as the leader of this house, we will not be petty. We will be very constructive. We will not go on a Pandora of name-calling, insults or anything whatsoever. We will be very constructive in our motions, in our statements, in our debates and in our bills. We will bring bills that will make and transform this county. Thank you. Once again, my leader, welcome. I am loyal.

Hon. Speaker: Thank you very much, Minority Whip. Hon. Kabiro.

Hon. Mbugua Kabiro: Thank you Hon. Speaker. I would also want to raise my voice in support of the change of leadership. I remember the Hon. David Mberia and yesterday, I learnt that he is also called Otieno Mberia. He used to sit on the far left just right next to the door. Many a times, he used to support motion and business in the House and then he goes out to consult and comes back. The distance between the door till here is quite huge. And I happy he is seated on one of the senior most seats in this Assembly.

Madam Speaker, we have heard the Minority Whip speak well of their party and I want to come through and give a little recommendation to that party called ODM. I think it is about 14 years old. A party that has close to 578 members of the county assembly within this period and about 96 members of the national assembly. 16 senators. It is a part that should be respected very much.

We are in unison with the party leadership to designate one person who we truly love as son of the soil to lead the minority wing. I am so sure that there will be proper idea that will come from his grey matter. We take this opportunity to congratulate and thank him for agreeing to take over this mantle for the remaining two or three years. Important things are ahead of us and we will make sure that we support him to the best of our abilities. Whenever there are challenges, we will consult. Be kind enough to allow this Assembly to go somewhere and retreat and also just do some form of team building before we get to next year. I congratulate you sir on your appointment. Thank you.

Hon. Jared Akama: Thank you Madam Speaker. I also rise to congratulate my neighbor and my friend, Hon. Mberia Otieno. It has been a long journey of liberation struggles and finally we are here. We want to thank God.

I also take this opportunity to urge the new Leader of Minority to keep the spirit because the essence of the liberation struggle was basically to advance the issues of equity and justice in this House. And I have a lot of faith in him because he is someone I understand. I know he will be able to advance what we have been advocating for.

Having said that, and as somebody who has peacebuilding background, I wanted to tell my fellow members that conflicts are not bad. Conflicts act as a base of transformation. And I want to juggle your mind

a bit that if it were not for the conflict of 2007, perhaps we would still be having the old constitution. The gains we made can be equated to the conflict of 2007 and eventually attaining a new constitution and hence we have reached this far. Having said that, for the few months we have been having conflicts in this House, I want to believe that the essence is to take us to the next level. And out of what we have discussed today with the party leader, I want to believe that moving forward, this House will be full of peace, love among ourselves.

We want to set standards. and the kind of leadership we had did not allow some of us to set the standards. I want to believe that the new leadership which everybody in this House has got faith in will eventually set the standards for the purpose of the benefit of Nairobians.

Once again, I want to urge my fellow revolution council members to hold back a bit and suspend any revolutionary act from now henceforth for the purpose of peace and moving our county forward. Viva!

Hon. Ruth Ndumi: Thank you Hon. Speaker. I also want to congratulate the new Leader of Minority, Hon. Mberia. Hon. Speaker, you know there is a saying that a change is as good as a rest. We Jubilee Members have seen the faces of ODM members. They are all shining because they are happy with the leader they were given. I also want to urge the House that we work together. It is time for handshake and everyone is working with handshake. I am sure the leaders from the minority side will join us and work together. I stand to support the Leader of Minority in all ways. Thank you.

Hon. Clarence Munga; Thank you Hon. Speaker for giving me an opportunity to contribute. First, let me take this opportunity to congratulate our new Leader of Minority, Hon. Mberia. We have been in this struggle from the first Assembly and I thank God that he has been given this opportunity to lead us.

What has been ailing this Assembly is people given an opportunity to serve other leaders and they take that opportunity to oppress others. We feel that in the first assembly and the past two years, we have been oppressed in this House and sometimes we wondered why we were reelected to this House. But I thank God that even the party leader had to understand the issues that members were going through.

And I want to take this opportunity to advise our new Leader of Minority that we want a leader who will bring peace in our House. A leader who is for equity and understands other members. Sometimes when we defer, it does not mean that we disrespect you but to correct what we feel is not going right.

At the same time, the few leaders who were here chest thumping that they will never be stripped off their power but remain in the helm of the Board and leadership, I thank God that He has proven them wrong. I support Hon. Mberia and pray that God will give him strength so that he can guide this House forthwith. Thank you.

Hon. Speaker: Thank you. Hon. Jeremiah Themendu.

Hon. Jeremiah Themendu: Thank you, Madam Speaker for catching my eye. I rise to congratulate Hon. Mberia for the position that he has now. What is ailing us here in this Assembly is selfishness. If we find medicine to cure it, then we will head to the right direction. We shall achieve what we had promised people in our wards. There is a saying that goes; 'If you cannot embrace change, change will change you.'

(Applause)

For now, let us unite and work as a team no matter what happened. I congratulate the opposition because they handled their change well without fight and teargas. For us, we had problems.

Madam Speaker, I now urge you to change this Assembly because it is not too late. We are remaining with about two years and we can do wonders if we are together. I had earlier said that Nairobi is bigger than an individual. Let us embrace each other for now and work together, forget our self-interests and bring forth the interest of our people. By doing so, my ward, Kayole Central will develop.

With those few remarks, I thank you for the direction you are heading, Madam Speaker.

Hon. Speaker: Thank you, Hon. Themendu. Hon. Patrick Musili.

Hon. Patrick Mbangula: Thank you, Madam Speaker. Let me take this opportunity to congratulate my new boss, Hon. David Mberia. It was a privilege bestowed upon me to act as Minority Leader for one day.

(Laughter)

Madam Speaker, I can confirm that power is sweet. *(Laughter)* I almost told Baba that I will not hand over the instruments of power. But any way, Hon. Mberia is my senior.

Madam Speaker, this House has gotten leaders that have got something unique in them. When Hon. Mberia was speaking and giving his acceptance speech to His Excellency Raila Amolo Odinga, he said the oil that was carried to anoint David refused to pour oil on Hon. Kennedy Obuya's and Oyugi's heads but accepted to pour on Hon. Mberia's head. We must say that Hon. Mberia is anointed leader from God. We are going to give him support as our new Minority Leader. We will fully be behind you. Have the mantle to take us to Canaan. Thank you.

(Applause)

Hon. Speaker: Hon. Pius Mwaura Mbono.

Hon. Pius Mbono: Thank you, Madam Speaker. I also rise to congratulate Hon. Mberia, the Minority Leader. I have known him since 2013. I can confirm to this House that Hon. Mberia is a very intelligent member. He has brought so many motions into this Assembly, some are implemented. He is also a courageous person, considering the seat of Minority leader is hot. As Hon. Mberia has said, he is equal to the task and I am sure he is able.

I also congratulate the Right Hon. Raila Odinga because if it were me, I don't know what I could have done because the members from the Minority side, almost all of them are very bright. If I look at these beautiful and handsome women and men of that side, I can confirm that all of them are equal to that task. So, it was not easy for Hon. Rail Odinga to choose Hon. Mberia amongst the whole group of the Minority.

As my colleagues have said, we have two and half years to exit this place. It is upon the Majority Leader, the Minority Leader and you, the Hon. Speaker, to make sure that the years that we are remaining with--- It is not easy for members to come back to this Assembly, I have that experience. If we don't bring our efforts together, most of us will be exiting this place. The life outside there is not easy. So, I would urge my colleagues – I have seen they have that energy – to bring the energy together to make sure that the wheel that is already stalled should start moving so that people outside there can regain that confidence. By doing this, at least three quarters of the members here can come back to this Assembly.

Welcome Hon. Mberia and God bless you.

Hon. Speaker: Hon. Kennedy Oyugi.

Hon. Kennedy Oyugi: Thank you, Madam. Speaker for the opportunity. I will never get tired of congratulating Hon. David Njilithia 'Otieno' Mberia for his appointment as the Majority Leader in this Assembly. Indeed, as he rightly puts it, Hon. Mberia was heated. When we had a meeting with Mzee this morning, Hon. Mberia reminded Mzee and the audience that we had a chat with him at just concluded retreat in Naivasha. He asked me, "Oyugi, you know I am a senior member of this House, and it is now true that we are sending Hon. Otieno home. Don't you think that I also deserve?" I told him, "Why can't you give it a shot?" He said. "But you see I am a lone voice, who can now champion for me?" Then I said to him, "In the loneliness, I think you are best placed for this position, just give it a shot in whichever way you can. But at the same time, I am also interested"

I want to tell you that by Friday, I had already started emulating how the former Minority Leader walks because I was feeling that this position was meant for me.

(Laughter)

So, I started behaving like the former Minority Leader. Little did I know that within hours, it would be Hon. Mberia. I said to myself that we are dealing with the one called Agwambo. I don't know how many of you know what Agwambo is. That is Baba. A very unpredictable person. I had an obligation to first wholeheartedly congratulate by brother, Hon. Mberia for the position.

Allow me to take you back as a House. I think it was early this year or late last year. I reminded my brother, Hon. Otieno, who was Majority Leader at that time – I am sorry to use this reference on my younger brother here, Hon. Ogeto – that with friends like Hon. Ogeto and the core, honestly you don't need an enemy. You have enough. I am not saying this to demean Hon. Ogeto in any way, but just as reference.

I finish my statement by quoting Martin Luther, my all-time best. When all this started, Madam Speaker, I visited my friend, Martin Luther. This is what he told me, "What affects one in a major way affects all in a major way." I then shared this with my then boss, Minority Leader, Hon. Otieno but nothing happened. I went back to my friend, Martin Luther. You know what he told me? "A man cannot ride on my back unless it is bent." Then again I asked myself, "Why is this guy riding on our backs and it is not bent?"

(Laughter)

I again asked the Minority Leader but there was no positive response. I then went back to my friend, Martin who hold me, "Our lives begin to end the day we become silent about things that matter." I said there is no way that I should keep quiet. The struggle started. Finally, I spoke to my colleagues and said what Martin Luther told us. I spoke to my colleagues and I shared with them what Martin Luther told us. We agreed that change does not row on the wheel of inevitability but comes through continues struggle

I want to assure the House that because of the continuous struggle we are now realizing the change that is desired and the earned change for Members of this Assembly. With those remarks, may our God bless the House and the new leadership mostly on our side Hon. Mberia. Thank you.

Hon. Moses Ogeto: Thank you, Hon. Speaker, it is good to have good friends like Hon. Kennedy Oyugi in the House. I want to take my sincere appreciation to the Party Leader Hon. Raila Amolo Odinga, for ensuring that one Hon. David Mberia whom I usually refer to him as jakuo in our corridors of justice. Hon. Speaker can you protect me.

Hon. Speaker: Yes Hon. Njihia!

Hon. Abraham Njihia: Thank you, Hon. Speaker is Hon. Ogeto in order to call Hon. David Mberia Jakuo, which means a thief in Luo, and Hon. Mberia is a Hon. Member and he is not a thief. Can he apologize and withdraw those remarks, Hon. Speaker.

(Laughter)

Hon. Speaker: Hon. Ogeto is it true!

Hon. Moses Ogeto: Hon. Speaker, as I stood I said and I want to repeat again so that the Chairman of Culture can get my linguistic very well. I have said that I want to congratulate Hon. David Mberia, whom I used to call him in the corridor of justice and not know as jakuo. Hon. Speaker, I have said the Leader of Minority Party, who is known as Hon. David Mberia.

So, I believe he has understood that sometimes we use connotation in the language which we have it is a coded language as there is a way I call you in Dagorretti North and not the same way I call you in this Assembly and you know that.

Therefore, Hon. Speaker that notwithstanding peace is now at the NASA coalition. I want also again to remind one Hon. Kennedy Oyugi, when he was seated on Jubilee side when he said, that you need to unite the House. I also want to tell you that despite everything, the Jubilee coalition now should start uniting so that we can move forward and be able to do oversight and representation, which brought to this house and any other duties that allocated by our parties for the purpose of this Assembly.

Hon. Speaker, as I conclude and I want to tell my Members of NASA coalition that I will always take [orders] from my Minority Whip and Minority Leader. Therefore, what I usually tell my brother here Hon. Ndonji is that I am only under instruction to execute. Thank you.

(Laughter)

Hon. Kennedy Obuya: Thank you, Hon. Speaker, it is a big day for my brother King David and it is a special occasion for him. I want to contribute by first acknowledging the fact that indeed, I had interest as one day, I was privileged to have sat down with the former Minority Leader Hon. Otieno son of Jennifer and I told him that there is nobody who does not want to be a president. Every child when they are growing up and become a president one day.

I wanted to be the Minority Leader but there is first among equals my good brother here Hon. Mberia, and it not about Obuya or Oyugi; it was about changed, honest, proper leadership, Hon. Speaker. I want to rise and congratulate my honest general Hon. David Mberia, I believe in you and everyone else.

Hon. Speaker somebody called Warren said that truth without love is brutality and love without truth is hypocrisy. On that principle, I think it is just honest we be truthful if we indeed we want to love each other and if we love each other; it is important we become honest.

Hon. Speaker, in the spirit of reconciliation and moving forward I was privileged in the second Assembly of Nairobi to be a Member and a very senior member of the Speakers Panel. Hon. Speaker, in my speech on the day I was removed from the Speaker's Panel I congratulated by good sister Emily Oduor and my former Minority Leader that it is not about Obuya and I said that there is no seat that was born with anybody, because when I came here I came as a representative of Imara Daima.

In that spirit, I would like you to allow me to welcome all the former leaders in the corner at the Members lounge. As the first former member of the Panel, I welcome the former Majority Leader, former Minority Leader, former acting Speaker and any other Member that may come and join us soon at the Member's Lounge. I would like to encourage him just like me that this seat does not belong to anybody as we all are equal and any Member can serve at any position.

Hon. Speaker, as we are all equal we cannot hold one position as it only happened that one of us that I do not want to quote happened to have held about five positions and he is only representing one ward. Hon. Speaker, in the spirit of moving forward it is never about an individual it is about representing the parties, ideas, principals, rule of law and the citizens of Nairobi.

Once again, I call upon every Member that is senior like my brother Hon. Kados to always stand and give guidance when it is needed because we need your age for experience. It is wrong also for young people like me to ignore the presence of seniors like Hon. Mberia and Hon. Kados. History may judge our seniors wrong when we get out of the way, as they are seated, therefore in the spirit of moving forward, I call upon every senior Member of this House never to be quite again to wait for young men like us to speak for them. Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: I hope you are speaking on behalf of the seniors.

Hon. Joseph Ndonji: Thank you, Hon. Speaker, I will speak on behalf of *Wazees*. *(Laughter)* Thank you very much, Madam, Speaker, for giving me this chance to congratulate my friend Hon. Mberia. Madam Speaker, this morning while we were discussing with the Party leader, the former Minority Leader stood and was given a chance and he said that he was been blamed for what he did not do.

Some of us believe it could be true, that is the reason why there are some previous injustices, which were committed, and we would not like the same things to be repeated again. Therefore, Hon. Mberia I urge you to correct the previous injustices so that we can move forward in a clean slit. While justifying this do not make the same mistakes that the previous regime did, at least give somebody something that they deserve.

Madam Speaker, in this revolution, I believe I was the Chairman of the revolution council. As the chairman of the revolution council, I now say we down our tools and work harmoniously. Few changes will have to be there, as I know Hon. Jateso was there in previous regime, but you have seen what the previous regime did and you have reformed it in the last minute and have a chance.

(Laughter)

(Point of order)

Hon. Peter Imwatok: Member, that is a senior speaking and not a revolutionist. Madam Speaker, I believe in the history of my politics and I have never wavered, therefore the Leader who was speaking has to substantiate what it means that I reformed from the first Assembly, 2013 when Hon. Mberia was at the far end the Standing Order was changed 28 times because of me. Therefore, you ought to withdraw and apologize to your leader or else I will punish you, on a light note!

(Laughter)

Hon. Joseph Ndonji: Yes, Madam Speaker, I was punished but unfortunately it did not have any effect on me. The good part is that they were fighting somebody who does not have anything to lose, sorry I withdraw my senior. What I want to say is that we can forgive but we cannot forget what they did. Hon. Mberia, I would like to ask you to start in a new slate so that those who did the bad things can now learn from the good things that we will be doing.

I urge all of us to give the leadership support and respect Wazee like Kados, Mofire, and myself have seen as mzee I have also fought but I was not fighting for myself. We have mzee Azangu here who called the shorts today as he is soft-spoken; I did not expect him to perform the way he performed today, in fact, I got to know the other side of him today, and you did well. Thank you Madam Speaker, I congratulate Hon. Mberia; in your team consult with wazees, thank you.

Hon. Paul Kados: Thank you Hon. Speaker. Let me take this opportunity also to congratulate my friend and colleague one man known as Hon. Mberia. I happen to have served with him in the defunct Nairobi City Council and now this is the second term I am serving with him in the assembly.

There is one thing that I would like to remind people and that shows that I have a lot of respect for Baba, I want to tell my colleague that leadership is not gauged by the noise we make. In congratulating Mberia, nobody in this House knew that Hon. Mberia would one day become our Minority Leader here. Hon. Speaker if you can remember, there were so many names which were fronted and Hon. Mberia's name was not featuring anywhere. That is why I have a lot of respect for Baba to have thought of Hon. Mberia because he has shown a lot of leadership in this House and even when we were in the County.

I would also like to congratulate the Minority side of the assembly because they have shown a lot of leadership. The leadership in the Minority side has changed and you can see that everybody is happy with how they have carried their own. I would also like to request the Majority side to be a bit respectful to one another and to emulate what they have seen the Minority side doing.

Let me say that, I have heard most of my colleagues say that that we have two and half years remaining, let me tell you, it is only one year which is remaining for you to be seen to have worked and you will be gauged by the electorate within that one year. I advise the upcoming leaders, please concentrate on why you were elected and let us respect one another first. It is only one year and after that you will start seeing changes. In fact, by next year you will all have gotten the yellow card and you know after that it is the red card. Let us try to get together for us to deliver to our electorates.

With those few remarks, I would like to ask the generals, please hold on, down the tools and if there are a few changes, please do them immediately. Thank you.

Hon. Rose Ogoda: Thank you Madam Speaker. I stand here to congratulate my Minority Leader Hon. David Mberia. In the corridors of power, I call him *Murume*. Madam Speaker, I happened to work with Mberia when I was nominated in 2008 and here Mheshimiwa Kados is the senior most. I heard Mheshimiwa Ndonji saying that he and Mheshimiwa Kados are old, I am also old. Mheshimiwa Ruth Ndumi is also old, and you need to know that old is gold.

Madam Speaker, I think today I am a happy woman because when change come, you must be prepared and if you don't get prepared, it will change you. As I stand here, I know Hon. Mberia will work fairly.

I know the stone face I was seeing, will become a smile. I know when I call Mberia in Kware Ward when kiosks are being demolished, he will pick my call and I will get assistance from him.

Madam Speaker as the Speaker of Nairobi County Assembly, and as a mother like Rose Kula, I am praying that as we end our term in 2022, when we will be coming back, let the women be more than five. That can only work if there some changes on how we can get money for our projects. Today we have been told that there are no nominated members because we were elected by your party. I want to challenge men not look at us as women, we are women and mothers in our houses but when we come here, we have the same title. I know some members are wondering why is Hon. Rose nowadays speaking? Let me inform you that I joined school later and I know what I am saying. I have a Diploma in County Governance. When I am sitted and people think that I am stupid, I am not, God's time has come.

My Minority Leader, I know that God Almighty will guide you. For ladies and all Hon. Members, let us continue praying. Madam Speaker, you have shown us a good example because you didn't tell us to go to a witch but you show us the way to God and that is the way to go. If you are a mother just kneel down in the morning, in the evening and God will answer your prayers, and that is the way to go in this assembly. It has been hectic - I usually ask myself why I sought an elective post because there was a time I was nominated and I could get 50,000/= and did some few things in the Ward. But since I was elected, if I don't go for a retreat, getting 60,000/= is hard.

Let me not talk more Madam Speaker, I know that God Almighty will guide Mheshimiwa Mberia and the new leadership of the Jubilee side. We are here to learn and we are all human beings, let us embrace one another. Let us forget what has happened in the last three weeks, the tear gas and whatever, let us show true leadership so that the staff can see that we are ready to work for Nairobians. Thank you Minority Leader, let God guide you and I now you will do wonders.

I want to support what my senior Mheshimiwa Kados; in the corridors I call him *shemeji*, the remaining time is not two years by the way, when it reaches you will see how the askaris will be behaving because they know some of us will not come back. It is for us to pull our socks and get our offices ready because they need to be renovated as there are no seats and even our staff are suffering. Paying a university graduate 15,000/= or 13,000/= and he has a family, he cannot survive. I beg each and every one plus the board who are new; Hon. Mark and Hon. Gari, all of you have to think about why we were fighting, we were fighting for change. Let the Almighty God guide this House and I know He will change everything. Thank you Madam Speaker.

Hon. Speaker: Lastly, Hon. Ayo.

Hon. David Ayo: Thank you Madam Speaker. I take this opportunity first and foremost to thank you. I will extend my gratitude by saying that surely as a Substantive Speaker, you have begun demonstrating wonderful leadership that we want in this County Assembly. I pray to God our heavenly father that He may protect you and keep you, may the hedge of the Holy Spirit guide you wherever you go. I am very sure the devil is not happy with whatever is taking place in this assembly.

I want to urge my brothers and sisters to embrace change because failure to do so, change will work on you until you fit where you belong. Thank you very much Madam Speaker, I would also like to thank and congratulate my Minority Leader my brother Hon. David Mberia who I have come to learn that he is one of the senior most Members in this House, for sure when we met our former Prime Minister today, H.E Raila

Amollo Odinga, my brother gave a wonderful story about the house of Jessi. It is true that when Samuel went to the house of Jessi to look for one to anoint, when Jessi paraded his boys, he lacked a person to anoint but he had one in mind the one that had been anointed by God, and he was David.

David Mberia as your name defines, I know God will give you wisdom, not the wisdom of Mahatma Gadhi, because I know you are fond of quoting him every time. That is okay, but I want God to shower you with wisdom to guide and lead these leaders. Remember most of them have been elected and you now when a person to go for an elective post it is not a joke. May God give you wisdom and guidance and I urge you to attend the Wednesday Session, this is a wonderful fellowship that Madam Speaker has just introduced so that God will continue giving you more wisdom to ensure that you lead the wonderful people in this County Assembly.

To add on that, change is as good as a rest. We have been undergoing so many challenges and at times when greeting a leader was like I don't know what. But thanks be to God, He has heard His children and I am very sure that David Mberia from the House of Jessi will embrace the favour of the Lord. I am very sure that we are yet to reach there. I know it is not an easy task, it is a heavy one but if you put your faith in God, you will be able to manage your brothers.

I am sure that we also have other leaders whom God has given unto us, may God guide and lead them. With those few remarks, I pray that God may protect our leaders and let us deliver for our people. Because we came here so that we can deliver for our people because we came here so that we can deliver to them. May God bless you so much, thank you Madam Speaker.

ADJOURNMENT

Hon. Speaker: Hon. Members, there being no other business, the House Business Committee meets after the assembly. The House adjourns to tomorrow Wednesday 20th November 2019 at 2.30 p.m.

The House rose at 4.08 p.m.