



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Third Session

Tuesday 29th October, 2019

The House met at 2.30 p.m.

(Hon. Speaker (Ms. Beatrice K. Elachi) in the Chair)

PRAYERS

Hon. Speaker: Order Members we want to pray!

(Loud Consultations)

COMMUNICATION FROM THE CHAIR

Hon. Speaker: Hon. Members, I have the following communication to convey; as you are all aware, today, we are resuming from the short recess, which was an extension from the unprecedented and unfortunate events that saw the Assembly suspended for a week.

Accordingly, Honorable Members, I take this opportunity to welcome you all back from the short break. I trust you all had a wonderful and fruitful break together with your families and electorate, including a break for self and institutional evaluation. You are most welcome.

Hon. Members, the Office of the Speaker wishes to reach out and appeal to the Assembly Leaders, Party Whips, Committee Chairpersons and Members at large to work together, let *Wanjiku's* interest prevail and transact with honor and decorum. Hon. Member, we all have the honor, privilege and purpose for being part of this 2nd Assembly of Nairobi City County. Our today's action may be used for or against us tomorrow, lets forge a positive history.

Hon. Members, allow me, for the interest of this Hon. House to refer you to 1st Thessalonians 5:15 and it says;” *Make sure that nobody pays back wrong for wrong, but always strive to do what is good for each*

other and for everyone else.”. Further, Roman 12:18 tells us; *“If it is possible, as far as it depends on you, live at peace with everyone.”*

Similarly, Hon. Member, The Quran (49:10) provides that; *“The believers are but a single Brotherhood, so make peace with your brethren”*. In addition, (7:199) of the same says; *“Show forgiveness, speak for Justice and avoid the ignorant.”*

Indira Ghandi, an Indian Statesman once said; *“You cannot shake hands with a clenched fist.”* That notwithstanding, for me, I will do the contrary if need be, since this Assembly and County for that matter is greater than me and every single one of us. It is only with dialogue and understanding that peace and tranquility can be achieved. I am determined that all this shall come to pass. And I repeat, this shall come to pass.

RESUMPTION OF COMMITTEE ACTIVITIES AND PROGRAMMES

You will recall that a number of committee meetings, activities and programs were interrupted as from Wednesday, 16th October 2019 creating a backlog within the committees. In particular, 13 Committees had their workshop activities deferred.

Consequently Hon. Members, keeping in mind that the Assembly will be sitting for at least one month before we break for the December long recess, I direct that the suspended Committee activities resumes with immediate effect, with the 13 Committees undertaking their earlier deferred workshops as from Thursday, 31st October 2019 in three phases and tables their reports accordingly.

Similarly, Hon. Members, the Office of the Speaker is in receipt of a letter from the Principal Secretary, Ministry of Transport Infrastructure, Housing, Urban Development and Public Works inviting Members of the Assembly for a sensitization meeting on the establishment of a Physical Address System for Nairobi County. The said meeting is scheduled to take place from 8th to 9th November 2019 in Nakuru County. As the sovereign representative of the electorates in Nairobi County, your presence and participation in the same will be of great importance. Further details on that regard shall be communicated.

INTRODUCTION OF BILLS AND PREPUBLICATION SCRUTINY

Additionally, Hon. Members, in full realization of the provision of Article 185 (2) of the Constitution of Kenya, 2010 on the Assemblies Legislative Authority, Strategic Objective 6 paragraph 2 of the Nairobi City County Assembly Service Board Strategic Plan 2016 - 2020 projects that the Assembly prepares and passes at least 20 bills every year which have been scrutinized externally.

Hon. Members, currently, there are nineteen (19) Legislative proposal and Bills that are awaiting publication. These are;

- i) The Nairobi City County Pop-Up Market and Street Vendors Bill, 2019 - *Sponsored by Hon. Kabiru Mbugua*
- ii) The Nairobi City County Surface and Ground Water Rehabilitation and Conservation Bill, 2019 – *Sponsored by on. June Ndegwa*
- iii) The Nairobi City County Public Open Spaces Management Bill, 2019 – *Sponsored by Hon. Millicent Okatch*
- iv) The Nairobi City County Evictions, Resettlement and Demolition Bill, 2019 – *Sponsored by Hon. Jayendra Malde*
- v) The Nairobi City County Youth and Women Empowerment Bill, 2019 – *Sponsored by Hon. Mark Mugambi*
- vi) The Nairobi City County Public Nuisance Bill, 2019 – *Sponsored by Hon. James Kiriba*
- vii) The Nairobi City County Equitable Development Bill, 2019 – *Sponsored by Hon. Benson Mwangi*
- viii) The Nairobi City County Sexual and Gender Based Violence Bill, 2019 – *Sponsored by Hon. Wanjiku Kariuki*
- ix) The Nairobi City County Access to Information Bill, 2019 – *Sponsored by Hon. Osman Adow*
- x) The Nairobi City County Clean Renewable and Sustainable Energy Bill, 2019 – *Sponsored by Hon. Jeremiah Themendu*
- xi) The Nairobi City County Villages Bill, 2019 – *Sponsored by Hon. Devid Mberia*
- xii) The Nairobi City County Cultural Heritage (Amendment) Bill, 2019 – *Sponsored by Hon. Silas Matara*
- xiii) The Nairobi City County Betting, Lotteries and Gaming Control Bill, 2019 – *Sponsored by the Executive*
- xiv) The Nairobi City County Public Road Transport and Traffic Management Bill, 2019 – *Sponsored by Hon. Osman Ibrahim*
- xv) The Nairobi City County Health Services Bill, 2019 – *Sponsored by Hon. Moses Ogeto*
- xvi) The Nairobi City County Accountability Bill, 2019 – *Sponsored by Hon. Geoffrey Majiwa*
- xvii) The Nairobi City County Agricultural Cess Bill, 2019 – *Sponsored by the County Executive*
- xviii) The Nairobi City County Rating and Valuation Bill, 2019 – *Sponsored by the Executive*
- xix) The Nairobi City County Civic Education Bill, 2019 – *Sponsored by Hon. Silas Matara*

Subsequently, Hon. Members, Pursuant to the Provisions of Standing Order No. 121 (3)(a)(i), I wish to direct that all the bills awaiting publications be subjected to a pre-publications scrutiny forthwith by the respective committees, while the ones approved for publication be expedited for their introduction and before their committal to the Committees in the Assembly.

CONSIDERATIONS

Hon. Member, it is also worth noting that fifteen (15) Motions whose Notices were issued are equally pending for consideration. This includes both the Resolution Motions – being the adoption of various Committee Reports and Substantive Motions on various subjects.

Hon. Members, noting with concern that a number of committees are in the process of concluding inquiries and consideration of various matters amidst conclusion of the 3rd Part of the Third Session for the Second Assembly, I call upon the Committee Chairpersons to utilize the remaining sitting days prudently to enable completion of the same and subsequent tabling of reports for consideration by the Assembly.

CONSIDERATION OF STATEMENTS SOUGHT IN THE ASSEMBLY

Hon. Members, from the beginning of the year, One Hundred (100) Statement Requests have been sought in the Assembly pursuant to provision of Standing Order 45 (2)(c), out of which, as of today, Fifty-Nine (59) Statements have been responded to and Forty-One (41) Statement Responses pending.

Equally, Hon. Members, respective Committee Chairpersons are requested to expedite the same. Our bottom-line as an institution is to become effective in exercising our bottom-line through robust Legislations, prudent oversight and responsive representation for the great benefit of Nairobians, and not less than that is expected.

Lastly, Hon. Members, you may be aware that the Nairobi City County Assembly Service Board was reconstituted with the appointment of the Hon. Mark Ndungu, MCA - Member for Hamza Ward representing the Majority Party and the Hon. Maurice Gari, MCA – Member for Nairobi West Ward representing the Minority Party. I urge the Assembly at large to accord the Board the necessary support. One of the objectives of the current board is to co-opt and create Adhoc Committees that will examine and evaluate the administrative aspects, the financial aspects and the technical aspect of the Assembly with a view of improving efficiency and for its posterity. Further communication on the same shall be disseminated in due course.

As you resume your committee activities, the Office of the Speaker will be meeting the Liaison Committee and the Chairpersons Panel at the course of the week for deliberations and the way forward on the Assembly business. This will be followed thereafter with a Speaker's *Kamukunji* for all Members to communicate afterward by the Office of the Speaker.

I thank you, Honorable Members, and may God bless this 2nd Assembly and Great County of Nairobi City.

(Loud consultations)

Hon. Mary Mwami: Thank you Madam Speaker. It is a great honor and privilege for us to be heard and have you as our mother back in the Chair, ----

(Loud consultations)

Hon. Mary Mwami: We are--- (inaudible)

Hon. Speaker: Order Members!

(Loud consultations)

Hon. Speaker: Order Members, proceed Clerk.

(Loud consultations)

STATEMENTS

Hon. Speaker: Hon. Ariviza?

(Loud consultations)

Hon. Mary Mwami: Madam Speaker, we are honoured to have you back and I got a statement.

Hon. Speaker: Order Members!

(Loud consultations)

Hon. Mary Mwami: Hon. Speaker, pursuant to Standing Order 45 (2), I wish to request for a statement from the Chairperson of the Sectoral Committee on---

(Loud consultations)

Hon. Speaker: Hon. Members from the Majority side, order!

(Loud consultations)

Hon. Speaker: Proceed Hon. Ariviza.

(Loud consultations)

Hon. Mary Mwami: Madam Speaker, pursuant to Standing Order 45 (2), I wish to request a statement from the Chairperson of the Sectoral Committee on- Children, Early Childhood Education and Vocational Training regarding the subtle takeover of county/public schools by religious groups and sponsors.

Hon. Speaker, it is important and of great concern to note that the management of a number of schools that are currently under the County Government, for instance, CGHU, Oshwal, SSD, St. Peter Clavers have gradually being taken over by the sponsoring religious groups and making them expensive and out of reach, and unaffordable by a section of residents of Nairobi as it has been before.

Hon. Speaker, in the spirit of Article 43 (1) (f), it is critical for the County Assembly as the trustees of the interests of the public, to ensure that educational institutions within the purview of the mandate and management of the County Government are made accessible and affordable for all the people of Nairobi including safeguarding the land they are built on.

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

1. The list and the current status of the schools under the management and sponsorship of religious organizations that are owned by the County government; and
2. The steps being taken by the County Executive to ensure that the terms and responsibilities regarding the management of such schools are adhered by both the sponsors and the government in a bid to ensure that the County Government does not lose them to the said religious sponsors in the interest of the public.

Thank you Madam Speaker.

Hon. Speaker: I hereby direct the Chairman of the Sectoral Committee on Children, Early Childhood Education and Vocational Training to bring an answer in this House in two weeks.

(Loud consultations)

Hon. Minority Whip and I can't see you on the screen.

Hon. Peter Imwatok: Thank you Madam Speaker for giving me this opportunity. I want to read a statement. Pursuant to Standing Order 45 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Planning and Housing and the Select Committee on Budget and Appropriation regarding the revenue collection from advertisements and billboards in the county. Specifically, those on Jogoo and Lang'ata Roads.

Hon. Speaker as per provision of the Nairobi City County Assembly Finance Act, advertisements and billboards are highly key revenue streams for the county. Madam Speaker---

(Loud consultations)

(Point of Order)

Hon. Peter Imwatok: Allow me Madam Speaker to rise on a Point of Order No. 114---

Hon. Speaker: Order Hon. Members! Order, the Majority party!

(Loud consultations)

Hon. Peter Imwatok: As the Whip, Madam Speaker, I believe in the rule of law. Standing Order No. 114 (d), speaks about disorderly in the assembly. I kindly want to mention the name of Mheshimiwa Gatune because he is becoming disorderly as I proceed.

Madam Speaker in the statement the Chairperson should inquire into and report on:

1. The number of billboards approved by the county for erection;
2. The amount of revenue collected for the billboards for the financial year 2018-19; and
3. Steps taken by the County Executive to ensure that the investors remit the money to the county.

I beg to lay the statement, Madam Speaker. Madam Speaker, these---

(Loud consultations)

Hon. Speaker: Order! Hon. members of the Jubilee party, you are the ones who run the government of Nairobi County, I believe there are many mechanisms on how you can deal with these issues and the Speaker stands here for the institution of the assembly of Nairobi. The Speaker does not stand here being biased. I want to request the Jubilee party who are our leaders in this House to show Nairobians whether we will continue like this, or we are going to ensure that Nairobi runs like any other county.

The Chair Sectoral Committee on Planning and Housing regarding revue collection from advertisements and billboards in the County, I give you two weeks to bring the response in this House. Hon. Wilson Odalo, Chairman PAC?

(Loud consultations)

Hon. Wilfred Odalo: Madam Speaker, on September 11th 2019, the Chair directed the PAC Committee to table all reports before 16th October 2019. However, Madam Speaker as you are aware, this Assembly was adjourned before the due date. In this regard, on behalf of the committee, I kindly request that you grant us an extension until 28th November 2019 to table our report. This will enable us to finalize our report and allow some witnesses to table pending responses before the committee. Thank you.

Hon. Speaker: Thank you Chair. I hereby extend the time of tabling the reports of the select committee on Public Accounts to 28th November 2019.

(Loud consultations)

Next order!

MOTION

Hon. Speaker: Hon. Kabiro?

Hon. Mbugua Kabiro: Thank you very much, Madam Speaker.

(Several members from Majority side walked out of the Assembly)

(Loud consultations)

Hon. Speaker: Hon. members, order! Order! Hon. Gari, Order!

(Loud consultations)

Order! Serjeant-at-Arms---- Order, Hon. Ayo! Hon. members, Order! This is not a place that you just walk when the mace is in front. Every member should respect the mace. Let us have order.

(Loud consultations)

Hon. members, Order! Order, Minority Whip! Order, Hon. Gatune! Serjeant-at-Arms, ensure there is nobody on this floor. Those who are walking out, do so with dignity.

(Loud consultations)

Hon. members, Order! I think we are feeding Nairobi with a lot of unfortunate indignity. The Majority side has given us quorum with songs. This is wrong. It is on the Hansard. This will go to their party because we agreed we will follow rules and regulations of the House. Therefore, it will be forwarded to their party for discipline.

(Applause)

I want us to leave Hon. Mbugua to move his motion so that everyone can understand.

Hon. members, I am pleading to those who have remained with dignity, let us now show Nairobians the dignity of the Nairobi County Assembly. Proceed, Hon. Kabiro.

Hon. Mbugua Kabiro: Thank you very much, Madam Speaker. I would like to move this motion after some nice entertainment.

(Laughter)

RENAMING OF NAIROBI CITY STADIUM TO JOE KADENGE STADIUM

THAT, aware that Chapter Four of the Constitution 2010 provides for the Bill of Rights which is an integral part of Kenya's Democratic state and is the framework for social, economic and cultural policies; further aware that the purpose of recognizing and protecting human rights and fundamental freedoms is to preserve the dignity of individuals and communities and to promote social justice and the realization of the potentials of all human beings; acknowledging that the Country has since independence named and renamed streets, roads among other public places to honour heroes and heroines who have contributed immensely to the development of the Republic; noting that the naming of public places after heroes and heroines bestows honor and shows gratitude; deeply concerned that there are heroines and heroes who haven't had similar honors bestowed upon them despite their immense contributions to this Country, this Assembly resolves that the Nairobi County Executive rename the Nairobi City Stadium to Joe Kadenge Stadium in honour of the football icon Mr. Joe Kadenge who was regarded as the finest footballer to ever grace the Country's football scene as evident in his valiant efforts in guiding Harambee Stars to win the inaugural East and Central Africa Challenge Cup.

(Applause)

Madam Speaker, it is a great honour to be talking about a legend in the name of Joe Kadenge who I interacted with slightly. His life is documented in this book by John Nene and a foreword by the right Hon. Raila Amollo Odinga. *(Applause)* The book is titled 'Joe Kadenge, The Life of a Football Legend'. If you want to understand the history of football and things that go around in tapping the potential of the youth and the young people in this Nairobi, I recommend that you purchase the book and read it.

Madam Speaker, Joe Kadenge's story is what we all lived to hear about. When we hear '*Kadenge na mpira*'--- I am sure your kids currently still use that phrase to denote a prowess in a local football team. People of importance have had commendations by having roads, streets, and other public utilities named after them. Joe Kadenge is special to this country. He died just the other day. Some said he died poor, but we have a legacy. We need to come up with proper policies that will support the development of football in this country.

(Applause)

Madam Speaker, I would like to read a small part of this foreword by the right Hon. Raila Odinga. He says, '*We need policies on soccer promotion, I am happy that Joe Kadenge has put on record with his story of posterity. With his book, inspire positive change.*' This is not only Joe Kadenge we are discussing here. It is football, the game that we all love. It is one of the most important sports and unifying factors in this globe

Madam Speaker, the City Stadium is where Joe Kadenge played most of his football. He inspired many kids, many of whom who now play in international football organizations that we can now boast of Kenya that is prosperous in sports.

His family, if you look at all of his life, involved themselves in activities that developed athletics, soccer, and many other sports. By naming the City Stadium as Joe Kadenge Stadium, we will be saying that legacy is important than current activities that we see. In everything that we are doing, be it in this Assembly or outside there, the legacy that we leave behind is what is important. Joe kadenge has left us a legacy. We as the citizens of Nairobi elected by the people need to take this seriously and leave a legacy that we can boast by.

I would like to urge the hon. members in this House to support this motion. Thank you very much, Madam Speaker. I would like to call upon Hon. Imwatok to support this motion. Thank you.

Hon. Peter Imwatok: Madam Speaker, allow me, first of all, to welcome you back to the County Assembly of Nairobi (*Applause*) and more so congratulation for a good fight, primarily a spiritual fight that you have gone through.

(Applause)

I believe the fourth estate are here. They can see and zoom their cameras so that people can know that this County Assembly cannot be held ransom by 26 members out of 123. History will judge us right. Before I second this motion, there are those that stood firm to define the history of our time. We are the heroes of our time.

Madam Speaker, allow me to stand and second this motion. I want to call every member of the Assembly and the Speaker on 29th of October, a hero of the Assembly.

(Applause)

As you all know, I am the president of County Assemblies Sports Association (CASA). I lead a chapter under County Assemblies Forum (CAF) that plans and organizes sports and culture. This includes football where the legend, Joe Kadenge was an icon of football. Indeed, I am privileged to play every weekend with great son of Joe Kadenge at Barclays Club. Hon. Osman knows the club. We call ourselves Barclays *Wazee*. It reflects in my mind who else can carry a flag of a nation at that length. I want to appreciate *Mheshimiwa* Kabiro. We can remember there is someone who we laid to rest in Western Province who deserves recognition. Kipchoge Keino Stadium in Eldoret has been named after the runner because he hails from Uasingishu. Three weeks ago, we witnessed a great man from our century, Eliud Kipchoge, who happens to be my family friend, got a street named after him in Eldoret.

I have seen the MCA for South C Ward where our hero lived and passed on, walking out dancing. I believe the people of South C will never forget and forgive this hon. member. (*Applause*) When a great hero of this country is being discussed, asking the Executive to give him the honour that he can be recognized by naming a facility in this county after him.

I remember during the requiem mass and also his burial, many dignitaries including the Deputy President came. The Governor of the city went even to his house when he was hailing and gave enough

support as a county. The President and the right Hon. Former Prime Minister Raila Amollo Odinga were there to make sure that Joe Kadenge had good health. But to God's glory, he decided that he will rest.

Today if you die, what will this Assembly remember you for? I don't want to be remembered as MCA of Makongeni who led a chorus in the County Assembly and danced with two papers on the floor, but I want to be remembered as MCA who believed in women (*Applause*). I want to be remembered as MCA who made sure that the political divide between Jubilee and NASA is not a wall of Babel but just ideological wall that you can breach any time our ideologies agree.

Madam Speaker, I want to appreciate the entire House and your wisdom to allow this motion before the House Business Committee to be a precedent. As people who want to report negativity, let the fourth estate and all Nairobians report that the County Assembly of Nairobi is back with a bang to recognize those people who made us cheer on our black and white TVs, the Great Wall. I beg to support and ask all the hon. members that this is our chance to pay our tribute to Joe Kadenge. Thank you, Madam Speaker.

(Applause)

(Question proposed)

Hon. Millicent Mugadi: Thank you Madam Speaker, welcome back. I rise to support this motion knowing very well that I am a product of heroes like Joe Kadenge. Patricia Mutheu is a product of Mathare United, Susan Makungu is a product of heroes like Joe Kadenge.

It is because of such people that we raise sons and daughters that make our country proud. we might take football as a sport but in this 21st century it is no longer a sport. it is a sport worth a lot of benefits. we can attest to that with the footballers that we have been having around like Jamal Mohamed, Dennis Oliech and Macdonald Mariga.

By giving Joe Kadenge this honour of naming him after the stadium we are going to tell our children it is okay to be a star. it is okay to dream and okay to choose a career that makes you happy. I am here to support this motion and as we support I ask the assembly to factor in a lot of money for sports activities that we have in this county so that we can create a healthy county; a county full of sports facilities not only football but other sports like basketball, net ball, volleyball. may I say rest in peace Joe Kadenge and this is for your honour. thank you.

Hon. Kennedy Oyugi: Thank you Madam Speaker. in very few words let me begin by saying that I am elated to have you back as our Speaker. a few days back it was really like a movie when some of us were declaring, even on the floor of the house, that for Madam Elachi to be back it will be over our dead bodies. I am happy you're back and nobody has died.

Once more let me congratulate the entire house for those who have seen it wise to support Madam Elachi back, I say kudos. just a word of advice before I support the motion: Madam Speaker men are dying of ego. the Englishman once said: pride comes before a fall. I would want to urge you that we need one another in this house. so the onus is with you, just bring the others back. they are willing; it's just the ego. you will still remain the Speaker of the County Assembly of Nairobi.

I want to also support the motion. indeed, how I wish Hon Mbugua moved the motion before the legend died. the idea of honoring our legends posthumously I also don't agree; however, it is worth noting

that Joe Kadenge indeed was a legend. the idea of renaming City Stadium to Joe Kadenge I fully welcome. thank you and I support.

Hon. Paul Irungu: Thank you Madam Speaker and congratulations for coming back. Being one of the players and being a player of this County Assembly I have played football for more than 13 years. I was in the under 23 football Kenya national team and I support this motion totally, having played football with son of Joe Kadenge namely Rodgers Kadenge. I usually played with my able chief whip Imwatok. I support the motion and thank you Hon Mbugua for this motion.

Hon. Geophrey Majiwa: Thank you Madam Speaker. when I was a young little boy in the slum we used to play football and the only word we knew before you started being a footballer in the slum is *Kadenge na mpira, Kadenge na mpira*. that is how we used to know he was really a footballer. when you have the ball with you had to be *Kadenge na mpira, Kadenge na mpira!* at one time we all called ourselves Kadenge.

I want to support this motion because it is a noble idea because to remember somebody who was already known by everybody in the republic is a very important step. we don't want a situation where people are going to forget where we have come from. I want to thank Hon. Mbugua for being in this motion. I want to ask Members that I believe those of us who are in the Budget and Appropriation committee you take it upon yourself because you know the state of City Stadium. it is pathetic and we have millions of development funds passing in our meetings and we allocate projects. please, members of Budget, ensure that in our next budget we allocate some funds to the stadium so that it can be rehabilitated to look like a stadium that is named after *Kadenge na mpira, Kadenge na mpira*. that is the only way it can make sense. the state as it is now it doesn't make sense. let us work towards improving that stadium to make it an international stadium which it should be. I support the motion, thank you.

Hon. Charles Thuo: Thank you Hon Speaker and congratulations for having taken your rightful place at the apex of this assembly and Nairobi is happy to have you back. a lot happened when you were away but now that you're back we are sure you are going to put this house in order and we are going to start afresh as we should.

As I rise to support this motion I would love if it would please the chair to give this members, after conclusion of the motion, some time to discuss what has just happened in this assembly. we cannot wish it away. we cannot pretend it didn't happen. we cannot bury our heads in the sand. we have member sof the public and members of the media at the gallery who witnessed what happened. we are going to receive mostly negative coverage. we need to speak so that people present and people who would like to convey the truth will know that the people who remained in the assembly are people who want order, people who want delivery of services and people who support the President in the Big Four Agenda.

Having said that I want to congratulate the Member who had the motion. it is timely and indeed we as county need to come up with measures and budgetary allocations to support sport. we ae only empowered by law to deal with small children and tertiary institutions. there is money in pleasure. people can make money in doing what they like. for example, me as a politician coming to this assembly every day is not a job. I am just doing what I like. it's like having a football player paid playing football. that is the avenue that has a lot of money and the biggest earners in the history of the world are not people who are employed. employment cannot make you rich. talent and consistency pays more. as we move to rename that stadium I would like members, as our duty to make and interrogate budgets of the executive, to not just offer lip service to sectors of sports and talent. we can do more by having bigger budget allocations to sports and creative activities so

that our young people can have more avenues of making money instead of looking for blue and white-collar jobs. thank you Madam Speaker.

Hon. Doris Kanaria: Thank you Madam Speaker for this opportunity. I also wish to welcome you back to this house (Applause). As a woman I am happy to see you back. I also rise to support this motion. as a mother who knows, kids' talent can take someone somewhere. I wish to say talent pays and talent does not discriminate anyone regardless of your background. if this stadium is renamed after this great man I believe it is going to encourage children who have ambitions to become footballers in this country and also in other talents.

Being a member who comes from this constituency of Makadara where the stadium is located I also urge the county government to allocate a place for talent academy for children so that apart of renaming we can have future Joe Kadenges. I also urge the county government to come up with a plan to put up a swimming pool for the poor children who cannot afford to swim in posh places. I wish to support the motion and congratulate Hon Mbugua for the good motion. thank you.

Hon. Mary Mwami: Thank you Madam Speaker, I echo what others have done. I welcome ou back to the County Assembly and you are here to stay and we are going to make sure you stay.

Kadenge comes from my mother's village. when he operated a taxi in Hurlingham and often when I was not driving I got driven by him. he was a great man and a great honour to have him renamed after City Stadium. what I would urge the county government is that it is good to honour him when they are still alive than when they are dead because they go to God when they are happy. However, we can go ahead and create Nairobi heroes, like the National heroes, on our own terms. We could give them some monetary gifts pegged on inflation at a particular time. I stand to support the motion and thank Hon Kabiro for being thoughtful. I think we need also to expand it and have a hero and heroine of Nairobi being honored. thank you very much.

Hon. June Ndegwa: Thank you Madam Speaker. Welcome back and take your rightful position as the Speaker of this County Assembly. Do not be moved. before I support the motion I want to say that when you fight corruption corruption fights back. we will not relent to fight corruption in this County Assembly. as I rise to support this motion I understand and I have read much about Joe Kadenge. he was a resilient man. it is unfortunate that even in his last days he died somewhat not wealthy if you compared him to other sports icons in the rest of the world.

As we rename City Stadium to Joe Kadenge stadium I would want us to allocate enough money for sports and talent building. I realize that other than basketball and football we have so much other talents that can involve in other sprts activities and kids can be able to get into. almost three quarters of this County Assembly have profeesionsls or somewhere near to professional footballers, from the likes of mheshimiwa Petit to Mheshimiwa Ronaldo and fomer footballer and PAC chairman Hon Odalo.

I would like us to allocate enough funds to be able to go into sporting activites and build up of talents. iredalized that sports can pay. we also have our ladies like Hon Patricia Mutheu, Hon. Sussie, Hon. Millicent who are in footall. I believe some of us do not have to play only football. we can try and search for other talents in this County Assembly. I rise to support.

Hon. Stazo Ang'ila: Thank you Madam Speaker for giving me this opportunity and congratulations for coming back and let it go in history that at no point should one person hold the whole assembly in ransom. As I rise to support this motion, having been the immediate secretary general of AFC leopards where Joe Kadenge played for a long time it is us who know better what Kadenge did for football in this country. I rise

to support this motion but as I support it I also like the executive to plant more Kadenges in Nairobi by rehabilitating and taking care of fields in all the wards. thanks a lot.

Hon. Jared Akama: Thank you Madam Speaker. I equally take this opportunity to welcome you back. As you can see the environment and mood in the House is full of excitement. Having said that I was expecting Hon Stazo Omungala to claim that he is a footballer but apparently, he knows where he belongs, that is the tug of war.

I rise to support this Motion and take this opportunity to congratulate Hon Mbugua. he is a young man who believes in the spirit of statesmanship which must be promoted. I first met Joe Kadenge in Madaraka area when he was running a 544 Peugeot taxi. I was bold enough to ask him to shake my hand, that day I was very happy having shook the hand of a legend. Joe Kadenge was not only a legend but also a statesman. I remember during those times when football was football and people used to represent their country without putting money a head. They used to play with a lot of passion. If maybe we lived in a country like US, because I have a great admiration of American people, we could not have missed to have a library so that the when the future generation want to understand legends they will easily get information.

We could not have missed to have a library so that the future generation can easily get information. I am happy that Hon. Kabiru has a book here, meaning that there are people who are concerned about the future and therefore our generation will have something to refer to. It is important for us to remind the society. We must ensure that we rename City Stadium to Joe Kadenge for the purpose of remembering the legend and it will act as an inspiration for the future. Therefore, I support. Thank you.

Hon. Speaker: Hon. Cecilia Ayot.

Hon. Cecilia Ayot: Hon. Speaker, I am so humbled and privileged to have seen this great day in the great county of Nairobi where justice has prevailed. I want to confirm to this great House that patience and time are two great warriors. I also want to congratulate you and assure Nairobians that firm leadership is a magic bullet. In the spirit of this great Assembly, let us come together as one House. Let us embrace forgiveness and let us correct with love.

As I rise to support the Motion, I am a catholic and I believe in the spirit of sainthood. I want to believe that as the great people of this nation, we must give credit where it is due. And as a legend who has done great to this country, it would be good to elevate him and to name a stadium after him so that we may build a stadium after him so that we may build the energy around his great talents and help this country move forward as we build talents. I stand to support.

Hon. Speaker: Hon. Emily Oduor.

Hon. Emily Oduor: Thank you Hon. Speaker and welcome back. Secondly, I take this opportunity to thank you very much for the way you have handled today's fracas. That calmness is what we need in leadership. Thank you so much and I hope this is a lesson to people out there and even to lead us. When there is a fight and people scream, when you keep your calm, you will appear victorious. Thank you very much.

I stand to support this Motion. I will give you an example of Luo Nyanza. We have this habit of naming children after great people and the whole idea is to keep their legacy. So, when we do this to Joe Kadenge, it will keep the legacy. It will also encourage the young people who are in football that it is not in vein. That when they play football or when they take part in any game, it does not end when they die. They will still be remembered for a very long time. You have seen that we have named places like Jomo Kenyatta International

Airport, Moi Airport and we have various other institutions that have been named after great people. So, thank you so much Mr. Kabiru for bringing this. I stand to support.

Hon. Speaker: Hon. Millicent Jagero.

Hon. Millicent Jagero: Thank you Madam Speaker. First and foremost, I welcome you back to Nairobi City County Assembly and congratulate you for standing firm today despite the chanting and rantings and the other hullaballos that were going on. You have truly shown us the strength of a woman and we expect you to remain the same.

I support this Motion though so many points have already been said by my fellow Hon. Members. I just want to echo their sentiments on nurturing the talents of the young people that we have in the stadium and also ensuring that there is a talent academy of footballers in the stadium so that it can be an all-inclusive. We have other sporting activities, but football and athletics is the one that is well known. We would also love to see a legacy that Joe Kadenge has left, a city stadium renamed to his name. Thank you.

Hon. Speaker: Hon. Ndonji.

Hon. Joseph Ndonji: Thank you Madam Speaker. As *mzee* in the House, I welcome you back and I would like to encourage you to stay firm. What you have just seen are kicks of a dying horse. I have seen others talking about orders while they had defied order for over one year. The order they are talking about, we have not seen and we don't know. We have even seen them bundle others in powers and privileges. The same committee should also act on them.

Madam Speaker, I rise to support Hon. Mbugua's motion because I am one of the people who were privileged to have watched a match where Kadenge was playing in the early 70s. So, I rise to support and thank Kabiru for bringing the motion. I support.

Hon. Speaker: Hon. Mberia.

Hon. David Mberia: Thank you Madam Speaker. I congratulate you for a good fight. Secondly, I congratulate the handshake because it brought peace in the country and between Uhuru and Raila. It has finally brought peace in this County Assembly. You are now sitting pretty as the elected Speaker of Nairobi City County Assembly.

Let me also support this Motion by my friend, Mbugua Kabiru to rename City Stadium to Joe Kadenge Stadium. Madam Speaker, after the passage of this Motion, it will be the duty of the executive to implement it immediately and name said stadium to Joe Kadenge Stadium.

Secondly, in the last Assembly, we had a motion to rename all roads across the city after heroes and heroines of our country and those who fought for the independence of this country. It is all right to name places or roads after heroes posthumously. It would be good for this House to rename all the roads, some of which has meaningless names, after living heroes. I stand to support.

Hon. Speaker: Hon. Jairus Amukhoye. Hon. Lawi.

Hon. Lawrence Otieno: Thank you Madam Speaker. First, I take this opportunity to congratulate you for your effort. The encouragement that you have today...

Hon. Speaker: Nicholas, what is the point of order?

Hon. Nicholas Ouma: Thank you Madam Speaker. I am really confused. I am looking for Hon. Jairus Omay, but the person I see is Lawrence. Have they swapped names? Thank you.

Hon. Speaker: order! I believe I rectified by introducing him correctly. Proceed, Hon. Member of Sarangombe.

Hon. Lawrence Otieno: Thank you Madam Speaker. I congratulate you for the encouragement that you had today. There is women power in the House. The encouragement that you have today for the noisemakers that were trying to disrupt today's session. I did not know that you are a woman with... but today, you have shown the men that you are a woman with... Thank you for that.

Secondly, let me support this Motion on our legend, Joe Kadenge. As a sportsman of this Assembly, I want to take this opportunity to support this motion. Joe Kadenge has been playing well. He led our young men in sports. So, as leaders, we want to encourage our young guys that if you go the Kadenge way, their lives can change. We can employ ourselves through sports. So, I take this opportunity to support this Motion. Thank you.

Hon. Speaker: Hon. Immapet Kimunto.

Hon. Immapet Kemunto: Thank you Madam Speaker. I congratulate you for coming back. It is not about you as a woman. It is women of this County and the entire nation at large. First, I want to tell all our male counterpart that for each and everything that you do, we as women are better than you. Respect is paramount to each and every person. When Madam Speaker is seated there, it is not about her. This is a House of rules and legislation. So, for Joe Kadenge's Motion, I suggest that have a football match for the Assembly. Stazo here can organize a match for us for harmony so that we become a family with no hullabaloo. So, I support the motion. Thank you.

Hon. Speaker: Hon. Gari.

Hon. Maurice Gari: Madam Speaker, I urge you to call the mover because we are tired. We were here with people who think that they cannot be led, people who brag about themselves. We must accept change. Change will come however painful it is. We hit the road and we are going. If you had any corrupt dealings, please come to us and ask for pardon rather than making noise in the Assembly. I rise to support this Motion. As a footballer, football is a career nowadays and it earns people a lot of money. It is a source of revenue and income to many people. Madam Speaker, if we can nurture a talent and we have the academy, we can help many people in the slum areas. There is so much talent in the slum areas. Naming city stadium after Kadenge will encourage many footballers by knowing that they will be honored when they retire from football. I support.

Hon. Speaker: Mover.

Hon. Mbugua Kabiru: Thank you very much for allowing this motion to be discussed in a peaceful way. I would want to thank and congratulate you. We have really missed the wig and the gown. We want to welcome you back. On the Joe Kadenge Motion, I would like to reply. I thank the Members who supported it. We assure that you working closely with the governor of this great county, you are going to make this happen. City Stadium is currently being renovated. After the renovation, you can put a big banner and say this is called Joe Kadenge Stadium. Thank you and I beg to reply.

(Question put and agreed to)

Hon. Speaker: Hon. Gathundo, you had a request on a standing order that while we finalize, I give you a chance.

Hon. Charles Wakarindi: Thank you Madam Speaker. Cognizant of the fact that Members are tired because of cheering you up, I would like, with your permission, that you allow me to just mention lightly that tomorrow we can have enough time when members are properly energized to discuss the happenings of the day in the presence of the media so that the whole world sees that this Assembly is in your support. To

mention a few things, I want to reiterate that we are glad that you are back in your position as Speaker of the Nairobi County Assembly but to mention a few things I want to raise that we are glad that you are back in your position as the Speaker of Nairobi City County Assembly and the first instance of your impeachment was actually a mistake that should have not happened.

(Applause)

I take this opportunity to apologise to you on behalf of all Members because we were forced, intimidated and cojoked to vote you out for no reasons. We are so sorry and please find it in your heart to forgive us.

(Applause)

Hon. Speaker, our members of staff have also suffered a lot. There are some members of staff who were viewed to have been too close to you and unfortunately being too close to you is what their job entails, because if someone is a Clerk is in charge of Assembly business and they are the ones who take care of minutes and everything that is done in the Assembly. They had suffered a lot and the suffering was because of our actions when we removed you out of the office illegally and I would want to ask those members of staff to forgive us on behalf of the whole Assembly.

(Applause)

This is a new beginning and as Nairobians we have a new beginning and God has given us another chance to redeem ourselves because we have time as we can serve the Nairobians. We do not want any more dramas and we do not have time for that as our people are suffering. We want to deliver services, build roads, health facilities and we want to give bursaries. All these cannot happen unless we remove the madness that has been witnessed, on this floor.

Hon. Speaker, it must go on record that such kind of behavior will not be tolerated in this Assembly. We are a House of rules and procedures and when such things happen and by Members walking in and out as if it is normal, then it is showing a very bad precedence and it will generate and the next thing Members will fight kicks and blows in this floor.

Hon. Speaker, there are cameras in this building and the Members who are misbehaving here should be identified and dealt with according to the law and Standing Order of this House. The seat and the House that you are taking are the apexes of political leadership in Nairobi and it is us who are supposed to sit and plan how public resource that has been collected from taxpayers is going to be used.

We cannot do that if we are jokers and choirmasters whose voice cannot be placed anywhere and pretend that is right and it is not. Therefore, Hon. Speaker, before I finish I want to request that you find time for us tomorrow, so that we can discuss those issues properly so that we can come with appropriate measures. Hon. Imwatok will help me on how we intend to deal with those people who misbehaved and called you names, on the *HANSARD* and in front of cameras so that in future anybody who thinks that they can disrespect the Chair should know and have a lesson to learn from.

Hon. Speaker, I may not like you as a person but you are Hon. Elachi, the Speaker of Nairobi County Assembly. If I do not like you, at least we should respect one another. It is a pity that Members are floating and coming with Court orders when they are the best floaters of the same.

Hon. Speaker, we are grateful and once again welcome back and thank you very much.

(Applause)

Hon. Speaker: Hon. Minority Whip!

Hon. Peter Imwatok: Madam Speaker, thank you and *Mheshimiwa* Kathundo. I take this opportunity let it go without been said that there is something that has happened in this House that we cannot just put a blanket in our eyes and say that it is all well, when it is not.

Madam Speaker, in the process of our discussion and I know when we spoke we were all in the *HANSARD* and I quoted Standing Order 114 for grossly misconduct in the County Assembly and I mentioned a Member called Hon. Gatune who was dancing before the House when the Speaker was on her feet.

Therefore, Madam Speaker, as a Whip of this Assembly I still insist any day this Member will come before this Assembly and a disciplinary action must be taken against him.

(Applause)

Madam Speaker, we cannot reduce Assembly whereby 5million Nairobians are looking at us, that the Leader of Majority Party with the former Acting Speaker, can come and lead a choir in County Assembly where laws are made that needs to guide the 5million Kenyans in the capital city of Nairobi.

Madam Speaker, I have just learned that today those people that I had high regards for terms of morals did not deserve my regard. I do not expect a man that I place in the same seat that you have sat on today from Hon. Karani and one Moses Ogeto the last born of this Assembly that today can be one of the Choirmasters singing in the County Assembly where he was guiding and failed to guide it properly as the speaker of the House.

Madam Speaker, let it go on record that the side of the coalition NASA has stood firm with the belief that the Constitution and the Bill of rights must be respected not in the same way people want us to respect a purported Bill of rights, which is not enshrined in your own attitudes.

Madam Speaker, let me put it right to the fourth estate that the Members of the fourth estate should also learn in all aspect to report the positive that has taken place in this County Assembly. When the Constitution has violated more than 85 Members are seated here and 22 Members have walked out of the Assembly. These 22 Members have walked out with all Members of the fourth estate. The question and I will ask in any forum where the Members of the fourth estate are there to report negativity or want progress for Nairobians.

(Applause)

Madam Speaker, they should also get it right that this Assembly does not belong to one Hon. Beatrice Elachi, Peter Imwatok neither *Mheshimwa* Gari or Obuya or Millicent Mugadi it belongs to the sovereignty of the people under article one of the Constitution. As for the sovereignty of the people is exercised by people themselves through delegated, elected and nominated leaders who are seated here.

Therefore, anyone who is purporting to own this Assembly as private property is wrong. Whether you are the Majority Leader, Majority Whip, Minority Leader or Minority Whip it is not in terms that one individual can host the entire County Assembly and County Government random. I am also asking the judicially and let me put this on *HANSARD*, I have never imagined whereby the Judicially can issue purported Court orders where there is a Speaker as a respondent and at the same time, there is an Acting Speaker as a respondent.

I have never imagined such a Judge giving such a Court Order and expecting us to obey it. Madam Speaker, I will tell you without contradiction that I son of Jateso Peter Imwatok MCA, Makongeni die-hard over revolution called Amollo Raila Odinga will not obey such an order.

(Applause)

Son of the soil will not obey such an order. Whereby as a custodian of the procedures of Parliament, where a Court order moved by a motion that says in the County Assembly of Nairobi there is a Speaker and there is an Acting Speaker. Then there is a consent that the same Speaker who is being barred to proceed the Assembly have consented through a lawyer that he will not proceed to the Assembly to conduct the Assembly that is a fallacy Madam Speaker.

In our small knowledge of the law, this is a matter to a prejudice. Madam Speaker we will stand firm and those who want to falter, I have been given a directive by one Hon. Raila Amollo Odinga. You can go to the Supreme Court and I can tell you that I have been on this street when the Supreme Court said this. This is because when Raila says it is left I have no choice but to tell you free it is left.

The party position in ODM is very clear anyone who does not obey that party, I have no choice or so ever to communicate to the owner of this party who is just a stone throw away is called The Right Hon. Raila Amollo Odinga. He had said clearly that the Speaker of Nairobi County Assembly is none other than Hon. Beatrice Elachi. He told me in my own ears that the Board Member representing ODM is one Hon. Maurice Gari son of Opondo.

Therefore, anyone who wants to question, imagine or think that I can go against and tell Hon. Amollo Odinga that 22 Members of Jubilee are making noise somewhere. When I see grate men of jubilee standing there like Hon. Mark Ndungu, Hon. Kathundo, Hon. Kabiro I have never imagined an MCA from Jubilee who have brought more motions and statement in this Assembly than Hon. Kabiro and he does not brag.

Madam Speaker, in this Assembly we are telling the members of the staff that I am happy for them since they are all back in their officers. What we want is a smooth operation and that this Assembly goes back to normal, as we need our projects, supplementary budget to pass, we need the Finance Bill to be passed here, we also need many Bills to be passed as read in your communication. We do not need to falter or fear this is ODM and Jubilee inside this House.

For those who still doubt the BBI is also on the way and the handshake is real. Now we want to exercise the real handshake in this House. I am ready to lead the entire delegation of all MCAs of Nairobi they call handshake MCAs to Statehouse and tell the President that we are ready to execute your mandate.

(Applause)

As we embrace, I will need another arm here called Nairobi MCAs for handshake and BBI. We are also aware of yesterday night there are Members who were moving saying that they will come with the motion of impeachment of this Assembly. This Assembly is a house of rules and procedures you cannot just walk, the only chair of the board is one Beatrice Elachi.

The Chair of House business Committee is Beatrice Elachi, the chair of rules and procedures is Beatrice Elachi. I wonder at what level will you bring the impeachment and gain contrary to Court order and Court of appeal. In the Court order which stated Beatrice Elachi said, "*there should be no any other impeachment motion or removal her from the office*". I wonder which English that some people read, I am happy one Member called Warutere purported first Class degree holder. When I look at my brother behind

me *Mheshimiwa* Ogeto he is a second Class degree holder from the University of Nairobi, but what Hon. Warutere does is equivalent to what we are saying.

Members we are not going to take this House random by one Deputy Speaker of the County Assembly of Nairobi is the property of County Assembly not of the faction. Madam Speaker, there is no way you can sit as the Speaker of County Assembly and the Deputy Speaker is part of those leading a faction and we voted to him as the Deputy Speaker of this House. Same to the Members of the panel and if you are the member of the panel you and we approved you unanimously, as the member of the panel of County Assembly and not of a faction.

For that reason, we will not mince our words as Hon. Kathundo has said, we will not just sit and say, that we are waiting for choirmaster and mistress in this Assembly, discipline and order must come. Hon. speaker we revoked the standing order, the laws as required, and those who imagine for contempt we are prepared. Contempt is a process in court and you cannot walk here with police and the Court order must be respected in line with the constitution.

Madam Speaker, as I sit I want to urge my fellow Members, Hon. Ogeto is quoting me by saying revolution eats its own people and I always say that injustice committed today, is justice committed tomorrow. It is so easy to say today that, it is I Imwatoke who is not right, but tomorrow it is you. I have seen in this County Madam Speaker, where intimidation is the order of the day.

These new Members in this County Assembly cannot speak on the microphone as long as leaders are seated in this Assembly. They have not even learned what Standing Order is and what parliamentary practice are what Speaker's rules are, because they fear what I am going to stand for because I will be shut down. Fear must come but we need to learn these things I learned something like the way *Mheshimiwa* Ogeto, Chege, Kathundo we used to go to the swimming pool, to learn what the Standing Order means and how the Speakers rules are and how parliamentary precedents are, but now this Members are fighting wars which are not supposed to be fought, instead of learning what parliament should be.

Madam Speaker, I believe on 29 October 2019 is the end of dictatorship in this Assembly. For those who remember I said before I go to CASA games after CASA games Assembly of Nairobi cannot be the same and I did not say while planning, I said while I was having a conviction as a Seventh-day Adventist. As I was trained to fear not to falter but to speak with a conviction in truth. Liberty this Assembly from fear and intimidation and the current Board the Speaker has just mentioned please liberty our staff from this fear even today, the Clerk is on compulsory leave and he is still making calls, you cannot have a spiritual solution with a political solution.

A political solution needs a political answer because where it has reached administratively even here we need a political solution in the office of the clerk. As a leader standing before this, County Assembly before Raila Amollo Odinga tells me Jateso you are no longer a Whip, if he ever says and I know he will never say it for now, because he understands we have a belief that we share. That is why Madam Speaker, I want us to ensure as a House from here we going for a Kamukuji so that we get solutions. I beg to say.

Hon. Speaker: Hon. Members, I give tomorrow time during statement time to ventilate all this.... Hon. Ochola what do you want to inform.

Point of information

Hon. Wilson Ochola: Madam Speaker, I would like to take this opportunity to welcome you back and I would like you to help Members on issues of the Medical Insurance. This is because when you go to

the hospital with the card, the child cannot be treated unless you must make several calls. I think all the members are having the same challenges and therefore, can you do something on it. Thank you.

Hon. Speaker: Hon. Members, as I say I will allow Hon. Kathundo who has just left to ensure that tomorrow he has a statement on the same and I will use that opportunity time to let Members ventilate on it. I think we have communicated that we will create committees and one of the Committee is to deal with all the welfare and that issue of the insurance. Therefore, allow the Committees to be created so that we are able to look at all the welfare of Committees, which you will deal with it.

ADJOURNMENT

Hon. Speaker: Therefore, Hon. Members, there being no other business, we adjourn the House stands adjourned to tomorrow Wednesday 30 October 2019 at 2.30 p.m.

(The House rose at 4.34 p.m.)