



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Third Session

Thursday 7th November 2019

The House met at 2.30 p.m.

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

PRAYERS

STATEMENT

Hon. Speaker: Hon. June Ndegwa?

CHANGE IN JUBILEE PARTY LEADERSHIP IN THE ASSEMBLY

Hon. June Ndegwa: Thank you, Madam Speaker. I would like give a statement. I have a letter from the Jubilee Party. This is after a consultation and having a *Kamukunji* where we retreated last weekend. Most of the Jubilee Party members signed a petition to change the leadership of the House. This is because the current leadership has taken the party to court, therefore having a bone of contention with the party.

Two, the leadership of the House has also accused the Governor of wanting to eliminate him, that is to kill him. Therefore, Jubilee Party members resolved that:

1. Hon. Charles Thuo Wakarindi from now henceforth becomes the Majority Leader;

(Applause)

2. Hon. Millicent Wamboi Mugadi- Deputy Majority Leader;

(Applause)

3. Hon. June Juliet Ndegwa- Majority Whip; and

(Applause)

4. Hon. Hassan Abdikadir Mohamed- Deputy Majority Whip

(Applause)

Hon. June Ndegwa: Madam Speaker, with your permission, I would like to give this letter to you and laid before the House.

(The statement was laid on the table)

(Applause)

(Loud consultations)

Hon. Speaker: Order! Order, hon. Members! Hon. Members, basing on Standing Order No.1, being a Speaker of House that has different political parties, I will determine that this is an issue that is political. I hereby now receive your letter, minutes, petition and signatures. With citation of what the Speaker of the Senate did with the case of Hon. Wetangula, I certify that you have indeed presented your documents as per the threshold of Article 19 of the Jubilee Constitution. If anyone has any dispute or any question, you need to go to the party and deal with it at the party but not within this Assembly.

(Applause)

I therefore agree that the leadership of Jubilee Party has changed and I welcome the new leadership.

(Applause)

I hope you will work fully with the party and the Governor to ensure that Nairobi moves forward. I now declare that the new leadership takes over.

(Applause)

(Loud consultations)

Hon. Speaker: Order, hon. Members! Order! Clerk, proceed.

MOTION

Hon. Speaker: Hon. Kabiro, what is it?

Hon. Mbugua Kabiro: Madam Speaker, I would like to move a motion that does not require notice under Standing Order.56 (h) on members' privilege.

Hon. Speaker: Proceed.

ESTABLISHMENT OF AD HOC COMMITTEE

Hon. Speaker, I beg to give Notice of the following Motion pursuant to Standing Order 56 (h):

THAT, aware that the County Assembly on Tuesday, 5th November, 2019 resolved to revoke the appointment of Mr. Jacob Ngwele as the Clerk of the County Assembly on the gross violation of Section 18(2) of the County Assembly Service Act, 2017; further aware that on Wednesday, 6th November, 2019,

the County Assembly resolved that the Nairobi City County Assembly Service Board table report(s) and/ any other material including the overall function and establishment of the office of the Clerk between the year 2013 and 2017; concerned that the process of recruitment of the Clerk of the County Assembly was not procedural as the name of Mr. Jacob Ngwele was never submitted to the County Assembly for approval in accordance with the provisions of the Law; acknowledging that the office of the Clerk of the County Assembly plays a very important role in the operations of the County Assembly; noting that currently the County Assembly does not have a Board in place by virtue of a Court Order, this Assembly resolves to establish an Ad Hoc Committee consisting of the following eleven Members to investigate the circumstances surrounding the employment of Mr. Jacob Ngwele as the Clerk of the Nairobi City County Assembly:

1. The Hon. Kabiro Mbugua, MCA
2. The Hon. Kennedy Oyugi, MCA
3. The Hon. Millicent Jagero, MCA
4. The Hon. Nancy Muthami, MCA
5. The Hon. Julius Maina Njoka, MCA
6. The Hon. Elijah Mpuhia, MCA
7. The Hon. Patricia Mutheu, MCA
8. The Hon. Rose Ogonda, MCA
9. The Hon. Peter Imwatok, MCA
10. The Hon. David Ayoi, MCA
11. The Hon. Mary Ariviza, MCA

Madam Speaker, this is a motion that should be given a lot of commitment. This morning I had an issue when I tried to access the Clerk's office but it was in vain. The functions of the Clerk are stipulated in the County Governments Act and County Assembly Service Board Act. As a member of this Assembly, I am being denied the privilege of serving well by virtue that the Clerk is absent and that there is a court order that is barring the Board from performing its mandate.

Madam Speaker, I would like to jog your mind and remind you of the Supreme Court petition of 2017. The president of the republic of Kenya, His Excellency Uhuru Muigai Kenyatta, was given the mandate to steer the country by the Supreme Court of Kenya. Nevertheless, he did not take up his position until the presidential inauguration that happened at Kasarani. It is not finished when court order is given. There has to be a process after the court, which is the approval by the House.

We have seen countless number of people going to parliament for approval and vetting. If the parliament refuses them, they are unemployed. This is not a special case. Members' privilege is at stake. If I ask members to raise their hands those who have received salaries, none of them will. If I ask the staff to raise their hands that have received salaries, none will. Today is what date of the month? We are clocking close to midmonth. These are privileges that we don't see in other places. I hear in other county assemblies, payments were done close to 24th. Nairobi is a unique county by its virtue of its population and size of the Assembly yet we are not noticed.

I want to ask this honourable House that this Ad Hoc Committee looks into and reports to this House all the circumstances surrounding the employment and any other thing that they might find fit. This will then form the beginning point of the actions towards a better Assembly of Nairobi, both for the members and the staff. I would like to call Hon. Peter Anyule Imwatok to second this motion. Thank you.

Hon. Peter Imwatok: Madam Speaker, before I second the motion, allow me as the only existing leader in this Assembly then, to respect the constitutionality of the political parties represented before this Assembly. Aware that in life, transformation is the way to go. I congratulate my brother, Hon. Wakarindi, Hon. Millicent Mugadi, Hon. June Ndegwa and Hon. Hassan for the new task before this House. Moving forward after passing the motion by Hon. Kabiro, a man I respect despite being the first MCA, we now have the Whip of the Majority side. I am still holding on as the Whip of the Minority side. I expect that the two offices will work concurrently in ensuring that any appointment or committee set up will be based on this committee headed by the Majority Leader and my deputy Minority and Minority leader to come. No one in any given time will feel that, an Ad hoc committee has been formed without the participation of the parties.

Having said that, Madam Speaker, I fully support this motion on the formation of an Ad hoc committee, which we peg on Standing Order No. 205 and because of the urgency of time, I urge my side to support the team of members who have been nominated through the wisdom of the member who has brought the motion. This motion must be allowed to see the light of day so that we can correct this Assembly and take it to great heights by working within the parameters of our jurisdiction. We have the powers and authority to enact and abolish laws, procedures and regulations.

Therefore, Madam Speaker, I stand here authoritatively to support the motion and ask the entire House to support it.

In addition, my brother Hon. Obuya has asked me if this is the same committee that the Speaker pronounced. I wish to report that now that the Whip's offices are fully constituted, we will have the membership of the four committees constituted by the Hon. Speaker before the House next week and will be equally represented as per the standing orders. I beg to support.

Hon. Speaker: Hon. Speaker, I want it to be clear on the Hansard that this is an Ad hoc committee to ensure that we do not prejudice what is before the courts. We have matters in court, as has been raised by the Minority Leader and Hon. Gari. I want the House to respect the jurisdiction of the judge. The issue raised here is not in court but that of processes. Hence, nobody should say that we are prejudicing issues in court. Therefore, I propose.

(Question proposed)

Hon. Speaker: Hon. Millicent Mugadi, Deputy Majority Leader.

(Applause)

Hon. Millicent Mugadi: Thank you Madam Speaker. Before I support this motion, I would like to thank my part leader His Excellency Uhuru Muigai Kenyatta, His Excellency Mike Mbuvi Sonko and the party for considering me as the Deputy Majority in this Assembly. You notice that I am stammering because this is a blessing and I had not seen it coming. Uhuru Muigai Kenyatta believes in women and that is why he has given me this opportunity to offer my leadership in Nairobi County. I promise to give my wisdom, I

promise to guide His Excellency Mike mbuvi Sonko and promise to make the working environment of my fellow members comfortable and support women who have been elected by the Jubilee party and make their stay in Nairobi County memorable and historical.

Madam Speaker, I rise to support this motion by saying Hon. Kabiro's motion is very important and one that takes care of the less fortunate and consider them in the services offered by Nairobi County. Thank you.

Hon. Speaker: Hon. Patrick Musili

Hon. Patrick Musili: Thank you, Madam Speaker. Let me take this opportunity to recognize and congratulate the new leadership from the Majority side. *Mheshmiwa* Wakarindi, *karibu* and let us work together. The portfolio before you is huge and there is a lot of backlog that you have to clear given that the previous leadership already vacated office. My advice to you is to take the responsibility and run with it.

Madam Speaker, as the Deputy Minority leader, we will cooperate with the new leadership and I assure you that we will perform our role of oversight and opposition in the House. I rise to support this motion and hope that we come up with a solution to ensure that services are being offered in Nairobi. Thank you.

Hon. Speaker: Hon. Mark Ndungu? Vice Chair?

Hon. Mark Ndungu: Thank you very much, Madam Speaker. I would like to support this motion and congratulate the new leadership of the House. I wish to inform you, Madam Speaker that you are the leader of this institution. You asked Mr. Jacob Ngwele to come attend Board meetings and he refused to do. The Board is the employee and he is just an employee. One can never take his employer to court. Therefore, I support Hon. Kabiro's motion and rest my case. Thank you very much.

Hon. Speaker: Hon. Joseph Ndonji.

[EXPUNGED]

Hon. Speaker: Order! Those are personal matters and she is not here to defend herself. I will ask that we do not talk about someone who is not present in the House to defend herself. Let us remove that from the HANSARD. I will not allow.

Hon. Joseph Ndonji: Fine. I withdraw but support the motion.

Hon. Speaker: Hon. Majority Leader.

Hon. Charles Thuo: Thank you Hon. Speaker. I wish to support this motion and thank members of the Jubilee party and the Jubilee coalition for finding trust and confidence in me to bestow to me this honorable duty. It is not an easy task. My in-tray is full because there is a lot of backlog and there are a lot of issues we need to deal with especially those that touch on welfare of members. We have with us members who are committed to serving Nairobians but they have not been able to do so because of the hindrances and the condensing environment that has existed in this House that has made people not to reason or think as themselves.

I am telling members of this Assembly that a new dawn has come. (*Applause*). You need not worry anymore. We are going to make changes for the better, that will make things happen, that will see members and staff and all Nairobians in general get the services that they deserve to get in this House and from the County Government because it is their right. Thank you.

As far as this motion is concerned, it is clear and evident to everybody that one of the biggest hindrance to the deliverance of our duties is the office of the Clerk. We do not have a Clerk but we do have a person who purports to be the Clerk and who performs the duties of the Clerk.

Hon Speaker, it needs to be taken on record that in 2013, the Transition Authority sent people to help in setting out structures. The people who were sent were key in those institutions and one of them was our Clerk. The other person was the County Secretary, one Lilian Ndegwa. They were two; one of them was killed and they sent the other one called Lilian Ndegwa. The two most key people sent by Transition Authority...

Hon. Speaker: Hon Majority Leader, did you say he was killed?

Hon. Charles Wakarindi: Yes, there was a murder of the inaugural person. The case is in court. I can't remember the name. She was shot along the Bypass in 2013.

Lilian Ndegwa and Jacob Ngwele were seconded by Transition Authority to this County Government to help set up the structures of the government. As per the law, after the expiry of the transition period, the Executive did advertise the post of the County Secretary. The post was advertised in 2016 and the person who had been seconded, Lilian Ndegwa applied. She was interviewed and was employed as per the law of the nation.

But Mr. Ngwele never applied and he never had an interview. There are no minutes of his hiring, he exists on a basis that is not known. He is not a Clerk, an Interim Clerk, a Clerk Assistant, or a Sergeant-at-Arms. We don't know who Mr. Ngwele is. The person who came up with this motion is guided by the law. It is through investigations of this Ad Hoc Committee that we are going to find out what really happened; where the rain started beating this Assembly. It is the finding of this Ad Hoc Committee that will tell us who were the people liable, who served and agreed knowingly that a deceit to deny other Nairobians and other Kenyans the chance and opportunity to serve as Clerk of this Assembly.

Hon Speaker one of the most common laws of natural justice is the law of universal suffrage that every person deserves equal rights and opportunities under the law. Nobody deserves to get unfair and undeserved attention.

Hon Speaker in the last Assembly, the people who served in the Board where Clerk Ngwele was sitting had a sitting one day – the four of them- they discussed as friends and resolved between themselves to hire one of them as the Clerk and circumvent all laws of the land.

Finally, the tyre has come to meet the road and we are going to find the truth. I stand to support the motion, thank you.

Hon. Speaker: Hon. Mwaura Samora.

Hon. Mwaura Samora: Thank you, Madam Speaker for this opportunity to contribute to this motion. First and foremost, I would like to congratulate the new House leadership.

(Applause)

As one of the person who actually supports democracy, I believe this House leadership will usher in a new era in this Assembly. The era of intimidation, threats, removing people from committees for speaking their mind is now long gone. What I can say is as somebody who suffered in the last regime, I

believe now members will speak more. They will actually express their stances on various issues and represent those who elected them to this House. Congratulations members.

Secondly I want to support this motion because I believe this is a House of processes and procedures.

Hon. Speaker: Hon Susan, it is not a cat walk please. It is a House.

Hon. Mwaura Samora: As I was saying Madam Speaker, I support this motion because I believe this is a House of processes and procedures and everything should be laid on the table. With this new era, we should all embark as the House leadership to make sure that all wrongs committed in the last regime are corrected. Thank you.

Hon. Wilfred Odalo: Thank you. I rise to support the motion and before I say a number of issues, let me congratulate my Public Accounts Committee Members (*Applause*) for being elevated to higher offices. Without mincing my words, the three members sitting before us have been my members from the last regime. Hon. Millicent Mugadi used to be my member in Trade and you know her capacity. Gathundo will lead the team. Hon. June Ndegwa will do the best.

AMENDMENT TO MOTION

Madam Speaker having said that, I have an amendment to make on the motion before us. Pursuant to Standing Order 58, I hereby move an amendment to the motion by:

deleting the name 'Hon Peter Imwatok' appearing in the motion and replacing with 'Hon Patrick Musili'.

Madam Speaker as we all know the issue before us, Hon Peter Imwatok is very busy. He is coordinating a number of issues. He may not deliver well in the said capacity. I request that we delete his name from the Ad Hoc Committee and replace with one 'Hon. Patrick Musili'.

I request Hon. Obuya to second the motion.

(Hon. Obuya bowed to second)

(Question of the amendment, that the words to be inserted in place thereof be inserted, proposed)

(Question of the amendment put and agreed to)

(Debate on the original motion resumed)

Hon. Speaker: Thank you Hon. Obuya. We can now proceed for those who want to talk. Hon. Maurice Gari.

Hon. Maurice Gari: Madam Speaker, I rise to support this motion. I hope we will go fast because we have some agenda to talk about. Secondly, I want to congratulate one Majority Leader Charles Thuo, one of my comrades and *Juju* as Majority Whip.

Hon. Speaker: Order Hon. Member of the board. Did you just say *Juju*? I have no *Juju* here.

Hon. Maurice Gari: Hon. June Ndegwa, and Deputy Majority, Hon. Millicent Mugadi.

Madam Speaker, when the change is coming, you can't stand on the way of change. And more will come. And I urge Hon. Charles Thuo, who is the majority leader, to do the necessary on our side. When we

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are sharing the cake, see us as brothers and sisters so that we can harmonize this House. Madam Speaker, this ad hoc committee should move with speed to investigate and come up with report on Mr. Jacob Ngwele of which I know the report...many of you will be surprised and Kenyans will know why we are fighting for all this change. Madam Speaker, the person in question has been bone of contention for so many years. Now almost seven and half years.

Madam Speaker, I want you to give me your ears and let it sink that whenever this ad hoc committee sits, let them not be compromised because there is a lot of impunity on the person they are going to investigate and report on. I know they are men and women of integrity and they will do their work well. I beg to support.

Hon. Speaker: Hon. Majority Whip, June Ndegwa.

Hon. June Ndegwa: Thank you, Madam Speaker. I would like to give my thanks and appreciation to His Excellency the President of the Republic of this country and my party leader, Uhuru Kenyatta and the Deputy President as well as Mike Mbuvi Sonko, the Governor of Nairobi and the party leadership. I also thank the Almighty God for this opportunity. I have always said that no strength or impeachment can come in the way of an idea whose time has already come. I would also want to say that when you fight corruption, it fights back. And we are not going to take this lightly.

I would like it to go on HANSARD right now that there is a message circulating on our WhatsApp groups by one former Majority Leader, Abdi Hon. Abdi Hassan, saying that you, as the Speaker, will not be able to remove him as the Majority Leader and that you will see. I wonder whether we are supposed to take it seriously because I think you need extra security. This is a threat. In Nairobi, we cannot live by threats. Everyone here has either been elected or nominated and is a leader in their own capacity. It doesn't matter whether your first language of communication was English or your mother tongue.

Madam Speaker, I want this not to be taken lightly and to go to the authorities because we cannot lead with threats. Madam Speaker, I am expecting a smooth handing over from the ones who have been there previously because this is what leadership shows.

Madam Speaker, last Assembly and this one has had the same caliber of leaders and if time has come for them to go, I do not think there is any--- it is part of leadership.

We have seen it in the Senate last time when Kindiki was the Leader of Majority and now he is not. We are seeing Murkomen doing amazing things at the Senate. It does not mean that you have been stripped off your leadership position. It just means that a change is as good as a rest. Even one Moses Wetangula was removed in the middle of office just because he was disobedient or he did not get along with NASA Coalition. As my PAC Chairman would say, if you were loyal then loyalty is rewarded and if you were not loyal then that is punished. We did not see him put up a resistance because he knows where he went wrong.

Madam Speaker, enjoining themselves in particular to this motion is what has made us wonder whether they are in cohorts with the Clerk Jacob Ngwele. We would like to know what they are protecting. What did they do at the Board, does it mean they have mishandled or misappropriated funds that were meant for these members from the previous Assembly to this Assembly?

I rise to support this motion and say that I support the Ad Hoc Committee and I hope that it will do its best to bring to book and tell us the truth. Where he has violated any Act of the Constitution, let us know. If he has not, we also need to know so that we can treat people with fairness.

Lastly, I want to assure all Members of the House that we are going to treat people fairly as the way we would like to be treated. We are going to give people equal opportunities the same way we would like to be given equal opportunities.

Madam Speaker, I pray that we will put God first as leaders because we cannot rely on our own strength, we need the leadership and the guidance of our might God. Thank you, Madam Speaker.

Hon. Speaker: Mover!

Hon. Mbugua Kabiro: Madam Speaker, thank you very much for this opportunity to reply to this motion. I would like to also to congratulate the able new leadership of this Assembly. I would like to ask the Hon. Chairman of PAC to allow me to come to that Committee because I see that is the path to leadership. I wish to reply. Thank you.

Hon. Speaker: (*Laughing*) Did you ask for a slot to another committee? Hon. Mbugua, there is a right way and you have a good Whip who will look at that.

Hon. Members, there is a lot we have talked on this Motion, and before I put the question, there is a lot happening in the Assembly. Hon. members, we are political leaders and I think anything that has an issue must be resolved within your political parties. As I said, do not bring issues of political parties in the Assembly because this is an Assembly that appreciates the Handshake. Therefore, we work in consultation on both sides. Anything that will hurt either side, you have a right to go to your Secretary-General and deal with the matters.

Terms of threats that are going on, and I do not want to talk about social media, but I remember in this House, you have one man who still lives with a bullet because of your Board. We want to say it is very wrong for members being given privilege by all these Members to serve them--- I do not think it is a privilege of one and it is not my wish but the wish of the party.

(Question put and agreed to)

(Applause)

(Hon. Speaker left the Chair)

MOTION

(Contemporary Deputy Speaker (Mr. Evans Otiso) took the Chair)

Hon. Temporary Deputy Speaker: Hon. Nancy.

ENFORCEMENT OF EXISTING LAWS ON FOOD HANDLING AND ENVIRONMENTAL BEAUTIFICATION BY HOTELS

Hon. Nancy Muthami: THAT, aware that Article 42 of the Constitution 2010, provides for the right for every person to have a clean and healthy environment including the protection of the environment for the benefit of the current and future generations; further aware that Part 2 of the Fourth Schedule to the Constitution provides for the functions of the County Government which include amongst others implementation of specific National Government policies on Natural Resources and environmental

conservation; recognizing that Section 5 of the Nairobi City County Solid Waste Management Act, 2015 provided that every person within the County is entitled to a clean and healthy environment and has a duty to safeguard and enhance the quality of the environment; concerned that recent months have witnessed increased cases of food contamination leading to deaths and hospitalization of Kenyans which has cast doubts on just how safe the food and foodstuffs are handled in the County, such cases have mostly been reported to emanate from hotels, both high end and outside catering firms serving food at social events; further concerned that environment around some hotels in the County are below the required standards of sanitation and environmental beautification; noting that an optimal clean environment is vital in creating a hotel environment that leaves guests feeling satisfied, pampered and special, thus improving not only the image of the hotel but the City at large; this Assembly urges the County Executive to enforce the existing laws on food handling and environmental beautification by hotels to ensure clean and healthy environment in the County specially during festival period.

Hon. Speaker, cleanness is not a sole responsibility of Government but rather a collective responsibility for the General Public. Nairobi has never benefited from Social Corporate programmes. When roads are done, they make sure that they have put in place a community programme.

We have many hotels that are coming up and they are good for investments, but we should keep the premises and environment clean with good landscapes like beautification of the hotels. We can also have the youths given an opportunity to clean the places. This will create jobs for them. For example, if you go to Radisson Blu Hotel, which is next to State House. Beautification should be of high standards. I call upon Hon. Ogada to second this motion.

(Michael Ogada bowed to second the motion)

(Question proposed)

Hon. Temporary Deputy Speaker: Hon. Members, you can debate. Deputy Majority Leader?

Hon. Millicent Mugadi: I rise to support this motion that has been brought by Hon. Nancy. Hygiene is very important and environment is something that should also be factored in this developing city of ours. As you can see in her motion, with a policy and action oriented activities implemented, we would be saving the environment and the future generations for breathing clean air and ensuring that hotels and water resources that are around us are hygienic and healthy for human consumption. I rise to support.

Hon. Temporary Deputy Speaker: Deputy Minority Leader?

Hon. Patrick Musili: Thank you, Mr. Speaker. I rise to support this motion. In the interest of time, we know that there is an election that is going on in Kibra and as you can see most of my members have excused themselves to attend that election to ensure that it goes on well. I will not take a lot of time on this. Mine is to congratulate *Mheshimiwa* Nancy for such a brilliant motion at a time like this.

I have got an observation. During the time that we have been taking tea in some of these restaurants, we have seen laxity in enforcing cleanliness in the restaurants. I want to support this motion and say that in addition to checking and enforcing the existing laws, I would also propose that we do an audit of the premises that have these restaurants and also ensure that sanitary facilities are provided and are also clean.

Mr. Speaker, in this enforcement of this food hygiene in the restaurants we need to ensure also that the food handlers have got the relevant health certificates to handle food. The environment around these restaurants should be clean so that we promote a healthy working environment within Nairobi. I support this motion. Thank you, Mr. Speaker.

Hon. Doris Kanario: Thank you Mr. Speaker. First and foremost, I would like to congratulate our new leadership and wish them well in their new positions. They are people I believe in. I also take this opportunity to thank the two members who come from the Trade Committee where I serve, they are able leaders and I believe they will be able to take this assembly a notch higher.

On this motion, I wish to congratulate Hon. Nancy. Apart from hygiene Mr. Speaker, I would like to urge this Assembly and the new leadership to consider a Catering Committee in this Assembly. We need one to oversee these restaurants and hotels around this county. This motion comes very handy because we always have cases of cholera in this city. I believe we should have a catering committee which can oversee this and also account on the premises that we have and check on the hygiene through site visits. I support this motion.

Hon. Temporary Deputy Speaker: Mover?

Hon. Grace Muthami Thank you, Hon. Speaker and members. I need to thank in particular Hon. Ogada for seconding this motion, Hon. Patrick Musili, Hon. Millicent Mugadi, Hon. Doris Kanario and any other who were willing to support this motion. I beg to reply.

Hon. Temporary Deputy Speaker: Thank you Hon. Members. before I put the question. I would like to congratulate the new leadership; Majority, Deputy and Hon. Juju.

(Applause)

We hope you will bring good transformation in the Assembly, fairness and equality to each and every Member.

(Question put and agreed to)

(Hon. Temporary Deputy Speaker left the Chair)

(Hon Speaker resumed the Chair)

COMMUNICATION FROM THE CHAIR

THE NAIROBI ICPD 25 SUMMIT

Hon. Members, allow me to give a communication under our Standing Order No. 45 (e). Hon. Members, I wish to convey a communication regarding the ICPD 25 Summit in Nairobi City County. Hon. Members, as you may be aware, from 12th to 14th November 2019, the Governments of Kenya and Denmark and UNFPA are co-convening the Nairobi Summit on ICPD25, a high-level conference to mobilize the political will and financial commitments centered around achieving the need for family planning information, zero preventable maternal deaths, zero sexual & gender-based violence and harmful practices

against women and girls. The summit will be taking place in at the Kenyatta International Conference Centre with accreditation of the same at the Chatter Hall.

Hon. Members, the Summit aims to bring everyone together: heads of state, ministers, parliamentarians, thought-leaders, technical experts, civil society organizations, grassroots organizations, young people, business and community leaders, faith-based organizations, indigenous peoples, international financial institutions, people with disabilities, academics and many others interested in the pursuit of sexual and reproductive health and rights. Accordingly, Hon. Members, you have all been invited to attend the summit for the interest of your electorates. You are requested to visit the Public Relations Department for your accreditation.

REFERENCE AND CITATION TO THE COMMUNICATION ON THE APPOINTMENT OF THE NEW ASSEMBLY LEADERSHIP

Lastly, Hon. Members, following the directions I gave earlier, on the appointment of the new Assembly Leadership from the Majority side and in particular, by the Jubilee Coalition, allow me to make reference and citation to the earlier mentioned Communication by the Senate Speaker on 20th March 2018 on replacement of the then Senate Minority Leader, Sen. Moses Wetangula with Sen. James Orengo.

Allow me to quote the communication Hon. Members, by the Senate Speaker, Hon. Ken Lusaka: *"Hon. Senators will recall that on that occasion, I made an elaborate assessment of the facts of the matter and the governing constitutional and legal provisions, including the relevant provisions of the Standing Orders. In the end, I made a determination of this matter as follows-*

That I found and held that on the basis of the letter of the Senate Minority Whip of Thursday, 15th March, 2018 and the minutes and signatures appended thereto, the criteria and threshold set out at Standing Order No.20(4) had been met and Sen. Moses Wetangula had accordingly been validly removed from the office of the Senate Minority Leader." I also found and held that to the extent that pursuant to Standing Order 21, the appropriate entity to elect a Minority Leader of the Senate, is the NASA Coalition and to the extent the entity and the meeting that had purported to elect a new Minority Leader of the Senate, was the ODM Parliamentary Group, an organ of the constituent party of the NASA Coalition which entity is unknown to the Senate. The requirement of Standing Order No. 20 had been met and accordingly the removal of Senator Moses Wetangula".

Hon. Members, why have I cited that? It is because the same threshold that the Jubilee Coalition has brought to this House has been met based on our Standing Orders. On their Constitution, Article 19-- Therefore, if anyone, and I want to repeat, if anyone has an issue must go back to the party to deal with the matter. *(Applause)* It is not a matter of the County Assembly of Nairobi but a political matter that must be dealt with by the Coalition of Jubilee under the leadership of your Secretary General, Hon. Raphael Tuju.

ADJOURNMENT

Hon. Members, there being no other business, this Assembly stands adjourned to next Tuesday 12th November 2019 at 2.30 p.m.

The House rose at 4:01p.m.

