



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Third Session

Thursday 21<sup>st</sup> March 2024

The House met at 2.30 p.m.

*[The Speaker (Hon. Kennedy Ng'ondi) in the Chair]*

#### PRAYER

**Hon. Speaker:** Thank you, Hon. Members, you may be seated.

#### QUORUM

**Hon. Speaker:** Hon. Members, the attention of the Chair has been raised for a lack of quorum in the Assembly. Under Standing Order 37 (2), I direct the Serjeant-at-Arms to leave the door open as he rings the Bell for 10 minutes.

*(Quorum Bell was rung)*

*(A Hon. Member left the Chamber)*

Serjeant-at-Arms, how do you allow a Member who is not the Whip to leave the Assembly? That is a breach of procedure.

Clerk, we may proceed.

#### COMMUNICATION FROM THE CHAIR

REQUEST BY THE GOVERNOR TO  
ADDRESS THE COUNTY ASSEMBLY

**Hon. Speaker:** Good afternoon, Hon. Members. I have the following communication to relay to the Hon. House. This is in regard to the request to address the Nairobi County Assembly for the State of the County address by His Excellency the Governor. And I read.

As we continue to navigate the challenges and opportunities that face our great County of Nairobi, the importance of collaboration and communication between the Executive and the Legislature branches of our County Government cannot be overstated.

In accordance with the provisions of the County Governments Act, specifically under Section 30 (2) (k), I hereby express my intention to fulfil this statutory duty by addressing the Honorable Members of the Nairobi County Assembly on the 28<sup>th</sup> March 2024, where I will present the accomplishments of the past year, the challenges we have faced, the lessons we have learned, and the future outlook of our County's development agenda.

I am confident that this address will serve as cornerstone for our continued collaboration and mutual understanding, as we endeavor to serve the residents of Nairobi with dedication and integrity.

Please accept, Hon Speaker, the assurances of my highest consideration. I look forward to your response and the opportunity to engage with the Assembly on the proposed date."

Hon. Members, as communicated, I hope you have digested and understood the request of the Governor.

Again, on the subsequent date of 28<sup>th</sup> March 2024, the Assembly shall be on recess. For that reason, I direct the Leader of Government Business in the Assembly, the Hon. Majority Leader, to liaise with the Governor and communicate the appropriate date. Hon. Majority Leader, kindly take note.

**Hon. Peter Imwatok:** Most obliged, Hon. Speaker.

**Hon. Speaker:** Thank you. Hon. Members, you are so guided.

### *Point of Information*

**Hon. Peter Imwatok:** Hon. Speaker, as a Point of Information to your authority, not once or twice that you have directed the offices of the Leader of the Majority and the Minority Leader be given ample respect and the powers they deserve. The Standing Orders requires that the entire business of the Government at any given time be brought through the office of the Leader of the Majority, and in the absence of the Leader of the Majority, it should be brought through the office of the Leader of the Minority. If the Minority Leader is absent, it should be brought through the office of the Deputy Majority Leader. If the Deputy Majority Leader is absent, it should be brought through the office of the Deputy Minority Leader. In the absence of the said four officers, the whips of the respective parties can bring the business to the floor of the House.

Hon. Speaker, yesterday, there was un procedural tabling of the Supplemental Budget before this House by a Member of the County Assembly. In lieu of the same, I had not delegated anyone duties, as required by the Standing Orders.

Therefore, I request that the supplementary budget tabled yesterday by Hon. Hashim, through your indulgence, be restructured so that we can do it procedurally and present it to this Assembly.

**Hon. Speaker:** Thank you, Hon. Majority Leader. We take responsibility for the mix-up. As the Chair, I so direct that the Paper be properly laid before the Assembly.

## PAPER

### NAIROBI CITY COUNTY SUPPLEMENTARY (I) BUDGET ESTIMATES FOR FY 2023-2024

**Hon. Peter Imwatok:** Hon. Speaker, pursuant to provisions of Section 135 of the Public Finance Management Act, 2012 and Standing Order No. 234 (1), I beg to lay the following Paper on the Table of the Assembly, today, Thursday 21<sup>st</sup> March 2024:

The Nairobi City County Government Supplementary I Budget Estimates the Year 2023-2024. Thank you, Madam Speaker.

Hon. Speaker, I beg to lay with a rider, that the chairs of the committees should stick to their chairmanship and allow the Leader of Majority and the Leader of Minority to exercise their duties as correspondents of the Government business. Thank you, Hon. Speaker.

*(The Paper was laid on the Table)*

**Hon. Speaker:** Hon. Majority Leader, thank you for your understanding. I direct that the Paper laid be committed to the Budget Appropriation Committee. The Chairman, kindly make an undertaking.

*(Hon. Hashim Kamau spoke off the record)*

**Hon. Speaker:** Order, Hon. Hashim!

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker, noted.

**Hon. Speaker:** Thank you. Clerk, let us proceed.

## STATEMENTS

### RESPONSE TO STATEMENT REGARDING STATUS OF PENDING PAYMENT OF ALL CONTRACTORS WHO HAVE COMPLETED THEIR PROJECTS

**Hon. Speaker:** The Chairperson of the Select Committee on Ward Development Fund, Hon. Dabar, on a response to Statement requested by Hon. Redson Otieno. Do you have the report?

**Hon. Dabar Mohamed:** Yes.

**Hon. Speaker:** Is Hon. Redson Otieno in the House? You may proceed because it is a product of the Assembly. This is now the second time the Member is not in the House, so, maybe he will get the brief from the Chair himself. Kindly proceed.

**Hon. Dabar Mohamed:** Hon. Speaker, on Tuesday 20<sup>th</sup> February 2024, Hon. Redson Otieno, MCA, rose on the floor of the House pursuant to Standing Order 47 (2) (c) and requested a Statement regarding the status of the pending payment of all contractors who have completed their projects across the City, particularly Ngei Ward.

In the Statement, the Member requested the Chairperson to inquire into the report on:

- i. Whether the County Executive has set aside a budget to pay the said contractor;
- ii. List of all paid and unpaid contractors across the County; and
- iii. Steps that the County is taking to resolve issues of non-payment to contractors for full implementation of County projects.

Hon. Speaker, the Committee wrote to the County Secretary on 21<sup>st</sup> February 2024, seeking a response to the Statement requested by the Hon. Member. The Committee was furnished with a response to the issue raised by the said Member.

Upon consideration at the meeting held on 6<sup>th</sup> March 2024, both the Member and the Acting County Chief Executive Officer responsible for the Ward Development Program were in attendance. Hon. Speaker, the response was found to be satisfactory.

I wish to report to the house as follows:

**Whether the County Executive has set aside a budget to pay the said contractor;**

The County Executive has set aside a budget to pay the said contractors.

**List of all paid and unpaid contractors across the County;**

The list is attached herewith.

**Steps that the County is taking to resolve issues of non-payment to contractors for full implementation of county projects;**

The Committee committed to enhance revenue collection to ensure cash flow that fast-tracks payment of contractors.

Hon. Speaker, a copy of the detailed response has been given to the Hon. Member, and further copies are attached to this report.

Hon. Speaker, I beg to lay this response to the Statement. Thank you.

**Hon. Speaker:** Thank you, Hon. Dabar. Now that the Hon. Chair of Water, Hon Redson is not in the Assembly, any Member who would want to react on the report? I hope you Members were following keenly. The Hon. Majority Leader, please.

**Hon. Peter Imwatok:** Hon. Speaker, the issue of the Ward Development Fund is key to me. I believe by the time Hon. Redson Otieno was asking this particular question, there was some kind of opaqueness in the manner in which these projects were going to be implemented.

Hon. Speakers, as the head of Government Business in this House, I want to confirm to the Hon. Members present here that all the projects for the financial year 2022/2023 that were in IB, currently as we are speaking, they are waiting for the signature of Margaret Nyakango, the Controller of Budget. I hope and believe that this time round Nairobi County performed dismally in the implementation of its development vote. By paying more than Kshs. 600 million, as it has been shown by the Treasury evidenced by the work plan, it will take Nairobi County of its crystallization of WDF through a capital project at a different level.

I also want to tell Hon. Members that history has always judged us right. For those who were here during Beatrice Elachi's time, there was a time Central Bank refused to even give us salary. We left this Chamber and went to the Central Bank and made sure our salary was remitted. This may also count as a warning to the Controller of Budget, that we are tired. Nairobi County is painted as a county that does not utilize the development vote. But when the development vote arrives at the COB, it takes another month. Hon. Speaker, it is not right, and it is not just for the people of Nairobi.

Hon. Speaker, the recurrent expenditure for Nairobi is too high as compared to the development vote. I expect Dr. Margaret Nyakango and the entire Treasury that the moment they receive form C to effect the payments for ward based projects, they do it as quickly as possible so that we go back to the year 2021/2022, and then the subsequent current development projects for 2023/2024.

As leadership, in our meeting in Naivasha, we laid bare on the table of His Excellency the Governor that on the issue of the Ward Development Fund, there is no compromise.

*(Applause)*

We said clearly that everything brought into this House will be measured by the success of the Ward Development Fund. That one I am prepared to lead with my counterpart so that we can get what is rightfully for the people of Nairobi, and also get some development taking place in our small units called wards.

Hon. Speaker, I think my Member, Hon. Regi will be in conformity with it. I am grateful for the Chair, especially the Vice Chair and the three...

**Hon. Members:** Musketeers.

**Hon. Speaker:** Do not go there, Hon. Majority Leader.

**Hon. Peter Imwatok:** Hon. Speaker, I just said, "and the three."

**Hon. Speaker:** Just be mindful, you are the Leader of Government Business.

**Hon. Peter Imwatok:** Yes. I have just appreciated the Chairman, the Vice Chair, Hon. Samora, and the friends of the Committee.

*(Laughter)*

**Hon. Speaker:** Thank you very much. Any Member? Clerk, we proceed.

## MOTION

### ADOPTION OF REPORT ON SITE VISIT TO VARIOUS NAIROBI CITY COUNTY WATER OUTPOSTS

**Hon. Speaker:** The Chairperson of the Committee on Public Investments.

**Hon. Hashim Kamau:** Thank you, Mr. Speaker. I beg to move the following Motion:

THAT, this Assembly adopts the report of the Select Committee on Public Investments on their site visit to various Nairobi City County water outposts, held from January 15<sup>th</sup> to 20<sup>th</sup> January 2024, laid on the Table of the Assembly on Tuesday 12<sup>th</sup> March 2024.

Mr. Speaker, I will not take more than three minutes. I will just go to the introduction and then to the recommendations.

Mr. Speaker, The Public Investments Committee is a committee established under our Standing Orders, in particular Standing Order 204 (5) that established the Committee. The Standing Order provides that the Public Investments Committee shall be responsible for the examination of the workings of public investments in the County.

*(Loud consultations)*

It was Hon. Kiogora who was disturbing. Mr. Speaker, you can protect me.

**Hon. Speaker:** Hon. Chairperson of PIC, you are transacting a very serious business before the Assembly. This is a report of the Committee, so, any sideshows are not allowed.

**Hon. Hashim Kamau:** Mr. Speaker, the Select Committee on Public Investments while examining the report of the Auditor General on the financial statements of Nairobi City Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June 2021, observed recurring audit issues. As such, we resolved to conduct site visits to various Nairobi Water outposts to verify the same and make appropriate recommendations.

Mr. Speaker, we did the visits. We started with Ruiru Dam. The Committee noted that the land had already been surveyed and amalgamated, and as such, it recommended that the management develop a comprehensive utilization plan for the survey and amalgamation, considering factors such as environmental sustainability, community needs, and economic development goals.

Mr. Speaker, the following day, we went to Dandora Sewerage Treatment Works in Ruai. The following day, we went to Thika Dam; that is Ndakaini in Muranga County. The Committee recommends to the management that the survey parcel be amalgamated to streamline administrative processes and ensure more efficient management of the area.

On 17<sup>th</sup> January 2024, we did a site visit to the Ngethu Treatment Plant. The Committee recommends that the management considers potential expansion or upgrades to the treatment plant, infrastructure to meet future demands, and ensure reliable water supply to the growing population in the area.

The following day, Mr. Speaker, we went to Sasumua, followed by the Kiburu River Water Diversion Scheme, and then to the Chania - Sasumua River.

Mr. Speaker, following the visits, the Committee urges this Assembly to resolve as follows:

1. That the Managing Director and the relevant Chief Officer should liaise with the relevant government agencies such as the Ministry of Lands and the National Land

- Commission, among others, to ensure that they secure ownership documents for all Nairobi City Water Sewerage Company Limited lands.
2. That the National Government, in conjunction with the County Government, prioritizes the development of new water sources, that is the Northern Collector Phase II and Maragua Dam.
  3. That the Managing Director and relevant Chief Officers of the County Government should have updated fixed asset registers in the format prescribed by the National Treasury and submit the same to the Auditor General for audit within 60 days from the adoption of this report. A copy of the same should be submitted to the County Assembly for follow-up purposes.
  4. That the management in collaboration with the relevant County Government to engage with the local communities and stakeholders to raise awareness about the importance of preserving the land for its intended purposes and seek the support in safeguarding it from threats.
  5. That the management to advocate for targeted infrastructure investment in the survey and amalgamation land to support planned development activities.
  6. That the management to initiate a thorough review and resolution process to address the lack of legal documentation and perimeter walls for the County-owned land parcels, prioritizing the acquisition of necessary documentation, and the construction of perimeter walls where applicable to enhance asset security; and
  7. That the riparian land conservation and water catchment area be protected for posterity, as envisaged in the National Water Act.

Mr. Speaker, I call upon Hon. Helen to second the Motion. Thank you.

**Hon. Hellen Okello:** Asante sana, Bwana Spika kwa fursa hii umenipa ili niweze kuchangia na pia kuunga mkono.

Bwana Spika, kama alivyosema Mwenyekiti wangu wa Kamati ya Uwekezaji wa Umma, ni kweli kuwa tulitembelea kule na tukajifunza mengi. Napongeza Kampuni ya Maji ya Nairobi kwa jitihada ambazo wanaweka kuhakikisha kuwa wananchi wa Nairobi wanapata maji safi.

Bwana Spika, sisi kama Waheshimiwa, ni jukumu letu kulinda mali ya wananchi kwa maana tulipata watu wengi sana wanataka hizo shamba. Pia nataka kuwaambia Waheshimiwa wezangu kuwa wakati wanapoitwa ili watembelee vituo kama hivi, waweze kuzuru maana watajifunza mengi. Kwa hayo machache, Bwana Spika asante.

**Hon. Speaker:** Asante sana.

*(Question proposed)*

**Hon. Speaker:** Hon. Kiogora, please.

**Hon. Eric Murigu:** Thank you, Mr. Speaker. I rise to support the report that has been tabled by the Chair. I am a Member of PIC, and I was also in that site visit. As Hon. Hellen has said, we were able to learn a lot. We thank the management because we were well received. We visited Sasumua Dam, Ngethu, Ndakaini, and Ruai. I noted we have another investment in Ruai;

we have hippos. I do not know how they arrived in that dam, but I think that is another investment that we should also be allowed to manage.

Mr. Speaker, I urge Hon. Members that any time that we are requested to do a site visit, let us go in large numbers so that we can be able to learn a lot. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Peter Mwaina Mwangi.

**Hon. Peter Mwangi:** Thank you, Hon. Speaker. I also want to support the report by the Public Investments Committee. I urge this Hon. House to do their best to protect the land from encroachment. We need to protect it for the future generations. Where will we have those facilities like the sewers or the water reservoirs when all the lands are encroached? If we do not work hard to protect the land from encroachment, I think we will wait for the innovations of building the sewers upstairs.

I think the Ruai Sewerage should be opened to the public so that they can see the work being done by the Nairobi City Water and Sewerage Company. When we went there with my Members of the Public Investments Committee, we did not know the work being done. We sometimes complain about the Nairobi water, but they do a great job. By the time water comes to our taps, a lot has been done. Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Minority Leader.

**Hon. Anthony Karanja:** Thank you very much, Hon. Speaker. First, I would like to congratulate the Committee for their comprehensive report, which even includes photographic evidence that they actually went for those site visits.

Hon. Speaker, when you listen to the recommendations, I am happy to hear that the Assembly is being urged to make the Executive reclaim and get ownership documents for the Nairobi Water properties. A good example is the Ndakaini Dam that Nairobi County acquired and paid Muranga County. But many times before the issue is resolved, usually Muranga County claims that they give us water. They cannot be giving us water for a dam that we own and whose title deed we have. So, it is important that they do that.

Hon. Speaker, where I come from, which is the Dagoretti South, our greatest problem is water. It is important that after the adoption of this report, the Executive and Nairobi Water will work on new water sources for this County because the rate at which Nairobi County is growing, we will continue needing more and more water for the residents.

Hon. Speaker, I would like to support and ask the Committee to keep working hard. I also encourage Members and other committees to be able to be doing such comprehensive reports which we are happy to debate, and encourage and push the Executive to implement. Thank you.

**Hon. Speaker:** Thank you. Hon. Isalambo.

**Hon. Emmy Isalambo:** Thank you, Hon. Speaker. First, I want to congratulate the Committee for taking its time to do all this thorough work. As we all know, water is life. 70% of our body is made up of water. Therefore, I encourage Committee to do more visits, and through that oversight, we will have clean water.



I urge the Executive to work hand in hand with the committee that is responsible for water. By doing this, Nairobians will be happy because you are taking care of their health. Thank you, Hon. Speaker.

**Hon. Speaker:** Hon. Member for Ruai Ward you are leaving the House yet this is at your doorstep. Please, we would want to get your version of the report, please. Your input is very critical. Hon. Clarence, you may proceed.

**Hon. Clarence Munga:** Thank you, Hon. Speaker for giving me an opportunity. First, I take this opportunity to congratulate the Chair of the Public Investments Committee for coming up with a good report.

Secondly, Hon. Speaker, it has been a culture that every time the Auditor's report comes out, the same issues arise every financial year. I was the Vice Chair of the Public Investments Committee from the year 2013 to 2016. On the issue of the lands, we tried to bring to the attention of the Executive that all the lands that belong to the Nairobi City Water should have titles. We gave the responsibility to the then Chief Officer, SG Mwangi. He is now the CECM for Lands. The committee needs to ensure that he provides these title deeds within a particular timeframe. Because if we continue like this, all the lands will be encroached. For example, the Loresho Water Reservoir was encroached. It is actually a security threat to Nairobians. If we allow people to encroach those lands and somebody put something on our water reservoir, what will happen to the residents of Nairobi? We need to ensure that all the properties are secured. We need to put a perimeter wall around those properties.

We also have Karen ponds where the land was subdivided and people have titles. We told SG to do revocation of those title deeds. Therefore, I want to support this report, with recommendation that SG be given the responsibility to deliver these titles within a particular period. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you. Hon. Samson.

**Hon. Samson Ooko:** Hon. Speaker, I am also a Member of this wonderful Committee led by Hon. Hashim Kamau. I was part of the delegation that went across from the first site to the last one. In all these visits, the major thing our staff were complaining about was the matter of land with the neighbors. Many of the neighbors have encroached and even claiming ownership of the land. At some point, the staff could not even work in the offices because of interferences from the communities.

Therefore, as other Members have said here, it is important that we take drastic actions so that anyone walking around these areas know that they were purchased by the Nairobi County and belong to us. I am glad that by the time we went there, at least the pressure was down. Another question was, who is keeping the titles? Is it the County or the National Government? If the lands and the water belongs to us, then it is the County that should be keeping the titles?

As our leader, Hon. Speaker, I wish you take all the Members to these dams so that they know where our water is coming from. They will have firsthand information and experience of

how water is purified to the level of being supplied to the taps. I don't know whether the laws will allow us to one day, under your guidance, take all the Members to all the dams.

**Hon. Speaker:** It is allowed. That is the Committee of the Whole Assembly.

**Hon. Samson:** Wonderful. So, I beg that one day you organize for a retreat so that all the Members can know where our water is coming from and the threats.

Lastly, Hon. Speaker, under your leadership, we are proud of you. For most Members of the Public Investments Committee, it was their first time visiting the Nairobi Water properties in Ndakaini and Sasumua Dam. You can see the photos here how shocked they were. Some of them were thinking they were in America or Japan. It was a wonderful retreat. I humbly beg this House to consider having another one for all the Members. Thank you.

**Hon. Speaker:** Hon Member for Ruai, please. Kindly press you have mic.

**Hon. James Kariuki:** Thank you, Hon. Speaker. I take this opportunity to support the report. In Ruai, we hold the biggest sewer reservoir in Eastern and Central Africa. I think it is well taken care of. When the Members went there, they found that it is fenced, only one side of it is not fenced. We should put more effort so that where they are such kind of facilities, they should...

**Hon. Speaker:** Hon Member, the report indicates it is under threat from the neighboring community.

**Hon. James Kariuki:** Where is under threat, Ruai, Sasumua or where?

**Hon. Speaker:** You are not in support of the report of the Committee on Ruai Sewer?

**Hon. James Kariuki:** From my position, Ruai Sewer is well taken care of, Hon. Speaker.

**Hon. Speaker:** So, you are not in concurrence with the report that the...

**Hon. James Kariuki:** I support the report so that other facilities can be well taken care of because he did not mention only Ruai.

**Hon. Speaker:** Hon. Hashim Kamau, as the Chair, is that the true position?

**Hon. Hashim Kamau:** The Member is in support of the report.

**Hon. Speaker:** But he is saying the land is safe.

**Hon. Hashim Kamau:** Maybe he has not checked the report, but he is in support.

**Hon. Speaker:** Hon. Member, please you are the custodian of the property of the County Government as the area Member. Now, your contribution is contrary to the report. You are assuring the House that the land for the sewer is safe, but the report says otherwise.

**Hon. James Kariuki:** I thought they are talking about other facilities, not only Ruai.

**Hon. Speaker:** Maybe the Chair of PIC needs to share the report with you.

**Hon. James Kariuki:** Yes, they need to share it with me. But I also want to share my sentiments. Currently, works are being done in my ward and Deputy Speaker's ward for us to get more water. People from Ruai to Kamulu will get water for the first time. So, I thank Nairobi Water for the good works they are doing. We made a request like 11 months ago, and I appreciate the works ongoing in my ward. For the first time, we will get water from the Nairobi City Water and Sewerage Company. God willing in the next 10 to 12 months, we will be drinking water from the Nairobi City Water and Sewerage Company. My ward is the largest Ward in Nairobi County...

**Hon. Speaker:** Hon. Member, as the custodian of the property for public use, do you want to assure this House that the land meant for future extension is safe?

**Hon. James Kariuki:** It is safe, Hon. Speaker.

**Hon. Speaker:** Apart from the one which has been fenced?

**Hon. James Kariuki:** Which one else?

**Hon. Speaker:** The land meant for future extension is safe?

**Hon. James Kariuki:** Hon. Speaker, maybe I am not understanding, which land is this we are talking about, the land meant for Nairobi City Water and Sewerage Company?

**Hon. Speaker:** Exactly. There is a section not in use. That is what we are talking of.

**Hon. James Kariuki:** Hon. Speaker, there are different lands there, so, maybe I should be given the report to understand it better than what I have heard here in the House. What I know, the land meant for the Nairobi City Water and Sewerage Company is safe. Even I can put it as under lock and key.

**Hon. Speaker:** Thank you for that assurance.

**Hon. James Kariuki:** Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Hon. Majority Leader.

**Hon. Peter Imwatok:** Hon. Speaker, this issue of the Nairobi City Water and Sewerage Company lands should not be just swept under the carpet. As much as Hon. Karis is trying to swallow his tongue to say our land is safe in Ruai, I want to say affirmatively that the land that belongs to the Nairobi City Water and Sewerage Company and other social amenities are not safe. That is the truth of the matter. I am also proud of my Committee under Hashim Kamau. This is a Committee whose Members who are all in the Assembly to defend their report. You better clap for yourself in a parliamentary manner.

*(Applause)*

Apart from the Budget Committee where Members are there to support their reports, I have also seen sometimes Culture Committee and Justice and Legal Affairs Committee. But there are other committees whose Members are not there to even support their own report. We must give accolades to the Chair and the Vice Chair of this Committee.

Hon. Speaker, delving into the report, the issue of Nairobi Land needs another ad hoc committee. Men and women supervised by the County Government went to Eastleigh and demolished all the Nairobi City Water and Sewerage Company houses and erected high-rise buildings. It just went like that and we kept quiet. Also, the Nairobi City Water and Sewerage Company houses in Gigiri were demolished and commercial houses erected. The Nairobi City Water and Sewerage Company has lost more than a quarter of its land. It is not only Sasumua, that is rural area; we are talking about prime lands in the capital city of Nairobi. If you go to Kariobangi, the Nairobi City Water and Sewerage Company has lost land just like that, and no one is blinking about it.

I think this is the best report capturing our visits. As a committee, let us identify and focus which land belong to the County Government, who took it, how did it change hands, and how do we get it back. Hon. Speaker, there is a big impediment in this County called SG Mwangi.

*(Applause)*

As the Leader of Majority, if I don't speak these things, one-day history will eat me. You had a chance to speak but you kept quiet. Luos say, "you kept quiet because you swallowed *buor*." While indeed I don't have that *buor* in my mouth. *Buor* means bone marrow in Luo. If I don't speak these things today, history will judge me wrongly. I want to repeat again, the impediment on issue of land is one SG Mwangi. If he has no interest, that land has no interest whatsoever. I repeat, today if SG Mwangi...

**Hon. Speaker:** Hon. Majority Leader, please. The person you are mentioning is not in the Assembly to defend himself. For that reason, if you have anything against the CEC Member, you need a substantive Motion.

**Hon. Peter Imwatok:** Yes, you know me very well, Hon. Speaker. Next week, I will bring a substantive motion to discuss this particular CEC Member.

**Hon. Speaker:** Thank you.

**Hon. Peter Imwatok:** We are not going to entertain a County which is run like a market; who has strength, gets it all. This not the days of 1648 of the Treaty of Westphalia, whereby if you are stronger than me, you own the entire city. These are situations whereby we must defend what our children's children will come to defend. We are boxing Karis on a corner and he has only been elected one year and six months. This land was lost by a conspiracy between the leaders of this House, and SG Mwangi and cahoots. Including Dupoto Darfur. It must be spoken. Our sons and daughters have lost money in Dupoto Darfur.

*(Applause)*

People are shy to speak about these things. Why are we elected, Hon. Speaker? Why did we take an oath of office in this particular corner if we cannot speak? Dupoto Darfur is an issue. Our people sacrificed; the people of Kibera died in Dupoto Darfur. Today, three men are driving big machines on the road courtesy of the blood and sweat of the people of Kibera, and no one can speak about it. Even you, Hon. Speaker, you have never told us you lost a lot in Dupoto Darfur.

What happened with the land in Eastleigh that belonged to the Nairobi City Water and Sewerage Company? What happened with the land belonging to Kariobangi South for the Nairobi City Water and Sewerage Company? What happened with Gigiri land? What happened to Sasumua? Hon. Speaker, this is something that we need to adjourn this House, discuss, and come with a way forward. If the impediment is SG Mwangi, we will give it to Governor Sakaja to make changes. There is no need at my age to come in this Chamber and to lie to everyone that all is well while it is not.

The Lands Sector is rotten, nothing moves. If you go to Eastleigh, South C, Kilimani and Kileleshwa, there are challenges. We cannot keep quiet. I am speaking as the Leader of Government, that we must put our House in order in terms of land. There is a problem in this sector which has to be sorted out. You may think my conviction is wrong and yours is right, but I can assure you mine is right. Because for 13 years, I have been watching there is a problem.

*(Applause)*

Chair of PIC, as you start delving on the issue of land for the Nairobi City Water and Sewerage Company, we will walk with you with the entire Committee. We want lands belonging to the Nairobi City Water and Sewerage Company in Eastleigh, Kariobangi, Gigiri and Karen returned to the County.

Hon. Speaker, there is also the issue of titling. Why does it take many years for a title of a County amenity to be acquired yet the same County can prepare a title in Tasia? Have you asked yourself how can the county get a title for a 50x100 plot in Tassia but cannot prepare a title for 20 acres of its own assets? Does it make any sense that all our primary schools have no title deeds, but somebody in Dandora has a title deed which has been prepared by the County Government of Nairobi? There is a problem, Hon. Members. Most of you think that we Members have eaten; eating what when the public is rotting? We have never eaten as leaders in our lives.

Thank you, Hon. Speaker, in Naivasha you told us you used to earn Kshs.5.3 million as a developer before you came to this Assembly. We must stand firm. Hon. Karis, you cannot help yourself in that ward, it is us to come and help you because you are in a corner. I am told calls come from everywhere. Ruai is a ward where everybody in this country visits at night to demarcate land. Am I lying Hon. Karis? So, when the Speaker is asking you these questions, he knows why he is asking you. I am told that all big cars roam in Ruai at night to survey which land to be taken. This must stop. The only people who can stop this is us. Stop seeing what Hon. Imwatok has done, let us see what we can do for the County. We are becoming petty and trivial instead of looking at things that matter. One day you will walk out of this House and say that Assembly saved the County Government of Nairobi and Nairobians, not that Hon. Imwatok made millions of monies. We cannot continue like this, Hon. Speaker.

Hon. Hashim you have a great task ahead, let us help and support you so that we can help the people of Nairobi. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you. Hon. Munuve, please proceed.

**Hon. Joel Kimanzi:** Asante, Mheshimiwa Spika. Kwanza, ningependa kushukuru Kamati hii kwa kazi nzuri ambayo walifanya na kuwapa kongole kwa sababu wamefichua mambo ambayo watu wengi wanaogopa kusema.

Nimesimama kuunga mkono kwa sababu wodi yangu ya Kariobangi North ni mojawapo ya wodi ambayo imekuwa na mushkili kwa mambo ya mashamba ambayo yanamilikiwa na Kampuni ya Maji na Taka ya Nairobi. Mheshimiwa Spika, nilichukua muda wangu kutembea pale kutaka kujua shamba hilo lilikuwa ya dhumuni gani. Wahandisi niliowapata pale wakanieleza

kuwa shamba lile lilikuwa ya upanuzi wakati Nairobi itakuwa na watu wengi. La ajabu ni kwamba, kuna watu ambao wanasema wanamiliki shamba lile. Ningetaka kamati hii vilevile iangalie zile ramani za Nairobi za kwanza ambazo zilikuwa za kusema sehemu hii inanuiwa kufanywa jambo hili, ndio tujue kama sehemu hiyo ilikuwa ya ukaaji wa watu au ilikuwa imetengwa kwa ajili ya Kampuni ya Maji ya Nairobi. Tunapongea, watu wemenyakua shamba hili hadi karibu na ofisi ya Kampuni ya Maji ya Nairobi. Watu wale wanaofanya kazi katika ofisi hizo wanahofia usalama wao kwa sababu hao watu ambao wamenyakua hiyo ardhi wanasema wako na cheti.

Ninaunga mkono vile Kiongozi wa walio wengi katika Bunge hili alivyosema, na nawaomba Wabunge wenzangu tusimame kidete kwa sababu itafika siku ambapo Nairobi haitaweza kufanya mambo mengine kwa sababu mashamba ambayo yalikuwa yamenuiwa kufanya haya mambo yatakuwa yamenyakuliwa. Kama alivyosema Kiongozi wa walio wengi, historia itatuhukumu vikali kwa sababu mambo haya yanafanyika wakati ambapo sisi ni Wabunge katika Jiji la Nairobi. Kama wawakilishi wa wodi, tulisema au tulifanya nini? Ningependa sisi sote kwa pamoja tusaidie kuokoa ardhi ambayo imetengwa kwa manufaa ya Kampuni ya Maji ya Nairobi ikaweza kurudishwa kwa shirika hilo. Mambo ya kukatakata ardhi hiyo tukatae katakata. Asanteni na muendeleo na kazi nzuri ambayo mnafannya kwa Kamati hii.

*(Applause)*

**Hon. Kamau Fiunifu:** Thank you, Hon. Speaker.

**Hon. Speaker:** The last speaker before the mover replies, Hon. Akama.

**Hon. Kamau Fiunifu:** Before I congratulate the Chair of this Committee and its Members, Mr. Speaker, allow me to congratulate the Majority Leader for being quite forthright today on the matters he has raised in this Assembly. I am looking forward to when he will table a substantive motion to that effect because this is not a talk show; this is a result oriented House. I congratulate the distinguished Chairman, Member for California Ward, and the Members of the Committee for coming up with commendable recommendations. If they are implemented, they will have an impact as far as the delivery of services to Nairobians is concerned.

Hon. Speaker, the issue of encroachment has been touched. It is however important to note that the encroachment that we are talking about is not by the poor people or people who reside in the slums, it is by the powerful, mighty, and the politically correct people. The Nairobi City Water and Sewerage Company has over the years been losing land to individuals and the National Government. I would like to mention Athi Water Services; as much as we have a national framework on water and resources, Nairobi County has lost in a big way because we are looking into a future where Athi Water Services would be selling water to the Nairobi City Water and Sewerage Company, which in turn will be selling water to the residents of Nairobi. That arrangement would be very expensive for Nairobians. It is up to the PIC Committee and Water Committee to look into this issue.

Hon. Speaker, this House and especially PIC Committee must pronounce itself on various parcels of land that are contested by other counties. For example, Murang'a County is in the habit

of blackmailing Nairobi City County on the ownership of Ndakaini. I think it is important that the next report that this Committee is coming up with should be very express.

Lastly, Hon. Speaker, I would like to pronounce myself on not just encroachment on a parcel of land which has been mentioned here by the Member for Makongeni Ward; the Gigiri Fire Station. There is an individual who has been mentioned in relation to that but it is unfortunate that this County surrendered prime land which is worth more than Kshs.1 billion to an individual to come up with a Fire Station worth 20 million. Land within UN Avenue is quite expensive.

I would like to thank the Committee for the report, but there is much to be done. My support is on recommendation No. 6, and we will be looking into it to see that it is implemented. Hon. Speaker, thank you for the opportunity to contribute on this matter.

**Hon. Speaker:** Thank you. Hon. Dabar, please

**Hon. Dabar Mohamed:** Thank you, Hon. Speaker. I want to take this opportunity to commend the Chairman of the Public Investments Committee and his team for doing a wonderful job. Hon. Speaker, we took oath on 29<sup>th</sup> September to protect Nairobians.

As Hon. Clarence and Hon. Majority Leader have raised, grabbing of public land in Nairobi County is a serious concern. As we are speaking, Nairobi has a water challenge which is caused by lack of resources. This means if the lands that have been grabbed could be utilized in a positive way, Nairobians could not be experiencing water problems.

Hon. Speaker, heads must roll and people should take responsibility. The former Vice Chair of the Public Investments Committee has said that the Committee had recommended the current CECM for Urban Planning to provide the titles, but six years down the line, he has not done so yet this House has approved him as a CECM. We should stop joking, this is a House of rules and procedures. We will be outside here...

**Hon. Speaker:** Hon. Member, please be kind to the Assembly.

**Hon. Dabar Mohamed:** I am very emotional because of these things.

**Hon. Speaker:** Kindly use parliamentary terms or language.

**Hon. Dabar Mohamed:** Hon. Speaker, I withdraw.

**Hon. Speaker:** Thank you.

**Hon. Dabar Mohamed:** Hon. Speaker, I am saying jokes must end and heads must roll. People who have given out these lands should take responsibility. When we were in Naivasha, H.E the Governor explained to us and the cabinet that over 700 parcels of land have been grabbed. Nairobi does not have enough resources, specifically in my ward, there is no public space.

History will judge us harshly, we must differentiate between work and friendship. I support the Hon. Member for California Ward. Action must be taken. Thank you, Hon. Speaker.

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

**Hon. Hashim Kamau:** Thank you, Mr. Speaker. It is true that there is a problem, as the Leader of Majority has indicated. As a committee, we will take up this task, even if it is bringing a substantive Motion to establish an ad hoc committee to look into these Nairobi City Water and Sewerage Company properties.

Mr. Speaker, we thank you for the support we have received from Hon. Members by supporting this Motion, led by the Majority Leader and the Minority Leader. Site visits are very important to our work in this Assembly. I beg to reply.

**Hon. Speaker:** Thank you, Hon. Members. You may have noticed that the report touches on two committees; the Public Investments Committee and Lands, Planning and Housing Committee. For that reason and the provision of Standing Orders, the mandate of the Public Investments Committee is quite limited to investigate this substantive and weighty matter of land.

Hon. Members, it is in the wisdom of the County Assembly that the Leader of the Government Business takes an initiative with the Public Investments Committee and the Planning Committee to initiate the formation of an ad hoc committee when the Assembly resumes so that you may take stock of all the properties owned by the Nairobi City Water and Sewerage Company and get a way forward on the way to recover the properties that belong to the County Government of Nairobi.

Hon. Members, let me remind you of the Governor's conversation when we were in Naivasha, he indicated that he hired about 30 interns to look into public properties that are alive and those that have been grabbed by individuals. He mentioned in his statement that up to 958 properties have been grabbed. He wants them recovered. The ad hoc committee is the only avenue that we can recover the said lands. You stand guided.

*(Question put and agreed to)*

## MOTION

### ADJOURNMENT IN ACCORDANCE WITH THE ASSEMBLY CALENDAR

**Hon. Speaker:** Hon. Majority Leader, please.

**Hon. Peter Imwatok:** Hon. Speaker as you are aware, this Assembly adopted our Calendar for the session.

**Hon. Speaker:** Hon. Majority Leader, kindly move to the next page.

**Hon. Peter Imwatok:** Hon. Speaker, THAT, pursuant to the provisions of Standing Orders 31 (3), this Assembly adjourns until Tuesday 2<sup>nd</sup> April 2024 at 2.30 p.m., in accordance with the Calendar of the County Assembly (Regular Sessions).

Hon. Speaker and Hon. Members, this is a timely break for us as the Budget Committee goes to consider the supplementary budget so that committees can resume. We also need the break for us to see our people who elected us. Tonight, I am leaving the city for a Planning Committee retreat and to reflect as the Leader of Majority of this House on whether the House is in the right or wrong place in history. I want to assure this House that after four days of reflection, I will be rejuvenated for the next lap of this Assembly. I told the Speaker the other day that as a Seventh Day Adventist, I like praying and sitting by myself, which I call 'summoning myself for a meeting.' This helps in making hard decisions that touches on my personal life, the people I lead and my colleague in this Hon. House.



I want to implore us that as we go for recess, let us pray for each other. Hon. Speaker, I must say this, on behalf of this County Assembly to Hon. Shadrack, MCA for Umoja II Ward, we saw what happened and we communicated the same to H.E the Governor. As leadership and the entire House, we are with you. No Member of the County Assembly should be disrespected by the Executive.

*(Applause)*

Hon. Speaker, if we allow this to happen to Hon. Shadrack, I can assure you that it will reach your doorsteps or my doorsteps whereby I will have no say to the Ward Admin of Makongeni Ward or the Sub-County Admin of Makadara Constituency. I am just a nobody to them. I want to assure Hon. Shadrack and all the Hon. Members who supported him, that the leadership of this House is taking this matter keenly. We have already shared this with the Governor and we are very firm on it. Any staff who tries to demean an elected leader in the name of using his/her powers, I can assure you that these members of staff will face this red carpet.

*(Applause)*

Hon. Speaker, what we have never experienced in this carpet is a corpse of one of us. We have never seen a body of one of us rolled in here. I am praying that one day I will bring a Motion so that even our own bodies will roll in this carpet. But before that, anybody who disrespects an elected leader of this County Assembly, I can assure you will see names rolling in this Assembly.

I want the Deputy Speaker to second this Motion and I want to tell Hon. Shadrack that we are together in this until it comes to an end. You are just one among us and we will sort it forever. No officer will ever try what happened to Hon. Shadrack as long he is an officer of the County Government of Nairobi.

*(Applause)*

**Hon. Paul Kados:** Thank you, Majority Leader. I rise to support the Motion for Adjournment as it will give Members time to go think about their constituencies and the people who elected us.

Hon. Members, I want to echo the sentiments of the Majority Leader that the members of staff from the Executive have taken Hon. Members for a ride for too long. What happened to Hon. Shadrack is not something that should be admired, it showed disrespect for elected leaders in front of the people who elected the Hon. Member. I would like to request this House to be firm because the youth that Hon. Shadrack was trying to help are the same youths we are trying to eradicate their problems and better their future. Whatever they were doing was something that could have sustained the welfare of those youths.

Hon. Speaker, as we go for recess, I would like all Members to stand with Hon. Shadrack and plan for a day when we can go and show our solidarity.

*(Applause)*

Hon. Speaker, I support the motion.

**Hon. Speaker:** Thank you. Have you seconded the motion, Hon. Deputy Speaker?

**Hon. Paul Kados:** Hon. Speaker, I second.

*(Question proposed)*

**Hon. Speaker:** Hon. Members, please. Hon. Diana.

**Hon. Diana Mwangangi:** Thank you, Mr. Speaker. I appreciate, as it has been indicated by the Majority Leader, that this is a time that we will take a rest and reflect on our mandate in the County Assembly. On the same wavelength, allow me to comment on Hon. Shadrack Machanje's issue, I appreciate the efforts that have been made by the Majority Leader towards protecting our Hon. Member. I come from that ward and this is a Hon. Member that was voted in by 12,000 residents of Umoja II Ward. There was a margin of 7,000 votes by the person who was following him. When 12,000 residents have faith in the leadership of Hon. Shadrack, then some of the County officers come to demean him at the heart of Umoja II Ward, that is a height of disrespect that should not be tolerated. He has been patient and polite enough to those officers but now it looks like his humility is being taken for granted. Thank you so much Majority Leader and Deputy Speaker, let us stand with our Hon. Member.

Regarding the Motion on Adjournment, I support.

*(Applause)*

**Hon. Mark Thiga:** Thank you, Mr. Speaker for giving me this chance to weigh in on this matter. I would like first to congratulate our Majority Leader. From the day we were sworn in, they swore to stand by us as new comers in this House. It has reached a point for us to see that when it rains and pours, the Majority Leader is here to stand for us. It was heartbreaking to see such a thing happening in your Ward, I would rather it happened elsewhere. It is like somebody knocking you while you are at your doorsteps. They say that you should strike the iron while it is still hot; let us deal with those involved now for them to pay for their actions. Thank you, Mr. Speaker, I support the Motion.

**Hon. Speaker:** Hon. Fiunifiu.

**Hon. Kamau Fiunifiu:** Thank you, Hon. Speaker. Before I support this Motion, allow me to express solidarity with the Member for Umoja II Ward on what happened. I know the Member was very restrained, he is a disciplined boxer and that is why I am saying he was restrained.

Hon. Speaker, when we will be coming from recess, it is important to stress that we are Nairobi City County Government; the Executive Arm alone is not the Government. Most of the time it is thought that the County Assembly is part of the Executive Arm. We have good officers but we also have rogue officers, and this issue should not be looked into in isolation. These officers got inspiration from somewhere. We have a cadre of officers from this County who do not respect Members of this County Assembly. As the Member for Makongeni Ward has rightly put it, anything that happens to one of our Members affects all of us. If we allow this culture to continue,

even your office, Hon. Speaker, is not safe. We should deal with this matter once and for all. I congratulate the Member because what he was doing was going to benefit young people who are jobless by making sure that they have a carwash where they can earn their livelihood.

Mr. Speaker allow me to support that this Assembly should adjourn for 10 days. It is good for Members to take time to reflect on their lives and their families. I would like to extend an invitation to all Members of this Assembly to Karura Forest. Come with your families, green spaces have been known to help people in big ways. Karura is open to all of you, even you, Hon. Speaker. You are all welcome.

**Hon. Speaker:** Thank you. Hon. Ochieng Jera.

**Hon. Samson Ooko:** Thank you once again, Hon. Speaker. I also rise to support this Motion of Adjournment by the Majority Leader. It is an opportunity for us to go back to the people who elected us. I am glad that we will also have time to be with our families as well and also have time to rest. Hon. Speaker, you have been here before and you know how difficult it is to go to the village because those who voted for you will be coming to you every morning as they know that you are around.

Let me say sorry to Hon. Shadrack. As the Majority Leader has put it, for us to mean what we say, I request that we make a day when all Members of this Assembly will go there so that the Sub-County Admin can see the seriousness that we have. This will be a stern warning to everybody. That is the only way to deal with those people who are rogue.

Hon. Speaker, we are going to meet our people but our pockets are empty. I request that upon our return, humbly make Kshs. 660,000 a reality. Thanks so much.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Member. You cannot make a request on behalf of a member, he has not pressed the mic. Hon. Lawi

**Hon. Lawrence Odhiambo:** Thank you, Hon. Speaker. Let me take this opportunity to thank the Majority Leader for this Motion of Adjournment. I think it is important for us to go and mingle with our constituents and for the constituents to interact with us in our offices.

Secondly, we have some projects which are supposed to commence, so it is important for us to go and see what the contractors are doing on the ground. To our brother, Hon. Shadrack, sorry for what happened to you. This is why we complain of the kind of disrespect that we get from our officers. Yesterday, the Member for Makina Ward reported that one of his contractors was arrested and up to now, he is still in custody. As Members, we must work together and stand for our brother for this disrespect that we receive every now and then to stop. Thank you.

**Hon. Speaker:** Hon. Clarence.

**Hon. Clarence Munga:** Thank you, Mr. Speaker. I want to support the Motion of Adjournment before the floor of the House. In the spirit of what the Leader of Majority has said about our colleague, Hon. Shadrack, I remember people calling from different quarters and

wondering if a Member of the County Assembly has no powers in his ward. I think there are people who want to be equal with the Members of the County Assembly.

Mheshimiwa Shadrack was trying to empower the young people in his Ward. He was distracted by a Sub-County Admin Officer claiming that he must be consulted in every aspect. That before an MCA does anything, he must consult the higher office first. We were elected in this County. As much as the officers have powers, they must respect Members of the County Assembly because of the powers vested by the people of that particular ward.

I stand with Hon. Shadrack and encourage Members of this County Assembly to stand firm and ensure that we stamp authority in our wards. We should ensure that the things done in the high offices, trickle down to the residents in our wards. It is supposed to come from the ward and trickle down to those high offices. The things that the ward residents want should be brought to the light so that the Executive can understand what they want, not the people from the high offices planning for the people on the ground. Possibly they are not getting it right. Members of this County Assembly should be respected.

As we go for this recess, it is time for us to reflect back and see the achievements that we have done in this County, and forge a way forward on how best we can ensure that we make this County successful. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Akama, and the Hon. Shadrack as the last speaker.

**Hon. Jared Ondieki:** Thank you, Hon. Speaker. I rise to support this Motion of Adjournment. I want also to follow suit in regards to the issue of Hon. Shadrack. Even as we go for the recess, the ten days are enough for the Hon. Members of Kenya Kwanza to remind their leadership what they promised the *mama mbogas* and the youths. We have seen them of late being harassed left, right and centre by the same administration. I therefore urge the Kenya Kwanza Members to go back to their cocoons and remind their leadership the promises they made should be adhered to.

Having said that, the sub-county administration squarely lies under our supervision as the Committee of Justice and Legal Affairs. I want to give an undertaking to Hon. Shadrack and Hon. Members, that we shall follow up this matter with all the passion it deserves.

*(Applause)*

I want to give an undertaking though the resolution of my committee that we will be summoning all the sub-county administrators and their Chief Officer so as to address this matter because it is a trend across the city. I want to wish everyone the very best as we go for this short recess. Thank you, Hon. Speaker.

**Hon. Shadrack Machanje:** Thank you, Hon. Speaker. First, I do appreciate the support of all the Members especially the leadership, the Hon. Majority Leader, Hon. Deputy Speaker, the Hon. Minority Leader who stood by me during that incidence. It was a very unfortunate incident. I lost my temper, and I think I could have done something wrong. It was only through God's help that I controlled myself.

Hon. Speaker, before being elected to this House, every Member made promise to their constituents. These people are yearning that you help their families so that their lives can change. We made so many promises to the youth and it is unfortunate to see that the sub-county officers, who were supposed to support our projects, are the ones asking for bribes before you commence any project.

Hon. Speaker it is unfortunate to see an MCA fighting with a member of staff of this great county. This should never happen again. I don't think I am the first casualty; it has happened to some members. It is good to see the Chair of Justice has said that they are going to follow up the matter. The Governor called me yesterday and told me to assure the youth that he is going to pass at their place tomorrow, and the project is going to be completed. I want to believe the Governor's word. He is also sorry for the incident that happened. For that, I thank the whole House. I support the Motion of Adjournment of the House.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Members.

*(Hon. Peter Imwatok spoke off the record)*

No, Hon. Majority Leader, you have a lot of time. Next time. Please, Hon. Majority Leader!

## COMMUNICATION FROM THE CHAIR

### CONDUCT OF THE MEMBERS OF THE COUNTY ASSEMBLY

Hon. Members, as we honour the Assembly Calendar and proceed for the short recess, I have reservations to make as the Leader of the Assembly. On the issue of Hon. Shadrack, before it escalates to mob justice or physical fight, what we witnessed should not happen again, especially at the door steps of an elected Member or special elect. This should not happen again. You have all the powers to make sure that Nairobi is peaceful and guarantee the residents of Nairobi of their safety when they are going about their businesses uninterrupted. It is all about negotiations, peace is a choice.

Hon. Members I would like to remind you of your responsibility as an elected Member or nominated Member, make sure that whatever you do is within the confines of the Constitution. You have all the privileges and immunity, but you must be responsible. I hope you will do the right thing every time during the time you are supposed to serve.

Hon. Members, on the issue that happened, it calls for action by the relevant committees, that is Justice and Legal Affairs Committee, and the Labour Committee, which is in charge of the welfare of the staff in the County of Nairobi. As we proceed for recess, I direct those committees to have a joint sitting on Tuesday and make sure that you summon all the sub-county commanders and sub-county administrators so that you can come to an agreement and understanding. I will provide you with the space here at the plenary.

*(Applause)*

I hope that it is clear.

Hon. Members, I want to make further reservations. I want you to understand that the privileges and immunities that you enjoy is provided for in the Constitution, but you must also carry yourself with a lot of decorum. When I was being sworn in, I made reference in the Bible that I am a humble person but let me not be harsh on you because I am a human being who happens to have two faces as everyone else.

Hon. Members, any Member in beach of the parliamentary practices, must be ready to bear the responsibility. I am here to uphold and protect the integrity of this House. I don't expect you to bring the character of Hon. Salasya into this plenary. We only transact serious business here. Do not bring jokes or hugs here, let us leave those outside the plenary. You have all the reasons to laugh and interact with your fellow Members, but you must uphold and respect the dignity of this House.

If the Standing Orders provides that if you are disorderly I should throw you out of the House, I will do it. When you are here, you are not my relative, you are a Hon. Member of this House. You cannot be thrown out of this Assembly and then you move to courts to challenge the directive of the Chair. That will put you in more trouble, and I will not smile with you. I am the Speaker of the Assembly of Nairobi for the period of time that God will provide. But I can tell and assure you, Hon. Members, let us keep jokes aside. Let us enjoy the humbleness of one Ken Ng'ondi out there, but not within the precincts of the Assembly. Don't bring jokes here

For that reason, Hon. Members, as you proceed for the short recess, let us join our Muslim brothers and sisters in celebration and in prayers for the nation. Happy Easter, Hon. Members and behave responsibly out there.

### **ADJOURNMENT**

**Hon. Speaker:** The House stands adjourned till Tuesday 2<sup>nd</sup> April 2024 at 2.30 p.m. Thank you.

*The House rose at 5:06 p.m.*