



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – First Session

Thursday 5th October, 2017

The House met at 3:00 p.m.

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

PRAYERS

PROCEDURAL MOTION

Hon. Speaker: Deputy Speaker?

Hon. Deputy Speaker: Hon. Speaker, I will put the question that the committee do report to the Assembly the consideration of the Nairobi City County Appropriation, 2017, Assembly Bill no. 124 of 2017, and its approval therefore without amendments.

Hon. Speaker: Order Hon. Deputy Speaker! You have to give us the procedural Motion that is on the Order Paper.

Hon. Deputy Speaker: Sorry Hon. Members. We were not briefed. THAT, notwithstanding the provisions of Standing Order 127, this Assembly resolves to reduce the publication period of the Nairobi City County Appropriations Bill, 2017 (Assembly Bill No. 12A of 2017) from 7 days to 2 days.

I would request Hon. Ogada to second..

Hon. Michael Ogada: Thank you Madam Speaker for giving me this time. I wish to second that the publication be reduced as stated.

(Question proposed, put and agreed to)

THE NAIROBI CITY COUNTY APPROPRIATIONS BILL, 2017 (ASSEMBLY BILL NO. 12A OF 2017), an Act of the County Assembly of Nairobi City to authorise the issue of a sum of money out of the county revenue fund and its application towards the services for the year ending 30 June, 2018 and to appropriate that sum and a sum voted on account by the Nairobi City County Assembly for certain public services and purposes.

(First Reading)

APPROPRIATIONS BILL, 2017 (ASSEMBLY BILL NO. 12A OF 2017),

(Second Reading)

Hon. Speaker: Majority Leader.

Hon. Abdi Ibrahim: Madam Speaker, I beg to move that the Nairobi City County Appropriation Bill, 2017, be read a second time. Madam Speaker, the background of this Bill. First, what is the appropriation Bill? An Appropriation bill is a Bill which will aid the budget to be actualized. For the Executive to access the budget, we need to pass this Appropriation Act. Madam Speaker. The circle of the budget process starts on 30th August each year and this Assembly must pass the Annual Development Plan. On 20th February, 2017, the Chief Executive Committee Member for Finance brought the County Physical Strategy Paper. The onus of the County Physical Strategy Paper is to make the Executive able to plan what they are going to do for the County. Madam Speaker, on June 30th, the Executive brought the budget schedule. This Assembly did not pass the budget. We passed vote on account and the reason was to make sure that the operations of this County does not come to a halt. We decided to pass the vote on account because even the County Members of the Assembly by then could not have accessed the salary. We decided, for things to move in the County, we needed to pass vote on account. And the Constitution, on article 203 allows the Assembly to do that.

Madam Speaker, we decided to shelve the appropriation act due to various reasons. It was a transitional period. We were having elections and our former Governor was in a campaign mood. We feared that if we pass the Appropriation Act by then, some of the money, instead of it being channelled to development could have oiled some people's campaign finance kitty. Madam Speaker, we did not decide to strangle the finances of this County. We were prudent to make sure that Ogada and his team could not have spent the money which were supposed to go for development for their campaign purpose. I can see Ogada has bounced back and I hope he has not used part of the 2016/2017 budget because we have been passing budgets for the last 5 years but if you go to the ground, you can see nothing to show for the 34 billion budget which we used to pass for the last 4 years. Even my good friend here who was a rebel leader by then and a gatekeeper for the former Governor and now the Minority Whip has nothing to show on the ground.

Madam Speaker, with those few remarks, I want to ask my good friend who was former Chairman of Budget to ---

(Hon. Imwatok is on his feet)

Hon. Speaker: Order! What is your---?

Hon. Peter Imwatok: Madam Speaker, is it right for the Majority Leader to discuss the conduct of a fellow Member in the Assembly in reference to the former Chairman of Finance Committee or the current Minority Whip? Because he has referred to the former Chairman of Finance and Budget as the gatekeeper of the former administration by name without a substantive Motion.

Hon. Speaker: But surely, Whip, the Member is in the House. He would have---

Hon. Peter Imwatok: But the language used is not concurrent with the parliamentary practices.

Hon. Speaker: Order! The Member is in the House. They know each other. The Member is in the House. Order! Order Whip!

Hon. Abdi Ibrahim: Ogada was my able Chairman, Madam Speaker, and I have full confidence in him. That is the reason I am asking him to second me. Thank you Madam Speaker.

Hon. Michael Ogada: Thanks a lot Madam Speaker for giving me this opportunity. I know Mheshimiwa Guyo was talking on a light note because he knew very well that none was really eating what belongs to the County. We actually ate what belonged to us because people who ate what belonged to the County are behind bars. Madam Speaker, I am standing to second this Appropriation Bill that has been brought before this Hon. House and it is late in time that we are looking at this Bill. The Bill was supposed to have been passed by 30th of June this year but due to many other reasons it could not be passed. And therefore it has come a bit late. But besides that we realised that the County government was really not going to be able to function or operate. We are able to pass vote on account to a tune of 17 billion that they were to use as they were waiting for this Hon. Assembly to come and pass that Bill. So, Madam Speaker, many Members might be wondering because I have had discussion with several Members as to why we are really looking at this Bill in such a time. Other Members are raising the issues that we need to shelve it until such a time that they will have had a look at it. Appropriation is basically not a budget. It is an authority to spend a budget. So, we did pass the budget but we didn't give the authority to spend the budget. Has budget has a very long process. It starts from September of the previous year. Like this September, we are even late of starting the budget preparation for the next financial year.

So, I hope my able colleague who is going to be elected to chair the Budget Committee is going to move with speed because we are already late for the next financial year. So, that takes up to June 30th when the appropriation is supposed to be passed. Madam Speaker, when you look at the estimates that we did pass which I think none of the Members is having, we give a lot of summaries in that. That is when we somehow review some of the key areas of that particular document we will realize that the budget is totalling to Ksh. 35.9 billion out of which Ksh. 24.12 billion is earmarked for recurrent expenditure. That is the daily operation of the County government. And we did set aside 11 billion to deal with the issues of

development. And when we look at the 11 billion, if you compare it with the previous financial year, it was an increment of 1.2 billion in order to really make Nairobians feel that we are working for them. So, that was for the development.

When we were talking yesterday about the Governor's speech, many people did raise the issues that the previous government really did nothing and this is an example that the previous government also did something. So, let us wait and see this government. We want to work together to make sure that we not only stop where it was left but we really do a lot of good because our coffers are going to be stable. Madam Speaker, when we go into the details of that particular document, you will realize that the Public Health docket, the Chairman that is going to be there, that is the main consumer of the development budget that we have because they are going to be given 6.4 billion in terms of running that particular department and then Economic Finance, the Economic Department is given 3 billion. Then we have got Public Works Department where we have 4.9 and then in that particular department is where we have Ward Development Fund. So, that fund was appropriated. There is money for that. So, when the governor did speak and said that he is going to make sure that he actualizes the Ward Development Fund, it is already provided for in the budget and therefore it is upon these Members to ensure that the faster the better because we were supposed to start implementing the same in July, not now.

So we are even late and I am really requesting the Majority Leader and whoever is going to be the Chairman of the Budget Committee to make sure that these things are hastened so we can move with speed. Besides that, we also looked at the budget in totality and it had to be funded and when you look at that we have got several streams that are supposed to help us get these monies. And if you go into details of that particular budget, it was a balancing budget. We didn't have any deficit. So, the budget itself is balancing and therefore when the governor spoke and said that he is going to ensure that his government doesn't borrow, he was actually talking about what we did put in our budget. So, we have provided for everything we therefore do not expect the current administration to borrow anything. And there is an issue of financing this particular budget because many a time we realize that we do pass the budget and why Members do complain is because you pass a budget which finally is not taken care of in terms of revenue collections. And I have been monitoring the moves that have been taking place of late.

So, I am pleading with the Majority Leader and the leadership of those relevant committees that we need to give appropriate advices. When I was in that particular docket, it is a very tricky docket. It is a docket which is too political. Everybody has a strange interest and everybody else, including the Executive have got their own things. The Governor himself can reject it. So, you must be a very serious diplomat. That is why the budget of Nairobi County always did pas because there was a lot of consultation in regard to that.

Madam Speaker, I think there is another issue that some few Members were also raising. It is maybe because they are new and in their respective Wards, they might not be aware of what was earmarked to be done in those particular areas. We have got annual development plan that you can always make reference to. You will talk to the Clerk and the Clerk is able to guide you. I think we have a very

serious Library down there. We can always refer to what was really allocated to our respective areas. But maybe if you have got some other interest which you think are really not captured in the current budget, there is a window. Let us all agree to pass this document so that we are able to be financed in terms of even earning our sweat. You cannot be paid your salaries if you don't pass this document because the money we allocated them was 50% and it is almost all spent. Therefore we need to pass this and thereafter the new administration is going to come up with a supplementary budget of how they are going to readjust the budget as it appears now. So, let us not be scared neither are we supposed to be worried. Let us wait for the appropriate time so that a supplementary budget can be brought up so that you can try to throw in whatever you think is appropriate for your Ward at that particular time. Otherwise, I really beg of the Members that it is too late if we don't pass this document and the faster we pass it the better for all of us. I beg to second.

(Applause)

(Question proposed)

Hon. Speaker: Hon. Mutheu

Hon. Patricia Musyimi: I am sorry Madam Speaker but since my mic is on, I would take this opportunity to congratulate you. I think the mic was pressed by mistake. Thank you. I had nothing to contribute.

Hon. Speaker: Hon. Peter. Hon. Members, we have requests here. It is because somebody has requested. So can you check? If you have not requested to debate on the Bill then can you just kindly switch off? Hon. Peter Karani.

Hon. Patrick Karani: Thank you Madam Speaker. My name is Patrick, not Peter. I rise in support of the Motion. One, I would like to bring to the attention of the House that appropriation is a very important document that need to be very well looked at. When we talk of the budget, Madam Speaker, it is political document as well. It carries the message that when we went round campaigning, we said we are going to do this and that and Madam Speaker it is time now this House considers at this juncture and make it a priority to pass the Bill to make the budget operational.

Madam Speaker, we have a risk of passing the Bill as it is because most of the Members in this House were not there when the budget was being formulated and so when this budget is passed, the Accounting Officers will go and commit the funds before we get to think of it. I therefore wish to caution Members that it would be appropriate for the Executive to bring a supplementary budget immediately before we pass the budget as the former Chairman has said so that we can be able to revise it and align it with the Governors manifesto.

Madam Speaker, when you look at the County Revenue Allocation Act, you find that Nairobi County Government has been allocated Ksh. 5.4 billion equitable share from the ex-chequer. Again, you

find that Ksh. 20.5 billion is supposed to be raised through local revenue and here comes a time when you scrap off some essential revenue schemes that are important to finance the Government's budget. At the end of the day, you will be running on a deficit budget. As you are all aware, County Governments budgets should be balanced budgets and so there is risk Madam Speaker and this House needs to put that into consideration. By passing it let us say that Ksh. 35.9 billion is what we have planned to spend and on another side, we have ways and means to finance Ksh. 35.9 billion. This therefore means that the most essential services that the Government is supposed to finance will go unfinanced.

Madam Speaker, I am also concerned with the issue that the Governor raised through his address. He said that from the previous regime, we have Ksh. 58 billion debts in form of pending bills. Are these pending bills factored in the budget? Those are pertinent issues that this House ought to discuss while looking at the budget that we have. Are we running a soluble or insoluble system Madam Speaker? These are serious issues that this House needs to understand and deliberate on before we pass the Appropriations Bill. Madam Speaker, I beg to stop there. Thank you.

Hon. Speaker: Thank you Patrick. Hon. Anthony Nganga Gatune

Hon. Anthony Nganga: Thank you Madam Speaker. I am Gatune Anthony Nganga from Kahawa West Ward. Contrary to what Karani has said, I second Mr. Ogada and Mr. Guyo because we need to move Nairobi forward. I would be afraid if the Bill was passed and the current Governor won the elections. I would be afraid thinking that it is a trap to misappropriate and misuse the funds. So I second Mr. Ogada because he, Mr. Guyo and those who managed to bounce back to the Assembly for refusing to pass the Bill. This shows that we can trust them and the Bill. We also do not have time, as you have said, a Bill is supposed to be discussed for a full year. Therefore I wish to urge Mr. Mbatia or the other person who is going to take over the chairmanship of budget to be wise and take time when doing sums right. Let us not waste time discussing the same appropriations Bill. I second the Bill. Let us move forward as Nairobi. Thank you very much.

Hon. Speaker: Hon. Clarence Munga

Hon. Clarence Munga: Thank you Madam Speaker. Appropriations Bill gives the Executive the authority to utilize funds that have been set in the budget. I want to encourage Members not to get worried bearing in mind that we have a new Governor who is going to implement it. Let us therefore give him the opportunity to utilize the funds. As you are all aware, we have pending projects in our Wards which need to be completed and new ones that we had earlier proposed and that need to be implemented. I therefore urge the House to support the Bill, give authority to the Executive so that they can implement this budget. Thank you Madam Speaker.

Hon. Speaker: Hon. Pius Mwaura Mbono

Hon. Pius Mbono: Thank you Madam Speaker. I rise to support this Motion. As we said yesterday, we need to pass important Bills and other legislations that are important to this County bearing

in mind that most of the functions of the County Government will stall if we do not give them the right to utilize that money. Madam Speaker, I think that the Honourable Members are in agreement that we pass this Motion in earnest. Today's Order Paper is too bulky and I want us to move forward. Committees need to be formulated and members taken for induction and so if these committees are formulated today, none of these will take place because of lack of funds. I support the Motion in totality and Madam Speaker, I request that you call the mover to reply

(Applause)

Hon. Speaker: Hon. Member, you cannot contribute and then call the mover to reply

(Laughter)

Hon. Anyule.

Hon. Peter Imwatok: Madam Speaker, just as the Majority Leader has said. Sorry, I am used to referring to him as the Minority but the name still favours the Minority Leader as per the morphology and everything. Madam Speaker, just as the Chair budget and Appropriations Committee has said, a foundation has been laid out for this County by the former regime on the basis of budget preparation for the last five years to the current one that His Excellency the Governor is going to take care of. When we were sworn in in 2013, Mr. Ogada can correct me. We had a budget of Ksh. 23 billion and now at 2017, we are running on a budget of Ksh. 35 billion. That shows progress from the previous regime to where we are today. In every society that wants to move forward, there has to be progress and Nairobi County has always been on progress path.

Madam Speaker, I want to address two development agenda issues as attached to the Governors speech. The Health Sector is an issue I am very particular about. What worries me so far is that I have not quite understood the key pillars of the current Government. I can attest Madam Speaker that in my Ward, we only have three Health Canters which are under construction and is stalled because of lack of vote. So far, the people of Makongeni are waiting and hoping that these clinics can be completed so that His Excellency the Governor can go open them. Health centre must be a priority so that we avoid issues such as lack of medicine or having to go to Pumwani and have your kid replaced.

Madam Speaker, I want to echo the former Ward development Fund Chair Mheshimiwa Maurice Gari who fought so hard with the then Majority and Minority Leaders to ensure that this Act is operationalized with the help of our Clerk. From 2013 to date, none of the projects under the Ward Development Funds have been realized and the less than 30 Members who came back in this Assembly can attest to that. I therefore believe that under your guidance and the Clerk and the leadership and all the MCA's, without development in your Ward then you will have problems come 2022. The Majority Leader said that I was a gatekeeper and I have no apologies to make for that. It helped me build roads in my constituency and that is why I was voted back. As we pass this Appropriations Bill, let me echo to my colleagues that the Ward Development Fund has to be implemented. Thank you Madam Speaker.

Hon. Speaker: Hon. Abraham Njihia.

Hon. Abraham Njihia: Madam Speaker based on the mood of the House and without taking too much time. Kindly call the mover to reply.

Hon. Speaker: Hon. Njihia, were you standing on a Point of Order using the Otanding Orders to call the mover to reply?

Hon. Abraham Njihia: Yes Madam Speaker.

Hon. Speaker: Mover.

Hon. Abdi Hassan: Thank you Madam Speaker. I want to take this opportunity to thank Members who have contributed to the Appropriations Bill. I also want to allay the fears by the former Chairman *Bwana* Ogada that relieving *mama mbogas* from paying Ksh. 50 will create a deficit. As we speak, that collection does not reach the County. It is eaten by *Kanjo* employees and so it will not have an impact on the budget. *Bwana* Karani raised very important issues that are pertinent and need to be addressed and it is therefore upon this House to address those issues. When you look at the list of the Budget, Finance and Appropriations Committee, we have decided to harness the expertise of Members who have backgrounds in finance. We have more than five Members in the Budget Committee who are professionally from the finance background and we need them to assist the House and the Governor so that we move Nairobi forward. With those few remarks, I beg to move. Thanks Madam Speaker.

(Question put and agreed to)

(The Bill was read accordingly)

MESSAGE

LIST OF NOMINEES AS MEMBERS OF THE COUNTY EXECUTIVE COMMITTEE

Hon. Speaker: Hon. Members, I have a message from the Governor. Standing Order 43 (1) relating to messages from the Governor provides that the Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly. In this regard Hon. Members, I wish to report that I received a message today 5th October 2017 from the Governor. Hon. Members, the message regards the list of nominees as members of the County Executive Committee and I wish to convey the following message.

List of nominees as members of the County Executive committee; as you are aware, article 179 (2b) of the Constitution provides that members of the County Executive Committee shall be appointed by the County Governor with the approval of the County Assembly from among persons who are not members of the Assembly. Pursuant to article 179 (2b) of the Constitution and section 35 (1a and b) of the County

Governments Act, I hereby submit the names of the following persons for vetting and approval by the County Assembly.

1. Ms. Veska Jepkemboi Kangogo – Finance & Economic Planning
2. Arch. Peter Wachira Njugua – Lands, Urban Renewal & Housing
3. Dr. Hitan Chhagan Majejda – Health Services
4. Mr. Allan Igambi Esabwa – Commerce, Tourism and Cooperatives
5. Mr. Emmah Mukuhi Muthoni – Environment, Water, Energy & Natural Resources
6. Mr. Danvas Makori – Agriculture, Livestock, Development, Fisheries & Forestry
7. Ms. Janet Ouko – Education, Youth Gender, Sports, Culture and Social Services
8. Mr. Larry Wambua – Devolution, Public Service & Administration
9. Mr. Charles Kerich – ICT & E-Government
10. Mr. Saleh Abdullahi Bardad – Roads, Infrastructure & Transport

Next order. Pursuant to the provisions of article 179 (2b) of the Constitution and section 35 (1a and b) of the County Governments Act 2012, I hereby nominate a list of names as members of the Nairobi City County Executive Committee. This is therefore to request the Assembly to approve the said list as members of the Nairobi City County Executive Committee. Hon. Members, I now direct that the Select Committee on Appointments proceed with the vetting of the nominees of the Nairobi City County Executive Committee members. Thank you.

COMMITTEE OF THE WHOLE ASSEMBLY

(Madam Speaker left the Chair)

IN THE COMMITTEE

(The Chairman took the Chair)

APPROPRIATION BILL

Hon. Chairman: Order Hon. Members! Hon. Mwangi kindly sit down! Hon. Member, we are now in the Committee of the Whole Assembly; to consider the Nairobi City County Appropriations Bill 2017; Assembly Bill number 12 (a) of 2017. Clerk.

CLAUSE 2

(Question proposed)

Order Hon. Members! There is a lot of movements in the House.

(Question that clause 2 be part of the Bill put and agreed to)

(Laughter)

FIRST SCHEDULE

Hon. Chairman: Hon. Members, I propose that the schedule be part of the Bill.

(Question that schedule be part of the Bill put and agreed to)

TITLE

(Question that the title be part of the Bill proposed)

Hon. Chairman: They were all circulated. Hon. Member, I am sure you came in late. All the Honorable Members have the Bill. If you don't have a copy kindly raise your hands so that you can be given. Let us continue.

(Question title be part of the Bill put and agreed to)

CLAUSE 1

(Question that clause 1 be part of the Bill proposed)

Hon. Chairman: Yes Hon. Mwangi. Kindly use your mic, we cannot hear you.

Hon. Abraham Njihia: Mr. Chairman, we have the Bills with us but you are taking us through clauses yet we don't know the page we are at. Can we kindly be on the same page?

Hon. Chairman: Hon. Mwangi. We are in page one my brother.

(Question that Clause 1 be part of the Bill is put and agreed to)

(Loud consultations)

The Bill has two clauses my brothers; go through it, Clause 1 and 2. Minority Leader thank you very much, could you please advise your---- Hon. Members, we are page No. 1 of the Bill. It is the same, it is only the colour that is different Hon.---- but the contents are the same. Yes we have already done that.

Hon. Kennedy Oyugi: Exactly Hon. Deputy Speaker, but the clauses you are saying to be part of this particular Bill, we don't have them Mr. Speaker sir.

Hon. Chairman: Please I think Hon. Mberia I am talking about Clause 2 and Clause 1. I put the question Hon. Members and please don't come to terrorize, Hon. Member. Order Hon. Mberia.

(Question that Clause 1 be part of the Bill is put and agreed to)

Can I call now the mover, the Majority Leader to ---- Hon. Mberia *tafadhali*. Order in the House!

Hon. Abdi Hassan: Thank you Chair, I could forgive the new Members Hon. Chair but I wonder why my former Chief Whip doesn't recognize what is Clause 1, Clause 2 and Schedule and he has been in this House for the last 5 years. Mr. Chairman, I propose that Clause 2 be part of the Bill.

Hon. Chairman I beg to move that the Committee do report to the Assembly its consideration of the Nairobi City County Appropriations Bill 2017 and its approval thereof with no amendments Mr. Chair. I propose that Clause 2 be part of the Bill.

(Question that Clause 1 be part of the Bill is put and agreed to)

(Point of Order)

Hon. Kennedy Oyugi: I don't think we are reading from the same page, I don't know whether it is because we are new Members. We can hear you quoting clauses but when we look at the Order Paper of the Bill actually we don't know what we are passing. You are only putting a question, but we don't know what you are passing.

I am sure you will be taken for induction, there is a problem somewhere but let us not dwell on that. We are just reporting today. After the completion of the Bill, I will put the question.

(Question that the Nairobi City County Appropriations Bill 2017 and its approval thereof without amendments is put and agreed to)

(Madam Speaker resumes the Chair)

Hon. John Kamangu: Hon. Speaker, I beg to report that the Committee of the Whole Assembly has considered the Nairobi Appropriations Bill 2017 Bill No. 12 (a) of 2017 and approved the same without amendments.

Hon. Abdi Hassan: Thank you Madam Speaker, I beg to move that the Assembly do agree with the Committee in the said report. Thank you.

(Question that the Assembly do agree with the Committee with the said report is proposed)

(Question that the Assembly do agree with the Committee with the said report is put and agreed to)

Hon. Speaker: The mover.

Hon. Abdi Hassan: The Nairobi City County Appropriations Bill 2017, Assembly Bill No. 12 (a) of 2017 be now read a third time.

(Question that the Nairobi City County Appropriations Bill 2017, Assembly Bill No. 12 (a) of 2017 be now read the third time)

Hon. Speaker: Yes Hon. Ogada.

Hon. Michael Ogada: Thanks a lot Madam Speaker. I want to second the Majority Leader that the Bill be read the third time. One thing that Members should appreciate is that there is an urgent need for the Bill to be passed and I am glad that they all and both saw the sense of passing it. The other thing that we didn't remind Members is that in the same document we also did factor in the issues of bursaries and

therefore our students particularly the boarders and those who are going to be in the Technical Colleges are really going to benefit as a result of what you have passed. Members I will also want to remind you; each and every elected Member that it is a high time you go to those particular offices and find out what has been appropriated for your particular Ward and the work starts. Thank you very much for supporting this Bill, thanks a lot.

Hon. Peter Warutere: Thank you again Madam Speaker for catching my eye and I would also like to air or to put in a few items of the same. I rise again to support this particular Bill and just as I had alluded a day earlier, is that there are three things that we are appointed to do and when *Wanjiku* sent us to this House, we either represent, oversight and legislate on behalf of *Wanjiku*. Therefore the journey of a thousand miles has just begun, we have a business to do. That business is to ensure that we interrogate what is given to this House, we ensure that *Wanjiku* gets her bit by ensuring that whatever is in terms of appropriations, whatever is in terms of budgetary allocations that is given to us, we internalize the same and ensure that the bit of legislation and representation which goes hand in hand will be done and that is the bit that we are in. Because we have a budget cycle, the hard part now begins. It is on that note I rise to second this particular key Bill so that we can now start from moving from point A to point B of delivery of services. Thank you Madam Speaker.

Hon. Moses Ogeto: Thank you Madam Speaker. I second this Bill. What I have seen that is so important in this Bill, the Members of the Second Assembly as you go to the last page is the factor of Ward Development Fund. When I look at it Madam Speaker, they did a wonderful job by ensuring that 1.7 billion had been allocated to this project. Madam Speaker, I have also seen on the Order Paper that a very serious committee called Ward Development Fund. We wish that the same is actualize to ensure it trickles down to the common *mwananchi* especially from where we are coming from; our constituents.

Madam Speaker, looking at also the budget of the Assembly, it has been allocated quite a good amount which will ensure that this House does progress in a good way and ensure that the Members oversight role cannot be interfered with. Let it not be just paper work, provision Bill, and let it be just be an implementing tool for this Hon. House because Madam Speaker, looking at the whole budget it is around thirty five billion for the whole County. It is very encouraging but what really surprises us is that we shall pass this thing on paper but when it comes to implementation Madam Speaker, it becomes very difficult. We would wish this government which is in place ensures that whatever had been captured in such a provision Bill is being factored even if the full amount is not factored but at least two thirds of what has been captured in the budget is seen to make this Hon. House very respected by the Nairobians.

Madam Speaker as I sit down I have also gone through the speech and seen the environment especially where you come from and where you reside, you remember that is a problem with this Nairobi River. I believe that where you live at times there is a very funny river which brings out bad smell. I have seen the budget has captured and it is a very huge budget. Let us ensure that whatever we are telling our residents in Nairobi will be actualized and I believe Madam Speaker as my colleague has said on education matters, it has been captured very well. Let us believe that during this time we will be in a position not now to say whatever we passed in this Assembly has not being actualized. And Madam Speaker this one I want to speak directly to you that this is now you who will be ensuring this thing will happen. Thank you, Madam Speaker.

Hon. Ruth Maingi: Thank you Madam Speaker. My names are Ruth Ndumi, I stand to support the Nairobi City County Appropriations Bill 2017, Assembly Bill No. 12 (a) of 2017. Madam Speaker, it is true I

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have gone through the budget and seen they have done a good work and also we can see it has to support our City. Madam Speaker as you can see outside we are at a standstill, we need this Bill urgently and also you can see the mood of the House. I think it is the best time you put the question for the Bill to be passed. Thank you Madam Speaker.

Hon. Sylvia Musea: I also rise to support the Bill and I believe yesterday we discussed the Governor's speech and one of the things that we said is that once we get the opportunity to actualize some of these policies, and some of these ambitions and dreams that the Executive of this County has, we shall do so promptly. In my little financial knowledge I think it has been well planned and I think everything has been taken care of and so I wish to support the Bill. Thank you.

Hon. Patrick Mbangula: Thank you Madam Speaker. We do appreciate, this is quite comprehensive Bill on the budget items touching on the Governor's speech which he gave and I know that he is actually waiting for us to ensure that this Bill goes through. However, majority of us are new in this House and I am thinking we might also be rushing to pass this Bill without getting proper details. Nitty gritty details of this Bill is very important and I suggest that Members be given time to go through this Bill, internalize what is here and then given time we come and debate on it nicely and then we pass something that we know very well. Madam Speaker that is my prayer because if we pass this Bill the way it is, I am accountable to the people who voted me in this House as much as I want to see the Governor implement the pledges, but I am also accountable on my part and I ask this Hon. House under your leadership Madam Speaker that Members be given time to go through this Bill so that they now internalize and if they pass it, they pass something that they know what it is. Thank you Madam Speaker.

Hon. Robert Mbatia: Thank you Madam Speaker. I rise to support this Bill be read a third time and having been in this House for a while, one I want to congratulate you and also to welcome the Members in this House. This Bill and this House and even this government is in a 'catch 2022', Madam Speaker because unless we pass this Appropriations Bill, we will still be at a standstill. The committees won't go for induction, and this is not a way that probably the Executive or the leadership of this House is hoodwinking anyone. This is a Bill that was done by the majority side led by Hon. Ogada who is now on the other side and we supported it then, they are supporting it now. That should also shed some light that there is a lot of truth in this and unless we pass this Bill, the garbage heaps on the streets will never be cleared, the contractors on the corridors of City Hall will never get paid, the committee will never go to inductions and all that. So, we have a key; the Members of this House. We will pass it and after that we will ask the Executive to bring to us the Supplementary budget very soon and then reallocate whatever we might not be comfortable with and also because the Executive is passing a budget that an Appropriations Bill which is not there. They readjust it, they bring here, we re-adjust it as appropriate to us, and then we move on. Now we unlock our mandate we move on with our oversight mandate, we move on with our representation mandate and all that. So this is a key to unlock whatever that has not being done. So Madam Speaker, I support.

(Applause)

Hon. Speaker: Hon. Okumu, you wanted to speak on it? Hon. Okumu you had made a request before? Just press it from there because it had gone off.

Hon. Nicholas Ouma: Thank you Madam Speaker. I think I am still learning to use these gadgets. It was a mistake but I would say yes I support that we pass this budget. Thank you.

Hon. Leah Supuko: Thank you Madam Speaker. I wanted to tell my friends to support the Bill and it is good that he has changed his mind because it is only a fool who doesn't change his mind. I support this Bill and because the people of Nairobi are already suffering in so many areas especially on matters concerning water. One of our Members yesterday mentioned about cartels who are disconnecting the water for the residents of his Ward and I am happy that I am in the Committee of Water. Madam Speaker I happened---

Hon. Speaker: Order Hon Leah! I have not seen any committee that you are in Water.... So you are out of order Hon. Leah. We have not tabled any committees. Either you speak on the Bill or if you are done---

Hon. Leah Supuko: That is in order Madam Speaker; we are yet to learn how to debate on these things. So pardon me. Mine is to support the Bill so that the City residents do not suffer for a long time and according to what I have understood that this Bill was actually debated in the First Assembly and I stand to support it. Thank you.

(Applause)

Hon. David Ayo: Thank you Madam Speaker. First and foremost, I would like to take this opportunity to congratulate you for having gone through the contest and won the Speaker's seat bearing in mind that the other time you were in my constituency campaigning fearlessly and you really motivated me to actually speak to our able girls that surely they can and indeed you are there, so thank you very much for that determination.

The other thing is maybe to congratulate the entire team, our Majority Leader and Minority Leader for having worked together to ensure that you have really kept the House, you actually did the role of oversight and to this extent you were able to deny the misappropriation of the funds by not allowing the last regime not to actually pass the budget. The budget is now here with us, there is nothing we can do without it. So with due respect for this House I beg to support that we pass this Bill so that the House does not stagnate. So with those few remarks I beg to support. Thank you.

Hon. Emily Waitthaka: Thank you Madam Speaker for giving me this chance. First of all I would like to thank the ODM party who has made it possible for me to be in this House, I honor them. Secondly, I would like to congratulate every Elected Member and every Nominated Member in this House. Thirdly, I am proud to be associated with you Madam Speaker.

I want to support this Bill because first of all I remember yesterday most of the Members who spoke here supported the Governor's Speech and it is the Governor's speech which has derived this budget. So I don't see any reason as to why we should delay it remembering that we are going for recess, I would wish that we pass this budget with immediate effect. Thank you.

(Applause)

Hon. Jeremiah Themndu: Let me first take this opportunity to congratulate you for being elected Madam Speaker in our Nairobi County Assembly and to support the Nairobi City County Appropriations Bill, Assembly Bill No. 12 (a) of 2017. Because I know the people who elected us to come in this House are in need of the services from the County Assembly and they are suffering. For example in our hospitals, dispensaries, District hospitals in our areas they don't have medicine, they don't have money to go ahead

with their businesses and also parents in our areas are not getting bursary funds to pay school fees for their children.

So we need to pass this Bill without any amendments Madam Speaker. I beg to support, thank you very much.

Hon. Kennedy Obuya: Thank you Hon. Speaker. As a good student I normally like to learn a lot with the senior Members I am encouraged to support this Bill from the experience of being a good student. I have seen my senior Members here; Hon. Mbatia and Hon. Ogada, I don't have a choice but to support this Bill in the interest of the people of Nairobi. Although in future I have noted a few things in this Bill, the Crop Development and Management, Fisheries, Animal Health, Safety and Quality Assurance, Afforestation, I can see it has been allocated 375 million for this financial year 2017-18.

For the interests of the people who voted for me, it is important that in future we should be properly guided where in Nairobi we do fisheries. If it is for purposes of research, then I don't have a choice but to oblige, but in future kindly we need to be guided, Nairobians need to be guided. And if it is for purposes of research, in future this amount needs to be increased. Thank you so much that is all, I beg to support the Bill.

Hon. Cecilia Ayot: Thank you Madam Speaker. My names are Cecilia Achieng Ayot MCA for Laini Saba Ward. I want to begin by thanking you and saluting you for being elected as the Speake of this Second County Assembly. And also to congratulate all the Members who managed to be in this House. I rise to support the Bill not because I understand anything but because I want to believe that I read goodwill and good intentions for the residents of Nairobi.

Moving forward I will also share the sentiments of Obuya, all our able Members and our senior Members kindly walk with us through this so that we understand where we are coming from and where we are going to. For the first time I am sitting in a meeting that I cannot contribute, not because I am daft but because I don't understand anything that is going on. So I support the Bill trusting that it has all the good intentions for this city. Thank you.

Hon. Joyce Kamau: Thank you Madam Speaker. I beg to support this Bill and I also want to differ with my colleague from the other side who said we need more time to research. I think we have had enough time since we were sworn into do any kind of research that we needed and the citizens of Nairobi are waiting for our services and there is no need to delay. Let us pass the Bill and offer our services to the people of Nairobi. Thank you.

Hon. Speaker: Hon. Mary Ariviza. Kindly just press it because I know it went off again.

Hon. Mary Mwami: Thank you Madam Speaker. This is a great opportunity to be in this August House. I am so honoured to be part of this great House. I want to take this opportunity also to congratulate you as an able woman of this City, a citizen of this country a to have been elected among the few that have been elected to be our Speaker. I am so honoured to have you.

I want to thank God for ODM party that nominated me to be in this House. I am looking forward to be able to learn, to contribute to Motions and move forward in this City. I was born and brought up in this City. I went to school in Muguga Green Primary School and Moi Girls High School. So I am a citizen of

Nairobi and so I am so happy to participate in what will be happening in this House to make this great City a great city once again.

I want to also state that may be we haven't known too much of what really happens with the administration and how much is needed. However, I know that it is in order for the County to move on we need this money like yesterday. So while I propose and support, this particular Motion, I would also like to bring into account what the speech of the Governor entailed that there is a part where he will have the President chair a certain committee that will be running this City. While this is on, we must be able to respect devolution and be able to make sure that what is appropriated for the Nairobi residents goes to them and not to the rest of the country passé because I know once the President chairs, they may have good intentions between the two but because he is taking care of other parts and units of devolution, something of Nairobi can also be able to be solved. So I am expecting as a Member of this County that what is for Nairobi should remain for Nairobi and not be given to the other side because I saw there is a committee Intergovernmental that will be chaired by the President that he will be the Vice-chair. And once you are a vice-chair you may not overrule the Chairman.

So I am supporting the Motion but with that, the fact that we want the citizens of Nairobi to be catered for using this money. Thank you.

(Applause)

Hon. Jayendra Malde: Hon. Speaker first of all I would like to congratulate you for being elected a Speaker of the Assembly and I would like to congratulate all the Members of both sides for having being elected. I would like to support the Bill of the Nairobi City County Appropriations Bill 2017, Assembly Bill No. 12 (a) of 2017.

Already we are late; we are in October and Nairobians are not getting services. I support, thank you very much.

Hon. Speaker: Mover.

Hon. Abdi Hassan: Thank you, Madam Speaker. Let me take this opportunity to thank all Members who contributed to the Bill.

I wanted to rectify my friend who talked about Appropriation Bill. Appropriation Bill is not as budget proposal. We pass budget on June, 30th. This is just, as my good friend as put it, authority to incur expenditure. So, there is no budget which we are passing here, Members should understand that. We need more induction for Members so that they understand what is being discussed in this House. When you were out of this House and the Chair was on the seat, there were a lot of confusions, people could not differentiate Clauses and Schedules. With those few remarks, I beg to move. Thank you, Madam Speaker.

(Question put and agreed to)

(The Bill was accordingly read the third time and passed)

MOTION

APPOINTMENT OF MEMBERS TO SECTORAL COMMITTEES

Hon. Speaker: Majority Leader.

Hon. Abdi Hassan: Thank you, Madam Speaker. THAT, pursuant to the provision of Standing Orders 203(1), this Assembly approves the appointment of the following Members to the following Sectoral Committees as listed in the Third Schedule to the Standing Orders.

Madam Speaker, due to time, I won't be able to read all the names in the Committee. I will just read the names of the Sectoral Committees.

- A. Sectoral Committee on Environment and Natural Resources
- B. Sectoral Committee on Transport and Public Works
- C. Sectoral Committee on Planning and Housing
- D. Sectoral Committee on Trade, Tourism and Cooperatives
- E. Sectoral Committee on Water and Sanitation
- F. Sectoral Committee on Culture and Community Services
- G. Sectoral Committee on Justice and Legal Affairs
- H. Sectoral Committee on Labour and Social Welfare
- I. Sectoral Committee on Health Services
- J. Sectoral Committee on Children, Early Childhood Education and Vocational Training
- K. Sectoral Committee on Energy and Information, Communications and Technology
- L. Sectoral Committee on Agriculture, Livestock and Fisheries.

Madam Speaker, the Committee on Selection did its best, it is hard to balance the Members' wishes. We tried to be in line with Standing Order No. 165 (2). You may allow me, Madam Speaker to quote the Standing Order. 165 (2) *"The Committee on Selection shall give consideration to the need for gender balance and shall, so far as may be practicable, ensure that no more than two-thirds of members of a committee of the County Assembly, including a committee established through a resolution of the County Assembly, shall be of the same gender"* If you peruse through the list, it is in conformity with the Constitution and the Standing Orders.

Due to time, I don't want to talk much. I urge this House to approve the list so that we can start the business of the House. Without the Committees, we can't transact any business in this House.

With those few remarks, may I ask my counterpart, the Leader of Minority, to second the Motion. Thank you, Madam Speaker.

Hon. Elias Otieno: Thank you, Madam Speaker. I take this opportunity to thank the Leader of Majority for doing it very fast. I think everyone in this House will support this Motion because it is very important for all Members to start working for their electorates. That is why these Committees are very important. From next week, these various Committees will start their work. I think Clerk and Madam Speaker will take each and every Committee for induction so as to know the role of the Committees. I beg to second, thank you.

(Applause)

(Question proposed)

Hon. Madam Speaker: Order Hon. Majority Leader! Hon. Ogeto do you want to contribute on this?

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Hon. Moses Ogeto: Yes, thank you Madam Speaker, looking at the list and taking into consideration some certainty in it and looking at the mood of the House, I would like to call the Leader of Majority to reply.

Hon. Madam Speaker: Majority Leader!

Hon. Abdi Hassan: Thank you Madam Speaker and I want to thank the Members for the Confidence they have on the Committee of selection which has done a wonderful job Madam Speaker. I know we may not have fulfilled all the aspiration of the Members but we have tried as much as we can. Madam Speaker with those few remarks I beg to move thank you.

Hon. Madam Speaker: Hon. Members, as I put the question I have to read it again and I want to tell the Majority Leader in rules and procedures of the House it is very important when you are reading any committee to read the names in full. Anyone can go to court, if I don't read it means I have only put a question on Committee names and not the list. So in procedures of Parliament you read the whole list, whether it is so trying you must read the list. Thank you.

(Question put and agreed to)

Hon. Madam Speaker: Next order!

MOTION

SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS

Hon. Madam Speaker: Hon. Leader of Majority!

Hon. Abdi Hassan: Thank you Madam Speaker, as guided by you let me go through all the names. That, pursuant to the provision of Standing Order 199(1), this Assembly approves the appointment of the following Members to the Select Committee on County Finance, Budget and Appropriations:-

1. The Hon. Robert Mbatia, MCA
2. The Hon. Osman Adow, MCA
3. The Hon. Chege Mwaura, MCA
4. The Hon. Anthony Ngaruiya, MCA
5. The Hon. Kariuki Wanjiru, MCA
6. The Hon. Millicent Anyango, MCA
7. The Hon. Patrick Karani, MCA
8. The Hon. J.M Komu, MCA
9. The Hon. Paul Ndungu, MCA
10. The Hon. James Kiriba Kariuki, MCA
11. The Hon. Susan Mukungu, , MCA
12. The Hon. Catherine Apiyo Okoth, MCA
13. The Hon. Emily Oduor, MCA
14. The Hon. Herman Azangu, MCA
15. The Hon. Nimo Hajji, MCA
16. The Hon. Elias Otieno Okumu, MCA

17. The Hon. Peter Imwatak, MCA
18. The Hon. Jane Muasya, MCA
19. The Hon. Patrick Logedi Kanyangi, MCA

Madam Speaker, I want to urge this House to approve the said Members to Select Committee on County Finance, Budget and Appropriations Madam Speaker. Let me take this time to ask my Minority Chief whip to second the Motion. Thank you Madam Speaker.

Hon. Peter Imwatak: Madam Speaker, with your authority allow me to second the Motion on the same thank you.

(Question proposed)

Hon. Madam Speaker: The Mover!

Hon. Abdi Hassan: The Silence in the House is too loud Madam Speaker, and that show the level of approval the select Committee has from this House Madam Speaker, thank you and I beg to move.

(Question put ad agreed to)

Hon. Madam Speaker: Next Order!

PROCEDURAL MOTION

ADJOURNMENT OF THE ASSEMBLY IN ACCORDANCE WITH THE CALENDAR

Hon. Abdi Hassan: Thank you Madam Speaker, due to the Standing Order let me move first the procedural Motion before we go back to order No. 15.

That, pursuant to the provisions of Standing Order 29(3), this Assembly adjourns until Tuesday, 31st October, 2017, in accordance with the Calendar of the County Assembly.

Thank you Madam Speaker, because of the order we need to put the question on the adjournment of the House because it requires us to do that before the time of the Assembly elapse Madam Speaker. Thank you Madam Speaker.

Hon. Madam Speaker: Majority Leader, were you extending the time of the House?

We can Madam Speaker as long as the Members are in agreement with us, but the Standing Order says that we need to move the Procedural Motion during the House before the elapse of time but we will still continue with the business of the House.

Hon. Madam Speaker: Majority Leader next Motion!

MOTION

SELECT COMMITTEE ON PUBLIC ACCOUNTS

Hon. Abdi Hassan: That, pursuant to the provision of Standing Order 197(1), this Assembly approves the appointment of the following Members to the Select Committee on Public Accounts:-

1. The Hon. Fredrick Njogu, MCA
2. The Hon. Anthony Karanja, MCA

3. The Hon. Peter Wanyoike, MCA
4. The Hon. Charles Thuo, MCA
5. The Hon. Chege Mwaura, MCA
6. The Hon. Juliet Ndegwa, MCA
7. The Hon. Elizabeth Nyambura, MCA
8. The Hon. Peter Warutere, MCA
9. The Hon. Joseph Wambugu, MCA
10. The Hon. Eunice Wanjiku, MCA
11. The Hon. Millicent Jagero, MCA
12. The Hon. Rose Adhiambo Ogonda, MCA
13. The Hon. Moses Ogeto Nyangaresi, MCA
14. The Hon. Wilfred Odalo, MCA
15. The Hon. Lawrence Otieno, MCA
16. The Hon. Michael Ogada, MCA
17. The Hon. Estheer Nyangweso, MCA
18. The Hon. Redson Otieno, MCA
19. The Hon. David Mberia, MCA

Madam Speaker, I urge the House to approve the list of the Members to the select Committee on Public Account and I ask my counterpart to second thank you.

Hon. Elias Otieno: Sorry Madam Speaker, maybe I am sitting next somebody who is disturbing me all the time so Madam Speaker I beg to second the Motion No. 14

(Question proposed)

Hon. Abdi Hassan: Thank you Madam Speaker, I thank the House for the confidence they have on the Select Committee Thank you Madam Speaker.

(Question pit and agreed on)

PROCEDURAL MOTION

EXTENDING THE SITTING OF THE ASSEMBLY

Hon. Abdi Hassan: Thank you Madam Speaker I beg to put the following motion that notwithstanding the provision of Standing Order 31(2) (a) this Assembly resolve to extend the sitting of the Assembly until the business on the Order Paper is disposed Madam Speaker and I ask my good colleague Hon. Imwatok to second thank you Madam Speaker.

Hon. Peter Imwatok: Madam Speaker, I do second the proposed procedural Motion.

(Question proposed)

Hon. Madam Speaker: Mover!

Hon. Abdi Hassan: I also want to take this opportunity to thank the Members for supporting extension of the House with those few remarks I beg to move. Thank you Madam Speaker.

(Question put and agreed to)

Hon. Madam Speaker: Next Mover!

MOTION

SELECT COMMITTEE ON PUBLIC INVESTMENTS

Hon. Abdi Hassan: Thank you Madam Speaker that, pursuant to the provision of Standing Order 198(1), this Assembly approves the appointment of the following Members to the Select Committee on Public Investments:-

1. The Hon. Jacinta Wanjiru, MCA
2. The Hon. Sylvia Moseiya, MCA
3. The Hon. Muchene Kabiru, MCA
4. The Hon. Julius Maina Njoka, MCA
5. The Hon. Silas Ongwae, MCA
6. The Hon. John Nganga, MCA
7. The Hon. Anthony Karanja, MCA
8. The Hon. Peter Wahinya Njau, MCA
9. The Hon. Mbugua Kabiro, MCA
10. The Hon. Susan Mukungu, MCA
11. The Hon. Abdi Ibrahim Hassan, MCA
12. The Hon. Stazo Elijah Omungala, MCA
13. The Hon. Emapet Kemunto, MCA
14. The Hon. Joseph Ndonji, MCA
15. The Hon. Patrick Musili, MCA
16. The Hon. Alvin Palapala, MCA
17. The Hon. Rose Masitsa, MCA
18. The Hon. Osman Khalif, MCA
19. The Hon. Solomon Magembe, MCA

I want to ask my colleague and counterpart to come and second thank you Madam Speaker.

Hon. Elias Otieno: Thank you Madam Speaker, I beg to second.

(Question proposed)

Hon. Madam Speaker: Mover!

Hon. Abdi Hassan: Thank you Madam Speaker, I want to thank the Hon. Members for having confidence on Select Committee Madam Speaker and I beg to reply.

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(Question put and agreed to)

MOTION

SELECT COMMITTEE ON IMPLEMENTATION

Hon. Abdi Hassan: Thank you Madam Speaker, pursuant to the provision of Standing Order 201(1), this Assembly approves the appointment of the following Members to the Select Committee on Implementation:-

1. The Hon. Pius Mbono, MCA
2. The Hon. Samuel Mwangi, MCA
3. The Hon. John Kamau, MCA
4. The Hon. Nancy Muthami, MCA
5. The Hon. Daniel Ngengi, MCA
6. The Hon. Patrick Karani, MCA
7. The Hon. Beatrice Gakuru, MCA
8. The Hon. Abdi Ibrahim Hassan, MCA
9. The Hon. Anthony Kimemia, MCA
10. The Hon. John Nganga, MCA
11. The Hon. Peter Wahinya, MCA
12. The Hon. Elias Otieno Okumu, MCA
13. The Hon. Fuad Hussein Mohammed, MCA
14. The Hon. Hafsa Khalif Muhammed, MCA
15. The Hon. Melab Afwayi, MCA
16. The Hon. Nimo Haji, MCA
17. The Hon. Ann Catherine Akinyi, MCA
18. The Hon. John Kyalo Muhuyi, MCA
19. The Hon. David Ayoi, MCA

Madam Speaker, I want to ask my colleague to second thank you.

Hon. Elias Otieno: Thank you Madam Speaker, I beg to second.

(Question proposed)

Hon. Madam Speaker: The Mover!

Hon. Abdi Hassan: Thank you Madam Speaker. I want to thank the Members for their continued support. I beg to reply, thank You Madam Speaker.

(Question put and agreed to)

MOTION

APPROVAL OF MEMBERS TO COMMITTEE ON DELEGATED COUNTY LEGISLATION

Hon. Abdi Hassan: Madam Speaker THAT, pursuant to the provision of Standing Order 202(1), this Assembly approves the appointment of the following Members to the Select Committee on Delegated County Legislation:-

1. The Hon. Peter Wahinya Kimuhu, MCA
2. The Hon. Mwangi Njihia, MCA
3. The Hon. Jeremiah Themendu, MCA
4. The Hon. Eunice Wanjiku, MCA
5. The Hon. Stephen Gikonyo, MCA
6. The Hon. Annita Thumbi, MCA
7. The Hon. Geoffrey Nganga, MCA
8. The Hon. Habiba Hassan, MCA
9. The Hon. Elijah Mputhia, MCA
10. The Hon. Ruth Ndumi, MCA
11. The Hon. Kariuki Wanjiru, MCA
12. The Hon. Cecilia Ayot, MCA
13. The Hon. Maurice Gari, MCA
14. The Hon. Geoffrey Majiwa, MCA
15. The Hon. Paul Shilaho, MCA
16. The Hon. Jared Akhama Ondiek, MCA
17. The Hon. David Okello, MCA
18. The Hon. Eunice Wanjiku, MCA
19. The Hon. Clarence Munga, MCA

Madam Speaker I want to ask my counterpart the Minority Leader to come and second the Motion, thank you.

Hon. Elias Otieno: Thank you Madam Speaker, I can see the mood of the House, you are also tired, let us just do away with...

(Question proposed)

Hon. Abdi Hassan: Thank you Madam Speaker, I take this opportunity to thank the House for the good debate they have on the Motion, I beg to reply.

(Question put and agreed to)

MOTION

APPROVAL OF MEMBERS TO COMMITTEE ON WARDS DEVELOPMENT FUND

Hon. Abdi Hassan: THAT, pursuant to the provision of Section 35(1) of the Nairobi City County Wards Development Fund Act, 2014, this Assembly approves the appointment of the following Members to the Select Committee on Wards Development Fund:-

1. The Hon. Fredrick Njogu, MCA
2. The Hon. Chege Mwaura, MCA
3. The Hon. Mwaura Samora, MCA
4. The Hon. Patricia Mutheu, MCA
5. The Hon. Peter Warutere, MCA
6. The Hon. Millicent Mugadi, MCA
7. The Hon. Nicholas Okumu, MCA
8. The Hon. Jared Okode, MCA
9. The Hon. Emily Waithaka, MCA
10. The Hon. Naftali Ogola, MCA
11. The Hon. Fuad Hussein Muhammed, MCA

I ask my counterpart to second Madam Speaker, thank you.

Hon. Elias Otieno: Thank you Madam Speaker, as I second the Motion I can see there are some people who know how to share the committees because there are certain names which are featuring in every committee but ok I beg to second, I don't have any problem with that.

(Question proposed)

Hon. Abdi Hassan: Madam Speaker I want to thank Members for their well-informed contribution, I beg to reply.

(Question put and agreed to)

MOTION

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

Hon. Abdi Hassan: THAT, pursuant to the provisions of Standing Order 29(3), this Assembly adjourns until Tuesday, 31st October, 2017, in accordance with the Calendar of the County Assembly (Regular Sessions).

Madam Speaker we need this adjournment because it is very important to us. We need to do some campaigns for our respective parties. We also need to go back to our Wards. Some of us since we were elected we have not gone back to our Wards and as you are aware the Constitution entails us Members of the County Assembly to closely interact with their electorate.

I want to also urge my colleagues from NASA as they push for what they call irreducible minimums they should not go rampaging in our towns in the name of demonstrations. The Constitution envisages that demonstrations should be peaceful but what we saw on Mondays, and now they have included Fridays, is not a peaceful demonstration. We ask them to go to their leaders and ask them to demonstrate peacefully because it is their constitutional right. As we recognize that we are asking them not to disrupt our business because we are business community, we from Jubilee family. We love business and we don't want anybody to disrupt our day to day business.

I want also to confirm that our business community will tomorrow defend their property, their business from hooligans. We are not going to allow anybody, anyone to disrupt our day to day lives.

(Point of order)

Hon. Speaker: What is your Point of Order Moses?

Hon. Moses Ogeto: Madam Speaker can the Majority Leader move the Motion first before he contributes to the same Motion? By saying that we will not be peaceful is irregular before this House. Let him move the Motion first then we will see how to discuss this.

Hon. Abdi Hassan: Madam Speaker I don't understand what he says by 'moving the Motion'. I already moved the Motion, am just elaborating some points before I ask someone to second me. I don't even understand on what Point of Order he was interrupting me. I think I was not out of order, am just humbly requesting the Minority Leader when he goes out to speak to his Party Leader let him inform him Nairobi contributes 67% of the GDP of this country. The moment we interrupt the normal life of Nairobians the business of people and country stands to lose a lot. I want to assure our brothers here that tomorrow if they demonstrate peacefully we will support them but if they infringe on our rights, the business community, we will protect our business. With those few remarks I want to ask my counterpart, the Minority Leader, to support the adjournment Motion, thank you.

Hon. Elias Otieno: Thank you madam Speaker, I don't think whether we will go that direction because demonstration is just demonstration, whether it is peaceful or not. The other day I remember when the MP of Embakasi East provoked a situation somewhere these people blocked roads everywhere from Thika road. When I was coming from Naivasha they asked me whether I was a Luo or not and fortunately my teeth look similar to Kalenjins, so when I looked at them they thought I was Kalenjin and they left me to pass.

All in all demonstration is always peaceful. I don't think our people are violent. It is only that these people, especially this man Majority Leader is the one who incites police officers to come and teargas our people but we are always peaceful. We don't want to interrupt people in their businesses. Also, we are just asking you people, don't bring those people who mug people, these people with long hairs (*Laughter*), they mug people on streets then you blame it on NASA members. We are very peaceful people. Tomorrow you will see me in my tracksuit demonstrating.

When you want to do exercises there are so many ways of doing, you should not only go to gym but you can run in the streets also. We are asking our counterparts not to incite police against us. We don't want violence, we are all Kenyans. Thank you and as we go for this short recess let us go to our people to thank them because they elected us and the nominated should go to the party and the people because you

must have come from somewhere. Don't just sit here in town because you are already called Hon. Member, so you cannot go back to say thank you to those people. These elected ones are the one who made you to be nominated because of their numbers. We must have respect for both sides, both elected and nominated. For my Members, some of them who are in one committee, I know there is anxiety but we will correct that mistake. You should just bear with me. As I sit down I ask the Majority not to provoke me when he comes to reply, thank you Madam Speaker.

(Question proposed)

Hon. Moses Ogeto: Thank you so much Madam Speaker, I support this Motion because we now have enough time to demonstrate for this gentlemen from IEBC to leave office, and we want the majority side not to incite police. They should not provoke us. We will be peaceful picketers or demonstrators and this will ensure the Right Hon Raila Odinga will be elected.

The adjournment Motion will allow Members to go back to say thanks to those who elected us and tell them we have started representing them in the Second Assembly. This will also give us opportunity to interact with new Members who have joined this Assembly, so that we know each other, and as I see from the majority side there are bright faces. This will encourage us to interact and when we come back on 31st we will know each other better. We will be going to these committees and know each other well and this will unify us.

Hon. Patricia Mutheu: Madam Speaker thank you but I keep on getting reaction. I had requested earlier in support of the budget and also wanted to contribute to the Governor's speech but since the opportunity has been given to me and this is first time to speak in this House, I would like to congratulate you, all the Members and most of all God and people of Mlango Kubwa for believing in me and making me be their voice in this august House.

I second the Motion because I believe time has come when we have to distinguish jokers and people in power. It is right time to go back and campaign to my beloved party Jubilee. As we know well how the verdict was passed and there were many shortcomings that we as Jubilee never agreed with and I believe Kenyans have been given another chance to exercise their right. I would like to urge my counterparts, even if it is demonstration let them be peaceful. We are within our constitutional right and as Supreme Court said we have to do our election within 60 days and according to news Jubilee is upbeat. So *tafadhalini* our counterparts we can't keep on demonstrating. Let's go back to ballot, lets exercise and let people decide.

Hon. Peter Imwatok: Madam Speaker first of all I think there is a system that works tirelessly to make sure that things run in this County Assembly before we go to recess, I must say thank to the Service Board that you chair. I am aware that in this 24 days plus before we come back to this Assembly the entire committees are in place and more so these committees under your able leadership of the Chair they all will be inducted.

Two, I must say for the last one week this Assembly has been so peaceful under your leadership. I don't want to compare with the past or present or anticipate the future but I must appreciate things are going according to the script.

Thirdly I must say this. Recess is very important especially now it is paramount for us who are good demonstrators, I must confess, and more so for the entire country, so that we have time to gauge our capability after being voted as MCA. Can we campaign for our respective presidential candidates? I believe my side is equal to the task and on 26th of October results from 29 constituencies will say vis-a-vis the algorithm madam Speaker.

Madam Speaker as Majority Leader says, beyond the politics outside there, we are still Kenyans and more so beyond the gates of City Hall we are brothers and sisters. I was privileged today to be in a meeting of the security system in Nairobi County and we had to agree that picketing is in the Constitution but should be done in the parameters of the law. We questioned some issues on the men in dreadlocks. Are they really businessmen? And they assured that if the men in dreadlocks appear tomorrow in town they will regard them as a sect because having dreadlocks in a team means there is something you are planning or believing in.

So madam Speaker I believe the Majority Leader I believe you will guide the other side, the purported business community to respect humanity, beyond politics we are human beings. With those few remarks I believe by 30th October we will be in this House. For the new Members there is a lot to learn in committees. The committees are extension of the Assembly. So madam Speaker with proper induction, I believe with Standing Orders, our new Members will rise and say the Assembly is under constitutional crisis and will never rise again. I beg to support.

Hon. Jeremiah Karani: Madam Speaker thank you very much. My names are Jeremiah Karani and I come from Kayole Central Ward. I beg to support the Motion because it is important that before I go ahead I want to congratulate our Head of State and his deputy. By saying so it is because in our country we have peace because of their good leadership. We shall go and campaign for them and come 26th of October they shall win with landslide and we shall continue as one Kenya.

I think what we should acknowledge voters did a good job on 8th August but they were denied their victory. What I say is we shall do the same on 26th and I am happy for this recess because we shall be able to go and convince our voters to do as they did on 8th August.

We didn't need to picket or demonstrate. What we need to do is to go to the voters, talk to them, convince them and tell them they are Kenyans and Kenya is more important than anyone in this County. Thank you Mr. Speaker, I beg to support the Motion.

ADJOURNMENT

Hon. Speaker: Hon Members, we have come to the end of the session. There being no any other person I just want to wish you well as you go for your recess and ensure you safeguard the country and I believe you will be peaceful Members and you will see your electorate. The House adjourns until Tuesday 31st October 2017 at 2.30 p.m.

(The House rose at 5.21 p.m.)