

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Third Assembly (Second Session)

Wednesday 9th August 2023

Assembly Building

The House met at 03:10 PM

[The Speaker (Hon. Joel Karuri) In the Chair]

PRAYERS.

COMMUNICATION FROM THE CHAIR

VISIT BY KARANDA GIRLS PRIMARY SCHOOL FROM MIGORI COUNTY

The Speaker (Hon. Joel Karuri): There is a Communication from the Chair, this is to recognise visitors from Karanda Girls Primary School from Migori County. They are seated at the public Gallery and in our usual tradition of receiving and welcoming visitors to our County Assembly of Nakuru, I extend a warm welcome to them and on behalf of the Nakuru County Assembly, I wish you a fruitful visit. In connection to that I now invite the Honorable Kezia Akinyi Okumu who is our Deputy Minority Leader to welcome them officially to our Assembly welcome.

Hon. Keziah Okumu: Thank you Honourable Speaker for this opportunity to welcome our Girls from Migori County. The School is called Karanda Girls Primary School; it is in Migori County in former Nyanza Province. I just want to urge our fellow Members that if you have a girl child, Karanda is the best place to place your daughter, it is one of the best schools in Nyanza and almost going to be the best school in Kenya. We invite you to bring our girls to Karanda Girls Primary School, they are here with their Deputy Head Teacher Madam Celine and other Teachers who joined them.

Let me take this time to welcome Karanda Primary School to Nakuru County Assembly, feel most welcome in Nakuru County and the County Assembly of Nakuru where we articulate issues in a well-mannered way. When here you should learn more about Assemblies because we are the best in Kenya. Feel welcome as you enjoy your stay in Nakuru.

The Speaker (Hon. Joel Karuri): Thank you Honorable Member, next order.

PAPER(S)

AUDITOR GENERAL REPORT ON NAKURU WATER AND SANITATION SERVICES (NAWASCOAL) COMPANY LIMITED FOR THE YEAR ENDED 30TH JUNE 2022.

The Speaker (Hon. Joel Karuri): We have several Papers to be laid, the first Paper is the Report of the Auditor General on Nakuru Water and Sanitation Serves (NAWASCOAL) Company Limited for the year ended 30th June 2022. It will be laid by the Leader of Majority Party Honorable Alex Langat.

The Majority Leader (Hon. Alex Lang'at): Thank you Honorable Speaker, I rise to lay the Report of the Auditor General on Nakuru Water and Sanitation Services Company (NAWASCOAL) Limited for the year which ended 30th June 2022. I wish to lay the Report before the honorable House, thank you Honorable Speaker.

The Speaker (Hon. Joel Karuri): Thank you the Leader of Majority Party, the Report is committed to the Committee on Public Accounts and Investment. The Chairperson should take note and do the needful. There is the second Paper to be laid by the Leader of Majority Party.

PAPER(S)

AUDITOR GENERAL REPORT ON NAKURU WATER AND SANITATION COMPANY LIMITED
(NAWASCO) FOR THE YEAR ENDED 30TH JUNE, 2022

The Majority Leader (Hon. Alex Lang'at): Thank you Honorable Speaker, I rise again on the Report of the Auditor General on Nakuru Water and Sanitation Company Limited (NAWASCO) for the year ended 30TH June, 2022. I wish to lay the Report before the Honorable House, thank you Honorable Speaker.

The Speaker (Hon. Joel Karuri): Thank the Leader of Majority Party, the Report is properly laid and I commit it to the Committee on Public Accounts and Investment for onward processing. There is a third Paper to be laid the Leader of Majority Party.

PAPER(S)

AUDITOR GENERAL REPORT ON THE COUNTY GOVERNMENT OF NAKURU (STAFF) CAR
LOANS SCHEME FUND FOR THE YEAR ENDED 30TH JUNE 2022

The Majority Leader (Hon. Alex Lang'at): Thank you Honorable Speaker, I wish to lay the third Paper; it is the Report of the Auditor General on The County Government of Nakuru (Staff) Car Loans Scheme Fund for the year ended 30th June 2022. I wish to lay the said Report before the honorable House. Thank you.

The Speaker (Hon. Joel Karuri): Thank you the Leader of Majority Party, the Paper is committed to the Committee on Public Accounts and Investment, kindly take note for we have noted numerous Reports committed to the Committee, Chairperson we know you are equal to the task, expedite on the processes, next order.

STATEMENT(S)

STATUS OF SIRIKWA HEALTH CENTRE IN SIRIKWA WARD

The Speaker (Hon. Joel Karuri): There is a request for Statements, the first Statement will be requested by the Honorable Emmanuel Lang'at, the Member for Sirikwa, welcome.

Hon. Emmanuel Lang'at: Thank you honorable Speaker, I am honorable Emmanuel Lang'at, Member of County Assembly for Sirikwa Ward in Kuresoi North Sub County. Honorable Speaker, pursuant to Standing Order Number 47(2) (c) I rise to request for a Statement from the Chairperson of the Committee on Health Services concerning the status of Sirikwa Health Centre in Sirikwa Ward. Honorable Speaker, Health is a critical County function under the Fourth Schedule of the Constitution.

The Health Centre under the reference is located in Sirikwa Centre and thus serves as the only Public Health Institution in the densely populated area. As such, the facility should be well equipped with drugs, equipment and Medical staff that commensurate with the surrounding population. Honorable Speaker, the Health Centre is in a very bad state. At the moment, it lacks Medical Equipment, suffers from acute shortage of drugs and Medical staff which has caused untold suffering to the residents of Sirikwa and by extension denying them their Constitutional right to Health Care. Honorable Speaker, I wish to request the Chairperson for the Committee on Health Services to issue a comprehensive Statement on what the County Government is doing to address the following-

1. Shortage of Medical staff in Sirikwa Health Centre
2. Inadequate medical equipment and drugs in Sirikwa Health Center

Thank you very much Honorable Speaker.

The Speaker (Hon. Joel Karuri): Thank you, the Chairperson for the Committee on Health Services and Vice Chairperson or any Member for the Committee on Health Services take note that you are required to submit a response to that Statement in 14 days. There is another request for a Statement from the Member for Turi Ward Honorable John Mwangi.

STATEMENT(S)

BURSARY DISBURSED BALANCES TO TURI WARD ON 4TH APRIL, 2023

Hon. John Mwangi: Thank you Honorable Speaker, I rise to request for Statement that pursuant to Standing Order 47(2) (C), I hereby request for a Statement from the Chairperson of the Sectorial Committee on Early Childhood Education and Vocational Training concerning the Bursary Disbursed Balances to Turi Ward on 4th April, 2023.

Honorable Speaker, aware that Early Childhood Education and Vocational Training is a devolved Function pursuant to the Fourth Schedule of the Constitution, Early Childhood and Vocational Training serves as a critical responsibility of making Children well prepared for their future education, Honorable Speaker, it must be noted that Education is a Constitutional right such as no Child should be deprived of the right to attain Education.

I am deeply concerned about the casual manner in which the County Government is handling the matter concerning Bursary Cheques which was made on 4th April, 2023 by her Excellency the Governor of Nakuru County and the Ward Balances amounting to Kshs 120,000 which was not utilised in the total of Kshs 2 Million Bursary Balances for the Financial Year 2022/2023 which has not yet been disbursed to the beneficiary of Turi Ward to date.

Honorable Speaker, Article 185(3) of the Constitution of Kenya provides that a County Assembly while respecting the Principle of Separation of Powers, may exercise Oversight over the County Executive Committee and any other Government Organs. It is on this premise that I seek to request for a Statement from the Chairperson for the Committee on Early Childhood and Vocational Training seeking the following-

1. The status of Turi Ward Bursary Cheques which were launched by her Excellency the Governor on 4th April, 2023 at Molo Sub County.
2. Why the bursary allocation amounting to Kshs 120,000 for Turi Ward allocated in the Financial Year 2022/2023 has not yet been disbursed to date.

3. The plans the County Government is undertaking to avoid such incidences in future. I beg to request for the Statement, thank you.

The Speaker (Hon. Joel Karuri): Thank you Honorable Member for Turi, the Chairperson for the Committee on Early Childhood and Vocational Training take note of that and we are expecting a Report from your Committee in 21 working days. There is another request for Statements from Honorable John Mwangi who is the Member for Turi.

STATEMENT(S)

COLD STORE (NARIG) PROJECT FOR THE FINANCIAL YEAR 2022/2023 IN TURI WARD - MUCHORWE

Hon. John Mwangi: Thank you Honorable Speaker, I rise again to request for Statement. Honorable Speaker, pursuant to Standing Order Number 47(2) (C), I rise to request for a Statement from the Chairperson for the Committee on Agriculture concerning the status of Cold Store (NARIG) project for the Financial Year 2022/2023 in Turi Ward - Muchorwe. The Cold Store Project for the Financial Year 2022/2023 was funded with the County Government in collaboration with NARIG which had a total of Kshs 117 Million. The County Government allocated 17 million while NARIG funded the same with Kshs. 100 Million. The project was to be implemented in four faces and was to include fencing which is the Perimeter Wall, Landscaping and equipping the facility with machinery for use. The current status of the project is that only fencing has been done which has an entrance and exit to the facility which is equivalent to a total cost of Nine Million.

No further works is ongoing at the project, this is despite the fact that the Financial Year 2022/2023 has come to an end. I therefore wish to request the Chairperson for the Committee on Agriculture to issue a comprehensive Statement concerning the status of the project indicating the time lines in which the same will be finalised and the project degree of completion to date, I beg to request for the Statement, thank you.

The Speaker (Hon. Joel Karuri): Thank you Honorable Member for Turi Ward. The Chairperson for the Committee on Agriculture or the Vice Chairperson you are required to answer to that Statement in 21 days, next order.

MOTION

NOMINEES TO NAKURU CITY BOARD, GILGIL MUNICIPAL BOARD AND MOLO MUNICIPAL BOARD

The Speaker (Hon. Joel Karuri): There is a Motion from Honorable Peter Palang'a who is the Chairperson for the Committee on Lands, Housing and Physical Planning.

Hon. Peter Palang'a: Thank you Honorable Speaker for allowing me to move a Motion in regards or as a follow up to the Notice of Motion that I had given during the Morning Session and I move; Honorable Speaker, I move that pursuant to the provision of Section 11(1) (2) and (3) of the Urban Areas and Cities Act, 2011, Section 9 of the Public Appointments County Approval Act 2017 and Standing Order 48(4), this House adopts the Report of the Committee on Lands, Housing and Physical Planning on the vetting of the Nominees for the appointment of Nakuru City Board, Naivasha Municipal Board, Gilgil Municipal Board and Molo Municipal Board.

Mr. Speaker, these names were appointed and forwarded to this particular House and you committed the names to the Committee having been forwarded by Her Excellency the Governor in constituting the Board for the City of Nakuru, Naivasha Municipal Board, Molo and the Gilgil Municipal Board. Through your advice and indulgent, you committed some names to the Committee and therefore the Report is bulky, I want to request for your permission and that of Honorable Members that I may not be reading page by page but kindly let us move together so that we appreciate what this Report contains.

The Committee proceedings and I will not read that but the Committee held some sittings and reviewed the Nominee's Certificates and Testimonials to vet them. The Committee is comprised of 21 Members and I do not want to read the Membership of the Report but in adhering to the time frames we divided ourselves into two and we had a comprehensive Report where we scrutinised the Testimonials and Documents of the Nominees who had been proposed by her Excellency the Governor.

I take this opportunity to thank Members of the Committee for their input and valuable contributions during the vetting process. The Committee also wishes to thank the Offices of the Speaker and the Clerk of the Assembly for the logistical support accorded to it during the vetting exercise. Further, the Committee is also thankful to the Media for its coverage of the proceedings thus enhancing transparency and accountability during the vetting process. On behalf of the Sectorial Committee of Lands, Housing and Physical Planning Pursuant to Section 11(1) (2) and (3) of the Urban and Cities Amendment Act 2019, we hereby present Report as follows.

I wish to request the Members that we move together, we look at some of the areas that we had looked at in terms of the background and I just want to highlight that there are some criteria's set in the Urban and Cities Act as to how and when we need to have the Municipal Boards. Considering all those factors, and that is why the Cities and Towns that I have mentioned have qualified and there is need to have the Boards in place. Allow me to say and I will share with Members the need to have these Boards in place. As a County we are in receipt of a letter from the Council of Governors expressing dissatisfaction as to why we are have delayed to have these Boards in place. It is worth noting that we ought to have had these Boards in place by 30th of last Month.

As I move on, there are some areas that I will also want to revisit after your discussions. Honorable Speaker, I am moving very quickly, the spirit of the Public Appointments and County Assemblies Approval Act, 2017 provides that the criteria for the guidelines of the Committee briefly for we had to check on the Education, Employment Records, Honors and Awards, Professional Associations, Memberships, Published Writings, Public Offices, Political Activities and Affiliations. Differed Income into future or future benefits, sources of Income and Tax and Statements of Net Worth. This is what we were looking at. I want to mention something as I move to the gist of the Report, there was a request for memorandum and notification to the public that was raised and I want to read it as follows- In accordance to the provision of Section 7(10) of the Public Appointment County Assemblies Act 2017, the Clerk of the Assembly placed an Advertisement in the Print Media on 21st July 2023 inviting the Public to submit Memorandum by a way of written statements or on Oaths Affidavits in support of the Nominees.

I want to mention that the advert was put in 21st and by the time we were retreating for Vetting there were no objections raised to most of the Members apart from a few who I will mention. That time frame was given to allow any Petition or any Memorandum to any Nominee if one had an

issue. It should be noted that out of the 26 Members that had been forwarded, 25 Members turned up, one Member from Molo by name Bernard Gitau did not show up and therefore despite the fact that we received 26 names we ended up vetting 25 names because of failure of turning up by that particular Member.

With your permission Honorable Speaker, I move to Nakuru City Board where there were a number of Nominees who had been forwarded to us. I want to start with the first-person Mrs. Johara Saidi Ali. In his Professional Experience, the Nominee is currently a Tutor at the Technical University of Kenya, previously the Nominee held the following positions, Assistant Production Manager- Victoria Jews Company Limited, Assistant Quality Assurance Manager- Mills Fruits Professional, Shift Supervisor Beverages. Honorable Speaker, allow me to just make the Observations by the Members because the Nominees are many and before that I want to say and reiterate here that the Committee never received any Petition against or for this particular Nominee. I will be taking you on where we received Petitions and where we did not receive the Petitions. It is worth noting that for this particular Nominee nothing was given in form a Petition either for or against and therefore the Committee observed the Nominee and gave recommendation that after vetting and looking into all the relevant academic qualifications the Committee finds the Nominee to fit to be a Member to City Board of Nakuru. Therefore, the Committee seeks the approval of the House to have the Nominee as one of the Board Members to the City Board of Nakuru.

The second Nominee was Crispus Anthony Wathimba, a Member of the City Board as a Nominee and I want to move to his Professional Experience. The Nominee is currently the Managing Director of Ominett Enterprise Limited, previously the Nominee was the Regional Operations Director at the TKM Maestro Kenya Limited. I want to request Members that we move together up to all the other issues in terms of measuring on how to improve the Drainages, maximising Own Source Revenue because we were also keen to understand whether the Nominees are able to improve the Own Source Revenue.

I want to move to the Recommendations and after all the interrogations we as a Committee wishes to seek that the House considers the Academic Qualifications, Work Experience and sufficient vetting by the Committee; Mr. Crispus Wathimba is hereby proposed by the House to be a Member to the City Board of Nakuru.

I want to move to Nominee number three Mr. George Njenga Mwaniki as a Member proposed by Her Excellency the Governor. We did the vetting in going through all the aspects of professional qualification, education background and issues of integrity. It is worth noting the Committee again never received any Petition against or for the Nominee. Therefore, the Committee equally finds that having considered the academic and professional qualification, work experience and all the submissions during the vetting of the Nominee, the Committee finds Mr. George Njenga Mwaniki suitable to serve as a Member of the City Board of Nakuru.

Honourable Speaker, on Mr. Stephen Mwaniki Muli as the fourth Nominee, it is worth noting that this is the only person who had a lot of Petitions for; they were about 15 in number and those Petitions were all Memorandum in support of his Nomination. They were 16 in number but one did not have the Affidavit and goes to records that he received more than 15 Memorandum in support of being a Member to the City Board. Looking at all the qualification including academic I want to mention that the Committee finds or recommends that Stephen Mwaniki Muli be a Member to the Nakuru City Board.

Honorable Speaker, the last Member to Nakuru City Board is Mr. James Kamau Njau. Members note that the law requires that for you to be a Member to any Board especially the City, you must be a graduate and I want to mention here that all the Nominees mentioned above and there below meet the criteria and qualifications by having the professional qualification of a University Degree from recognised Institutions. Therefore, Mr. Njenga as well we never received any Petition against or for his nomination. Considering all the Academic and Professional Qualification and Work Experience together with the oral submission during the Vetting process the Committee finds Mr. James Kamau Njau suitable to serve in the City Board of Nakuru as a Member to the Board.

I now move to Molo Municipal Board; this is a new Board that is being constituted depending on the population and having met the criteria of the population, the area coverage and other things we go to Molo. We had quite a number of people who had been proposed. It is worth noting that this particular Board had been proposed to have six or seven Members but as I had indicated before, only six turned up and this is what I am going to read in regards to the presence of the Nominees and the vetting process as they appeared before us.

The first Nominee was Ms. Florence Wairimu Kabii, all the issues raised in terms of knowledge and decision making, Measures to improve drainage, role of the Municipal Board, ways of how to address political interference and roles of the County Assembly in managing the Municipality; Development Partners to be brought on Board on how to develop Molo. Honorable Speaker, I want to say and confirm that this lady was very good in articulating the issues and we did not receive any Petition against or for her and therefore the Committee hereby recommends that having considered the academic and professional qualifications, work experience and oral submission during the Committee Vetting, the Committee finds Ms. Florence Wairimu Kabii suitable to serve on the Molo Municipal Board.

The second Nominee was Mr. Wesley Kipkemai Ruto, as well we checked on the professional experience. The Nominee is currently engaged in family business and previously the Nominee worked in the following positions Principal Administrator in the Office of the Governor in Nakuru County, Project Manager Smart City, Project Manager Site TKT Organisation, Rehabilitation Officer- Kenya Society of the Blind and his experience in Soil and Water Conservation by considering the issues of drainage, we felt and convinced as a Committee that this particular person is worth being approved as a Member of the Molo Municipal Board and Mr. Wesley Kipkemai Ruto is hereby approved by the Committee and seek the Members to support us. Madam Jemima Njeri Kuria, a Member to the Molo Municipal Board; equally we looked at so many issues in terms of how do they want to raise the issues of revenue, how they want to have personal experience and we did not have any Petition either against or for this particular Nominee and therefore the Committee on Lands, Housing and Physical Planning recommends that this person be a Nominee to the Board.

Mr. Kakai Thiongo, a Member to the Molo Municipal Board; equally we looked through his professional experience. The Nominee is currently a Principal Architect Spatial Module Consultant. Remember Members the House has just adopted and launched the Spatial Planning of Nakuru and I want to appreciate because most of the Members were in Nakuru when the Spatial Planning was launched by Dr. William Ruto, the President of the Republic of Kenya and therefore when one has such experience we believe and we have no doubt that this experience in Spatial Development will go a long way in developing the Molo and its environs. We did not have any Petition against or for this person and looking at all other requirements, the Committee

recommends that having considered the Academic and Professional qualification, experience and oral submission during the Vetting process, the Committee finds Mr. Kakai Thiongo suitable to serve as a Member to Molo Municipal Board.

Saira Diebo Njoroge, I want to mention it is the first time that we have seen a youthful and energetic and focused person coming on Board. I want to take note of the Date of Birth, this lady was born on 17th June 1995 in Nakuru County, she is a youthful lady and indeed she was able to convince the Committee that despite her age she is very articulate, she is visionary and she is committed to serve and therefore she also qualified by having a degree from a relevant Institution. Measures to improve Drainage, Waste Management Issues, new ideas to improve management of the Board and I remember asking her how are you going to mingle with elderly Members considering your age? I was and on behalf of the Committee we were convinced that this is a lady who is energetic and focused to give youthful input to the Board and it is important to have a youth in the Board. From where I come from, it is said if you see a flock of cows moving without some small animals then it means there is no future for that. So, I want to say on this there is future for Molo because I can see some small cows within the huge flock of Molo.

Honorable Speaker, Mr. Evans Ngige Gashau is a Member of Molo Municipal Board. He is a Businessman and we looked at all the issues and there was no Petition for or against this particular Nominee and therefore considering that he satisfies the requirements of Chapter Six of the Constitution on Leadership and Integrity having been cleared by the relevant Authorities that he has not been dismissed from any office for contravention of the provision of Article 75 of the Constitution which deals with conduct of State Officers. The Nominee demonstrates knowledge in Land Matters, Planning and Development and therefore the Committee recommends this person to serve in the Molo Municipal Board.

Having done that, I get to Gilgil as the Third Municipal Board proposed with their Members to serve in that Board. We received a person called Teresia Kariuki Karuma, a Member to the Board and we looked at the Date of Birth, she was born on 18th December 1975 in Nakuru County. We looked at her professional and academic qualifications. In the professional experience, the Nominee is currently a Director of Nafuu Cereals and Nafuulink Supermarket in Gilgil with a net worth of Kshs 5 Million plus. She was able to articulate the roles of the Board, challenges of Poor Drainage, Revenue Enhancement and we as well as a Committee never received any Petition for or against the Nominee and the Committee proposes her to serve on the Gilgil Municipal Board if allowed and adopted by this particular House.

Sharma Wangui Njuguna, a Member to Gilgil Municipal Board, the Nominee is currently serving as a Board Member at Olekusutan Primary School. She previously held the following positions; Board Member of Dijon Academy in Gilgil, Human Resource Manager and you can go through with me Members, you can read through. The interview on knowledge and decision making, we found that the Nominee was able to have issues of poor drainage, issues of Development Partners compliance to the Public Participation rule as it has been envisaged by the Constitution and by extension, the Public Participation Bill in this Assembly. She was able to articulate all the issues as expected.

The Committee did not receive any Petition in support or against the Nominee. And therefore, the Committee in its own wisdom considering all those factors, it proposes that having considered the academic and professional qualifications, work experience and oral submissions, the Committee finds Mrs. Sharma Wangui Njoroge suitable to serve as a Member for Gilgil Municipal Board.

Mr. Speaker, Mr. Joseph Maina Theuri to serve as a Member, we also looked at some issues that came up and there were a number of issues surrounding this in terms of the authenticity, in terms of whether he comes at that particular region. Mr. Speaker, it is worth mentioning before this House that indeed, there were some Members who raised some issues concerning the Nominee. After a long and lengthy deliberation on this particular Nominee, it is worth noting that he was appointed on a Competitive Appointment. It is important Members to note that there are those people who were nominated to the Board through a Competitive Appointment or appointment through Professional Bodies. This particular person Mr. Speaker, was evident that he was appointed on a Competitive Process. What does that mean? That means that the Advertisement was put, the person applied, the person was shortlisted and therefore it was forwarded to us. I want to mention that recognising the issues raised by Honorable Members, specifically from Gilgil and other Members that he is not a resident and therefore, Mr. Speaker, I will come back.

Because of time, I want to explain further the process in terms of the requirements for one to be appointed in a Competitive Process. Mr. Speaker, we looked at all the professional qualifications, and there was no Petition. I want to repeat that the Committee did not receive any Petition in support or against the nomination of Joseph Maina Theuri. It is worth noting that up to the time we were vetting, the Committee had not received any Petition, any opposition in terms of contravening that Law. I want to make it clear, so that as we move on, the Committee recommends that having considered the academic and professional qualifications, work experience and submission during the vetting process. Mr. Speaker, the Committee confirms that...

Honorable Speaker with your permission, allow me to just... I may not come here. Honorable, there are many documents there. Honorable David Muraya just give me some documents there, because there is something I want to emphasise here as I move on to other Nominees.

Mr. Speaker, as a Chairperson I had to go further and dig deep, because when Members raise issues, I do not leave it that way. I have to find out as to whether I have to defend my position. There are some of the issues that had been raised during the vetting process that this particular person has no permanent dwelling in Gilgil and has nothing to do with Gilgil. Mr. Speaker, I want to say that I am in possession of the land Title Deed of this particular person. That is within Miti Mingi and therefore it confirmed beyond doubt that this particular person has properties in Gilgil.

So, Mr. Speaker in due course I want to share this with you so that Members can also peruse. As a Chair when I receive some issues I have to go further and confirm, so Mr. Speaker the Title Deed in his name is available, Members can confirm and therefore the Committee approves or recommend for approval of such a person.

Mr. Stephen Kimani Njoroge as a Member to the Gilgil Municipal Board, equally, we received no Petition within the timeframe that was created and put into the Gazette Notice by the Clerk of this Assembly. And therefore, Mr. Speaker going through all these, the Committee recommends that we consider this particular person to be a Member to the Board of Gilgil because we found it fit.

Mr. Joseph Kiarie Waweru a Member of the Gilgil Board Mr. Speaker, looking at all the professional experience, the Nominee is a Chief Executive Officer of Kapaso Events Company.

The Nominee is worth that amount of money, and on knowledge and decision making, the Nominee was able to convince the Committee. There was no Petition received for or against this particular person. Therefore Mr. Speaker, the Nominee demonstrated impressive knowledge on

land matters, Planning and Development. The Nominee possesses academic qualifications and experience related to the mandate of the Municipal Board. And for that reason, the Committee on Lands, Housing and Physical Planning therefore proposes to have this particular person as a Member to the Board.

Ms. Pauline Ndunge Mbuva also a Member of Gilgil Municipal Board, Mr. Speaker With your permission again, I will not want to go through. We did not receive any Petition against this person and considering all other factors, the Committee hereby suggests or proposes to approve the nomination of this person.

Mr. Speaker, in Naivasha I want to mention here that we received quite a number of Petitions from the Members of the public, which I will mention here who had petitioned the nomination of certain Members. Mr. Speaker, with your permission, we received Petition from Moses Kimani Mulu, on behalf of the Kamba community, they felt that they had not been represented in the nomination.

Mr. Speaker, as well the Committee received a Petition from Shayo Amos on behalf of the Luo community, and without the fear of contradiction, honorable Amos and the rest here, unfortunately or fortunately enough, this is the person that we also contested with him, of course, he was vying on a UDA ticket, and therefore he felt he can have his own way by saying that the Luhya have not been appointed, so have a Petition from Amos Shayo.

We also had a Petition from David Oduori Ki-Loo who had petitioned the Assembly and the nomination through the Luo community, they felt that Minority groups in Naivasha had not been represented. It is worth noting, Mr. Speaker, as we move on in future appointments, we will be looking at the Minority groups like Luo, Luhya and Kamba in the subsequent nomination, and therefore, Mr. Speaker those are the Petitions we received.

However, we also received Petitions which were disregarded for Non-Compliance; Petition by Mr. Absalom Mukuusi on behalf of the Naivasha Professionals. The Professional Bodies in Naivasha had been given a letter to forward somebody who was to be nominated in the Board, Mr. Speaker I want to confirm here that the list that had been presented there before, they felt that they had been shortchanged, because the person that they had forwarded was not the person they wanted. So I do not know how quickly they realised, because this Petition now lacked merit, because the second list that we were using to vet the particular person they were contesting against was not on the list, and therefore, that Petition died on arrival, and therefore it does not hold water because the person they were contesting against was not an issue anymore. She is Lucy Gikara because again, she came in through the neighborhood, and not the Professional Bodies as they had alluded to it.

We get to Jonathan Warothe Kuria; it is important Members to note that net worth we looked at that, we looked at all the other issues, and it is important honorable Speaker, at times once a Teacher you will always remain a Teacher. It is important to note that this particular Nominee was once a Councilor and I served with him in 2007, and I want to mention here that he was the Mayor to Municipal Council of Naivasha. He also served in the first Assembly of this particular County. And Mr. Speaker, it is also worth noting that he was also the Chairperson for the Committee on Lands, Housing and Physical Planning and this does not mean that these are some of the areas that this particular Nominee was given a limelight but indeed, old is gold; this guy was able to express himself and to demonstrate a lot of experience in matters of the Board and therefore Mr. Speaker, the Committee finds it worth to have him on the Board as a Member to the Municipal Board of

Naivasha. Mr. Speaker, there is no Petition again received against or for him. It is worth noting, there was no any Petition.

The second person was Mr. Joseph Patrick Njehia Mukui as Member to the Naivasha Municipal Board. I am sure Mr. Speaker up to this point Members have acclimatised themselves on the proceedings of this endeavor. I do not want to labor myself too much because now they know the sequence. Let me just get to the point that there was no Petition and this particular person is subsequently proposed to be a Member to the Board.

Mr. Speaker, the second person Mr. Richard Cheruiyot Langat who is a Member proposed to this particular Board. The Nominee showed some experience, the Nominees is currently the Chef/Chief Executive Officer/Founder at Potter's Touch Cuisines Limited/Potters Hospitality and I know some of the people have met him and tasted some of the food made by him. We did not have any Petition against him. We therefore Mr. Speaker, considering all other factors, the Committee recommends that this particular person becomes a Member of the Municipal Board of Naivasha.

Nancy Mugure Waweru, a Member of Naivasha Municipal Board. Subsequently Mr. Speaker, there was no Petition received for or against this particular person. And looking at all the academic qualifications, this Committee hereby recommends the approval of such a person on this particular Committee and to serve as a Member of the Municipal Board of Naivasha.

Mr. Peter Kimani Gitau, Member to that; date of birth 10th October 1965. He holds a Bachelor of Science (Finance) degree from Pennsylvania State University. The Nominee is a Director in a Naivasha County Hotel and Diamond Lighting. All those kinds Mr. Speaker, the Committee never received any Petition and looking at the suitability, this particular person is hereby proposed to be a Member to the Naivasha Municipal Board.

Lucy Wangeshi Gikara, a Member to the Naivasha Municipal Board, no Petition received, and the Member is hereby proposed to be a Member to the Board.

Mr. Speaker, those are the Members that we had proposed. But it is worth noting, as I emphasise, as I sit down Mr. Speaker, two or three things. Number one, the advertisement was put in the Kenya Gazette by 21st of that month and by the time we were doing the vetting, the Committee had not received most of the Petitions against those Members. Mr. Speakers it is worth noting that there is also an Advisory Letter, which I will also share with you, after Members contributing, I will also want to unleash that as I summarise that I will also share with you the advisory that has been given to the County for running late. Mr. Speaker, these Members, the Boards have a lot of benefits to our entity. Mr. Speaker, we cannot afford to lose millions of monies that come along with the Boards because of other issues.

I will imagine and request that Members if there are any issues, we can panel beat a car, but let us have our car in place so that we have to attract the Members. Part of the criteria that are required, the Board Members are to be in place, we have to have the Board Managers and these Boards have to be inducted before the time.

As per the Notice that we are given, we ought to have had these Boards by 31st July. We are already late by two weeks or three weeks. H.E the Governor has done her due diligence to request that we really expedite this. It is worth noting Members, we will be proceeding for Devolution Conference, and we will be also be headed for CASA games. So, the timeframe for two weeks, we will not and may I ask the Chair, I want to plead with you that please let us not waste any other time. I am

coming from the Minority group who feels probably have not been considered in this particular nomination. And Mr. Speaker it comes a time where you put your personal interests aside, you look at the benefit of the County and for that reason Mr. Speaker, I want to urge even if I am bleeding internally, I want to request Members that let us have these Boards in place, for us to attract some money to this Municipality, which again would go a long way into developing this County.

(Loud Consultations)

The Speaker (Hon. Joel Karuri): Honorable Chairperson did you just say that you are bleeding internally, or it is figurative?

Hon. Peter Palang'a: It is figurative Mr. Speaker, and you know at times you may lack words to explain, but I am saying and in that regard Mr. Speaker, I mean I have received some Petitions, some Members are even calling me, you are representing us as a Minority group, where is our fate? But again, I am looking at the bigger good in terms of the timeframe for having these Boards. That is what I wanted to express regardless of the Petitions that we have received, Members I want to request that we swallow our pride and save our County by having these Boards to attract some funds from the World Bank. Thank you Mr. Speaker. I want to call a Member to second.

The Speaker (Hon. Joel Karuri): The Honorable Member for Turi.

Hon. John Macharia: Thank you Mr. Speaker sir for the opportunity to second the Report. As I arise, I second the Report with the following facts; I am pleased to say that I am a Member of Lands, Housing and Physical Planning Committee and in the Second Assembly I served as the Vice Chairperson for five years, and according to how we were able to vet, I can say without any doubt that the Report that has been submitted by the Chairperson for the Committee is according to how we were able to vet and those Members are very much qualified. Therefore, because I am one of those people who want to see Nakuru County progressing, and after passing this particular Report, Nakuru County will be able to benefit an amount of 600 Million from World Bank for Development.

I therefore urge this honorable House to support the Report, and also the Members of the public together with the Honorable Members were being accorded the opportunity from the time the names were being brought to the Assembly to up to 28th of last Month, so that we can channel their Petition. And because we do not have such Petition, I therefore second and urge all the Honorable Members to support the Report. Thank you.

The Speaker (Hon. Joel Karuri): Thank you the Honorable Member for Turi. The Motion is-That pursuant to the provisions of Section 11 (1) (2) (3) of the Urban Areas and Cities Act of 2011, Section (9) of the Public Appointments Act, that deal with the County Approval for 2017 and the Standing Order 48 (4), This House adopts the Report of the Committee on Lands, Housing and Physical Planning on the vetting of Nominees for the appointment to Nakuru City, Naivasha Municipal, Gilgil Municipal and Molo Municipal Boards. The Motion has been seconded and it is open for debate. Honorable Member for Menengai and later the honorable Mercy Kilel in that order.

Hon. Wilson Mwangi: Thank you, Mr. Speaker I rise to support the Motion. Mr. Speaker, I also want to thank the Committee for quite a good job that they have done. Mr. Speaker, since the Gilgil Naivasha and Molo County Council were elevated to Municipal Councils Mr. Speaker, here it

comes with the goodies that the three Municipal Councils will get in terms of funding. And maybe in terms of getting funding from the donors. Mr. Speaker, the problems that the three Municipal Councils have been facing bearing in mind that there have been so many challenges in those Municipal Councils. Mr. Speaker, the Nominees that we are going to give the jobs of managing the three Boards, I have heard that they are qualified, they have the experience and also, they are professionals. Mr. Speaker, we have heard the Chair trying to look at the issue of the tribal affiliations but here we are, it is a matter of the Members who have the experience. Nakuru, bearing in mind that is a cosmopolitan. Mr. Speaker, we are mostly looking at the experience of the Members who are going to represent the Boards. So Mr. Speaker, I have seen the proper representation, I have heard most of the tribes being represented in those Boards also Mr. Speaker, we are also looking at the Integrity of the Members of those Boards.

So Mr. Speaker when I was going through the Report, we are happy that also the Committee recommended representation of the youth; and that is a very good decision.

So in my recommendation Mr. Speaker, I wish this House to recommend the Nominees so that work can start in the three Municipal Boards. So I wish to support and urge Members of this House to support the Report so that work can start in the Municipal Boards. Mr. Speaker, I support.

The Speaker (Hon. Joel Karuri): Thank you. Honorable Mercy Kilel

Hon. Mercy Kilel: Thank you Mr. Speaker for this opportunity. I also like to welcome very much the students at the Gallery and to tell them that education is the greatest equaliser. And if they work hard in School, they will be able to sit among the distinguished people of the society.

Now Mr. Speaker, I also want to support this Motion today, and to congratulate the Chairperson honorable Palang'a for passionately presenting the Motion on the floor of the House. Mr. Speaker, it is rare to see people support such Motions vigorously, energetically, the way Honorable Palang'a has supported this Motion and presented.

Honorable Speaker, looking at the caliber of people in the list, the Nominees are people who are educated and well learned, looking at a Member called Johra Said Ali, that lady Mr. Speaker, her qualification if Members can look at it is quite interesting to note. Additionally, there are young people in the list and it is really good and it gives hope to the Members and to the young people of this County, that it does not matter your age, you can always serve and you can always be of help to developing our urban society.

Additionally, Mr. Speaker, as the Chairperson has said that this County is trailing behind in terms of the timelines, Mr. Speaker I would like to urge this House to support this Motion and to pass the names without any contradiction. So Mr. Speaker, I rise to support this Motion and to congratulate the Committee at large for presenting such a rigorous work in this floor of the House. Thank you so much.

The Speaker (Hon. Joel Karuri): Thank you, the Honorable Member for Murindat.

Hon. Peter Maina: Mr. Speaker, I would like to first and foremost commend the Committee for the job well done. And also, being a Member, I understand that they took a lot of time. They burned the midnight oil to ensure that they have done the vetting and done it well. However, Mr. Chair, I would like to support this Motion with an amendment. And the reasons for the amendment, Let me refer to Gilgal Municipality. Mr. Speaker, be very sincere. If you look at the Urban Act, Article

14 schedule 4, it states very clearly that for a person to qualify to be nominated in the Municipality Board, he has to have lived in that Municipality for more than five years. Number two, such a Nominee should be a permanent resident in that Municipality. And last but not least, such a Nominee should have a business in that Municipality. Referring to the document that has been placed by the Honorable Chairperson for the Lands Committee, the Title Deed that he has placed. The Title Deed is reading Miti Mingi, but unfortunately, Mr. Speaker, Miti Mingi is not part and parcel of the Municipality, because Gilgil Municipality is made up of three major centers. We have Langa Langa, we have Gilgal Town, and we have Kikopey.

Therefore, that document that has been placed in this honorable House does not hold water, and it might be null and void. Mr. Speaker, it has been indicated that there were no Petitions that were laid before the Committee. But Mr. Speaker, it has to be realised that elected Members from Gilgil are walking Petitions for the residents of Gilgil Constituency. Therefore, they have the right to express the concerns of the residents, whether the Petition was written or not. Therefore, Mr. Speaker I am proposing that we support the Motion, we pass it, but with amendments.

Hon. Eliud Chege: Point of order, Mr. Speaker.

The Speaker (Hon. Joel Karuri): What is the Order?

Hon. Eliud Chege: I wish honorable Njoroge to explain what he means by saying that Members of Gilgil are walking Petition because Mr. Speaker, if I am not wrong by my understanding, a Petition should be forwarded to the House and the Speaker. That is what is qualified to be a Petition. So, the describing of honorable Members as like Petitions, sincerely Mr. Speaker, I do not understand. Maybe he can explain because he could be misleading the House.

The Speaker (Hon. Joel Karuri): The Honorable Member are you misleading the House?

Hon. Peter Maina: Mr. Speaker, I am not misleading the House. Elected Members have a job and a responsibility to represent the people. And therefore, we received concerns from the residents of Gilgil, especially the Business Community, and therefore, as an elected Member, I feel I have a right to stand in this House and express that concern. Therefore Mr. Speaker that is why I want to justify that an elected Member can also be a form of a Petition; a walking Petition.

Hon. Joseph Muraya: Mr. Speaker. I also need clarification...

The Speaker (Hon. Joel Karuri): What is it Honorable Mwangi because you have granted yourself the Microphone.

Hon. Joseph Muraya: Sorry Mr. Speaker, but thank you for allowing me to proceed. So Mr. Speaker, when the Member for Murindat is telling us that he has a role in Representation, Oversight and Legislation? Is he in order, misleading this House that he could not have advised his residents to write a Petition and bring it to the Committee, is he in order?

The Speaker (Hon. Joel Karuri): Now, the honorable Member for Murindat you have brought a very important and significant discussion about what a Petition is. Because there is a threshold. And there is a way that Petitions are done to this House. Then in the past we have not had walking Petitions. So basically, that is a new proposal. But as of now a Petition to have the threshold to be termed as a Petition, there is a process, there are documents to be filled in this House. There is a framework, how it is done. And so, for now you did not consider any other form of Petition, apart

from what now we have in our Standing Orders. What stands as a Petition? And so, it is good to clarify that we...

Hon. Peter Palang'a: Point of information Mr. Speaker.

The Speaker (Hon. Joel Karuri): What is it?

Hon. Peter Palang'a: It is just a point of Information Mr. Speaker, just in addition to what you are saying, a Petition cannot hold water if it does not have a signed Affidavit by a particular person Petitioning. So, in this case just as you are saying, and I am just wondering, an Honorable Member, in a second term, Honorable Member like myself, seem not to have gotten this right. A Petition cannot be verbal. A Petition must be written, it must be signed by Affidavit. And that is the understanding of the Petition because it is important that you put it clear, nobody can walk with a Petition. And if anything, Mr. Speaker our roles as MCAs, we do the Oversight, we do the Legislation, Honorable Member would have advised the Petitioner so to speak, if there were there, to put it in writing and a signed affidavit and that is what holds water. Mr. Speaker, alongside the Memorandums we received from Mr. Muli, there were 16 in number I mentioned. One of them was never agreed to be a Petition because it did not have a signed Affidavit. So that is the case. Mr. Speaker,

The Speaker (Hon. Joel Karuri): Honorable Member from Murindat this is your last chance to clarify what you submitted as far as your position on this matter is concerned, because already I have given you more than two times. This is the last time.

Hon. Peter Maina: Now Mr. Speaker, I want to plead with the Members, that we agree to do justice to the people of Gilgil. There is no point whatsoever for us giving them someone who does not come from Gilgil. Someone who does not have a permanent resident in Gilgil; someone who does not have a business in Gilgil Someone who does not have interest in Gilgil whatsoever.

Therefore, it is my plea that you agree we do justice to the residents of Gilgil, that we pass all the names, except this one. And it does not affect anything, Mr. Speaker, because in Molo, we were expected to vet seven, only six of them showed up. So, it does not change anything. It is not going to stop the operationalisation of the Gilgil Municipality.

Therefore, I want to plead with Members for the sake of your brothers and sisters from Gilgil Constituency who are being questioned day in and day out by the electorate, as to how an outsider sneaked into the Municipality. I would want you to consider that and pass all the names in Molo in Nakuru Municipality in Naivasha but in Gilgil, let us pass all the names except this one.

The Speaker (Hon. Joel Karuri): What is the order Hon. Muraya?

Hon. Joseph Muraya: Thank you Mr. Speaker sir. You have asked the Member to clarify about the walking Petition. The Member has run away from that, again. I want to ask him whether he wants to use this House as the Petition to disapprove that name.

The Speaker (Hon. Joel Karuri): That matter is closed for now on the nature of the Petition. The Honorable Leader of Majority Party and then after the Leader of Majority Party, the Honorable Hassan.

The Majority Leader (Hon. Alex Lang'at): Thank You Mr. Speaker sir. I was actually rising on Order 57. This one is on issues of Amendments of a Motion and maybe as much as we feel for the

Honorable Member, I would have really wished also to put in consideration the salient points that he has raised.

Order 57, talks about the Proposer, this is on issues of amendment to a Motion. That the proposal of amendment to a Motion shall, before moving it, hand the proposed amendments in writing, signed by the Proposer to the Clerk, at least two hours before the Order is read.

I feel and sympathise with what my colleague and great friend is really putting forth, but in terms of this House being a House of law and order, his point may not hold water because he ought to have done this two hours before so that it gives us time to ventilate and be able to advise the House accordingly. Thank you.

The Speaker (Hon. Joel Karuri): Thank you the Leader of Majority Party. Hon. Ali

Hon. Ali Abdi: Thank you Mr. Speaker sir. I am standing to seek for information. If all Honorable Members can go to the last page of your Report where all Honorable Members of this Committee have signed against this Report. I am just sitting here and wondering who is Hon. Peter Njoroge? Why was he signing this Report if he had any issue with this Report? This means that this Report is good and it should be passed without any amendment. Thank you honorable Speaker.

The Speaker (Hon. Joel Karuri): The Honorable Majority Whip?

The Majority Whip (Hon. Fadhili Msuri): Thank you Mr. Speaker sir. I think the discussion about who is a walking Petition or who is a running Petition, I want to continue with where we left before my good brother here took us the other way.

I rise to support this Report and the great work done by this Committee under the able Leadership of our Senior Chairperson, and what has impressed me is that for the first time since Nakuru became a County, the Minority community in this City has a space within the City Board and more so the Muslim Community has been given an opportunity to serve the people of Nakuru in the City Board through the nomination of one Mrs. Johra Said Ali.

Where we have come from since the advent of Devolution, it has really taken a lot of energy and time to fight for spaces so that we can represent our people and today, for one of us to get a space to represent the interest of not just the Muslim Community but the people of Nakuru City within the City Board. That is impressive, and I believe my other colleagues from the other Municipal Boards that is Gilgil, Molo and Naivasha also share the same sentiments.

When we were doing the interview which I was part of, we did an interview for a very young lady. I do not even think she has reached 25 years old. Just by interviewing her, you could see the aspiration and the belief she had in herself of what she thought she is going to contribute to see the people of Molo get the benefits under the Municipal Board. I want to urge Honorable Members that we all rise up to the occasion, support this Report and approve it as it is in totality.

Because it is 4:30 PM and it is a Wednesday, and where I come from, Wednesday is called a "*Ladies' Night*". We want to go and prepare ourselves. I want to urge my colleagues, let us pass this Report as it is and let us provide the opportunity for the people of Nakuru City Board, Naivasha, Molo and Gilgil the chance for them to enjoy the immense resources that are going to come as a result of this. I support.

The Speaker (Hon. Joel Karuri): The Member for Lakeview Ward.

Hon. Alex Mbugua: Thank you Mr. Speaker sir. I want first to congratulate the Chairperson Lands Committee because of the firmness that he has taken in leading this Committee. I am part of this Committee and I can tell you that this Report should be fortified with great defense because if you look at the Members that were forwarded to this House by our Governor, they are some of the best brains that we have.

If you go to one Mukui in Naivasha, you will find that he is one of the persons who wrote various Reports that have led to the development of this Country. He was an Engine in the Government of the former President, Mwai Kibaki and the Economic Agenda of that Government has come to be seen even to this day.

When I go to the last nominee, Madam Rose, when I interviewed her because I was in that Committee, I saw a young person who is focused, willing to deliver to this Country and Nation. These Members have integrated and interacted with Mr. Cryspus Wathimba. My alma- Mata tells me he is one of the best brains that we have within Nakuru. We do not have the luxury of time that we keep some names off the list because as a House, let us remember where we come from. I want to remind these Members that a time like this, *Mheshimiwa* Fadhili has told us that it is about 5:00 PM.

A year ago, a time like this, the Ballot Boxes were being closed. This is one year down the line and we cannot stand here on the day that we came here and pull another person down. We must uphold that greatness of Nakuru. You must remember where you came from because today, I have been touched by the speeches that our President always gives and he says that when he was elected, he was given a chance; not that his community had the majority Members within the Country, but he was given that seat by all these other people within the Country. Brotherhood will push us far and let us always remember where we came from. I rise to support all those names without any change. Thank you.

The Speaker (Hon. Joel Karuri): thank you Hon. Member from Lakeview Ward.

In order of precedents, the Minority Whip is on the floor and now, the Honorable Member for Keringet Ward, in that order.

The Minority Whip (Hon. Virginia Gichanga): Thank you Mr. Speaker sir for giving me this opportunity to contribute on the Report on the Nominees for the three Municipalities and the City Board. I congratulate the team. I have seen that in the Lands Committee, we have professionals who can come up and articulate issues during vetting. Congratulations Members and keep up the good work. Honorable Chairman, I see you are about to run out of breath while trying to urge the Members to support your Motion. You have done a great job despite the fact that you are saying Minorities were not considered, there is always a next time.

My contribution first of all would be on the gender issue. If you look at the composition of all the Members from the three Municipal Boards and the City Board, we have a good representation as far as gender is concerned. There is youth, there are women and that makes this Report qualify to be passed by this Honorable House.

The Member from Lakeview Ward has talked about what I wanted to talk about, mostly on this day of 9th of August; that is the day we were elected and we need to do justice as a way of commemorating the day we were elected as Members of this Honorable House.

If you look at the composition of all the Members, you see all of them have Degrees, some have Masters. There is one here, this Mukui guy, who has like so many Degrees and Diplomas and he seems to be a person who during Kibaki's time, he was the Economic Planning Advisor. In Nakuru County, we need such a person because economically, we need to grow. Our Naivasha Municipality needs to grow and I believe, with such a person in the Municipal Board, he will not only be of importance to Naivasha Municipal Board but to the whole County. I believe when Madam Governor was giving these names, she had done due diligence on the candidates she wanted to work with the Boards.

I also would like to congratulate my worthy opponent, Hon. Jonathan Kuria Warothe for being in this Board, but I hope whoever has been given the work of the Boards and still has political ambitions, they would be able to manage their political interest and to shove it aside and work for the County of Nakuru and also work for the Appointing Authority. I rise to support and urge this Honorable House that when you get to be a Municipality, you have benefits because now you will be benefiting from the World Bank money. Whatever comes with the World Bank is not the same as what comes with us as the Ward Fund or the Headquarter project. The World Bank brings goodies. So, I urge this Honorable House, there is no one time we have everything on Board. Nakuru is a mixture of all the tribes in Kenya; it is a small Kenya and there is no one time we will have all the tribes fitting in one thing. The only thing I would like to urge Her Excellency Madam Susan Kihika, if there arises some other appointments, let her consider those who were not considered in this Report. I rise to support.

The Speaker (Hon. Joel Karuri): Thank you. Hon. Member for Keringet.

Hon. William Mutai: Thank you Mr. Speaker sir. I also rise to support this Motion but then, there are some few things that I want it to go on record for future reference.

The reason as to why I support this Motion is because people of varied ages have been considered and gender has also been considered; which is a great achievement. The ladies now have something to be proud of because quite a number of them have been considered.

There was something that I really wanted to put across very strongly at the beginning but when my colleague Honorable Fadhihi and Honorable Palang'a stood and said that they are very satisfied. My main reference was on defending the rights of the Minority but when they said that they are quite okay, I felt like it is very important to put this thing in record again for future reference in that, if you check on the list analytically, you will find that there is no ethnic balance. I have no problem with the region because in any case, the regions are distributed in the County. You check on the Kikuyus, they are about 19 out of 26. The Kalenjins are 2 out of the 26. The Muslim is 1 and 1 Kamba.

Hon. Fadhihi Msuri: Point of Information.

The Speaker (Hon. Joel Karuri): What is it, the Majority Whip?

Majority Whip (Hon. Fadhihi Msuri): Mr. Speaker sir, my dear brother has gone on to profile tribes in terms of composition. I just wish to remind him that Muslim is not a tribe. It is a religion. Thank you.

The Speaker (Hon. Joel Karuri): What is the information, Minority Whip?

Minority Whip (Hon. Viginia Gichanga): Mr. Speaker sir, if you look at the Naivasha Municipal Board, we have a Lang'at. In Naivasha, Kalenjins are not the Minority. This document does not really involve those issues of who are the Minority here and who are not the minority there; it is about the composition and soon, I think we would have other Cities and Towns coming up. Let us say Olenguruone has become a City or a Municipality. How many Kikuyus do you expect to be in that Municipality? I rest my case.

The Speaker (Hon. Joel Karuri): The Honorable Minority Whip is talking about the future and the Report is for now. Do you have any new information the Honorable Member for Turi Ward?

Hon. John Macharia: Thank you Mr. Speaker sir. I want to inform Honorable Mutai, the Member for Keringet Ward, that the number of Nominees that were required for the 4 Municipalities were 28 and in Kenya, we have more than 45 tribes. Therefore, I do not believe we can distribute as a County so that we are able to allocate for each and every tribe in Kenya. Thank you.

The Speaker (Hon. Joel Karuri): Hon. Mutai, kindly conclude your submission.

Hon. William Mutai: Thank you Mr. Speaker sir. I did not know that my statement will be so emotive but to me, that is the truth. I was giving statistics but I have no problem. I started by saying that I am going to support the Motion but in future as we go forward, we can be considerate while distributing the positions. Otherwise, I stand to support.

The Speaker (Hon. Joel Karuri): The Honorable Member for Kabazi.

Hon. George Talam: Thank you Mr. Speaker sir. I rise to support this Motion. I really thank the Chairperson for having this time and vetting the Nominees. I do support the Nominees because they have qualification but my point is, for fairness in this House in a democratic way, let us vote in a secret ballot. I know some of us here cannot rise and say no but let us go that way.

Hon. Joseph Muraya: Point of order Mr. Speaker sir.

The Speaker (Hon. Joel Karuri): Honorable Member for Viwandani Ward, today your points of order have exceeded the limit. We have gotten what the Member for Kabazi is saying. We have taken note of that.

The Honorable Member for Rhonda

Hon. John Gachiri: Thank you Mr. Speaker sir. *Nasimama kuunga mkono Mswada huu na pia nikishukuru Mungu kwa siku ya leo kwa sisi ambao ni County Assembly ya Nakuru ya tatu kwa sababu ya Mungu kutupatia nafasi hii mwaka mmoja ambao umekwisha.*

Nikiangalia orodha ya Members ambao walikuwa katika Kamati hii ni kuonyesha ya kwamba walikuwa na imani kuhusu Ripoti yao na nikiangalia naona ni watu wane tu ambao hawakutia saini katika Committee na wengi wao ni wale walikuwa nje; ambao wamesafiri ndio maana hawakupatikana. Nasema hivyo na kuunga mkono ya kwamba Ripoti hii inastahili ...

The Speaker (Hon. Joel Karuri): There are Members who are abroad or what are you insinuating?

Hon. John Gachiri: Namaanisha hao ni wale huwa wanaenda Ng'ambo mara mingi. Hata nje ya Nakuru ni ng'ambo. Hata kule Kapkures ni Ng'ambo, especially Mheshimiwa Tanui hapa unaona ni wa ng'ambo upande ule mwingine wa Nakuru.

Nasimama kuunga mkono nikijua ya kwamba Kamati hii ambayo inaongozwa na Mzee wetu wa miaka katika Bunge hii na katika Council, ambaye ni Mheshimiwa Palang'a, ambaye najua tumefanya na yeye kazi sana akinitembeza katika Kaunti hii, tunamuamini katika kazi yake na juhudi zake na tukiangalia Ripoti kulingana na vile wameenda through katika kila mmoja wa wale ambao ni Nominees, nawezakusema ya kwamba it is worth katika kazi yao na katika juhudi zao na wale watu ambao wameteuliwa ni watu ambao wako na umaarufu, kama vile Mheshimiwa Muli ambaye ndiye Chairman wa Matatu zote hapa Nakuru County. Yeye ndio anasimamia matatu; ni mwanabiashara ambaye ameingia sana na amefaulu sana. Watu kama hawa ndio tunawahitaji katika Bodi zetu ili kuhakikisha ya kwamba hata katika mambo hayo ya Matatu, katika yanayohitajika yatakuwa na manufaa na County hii yetu tunahitaji sasa kuendelea sana tukijua ya kwamba hii ndio Bageti yetu ya kwanza ambayo tumepitisha. Kwa hivyo, tuko na uhakika hata katika mambo ya pesa kama zile za World Bank na pesa zingine ambazo zinakuja kwetu, Boards hizi zitatusaidia sana kuhakikisha mambo yetu yanaenda vizuri. Kwa hivyo, nashukuru sana hata kwa nafasi hio na ninaunga mkono.

The Speaker (Hon. Joel Karuri): Thank you. Hon. Member for Maai Mahiu who happens to be the Vice Chairperson for Lands Committee and later, *Mheshimiwa* from Malewa West Ward and then we are going to get other Members.

Hon. Eliud Chege: Thank you Mr. Speaker sir. First, I would like to thank our Members in the Lands Committee which I happen to be the Vice Chair, for the good work. I also would like to commend the Leadership of Hon. Palang'a who is our Chairperson.

When we look at this Report, we divided the Committee into two and I happen to Chair the vetting of one of the groups. For sure, most of the people from Gilgil and those from Naivasha whom we did vet are qualified. I happen to get one of the Nominee with a Degree from New York. I was surprised to see the size. It was almost like a table. That is my first time that I saw a Masters Paper from the USA. It was of a recommendable size. Therefore, by saying so, I would like to say and I urge this House, let us adopt this Report and give a chance for our Municipalities to be enacted.

Being people of good heart and lovers of this County and representatives of our people in Nakuru County, when we look at the past regime, they took 100% of the advantage of Municipality. For example, I come from Naivasha and being a Member of this Committee on Lands and Physical Planning, I happened to look what are the functions of this and what have they achieved there before.

When we just looked at Naivasha being a Municipality, in the last 4 Financial Years, they were in a position to do a Market, a Municipal Park, a Tarmac Road in Lakeview Ward and some cabros within town and some lights. That was the last regime and now this is our time and our regime. I do not think as Members of this House that we have the luxury of time and because this Committee is just a branch of this House, the Report we have here, we are mandated by this House. We are just a branch. When we table this Report here, it is no longer our Report. This is the Report of this House and the Report contains well wishes of our people.

When we look at other Counties, for example, I might give like Kiambu County. They have almost 10 Municipals and that they attract a lot of financing from World Bank. When you look at Nakuru County, it is a City. We only have Naivasha that has an active Municipal only and now we have an acting Gilgil and Molo. Today, I am surprised if somebody can rise in this House and try maybe to argue otherwise because if you have only one Municipal, the argument of this House should be,

how are we going to get 5,7 or 10 Municipalities because Nakuru is now a City. It is very unfortunate that it is a City with only 3 Municipalities.

I am urging this House, let them give way so that at least, when these Municipal Boards are active, they can give way for Njoro, Mau Narok and Maai Mahiu. Members whose Wards happen to be from these Municipalities and City should take 100% advantage of being there. For example, my Ward is in Naivasha Sub-County and does not fall under a Municipal but because of the love that I have for Nakuru and for our people of Naivasha, I cannot afford to dodge with such a document. We definitely need to adopt this Report and therefore, I plead, being the Vice Chair to this Committee, and because Honorable Members gave us that chance and entrusted us to undertake this mandate, I want them to trust us and also give us power now so that next time when we are given a duty or something to do, we are going to do it vigorously with a lot of energy expecting that those who mandated us and this House are going to accept and they are going to adapt it.

When we want to empower even our Committees, it is when we look at what performance and how these Committees are performing because coming up with Reports in this House, the House should easily be in a position to adopt those Reports and whenever we have a very serious issue, I urge Honorable Members most of the times to be friends of those Committees because this Report was very crucial.

Anyone who felt that they had an interest or any input should be a friend of this Committee. I would like to commend Honorable Dorcas Gatherer, She was with us during that vetting process and the process was very tiresome. We did the vetting from morning up to evening. We were not even given a chance to take a cup of tea and the Member was with us the whole day. That is the spirit I want this House to move with.

I would wish and plead to this House, let us adopt this Report and let us look at the betterment of our people. Let us focus Honorable House. If today, we get like 7 Municipalities, we can attract almost a billion because if every Municipality is given Kshs. 100 million and now we have like 7 Municipalities, for our brothers from Mau Narok Ward, the work of this Committee is now to push the Executive to give more Municipalities and to give way for each and every area to have a Municipality so that we can attract these funds.

I rest my case and I urge this House to support the Motion.

The Speaker (Hon. Joel Karuri): Before we proceed to the Member for Malewa Ward, Honorable Kamau Eliud, when you started, you talked about a book size of the table. Were you cowed by the contents therein? Were you keen to check on the content because a booklet could be a booklet?

Hon. Eliud Chege: Thank you Mr. Speaker sir. When I was talking about the size, I was just trying to use a figurative language to make this House understand the kind of people we vetted because despite having that Masters from USA, he also had a Degree from the University of Nairobi and when we were trying to scrutinise the two Papers, that is when I was in a position to understand that from the USA, their sizes are somehow bigger. We looked at every aspect and we interrogated everything. Thank you.

The Speaker (Hon. Joel Karuri): Thank you. The Member for Malewa West Ward.

Hon. Francis Kuria: Thank you Mr. Speaker sir. First, I will start by commending the good job by the Committee. I say *kongole kwa wao*.

When I look at the Academic credentials for these Board Members, we have Professionals, we have Engineers, and we have people with logistic experience; and remember, this has a timeline. We have people here who will be able to formulate and implement Integrated Development Plan. When I check at their credentials, we have people who will adopt Policies, Plans and also Strategies.

Since the Committee has taken their responsibility, I rise to support this Motion because those people are able to meet the targets and deliver services. It is my plea that let us be the great people in this House who will discuss ideas. Let us not be people of small mind who will discuss people.

I urge this House, the way this vetting was conducted, I support. When we look at Naivasha Municipality, we have a Kalenjin there but the vetting was done without looking at the tribe. We have 42 tribes in Kenya, plus one; that is the Makonde and we cannot fit in this list. Those who were not lucky to be in this Board Member, the next phase, we are going to have Kuresoi where the majority will be the Kalenjins. We will not come and say we do not have Kikuyus there.

The Speaker (Hon. Joel Karuri): Honorable Member, talk about ethnic balance without mentioning the ...

Hon. Francis Kuria: I stand guided Mr. Speaker sir.

The Speaker (Hon. Joel Karuri): What is it Hon. Kamau from Kihingo Ward?

Hon. Simon Kamau: Thank you Mr. Speaker sir. You know, the Honorable Member for Malewa cannot stand and say that we are not discussing people. We are discussing people; even those people who were vetted by the Committee are people. Therefore, you cannot say that we are not discussing people whereas the ones contained in this Report and findings are people as well.

Hon. Francis Kuria: I stand guided.

Hon. George Talam: Point of order!

The Speaker (Hon. Joel Karuri): Order number what, Hon. Talam?

Hon. George Talam: Point of information to the Honorable from Malewa Ward. Is he in order to say that we are discussing people and so, we have small mind? Is he in order to discuss about other tribes on the other side and he says we are having small minds? Is he in order?

The Speaker (Hon. Joel Karuri): Honorable Member from Kabazi Ward, is that information or is it a point of clarification? What information?

Hon. George Talam: Mr. Speaker sir, what I wanted to say is, that it is a point of information whether he is in order when he says that we are discussing about people whereas the Nominees that were vetted by the Committee are also people and he is accusing us of discussing them, saying we are small minds. Is he in order?

The Speaker (Hon. Joel Karuri): The Honorable Member for Malewa West Ward.

Hon. Francis Kuria: Thank you Mr. Speaker sir. I stand guided. You guided me and I withdrew that statement. It was not to become a topic.

Therefore, we do not want divisions in this House. We work as one House, with unity and we do not want divisions. I humbly request the Honorable Members we support this Report, knowing

very well this is a kitty coming from another source. When we say we do not support this Report yet we have a timeline when this Report should be submitted, it is like we are denying ourselves our own kitty. I therefore urge this House to support this Report. It is not 100% done but I humbly request let us not deny our County, let us not be biased and let us work with the plan that we have been given here and things will be well. Thank you. I support.

The Speaker (Hon. Joel Karuri): Thank you. Member for Barut Ward.

Hon. Bernard Kirui: *Asante sana Mheshimiwa Spika kwa hii nafasi ambayo umenipatia. Nimesimama kuiunga ingawa roho yangu haiku hapo kwa sababu ya yale maovu tunayaona kwenye hii karatasi.*

Tumesikia mambo mengi yakisemwa hapa. Ukijaribu kuangalia hio orodha, ni vile nilikuwa nimesema ule wakati kuwa haireflect vile Nakuru County inakaa. Hata ingawa tunaambiwa tungoje Olenguruone ikuwe Municipal ndio tujipangie pale, lakini pia tunasema ule mkate ambao uko kwa meza, tunafaa tule pamoja kwa saa hizi. Ile ingine ambayo itakuja badae tutagawa pamoja kwa sababu hii serikali ambayo unaiona ikiwa hapa, hata sisi kama jamii ambayo tunaambiwa tungoje, tuliichangia ndio ikafika mahali iko saa hizi. Ikifika mahali pa kusukumwa, hatuwezi kubali na hata hizi Report zinaendelea hapa saa hizi, hata wale ambao tunawakilisha wanangoja kupata matokeo tumesema nini hapa ndani.

Ukiangalia ile orodha ambayo imeletwa hapa, hata kama tunaambiwa tuko kabila arobaini na mbili, hizi kumi na tisa ambazo zimeenda na jamii moja zingepeanwa kule kwingine moja moja ili kila mtu apate moja kwa sababu hii Nakuru ni ya kila mtu; sio ya mtu mmoja, ni yetu sisi wote.

Mimi najua kila mtu yuko kwa hio laini na kila mtu anaogopa kuipinga hii kitu lakini mimi mwenyewe nimesema hata kama niko hapa, roho yangu haiko hapa. Ingawa tunasema tunaipitisha, lakini hapo hakuna haki ambayo imetendwa kwa makabila mengine.

Ukiangalia sisi kama jamii ya Kalenjin, sisi ndio tulipiga kura ndio tukapata hii serikali ambayo iko saa hizi na kama tungepiga upande ule mwingine, hii tuko nayo saa hizi tungekosa. Hata kama hao wengine wanasema wako wengi, tunafaa tunafuatana. Mkiwa kumi na tisa, sisi tuko kumi na saba hapo kwa sababu bila sisi, hamngekuwa hapo. Hii si vizuri.

Ukiangalia hii ambayo tulipewa juzi na watu wanatuona hapa kama sisi ni wajinga. Juzi wakati tulipatiwa ile Board ...

The Speaker (Hon. Joel Karuri): Order! Mheshimiwa, that is un-parliamentary.

Hon. Bernard Kirui: I withdraw that one, Mr. Speaker sir.

The Speaker (Hon. Joel Karuri): What is the order Hon. Kamau?

Hon. Eliud Chege: Mr. Speaker sir, let me not say the number of the Order but ...

The Speaker (Hon. Joel Karuri): Honorable Member, if there is no specific order, we may dilly dally back and forth. Allow Hon. Member for Barut Ward to finish.

Hon. Bernard Kirui: *Asante sana Bwana Spika kwa kunisaidia hapo. Mimi najua watu wanatafuta hii shingo yangu lakini ni sawa tu. Nilikuwa nikisema, ile orodha tulipewa juzi, wale ambao wanaenda kuvet hii Kamati tuliletewa juzi. Nilikuwa najaribu kuangalia wale ambao walipewa hio kazi, unapata sasa hizi jamii zingine ambazo saa hizi hawaonekani hapa wanapewa*

kwa sababu hio ilikuwa ni kitu ambayo inaenda tu wiki mbili au tatu na kazi yake imeisha lakini hii ambayo inachukua miaka tano, hapo hakuna kitu ambacho kinaendelea. Tunapikiwa lakini Mungu anajua tu. Siku ya Mungu ikifika, pia tutakuwa hapo. Asanteni.

The Speaker (Hon. Joel Karuri): Hon. Member for Kiptororo.

Hon. Alex Bor: Thank you Mr. Speaker sir. I rise to oppose and I am opposing on the grounds that honorable Members have said that their hearts are not there. So, mine totally is not there and let this one go on record. Hon. Speaker, we do have the numbers and I think analytically, it should have been used to distribute these ones. So, I just want to say that I am opposing and it should have been distributed according to the numbers. If you go the way of voting, I know *tutashindwa* but *wacha tushindwe nikiwa najua* I opposed it. Thank you.

The Speaker (Hon. Joel Kairu): Thank you. The Member for Maiella then we move to the other side.

Hon. Jane Gituku: Thank you for this opportunity and also thank you the Chairman for Lands Committee for the good work they have done. You know that it is actually a hard task but somebody has to do it. I would also like to comment that the people we have vetted even if they have political ambitions, Honorable Speaker, you will agree with me that as he sits as a Speaker, he was also in politics and so some of these things we cannot discuss them. Somebody just becomes a politician or even an officer depending on the circumstances. So, let us not fear, let people come up, let them challenge us so that we can know we have a responsibility.

On the document, I have just noticed that some of these people who were vetted are lacking some of the credentials that we really require because of what we call Performance Contract and also for Integrity and that is what we call network. You look at page 23 we have a certain James; page 16 we have got a Crispus and also page 34 we have one Sahara but you notice that their net-worth are not reflected. The reason why we need this net worth reflected is because the job you are given also requires that you have some integrity, something that can be used to measure as we progress on issues that are EACC and all that matters.

You might be good but somewhere along the line, we require some measures so that we can be responsible. Also, I want to recommend the issue of Peter Maina (PM), as a Member of this Assembly, I think we have a responsibility for the people who voted for us and even if you do not bring a Petition, I think we are within our rights also to express our fears. We should be able to accommodate one another. So as much as there was no Petition PM, it is good for the people of Gilgil and Morendat to know that you were also concerned.

Finally, I would like to ask a question from the Speaker, being in this Assembly for the first time and also having read the Standing Orders, because we keep learning as we said when we came here, because somebody has suggested that we go the secret ballot way. I do not know the difference between taking the question on the floor and going the secret ballot but because we are here for a reason, I think we should be able to get things right because when somebody asks for secret ballot, it seems that person has got reservations. So, I believe we stand advised by the Speaker on the way forward on the voting of this Motion. Thank you Mr. Speaker sir.

The Speaker (Hon. Joel Kairu): Thank you Hon. Member for Maiella; the Member for London.

Hon. Bernard Gatuso: Thank you Mr. Speaker, for giving me this opportunity, also I take this opportunity to commend work well done by the Committee of Lands. I am part of the Committee and I think in terms of qualifications, academics, Chapter 6 of our Constitution, skills in terms of decision making and also in terms of how they were able to articulate issues, I believe they qualified on that.

Mine is to urge honorable Members that we pass this Report because I believe it will come with funding from the Development Partners. And considering that my Ward has been able to benefit from such funding because a greater part of London Ward has been able to develop in terms of tarmac from such funding. The other thing I believe is that we will be able to get funds from Development Partners that will enable us build structures that will inform us in terms of revenue collection; that will be able to do away with this question of Own-Source Revenue.

The other thing in terms of farming, that much of the Municipality is evolving or developing, I believe that agricultural economic areas to some extent we will be able to do away with post-harvest losses whereby we will be able to do some storage facilities and also deal with road network that will enable farmers to get farm produce from farms to markets in real time.

The other thing is about floods that usually happen during rainy season. I believe with such funding and partners and existence of these Board, we will be able to do away with drainage or we will be able to do modern drainage systems that will enable us to deal with flooding in this City and also in the Municipalities. I am a resident in London Ward where we have menace in terms of Waste Management, Giotto dumpsite in our area and I believe with such funding and partners and the Board being in place, we will be able to come up with a structured way on how we can reduce or have formal ways on how to deal with Waste Management. Thank you Mr. Speaker for giving me an opportunity and I arise to support the Report.

The Speaker (Hon. Joel Kairu): Thank you; the honorable Member for Kamara.

Hon. John Maritim: Thank you Mr. Speaker sir. I also arise to oppose the Motion and I want to oppose it in two dimensions; Firstly, Nakuru County is a cosmopolitan region and as such, it is meant for all tribes but here in Nakuru it seems that one tribe overrides the others and so I believe what is depicted in this Report, even staffing of County Assembly you see that some of our tribes are taken literally but others are taken keenly.

Secondly, there is this gentleman by the name Richard Cheruiyot a nominee in Naivasha; I believe the Report will go through well but this gentleman is in catering or something like that. I believe if he could be moved from Naivasha back to Molo so that he can meet his friend called Wesley Kipkemoi Ruto there because I believe he is the only person in Naivasha who is odd one out, in that when FM is switched, he is out of place as his counterpart is in Molo.

Hon. Ali abdi: Mr. Speaker point of Order?

The Speaker (Hon. Joel Kairu): What is the Order?

Hon. Ali abdi: Can the Member please substantiate his remarks; I think the Member is doing catering; did you say something like that? Can you substantiate?

The Speaker (Hon. Joel Kairu): Order! Address the Chair!

Hon. Ali Abdi: Sorry Mr. Speaker can the Member please produce evidence because this is a House of rules and records, we want to see evidence because you cannot mention someone that he is a Chief- Chef but you have no information Mr. Speaker.

Hon. John Maritim: Mr. Speaker sir,

The Speaker (Hon. Joel Kairu): The Member for Kamara kindly substantiate and finish your submission.

Hon. John Maritim: Also, I was talking about Richard Cheruiyot who we have been told he is a Chief-Chef in catering; I mean what is catering? I believe it deals with food production; cooking of food; it is a profession like a Lawyer who deals with the law and so catering/ Chief- Chef that is a position and one thing that I was talking about. Thank you. The last thing...

Hon. Alex Mbugua: Mr. Speaker point of information.

The Speaker (Hon. Joel Kairu): What is the information?

Hon. Alex Mbugua: Mr. Speaker I would like to inform the House the said Paul Lang'at, this person maybe the County should have an interest on who he is. When the Country was on a shutdown, this gentleman was doing free delivery of foods to most of the Flower Farms, giving these people food. Mr. Speaker, that gentleman as we know him, you might classify him as a minority yes, a certain tribe; but I think he is one of the greatest people who served this Country during Covid time and I coming from Naivasha, I will value such a person. Thank you.

The Speaker (Hon. Joel Kairu): Kindly Hon. Member for Kamara kindly finish up.

Hon. John Maritim: Thank you Mr. Speaker; finally, there is another nominee by the name of Kagai Thiong'o; he was born in Nyeri and in the questioner there was a place that was asking do you understand the boundaries of Molo and he said he does not understand the boundaries of Molo. We have been told that any nominee who needs to be a Board Member of a given place, should be domiciled from that given area. So I think also that in future, the Chairperson of Lands, Housing and Physical Planning or the Committee should take more cautious measures on giving us this information.

The Speaker (Hon. Joel Kairu): What is its honorable Member for Turi?

Hon. John Mwangi: Thank you, Mr. Speaker sir, I want to inform the honorable Member for Kamara that I was in that vetting room and Mr. Kagai Thiong'o was able to articulate issues, to explain himself and eventually we were able to ascertain that he owns some assets in Molo and therefore me as a Member of Molo, we are satisfied Mr. Kagai Thiong'o as one of the nominees for Molo Municipality.

The Speaker (Hon. Joel Kairu): The Hon. Member finish up.

Hon. John Maritim: A quick one; thank you, another thing also Mr. Speaker sir that I wanted to put across is that the promoters of Molo Municipal are people from Kuresoi South, Kuresoi North, Kericho usually come to Molo for banking. We have like five banks in Molo which include Equity, Cooperative, National bank and many other banks and so I think Mr. Speaker, in consideration of the Board, we should get at least two people for Molo Municipal. Thank you, Mr. Speaker.

The Speaker (Hon. Joel Kairu): Thank you; the Hon. Member for Waseges.

Hon. Elijah Murage: Thank you, Mr. Speaker, for giving me this opportunity to contribute to this Motion. I rise to support, because this is the song now; this is our new song of supporting, supporting, and supporting. And one of the Members said we should be in unity but opposing any Motion or any debate does not mean that we are not a united Assembly. So, I rise to support but I know some of us here, you know me I am a man of the truth and I will always speak the truth; I am an honest person, a truthful man.

Mr. Speaker, let me say I know some here are profiling us honourable Members, and as I conclude maybe, the Report would be taken to our masters but I say, a time will come like Honorable Member for Barut has said; our God will come, thank you Mr. Speaker.

The Speaker (Hon. Joel Kairu): Now we have to finish up; the Hon. Member for Viwandani and then we come this way then we are done.

Hon. Joseph Muraya: Thank you Hon Speaker; now I arise to support and to commend the good and well-done job by the Committee on Lands and Physical Planning. Honorable Speaker, I want to say that as a Sectorial Committee on Lands and Physical Planning, they have done a great job. Honorable Speaker, when you turn this Report at the back page, there was something, No. 7 on adoption of this Report by honorable Members and the Clerk put it very well "*We Members*" not the Chairperson. "*We Members of this Committee on Lands, Housing and Physical Planning have pursuant to Standing Order 187 of the County Assembly of Nakuru Standing Orders adopted this Report of this Committee on vetting of the Nominees to the positions of Members of Nakuru City Board Naivasha, Gilgil and Molo Municipal Boards and affix our signatures to confirm our Approval*". Now Honorable Speaker we are short of time because now my coach is calling me because I am a player and I will participate in the CASA games and I do not want...

The Speaker (Hon. Joel Kairu): Honorable Member the issue of the CASA is not before the House.

(Laughter)

The Speaker (Hon. Joel Kairu): Kindly deal with the Report as it is with no hurry or with no invitations to other things. Deal with the Report as it is.

Hon. Joseph Muraya: Thank you I stand guided. So Honorable Speaker as a matter of fact, we shall not all be equal in positions, in numbers and we shall not all at any time, agree on one thing. So, we must have disagreements then we can agree. And Mr. Speaker, the kind of arguments that have arisen from Members of this Committee, these people qualify to be Members of this City and our Municipal Boards. So Honorable Speaker, I stand to support this work and urge this Honorable House not to be cowed by the reports that we shall be taken I do not know where exactly; we have God in Heaven and we serve one God and nothing will change the truth.

Mr. Speaker we are united and this is why or maybe the reason we have not experienced any occurrence of deaths like other Assemblies and so we must be grateful Mr. Speaker because our unity has brought us together and our God has walked with us in this journey of one year. So, I rise to support Mr. Speaker.

The Speaker (Hon. Joel Kairu): Thank you; the Hon Member for Flamingo and immediately thereafter then the Chairperson; will have to respond and then I will put it to question.

Hon. David Muraya: Thank you Mr. Speaker sir for giving me this opportunity to contribute on this Motion. First, I would like to congratulate our Chairperson for a well-done job and I want to congratulate all Members of the Lands, Housing and Physical Planning Committee for the job well done. I rise to support this Motion because I understand when we vetted Members of those Boards, all of them were qualified and we found that it is good we endorse those people because our County is much better than anybody or any individual.

We want to adopt this Report because we have one Municipality which is Naivasha and as a Member has said, now we have another two and I heard people of Molo saying that they want to see those Municipalities functioning. What I would urge our people is this; those who we want to adopt this Report, they represent the Nakuru County and they do not represent any ethnic group in this County. *Kwa hivyo* if anybody among us is given that opportunity, it is his or her responsibility to know that they are being given that opportunity to serve the good people of Nakuru County and not one tribe.

I would like to urge what our MCA from Murindat has said that he is fighting for the people of Gilgil to be served or their interests to be considered by one of their own but all I would like to say is that in future maybe, we are going to use the proper criteria to choose whoever we are going to consider in future but because of time, let us join hands as Members of this Assembly and support this document as it is and for me as MCA for Flamingo Ward I support it 100 per cent. Thank you Mr. Speaker.

The Speaker (Hon. Joel Kairu): Thank you the Honorable Member for Flamingo. The Hon Chairperson respond.

Hon. Jane Gituku: Mr. Speaker sir, please some information, I do support this document fully, this was not recorded

(Laughter)

The Speaker (Hon. Joel Kairu): Thank you, the Hon Member for Maiella. The Chairperson

Hon. Peter Palang'a: Once again thank you Mr. Speaker, allow me to give a response or to reply. First and foremost, I wish to thank all Members for your contributions that you have made to this particular Motion. I wish to mention some few issues so that I leave the Speaker to put a question. Point Number one, we had two ways of Appointment- We had a Competitive Process of Appointment to any Nominee and we had Nominees to be appointed by Professional Bodies. In that regard I want to mention for purposes of Gilgil and Molo for example; Kagai Thiong'o he is coming on Board as a Professional from the Architect Body. In that regard the Architect Professionals forwarded his Name. So he did not come from a Competitive Process and the law provides that, for such a person to be given an opportunity, he must have some interests or permanent dwelling in that and we were limited as a Committee because we could not have chosen on behalf of Professional Bodies that had forwarded their names because those names were forwarded in that regard.

Number two, for purposes of Joseph Maina Theuri whose name was in the contest, I am happy as a Chair to mention that the Honorable Member for Murindat who had initially indicated that he does not come from Gilgil, he says that he comes from Miti Mingi which is not part of the Municipality but in terms of Constituency, he has confirmed that this particular person comes from Gilgil- not necessarily within the Municipality. Mr. Speaker that particular person contrary to

Kagai Thiong'o his name was forwarded through a Competitive Process where the Interviews were conducted.

For purposes of appointing such a person, the Act provides for that person must have a permanent dwelling in such a place. With the evidence of Title Deed, he presented I want to believe that document would never be altered at any given time and therefore confirms that person has permanent dwelling in that particular area. As I move on, just to finalize, as the need to why we need this Board, I could be having issues it is acceptable, agreed but let us look at the bigger picture and gains of having these Boards in place.

I am looking at a situation for example and my Vice Chair ably alluded to it. Kiambu as a County has ten Municipalities; that means other than the local funding by the County Government of Kiambu, that particular County attracts funding from the World Bank to those Municipal Boards. For example, come to Naivasha the market that was launched by His Excellency the President worth Kshs 600 Million-plus was put up with money from the World Bank not from the Counties.

Afraha Stadium which is under construction worth over Kshs 800 Million, that money has come and being granted to us by the World Bank. I am just imagining what if we had such Municipalities as many as Kiambu. We could not be struggling with our meagre resources because this will trigger some development and therefore I wish to urge honorable Members and persuade them; to have the interest of this County. Please kindly you could be aggrieved but kindly there comes at a time when Leaders sacrifice; we sacrifice for our County, we sacrifice to have these monies. Mr. Speaker allow me just to mention that as a Department, we have a plan that after adopting this Municipal of Molo and Gilgil, we intend to have Mau Narok being elevated, we intend to have Njoro, Mai-Mahiu, Subukia plus other many towns that are ready to be elevated and this will come along way into developing and giving development to our people.

Mr. Speaker, I want to summarise, kindly honorable Members let us sacrifice for once that on behalf of this County, let us have these Boards in place, it will trigger monies, employment to our people among other benefits, because the World Bank is not going to fund if we do not have the Boards in place. The World Bank is not going to fund if we do not have Municipal Managers of the Boards in place and remember part of the criteria to be looked at, this are criteria that has been set and Mr. Speaker, I did make copies of the letters from Council of Governors expressing their need to have this. For that reason, without much ado, I wish humbly to request that kindly, Members let us sacrifice our personal interests on behalf of the County to have these Boards in place so that we move forward. Thank you Mr. Speaker.

The Speaker (Hon. Joel Kairu): Thank you the Chairperson for that response and I now want to proceed to put it to question. Question

Hon. Peter Maina: Point of order! Mr. Speaker

The Speaker (Hon. Joel Kairu): What is the Order?

Hon. Peter Maina: Mr. Speaker, I am raising on Order No.70, which says that "*Unless otherwise provided by the Constitution, a question arising in the Assembly shall be decided by the majority of the Members in the Assembly present by voting*". Mr. Speaker, it is my humble request because this has been a very emotive debate and we would want Members to make their decisions without the fear of intimidation that you rule in this House that we take a secret ballot. Thank you Mr. Speaker.

The Speaker (Hon. Joel Kairu): Thank you Hon. Member, there is Standing Order No.70 but then there is Standing Order No. 71. So, when you are reading no.70 (1) you cannot isolate it; you may need to read 70(2). You can check that which says that- *“In ascertaining the results on a question under paragraph (1) the Speaker shall in the first instance collect the voices of “Ayes” and the “Nays” and shall declare the results accordingly”*, then now the Standing Order 71 now provides for different scenarios.

Hon. Peter Maina: Mr. Speaker we wanted to plead with you to treat this matter with an exception. It has not been like any other debate; the matter is quite emotive and so our plea is that you allow we take a secret ballot in a quick manner.

The Speaker (Hon. Joel Kairu): Hon. Member, we first of all in the first instance have to collect the “Ayes” and the “Nays” and then after that we can proceed if the need be to other systems. So, Hon. Members we...

Hon. Peter Palang’a: Mr. Speaker, point of information; just as we move forward...

The Speaker (Hon. Joel Kairu): What is it; any new information or maybe on the contrary to what the Speaker has ruled?

Hon. Peter Palang’a: The information is that you have clearly read the provision of Standing Order and this House being a House of rules, then we have no any other reasons rather than adhering to the rules. So, in case there shall be division in terms of the voices raised to whichever side that is when we shall get to that Clause. So, we must ensure that we need to get to whether we are having a Division in the House or not.

The Speaker (Hon. Joel Kairu): So, we proceed to read the question.

(Question proposed that pursuant to the provision of Section 11 (1) (2) and (3) of the Urban Areas and Cities Act 2021, 2011 Section (9) of the Public Appointments the one that deals with the County Approval Act 2017 and Standing order 48 (iv) this House adopts the Report of the Committee on Lands, Housing and Physical Planning on the vetting of nominees for appointment to the Nakuru City, Naivasha Municipal, Gilgil Municipal and Molo Municipal Boards.)

(Question put and agreed to)

MOTION

THIS HOUSE TO ADJOURN FROM TODAY 9TH OF AUGUST 2023

The Speaker (Hon. Joel Kairu): There is a Motion by the Leader of Majority party.

The Majority Leader (Hon. Alex Lang’at): Thank you, Mr. Speaker; I rise to move a Motion that pursuant to the provision of Standing Order 31 (iii), this House to adjourn from today 9th of August 2023. We move this Motion because the events that are ahead of us, the first one is actually to enable Members to be able to attend the 8th Annual Devolution Conference which is coming up soon at Uasin Gishu, which demands that all of us as a County Assembly be able to attend so that we can mingle and participate on the issues that touch on us.

The second one is that we can vividly remember as a House and Assembly that recently we were granted the rights to host the CASA Games and it is upcoming immediately we finish with the meeting in Eldoret Mr. Speaker, and we are the host and of course we would like to continue

preparing and also have enough time to participate and host the rest of the Counties. That one will come on around 15th -19th after which in the normal Calendar of this House, we are expected to proceed on recess which is from 19th to around 27th of August. So, when we look at all these, I would wish to request that this House proceeds on recess until 19th September 2023. This one was actually in accordance to the Assembly Calendar. I would wish to request my friend Hon. Hassan to second this Motion. Thank you Mr. Speaker.

Hon. Ali Abdi: Thank you Mr. Speaker, I also wish to take this opportunity to support the Motion that we adjourn the House until 9th September because of the Devolution Conference that we have and the CASA Games. I second

The Speaker (Hon. Joel Kairu): Thank you, I want to propose a question.

(Question proposed that pursuant to the provision of Standing Order 31 (iii), this House to adjourn from today 9th of August 2023 to enable Members attend the 8th Annual Devolution Conference and the County Assemblies Sports Association Games scheduled to take place from 15th-19th and 19th to 27th August 2023 in Uasin Gishu and Nakuru Counties respectively, and further proceed on recess until 19th September 2023 in accordance with the Assembly Calendar).

(Question put and agreed to)

ADJOURNMENT

Honourable Members, this House stands adjourned until 19th September 2023 at 9.30am.

The House rose at 5.40PM.