



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### First County Assembly – Fourth Session

Tuesday 13<sup>th</sup> October, 2016

The House met at 2.30 p.m.

*(Hon. Temporary Speaker (Ms. Karen Wanjiku) in the Chair)*

### PRAYERS

**Hon. Temporary Deputy Speaker:** We do not have quorum. I therefore direct the Serjeant-At-Arms to ring the bell for 10 minutes.

Serjeant-At-Arms stop ringing the bell. We now have quorum. We can proceed.

### STATEMENTS

**Hon. Temporary Deputy Speaker:** Statement requested by Hon. Shadrack Juma from the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources regarding maintenance of a clean environment in the County.

**Hon. Member for Makongeni Ward** (Mr. Peter Imwatok): Madam Speaker, sorry for that. First of all I must say congratulations, it has been a real journey for you; from a hawker to the Speaker and Chair.

**Hon. Temporary Deputy Speaker:** order Member!

## THE MAINTAINANCE OF A CLEAN ENVIRONMENT IN THE COUNTY

**Hon. Peter Imwatok:** We all have a history in life. I was a watchman and a toilet cleaner and here I am today, a Member of the County Assembly. Madam Speaker, on Thursday 4<sup>th</sup> August, 2016 the Hon. Shadrack Juma requested for a statement from the Committee and not the Chair. He rose on the floor of the House pursuant to Standing Order Number 41 2(c) and requested the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources for a statement regarding the maintenance of a clean environment in the County.

He further asked the Chairperson to inquire into and report on;

1. Response as to why the project has stalled and
2. Measures being taken by the County Executive to ensure the project resumes since the residents of Nairobi should be in a clean environment bearing in mind that it was factored in the current financial budget

Madam Speaker, the Committee wrote to the County Executive on Thursday 4<sup>th</sup> August, 2016 requesting to be furnished with a written response to the statement by the Hon. Shadrack Juma. The Committee received a response from the Chief Executive Environment, Agriculture, natural Resources and Water Sector via REF NO: CEO/72(134) Dated 22<sup>nd</sup> August, 2016. In this regard Madam Speaker, I wish to respond to the Assembly as follows;

### **1. Reasons why the project has stalled and youths involved not paid their dues**

The Chief Officer Environment stated that the initial engagement with the casuals sector for the above stated objective. Further the sector paid out all payments due to the casuals thus engaged.

### **2. Measures being taken by the County Executive to ensure that the project resumes, since the residents of Nairobi should live in a clean environment bearing in mind that it was factored in the current financial year.**

Madam Speaker, the Chief Officer Environment confirmed that having ensured that engagement of casuals is undertaken on various sectors and is provided for in the 2016/17 budget. The sector will very soon roll out another phase of the engagement. It should however be noted that the sector has been doing

this only to supplement its mega labour force in undertaking to determine specific tasks since the budget provisions is very limited

**Hon. Member for Makongeni Ward** (Mr. Peter Imwatok): We are however aware that another phase of youth engagement programme was commissioned by the administration of devolved units sometimes this year. Information on this engagement is therefore best sourced from the Sub-County Administrator. Madam Speaker I beg to lay this response. Thank you.

Madam Speaker I have a complaint, these seats are so squeezed. I wonder if you can---  
(inaudible)

**Hon. Member for Baba Dogo Ward** (Mr. Shadrack Juma): Thank you Madam Speaker. First of all, I object this report and I am sure all Members here they know about this thing because we had put money in the budget and we were supposed to get 10 youths from each Ward and they were supposed to be paid Ksh.500. Madam Speaker and even yesterday these youths from Baba Dogo were in my office. Also the ones from Korogocho were in the Sub-County office.

So Madam Speaker we are supposed to be told because we had this in the budget. Where is this money and why these youths were engaged to work and they have not been paid. Madam Speaker some of the MCAs here are facing rough time from these youths is that they always come to the office and the only person they can ask for the money is the MCA. So Madam Speaker I am totally objecting this report. Thank you.

**Hon. Peter Imwatok:** Thank you Hon. Shadrack Juma. I think in our response as a Committee, the Chief Officer has exclusively explained all the casuals who were employed in the last financial year under the Environment sector were paid. At the end of the report Madam Speaker, there is information that we gave as a Committee, the current ten people who were taken including my Ward were taken under the centralized unit and Mheshimiwa Shadrack Juma and the entire Members of the Assembly.

I want to assure you after this report we went further to inquire what has happened. Currently by yesterday the information we have so far, by next week these casuals will be paid under the centralized unit not Environment sector. Kindly bear with us as a Committee, because it was part of our jurisdiction we will follow up by next week they will start paying all these casuals. Thank you.

**Hon. Temporary Deputy Speaker** (Ms. Karen Wanjiku): May be Hon. Shadrack Juma should point out what the Committee has not tackled. Maybe you should point out what you want them to tackle and they have not tackled.

**Hon. Shadrack Juma:** I wanted the Committee to tackle that issue of the payment of those youths. Then I am satisfied because that is the only thing that I wanted. Thank you.

**Hon. Member for Kilimani Ward** (Mr. Moses Ogeto): Madam Speaker I also wish to contribute to the same Motion although Madam Speaker I have entered late. When our colleague stands before this House and says that they started paying last week Madam Speaker, I totally disagree because if by any chance before they filed the report, before they tabled---

**Hon. Temporary Deputy Speaker:** There is a Point of Order.

**Hon. Member for Kahawa West Ward** (Mr. Ngaruiya Chege): Thank you Madam Speaker for giving me this opportunity also to express disappointment---

**Hon. Temporary Deputy Speaker:** Order Member that is not a Point of Order!

**Hon. Moses Ogeto:** Madam Speaker I wish my colleague who usually say he is a primary teacher, or a secondary teacher should be able to read and understand the Point of Order when it is required. Madam Speaker what I was saying, the compilation of this report was unable to give our colleague and I personally the timetable as evidence that the same youth whom we had engaged in our Wards level will be paid next week.

**Hon. Moses Ogeto:** ...I could have wished the same Member and the Chairperson of this Committee to illustrate, what he is talking about. Next is the same Member of Baba Dogo who stood up to say that our dues have not yet been paid.

Madam Speaker, when our colleagues compel this report let them do it with the same message which is on the floor, unless Madam Speaker they are not trying to defend the Nairobi's especially the youths who we engaged in this work. We cannot be here in this Assembly so that we can see that we have engaged our youths and yet we are saying the Executive is going to pay them.

If it is about payment Madam Speaker, let our Committees especially this one of Environment say that they are not going to be paid. I am also aware that even the one for Hon. Kidero's grass the Contractors left the site because they had not been paid. So let us not just sit when these Members and the youths are not going to be paid. Thank you Madam Speaker.

**Hon. Member for Makongeni Ward** (Mr. Peter Imwatok): Thank you Madam Speaker, I love my Colleague ....

**Hon Temporary Deputy Speaker:** We have a Point of Order!

**Hon. Member for Kayole South Ward** (Ms. Elizabeth Manyala): Madam Speaker, as I always complain about reports laid on the table of this House that it is mediocre work which has been done because if the Hon. Member is saying that these youths will be paid next week, then it should have been properly documented on the report with the a proper pay plan and the dates, because what he is trying to tell us here is to postpone the problem so that we dispense off and clear this statement yet nothing is happening.

Youths are the future leaders of Nairobi and we risk having radicalization of youths, some of them even venturing into worst form of child labour, or becoming radicalized you dangle a carrot and then you don't pay them and they have worked for you and nothing to write home about and then you come up with a report and you will be paid next week.

When you talk of next week, which can be next year, so the report should be accurate by telling us if it is the date, give us the pay plan and what time, date so that if it is not so, then Hon. Shadrack will still come up with a Point of Order. I am also affected because in Kayole South the Youths that were deployed and have worked digging those tranches and cleaning the sewages up to know have not been paid. So they are always in my office day in and night. What are you trying to show because it is not fare Madam Speaker? Thank you.

**Hon Temporary Deputy Speaker:** I want to give directions....

**Hon. Peter Imwatok:** Madam Speaker, can you kindly allow me to correct this. I am standing here and am 33 years and some months in 20th November this year I will be 34 years and am still in the bracket

age of a youth and I am standing here also as the Board representative for the youth agenda in this County Assembly.

When I spoke about that the youths should be paid together next week, am aware as a representative of the Youth before this Assembly which is not under the Standing Orders that this is something that has been affecting me in the streets and even in my own Ward where I took an initiative as their representative in this Assembly, to know where the problem is despite Madam Speaker, the report coming from Environment Committee.

We are saying these youths were employed not under the Environment docket and budget; these youths were taken under the centralized units of the system of the County Government. Therefore, I as a person I followed personally to know where as the backstops at and we realized by yesterday. We also saw some team of Ward Administrators and realized as youth of Nairobi that the payment process is on and they were assured by the Director of Decentralization Mr. Ntoiti that by next week the payment will start across the 85 Wards Madam Speaker thank you.

**Hon Temporary Deputy Speaker:** I want to give directions so that we can dispense this order, so that you can go to the next order, the Committee should go back and give us a satisfactory answer Mheshimiwa Shadrack you will get a satisfactory answer.

**Hon. Temporary Deputy Speaker:** If you need to call the youth to your Committee, you can call them so that we can get--- next week, by Wednesday we should have dispensed with this Order, it is very important and must be done. Let us go to the next Order.

## MOTION

### REPORT OF THE COMMITTEE ON CULTURE AND COMMUNITY SERVICES ON INQUIRY INTO MODALITIES AIMED AT ENHANCING CAPACITY OF THE NAIROBI CITY COUNTY LIQUOR BOARD AND SITE INSPECTION TO THE NAIROBI CITY COUNTY LIQUOR BOARD OFFICES, SOUTH C ESTATE

**Hon. Temporary Deputy Speaker:** Under No. 8, there will be resumption of debate interrupted on a Motion to adopt the report of the Committee on Culture and Community Services on inquiry into modalities aimed at enhancing capacity of the Nairobi City County Liquor Board and site inspection to the

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Nairobi City County Liquor Board offices, South C Estate, laid on the table of the Assembly on Tuesday, 2nd August, 2016. We resume on the debate.

**Hon. Jacqueline Nyangala** (Nominated Member): Thank you, Madam Speaker. I support, but I have got few observations on the same regarding the amount of rent as per the conclusion that the Committee did: "During the Committee's retreat from 3rd to 6th March, 2016 in Sawela Lodge, Naivasha, the Chief Officer clarified that Ksh.900, 000 he had earlier said was the whole building monthly rent. Therefore, the 2nd floor which accommodates Liquor and Betting Board was Ksh.482, 000 and the Committee found the figure realistic." Madam Speaker, I find it very strange that the Chief Officer could actually say Ksh.900, 000 against Ksh.482, 000. That is a little suspect to me.

Madam Speaker, there was the enhancing capability of the Board and Sub-County Committees. Some of these Liquor Board Committee Members harass residents of Nairobi in restaurants and bars. So, I am wondering, if they say enhancing capability of the Board, they didn't put this in their recommendation at all. This is something we should look at. Thank you.

**Hon. Magdalene Mbogori** (Nominated Member): Thank you, Madam Speaker. I didn't actually intend to interrupt the Motion but I wanted to stand on Standing Order No. 80 just to make a small Personal Statement if that's okay with you.

**Hon. Temporary Deputy Speaker:** Hon. Member, the Speaker had ruled that you have to give one hour notice. I don't know whether you had done that. I have not seen, so I don't think I will give you that, but maybe you can come and consult as we continue.

Hon. Members, allow me to call the mover of the Motion to reply. Hon. Asha.

**Hon. Asha Sosso** (Nominated Member):

**Hon. Asha Abdi:** Thank you Madam Speaker. I have seen the mood of the House. Members are satisfied with the report so I will take this opportunity to thank all Members because I think you are with us. We have worked hard and gone around. I just thank you and God bless you. Always be like that, thank you.


**Hon. Temporary Deputy Speaker:** Thank you Hon. Member.

*(Question put and agreed to)*

**Hon. Temporary Deputy Speaker:** Next Order.

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## MOTION

**Hon. Temporary Deputy Speaker:** Motion number nine. The Chairperson of the Sectoral Committee on Labor and Social Welfare.

**Hon. Elizabeth Manyala:** Thank you Madam Speaker. I rise to move the following Motion THAT, this Assembly adopts the report of the Sectoral Committee on Labour and Social Welfare on the Sessional Paper no. 1 of 2016 on the Nairobi City County Strategic Plan 2015 – 2025, laid on the table of the Assembly on Thursday 4th August, 2016.

Based on the situational analysis that culminated on this was as a result of the Committee holding a retreat with the office of the Acting County Secretary from 9<sup>th</sup> – 12<sup>th</sup> June, 2016 at Sweet Lake Resort Naivasha, Nakuru County. Members were briefed on the content and objective of the Sessional Paper. In view of the above, the Committee observed the following:

- a. That the strategic plan was developed through comprehensive stakeholder participation and hence most concerns of the various stakeholders are captured in the strategic plan.
- b. That the development of the strategic plan was as a result of various challenges facing the County for example lack of adequate water. Poor waste disposal system, traffic congestion among others
- c. That the strategic plan seeks to address the key challenges affecting the County hence improving various sectors. The key projects outlined in the strategic plan include review and implementation of service charter, automation of revenue collection process to ensure that there's no leakage that may occur, establishment and operationalization of community health units, review and upgrade of community infrastructure, execution of the Eastlands urban renewal project, installment and upgrade of ICT supported management tools such as inspection and e-construction permit, develop and roll out a green building promotion program, construction of new community centers at the Ward level, develop and roll out a program to promote agribusiness, implement the crops Act 2013 and the animal disease Act and regulations, increase fire safety in informal settlement, installation of surveillance equipment and operationalization of a sectoral corruption eradication committees.

Madam Speaker in accordance with section 8 (1) (e) of the County Government Act 2012 I therefore urge this Assembly to adopt the report of the Sectoral Committee on Labour and Social Welfare of the Nairobi City County Strategic Plan 2015-2025. I call upon Hon. Asha to second this Motion, thank you Madam Speaker.



**Hon. Asha Abdi** (Nominated Member): Thank you Madam Speaker sir, I stand here to support it without much ado, thank you. I second it sorry

*(Question proposed)*

**Hon. Jacquilie Nyangala** (Nominated Member): Madam Speaker it is such a shame that we do not have quorum, I stand under Standing Order 32 and we analyzed the strategic plan as a Committee from 2015 and it is very unfortunate that we can be 10 people debate this? I think that is not right. Where is the leadership, where are the Whips? We should all be here debating on this because this is the core of Nairobi County. How is it that we don't have anybody to talk about it? We have less than 15 people. It is wrong Madam Speaker. If we do not have quorum it could be debated another time, thank you.

**Hon. Temporary Deputy Speaker:** An issue of quorum has been raised. Serjeant-At-Arms ring the bell for 10 minutes.

*(Quorum bell rang for 10 minutes)*

We don't have quorum in the House, so the house stands adjourned until Tuesday 2.30 pm. The debate will continue.

***(House rose at 3.41 p.m.)***