



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Fourth Session

Wednesday 3rd August, 2016

The House met at 2.30 p.m.

(Hon. Speaker (Mr. Alex ole Magelo) in the Chair)

PRAYER

Hon. Speaker: Serjeant-At-Arm to ring the bell for ten minutes.

(Quorum bell rang for 10 minutes)

Order Members! Can we proceed?

PAPERS

Hon. Leader of Majority: Thank you Mr. Speaker sir. Pursuant to section 166 (4) (a) of the Public Finance Management Act 2012, I beg to lay the following paper on the Table of the Assembly today, Wednesday 3rd August 2016. Mr. Speaker, while you were away, Hashim Kamau crossed from Mike Sonko Mbuvi to Wamalwa---

Hon. Speaker: Order Hon. Leader of Majority! Order!

(Loud consultations)

Hon. Members, I commit that to the revenue and expenditure returns for Financial Year 2015/16 to the Finance, Budget and Appropriation Committee. Thank you.

STATEMENTS

Hon. Marion Githinji. Order Hon. Members!

Hon. Marion Githinji (Nominated Member): Thank you Mr. Speaker sir. I have two statements. Can I read them concurrently?

Hon. Speaker: Start with the first one, and then the second one.

Hon. Marion Githinji: Okay. Thank you. Pursuant to Standing Order 41 (2) (c), I wish to request for a statement from the Chairperson of Sectorial Committee on Trade, Tourism and Cooperatives regarding the demolition of kiosks on Dennis Pritt and Yaya bypass on Friday 29th July, 2016.

Hon. Speaker, there is a concern that there was demolition of kiosks along the aforesaid roads without notice to the traders carrying out businesses whereby their goods were impounded by County askaris.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on;

- i) Reasons for demolishing the kiosks without notice
- ii) Why did the County Executive collect revenue by way of stipulated fees if the structures were illegal?
- iii) Measures taken by the County Executive to ensure that the traders whose goods were confiscated are returned.

Thank you.

Hon. Speaker: The Hon. Chairperson, Trade, Tourism, Hon. Odalo? The Vice Chair of the Committee?

Hon. Member for Royasambu Ward (Mr. Peter Warutere): Sorry Mr. Speaker. There is some excitement in the House following the things that are happening. We ask for two weeks.

Hon. Speaker: Order Hon. Warutere.

Hon. Peter Warutere; I am excited to see you Mr. Speaker, my good friend. Can you give us two weeks?

Hon. Speaker: When do you want to bring back the statement?

Hon. Peter Warutere: In two weeks' time.

Hon. Speaker: Two weeks' time? Very well. Hon. Marion Githinji.

Hon. Marion Githinji: Mr. Speaker sir, with all due respect, I think two weeks is too much because the goods have been confiscated and they are perishable goods. What is the limit of the days? Can they do it in less than 14 days?

Hon. Speaker: Hon. Githinji, I understand the predicament of the Chairperson because they need to write a letter which takes long for them to answer.

Hon. Peter Warutere: Allow me Mr. Speaker to address that concern. It takes exactly 7 days to write to the Executive. And then after 7 days we will probably get that report. We are saying we be given two weeks. That does not necessarily mean that we will take two weeks to bring the report to the House but should we have the report before then, we will be much obliged to bring the same into this Hon. House.

Hon. Speaker: Okay. Yes Hon. Moses Ogeto.

Hon. Member for Kilimani Ward (Mr. Moses Ogeto): Mr. Speaker, I want to support my colleague Hon. Marion because we are taking about perishable goods which were confiscated, which the County has confiscated. Property has been destroyed Mr. Speaker sir. I don't think it is a rocket science to take 7 days.

Hon. Speaker: Order! This is a statement and if you read the Standing Orders, you will understand.

Hon. Moses Ogeto: Mr. Speak, I need your advice as well. Then the Executive need to be sanctioned not to even continue interfering with the process which they are doing if seven days is not worth for this Assembly. Thank you.

Hon. Speaker: Very well. Hon. Members, after consultation, today is a Thursday. Can we have the reply by Tuesday 2:30 p.m.? Because of the perishable goods. Hon. Chairperson.

Hon. Peter Warutere: Mr. Speaker, with due respect---

Hon. Speaker: Order! You know, there are times where statements come within 24 hours. Please, because of the concern of the Member of the area, my order is Tuesday 2:30 p.m.. I thank you.

Very well, Hon. Marion Githinji.

Hon. Marion Githinji: Thank you Mr. Speaker sir. Pursuant to Standing Order 41 (2) (c), I wish to request for a statement from the Chairperson of the Sectorial Committee on Planning and Housing, and Culture and Community Services regarding the recent collapse of a building and walls in the County.

Hon. Speaker, a concern has been raised by Nairobi residents, including yourself, on the recent incidents of the walls collapsing on ongoing construction and a building that had been earmarked for demolition which collapsed in Kariobangi South.

Hon. Speaker, in the statement, the Chairperson---

Hon. Speaker: Yes, Point of Correction?

Hon. Leader of Majority: I know you are concerned but I think we don't have a committee called Planning and Culture. So, maybe you might just omit the word 'culture'. You are just on the right track but the word culture.

Hon. Speaker: Yes, indeed.

Hon. Marion Githinji: Thank you Majority. I think I never read through the statement. So, the Clerks are the ones who wrote the wrong Committee. Thank you. Hon. Speaker, in the statement, the Chairperson should inquire into and report on;

1. A comprehensive list, update and status of all building that have been earmarked for demolition by the Nairobi Construction Authority (NCA) and the cause of the delay of the demolition.
2. Assistance that has been given to the families who lost their loved ones on Monday 1st August, 2016 after a tragedy in Westlands as well as those affected by the collapse of a building that had been earmarked for demolition in Kariobangi South.
3. Measures being taken by the County Executive to compensate families that have been affected due to the disasters caused by collapsed building and walls as well as actions being taken to against owners or buildings that cause such disasters. Thank you.

Hon. Speaker: Very well. Hon. Chairperson of Planning.

Hon. Jairo Atenya: Thank you, Mr. Speaker. My mind is still clear and I will not undertake this because the Liaison Committees is going round for that purpose. If you remember well, Mr. Speaker, you ordered the Liaison Committee to go round the Nairobi County and then give us the results. So, Mr. Speaker, I will not undertake this.

Hon. Speaker: Very well. The Chairperson of the Liaison Committee and Deputy Speaker of Nairobi.

Hon. Deputy Speaker: Maybe just for information, Mr. Speaker, the questions raised by the Hon. Member, Mariam is touching on the exercise which is ongoing by the Liaison and I really wonder if the Hon. Members are aware that we had placed liaison desk outside here for the last 2 weeks to receive information from each of the 85 Wards in relation to the building and construction on riparian areas or by the roads or those buildings which are coming up without the actual approvals. Hon. Speaker, we came up with a questionnaire of which to date we have received more than 400 respondents from the residents of Nairobi. We are still compiling the list and very soon we will table the findings of the Liaison Committee.

Mr. Speaker, today the Liaison Committee went to visit the site where lives were lost in Westlands and the scene is so damaged. Seriously, if what is happening in Nairobi is allowed to continue in the

current status, we are sitting on a time bomb and waiting for major casualties and disasters. So, we are moving with speed and we will be moving again on Tuesday as well to various sites like the one in Kariobangi. I am in concurrence with the Hon. Vice Chair for Planning on the issues that the he has raised. However, the issues the Member has raised, he will have to hold on a bit and then we will capture it in our report. Thank you.

Hon. Speaker: So that is to say that I will commit this to the Liaison Committee for the purposes of---

Hon. Deputy Speaker: Exactly.

Hon. Speaker: The most important thing Hon. Deputy Speaker, Chairperson of Liaison is also that we know the action that is going to be taken on the owners of these buildings where Nairobians have lost their lives.

Hon. Deputy Speaker: We have put this in our work plan and even today we were with the technical from the Executive, we had all the Engineers on site.

Hon. Speaker: Very well, thank you. Hon. Leader of Majority.

Hon. Leader Majority: Mr. Speaker, as much as we want to give the Liaison Committee all the work that is supposed to be done by Planning, I think that it is just because of incompetence of the Chairperson of Planning is the reason why the Liaison Committee took over their role. Mr. Speaker, I think they should take everything because that one is just going to leave this Committee a skeleton. I have a list of some Committees on my desk right now and they know how to do this work.

I am going to do major reshuffling of these Committees to get those who are competent to do the work. You should not just be Chairperson of just eating here and there. We did not give you this job to go and take bribes from developers.

We are just being let down by this Committee of Planning because, if I am not wrong, every report that they are bringing here are half-baked reports. So, Mr. Speaker, I think it is high time, let the Liaison Committee take this one for now, but from next week I think we are going to do a major reshuffling of Committees. So, if you know you are a Chairperson and you are incompetent do not come and ask me or if you are going to talk badly, I do not care what you are going to say but we are going to give the competent people and even if you see somebody in Jubilee who is competent, why don't we just leave that person to work?

Why should we just give the job to somebody from this side even if they cannot perform? You are letting me down you people, because they always say 'you are the one who appointed these people---

Hon. Member for Kahawa West (Mr. Patrick Ngaruiya): *(Inaudible)*

Hon. Leader of Majority: You are not my size, you are a short man.

Hon. Speaker: Order, Hon. Ngaruiya---

Hon. Leader of Majority: Are we the same size?

Hon. Speaker: Order, Hon. Ngaruiya!

Hon. Leader of Majority: Okay, since he is not a short man I apologize to him because you are not short. *(Laughter)* Mr. Speaker, I think I need all the support of this House, let us do a major reshuffling because if you have been in one Committee for the last 3 years and you are doing nothing there, let us give it to the people who can perform in those various Committees. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Marion, are you satisfied?

Hon. Member for Kilimani (Ms. Marion Githinji): With all due respect to you, Mr. Speaker and the Deputy Speaker, I do not see what the Liaison Committee has to do with a comprehensive list of what the National Construction gave us. They gave us a list and that is the list we are asking for, the Liaison Committee, as much as they are doing a good job, these questions are specifically for what the Executive has. The Executive has a list of all the building that were marked by the NCA and that is what I am asking for, they do not need to go round they need to just get the list that was given by the NCA. So, as much as I appreciate the one that is being done by the Liaison Committee which is part of the Planning Committee, I believe that this question should take the proper route without waiting for the Liaison Committee to complete its job.

I think there are two parallel things aiming at one thing and like the comprehensive list on what has been demolished. I do not think the Liaison Committee needs to go round because I think it is something the Executive can provide. So, I believe that my statement should remain as is and be answered as is while the Liaison Committee is still working.

Hon. Speaker: Very well, it is noted. Proceed please.

Hon. Speaker: The Hon. Chairperson for planning, there are some items you will have to track so in a week's times please give us a report.

Hon. Member for Korogocho Ward (Mr. Maxwell Ochar): Mr. Speaker, I can give you that by Tuesday next week.

Hon. Member for Kwa Reuben Ward (Mr. Elkana Mauti): Mr. Speaker, it is a matter of concern about what has been asked, this is a memo to Sub-County Administrators and Ward Administrators. I am very much worried, that the Executives ordered for demolition of the Kiosks and left our people dying in Nairobi! This is a Memo from the Chief Sub-County Administrator that is Mr. Ntoiti and reference is made to our sector meeting held on 14th July, 2016 at Kariokor Social Hall, where...

Hon. Speaker: Order Hon. Member Please! Can you give us a copy because we cannot rely on what you are saying?

Hon. Elkana Mauti: I want to air it Mr. Speaker then I will give you the copy.

Hon. Speaker: Order Hon. Member just table it, it's just two minutes that you have, so table it in the floor of the Assembly. Just bring it here, please! I have already seen it. He has just shown it to me. So, just table it by putting it in the floor of the Assembly for the benefit of Members. Proceed! Hon. Erastus Muiruri!

Hon. Member for Clay City Ward (Mr. Erastus Muiruri): Hon. Speaker, pursuant to Standing Order 41 2 (C) I wish to request for a Statement from the Chairperson of the Sectoral Committee on Justice and Legal Affairs, that is Hon. Jaff Kassam regarding the impounding of Motor bikes for Nairobi residents stored at the City Hall Precincts.

Hon. Speaker, there is a concern that there are motor bikes that have been impounded and parked inside the City Hall area for a while which results to the riders losing their daily income and no action has been taken for the owners to collect them.

Hon. Speaker in the Statement the Chair person should enquire into and report on the following:

1. Reasons for impounding the Motor bikes
2. Why impounded motor bikes are not taken to general stores impounding yard instead of parking them outside the Governor's Office.
3. Measures taken by the County Executive to ensure that the impounded Motor bikes get released to the owners

Mr. Speaker, it is sad because I totally believe that the majority of the owners of those impounded motor bikes are the youths. These are the same youths the Government decided to allocate 30% of the tenders to the County of Nairobi or rather the Whole Nairobi or the whole country reserved for the youths.

They are the same youths who have borrowed loans from the banks and they are in the process of raising their daily bread and decided to acquire these motor bikes. As you know, several times the riders have been given hash treatment by our Askaris and this is serious Mr. Speaker, as you can imagine....

Hon. Speaker: Yes a Point of Order!

Hon. Member for Kasarani Ward (Mr. Martin Waweru): Is it right Mr. Speaker, for the Member to ask a question and start explaining without waiting for a response?

Hon. Erastus Muiruri: Noted! Mr. Speaker, I will wait for the response from the Chairman and I hope he is ready to respond. Hon. Jaff Kassam!

Hon. Member for Parklands Ward (Mr. Jaffar Kassam): Thank you Hon. Speaker, we will take some time because there is a previous statement also requested by Hon. Adow and I have been following it and I was just there some few minutes ago. So we want to know actually City Hall is not a gazette to impound the same, so they cannot impound it here. The rest of the details you will be getting as I will be following it personally and hopefully by Tuesday next week I shall be in a position.

I have a remark here as per the directive of the Chair yesterday, we were told to give the status of the pending statements. There was one which was about pending claims of legal fees and decretory amount estimated to be in excess of 5 billion in Nairobi City County and it was sort by Hon. Peter Warutere on 10th February. The status Hon. Speaker is, responses not yet received form legal department and financial records used to pay to the external. We have been reminding them on various occasions and nothing has come forward so we are asking for your indulges in this matter and the House leadership.

The Second one, is regarding the improper use of Nairobi City County Logo, this was sought by Hon. Michael Obonyo on 22nd of March the response has not yet been resolved from the County Office to the general office and legal affair despite numerous follow ups we would require the indulges of the House leadership.

The Third, there is this one regarding demolition of plot No.209-7210 Dorogo road University of Nairobi, requested by Hon. Moses Ogeto on 26th April, 2016. The Statement in the same nature has been handled by planning Committee together with the planning sector and the demolition was the outcome. This was the result of the statement requested by Hon. Jacky Nyangala regarding shanty structures *Vijiji* settlement next to Nairobi Primary School which was allegedly used for smuggling drugs and prostitution.

Statement requested by Hon. Muiruri we promise to respond by Tuesday, we are kindly requesting your indulgence and the House leadership on the way forward. Thank you, Hon. Speaker.

Hon. Speaker: Very well, for the statements that are unfortunate not forthcoming from the Executive I will make a ruling tomorrow at 2.30 p.m. in that regard. The other Chairpersons who had many statements that were due today and last week we had said that upon returning from recess that all the statements should be available today and if not you should let us know the reason why you cannot get the responses from the Executive.

Hon. Martin Waweru: Mr. Speaker there was a statement that I had requested from Transport, let me clarify Mr. Speaker!

Hon. Speaker: Order! No that's not what we are talking about. Order Hon. Member! That is why we said that today the 3rd August, 2016 all the answers should be on the floor of the Assembly.

Hon. Martin Waweru: Mr. Speaker there was a statement requested by Hon. Shadrack Juma on Baba Dogo stage construction, it was requested on Wednesday 8th June, 2016 and it was due on Wednesday 22nd June 2016. Action undertaken and correspondence done on 13th June, 2016...

Hon. Speaker: Order! Hon. Chairperson. You are reading correspondence but we don't have it in the floor of the Assembly

Hon. Martin Waweru: The response status as per now is that the response was received on 4th July, 2016 and the Committee was to have a site visit on 27th but we lacked quorum but we now by end of next week on Thursday we shall be able to give the response.

On the status of Hon. Pius Mbono on location of matatu terminus behind the Archives Mr. Speaker we are awaiting response, Committee has invited the NNK sacco on 8th August 2016 to find how they acquired stage at that Archives so by next week Thursday we will be able to give the response. On the Osman Adow response about the unlicensed business operating along Popo road in South C we are awaiting the response from the Executive. That is the position of our statements which has been requested by members concerning the Transport and Public Works Committee.

Hon. Speaker: Planning

Hon. Member for Korogocho ward (Mr. Maxwell Ochar): Thank you Mr. Speaker, I will be very brief. On Planning the following reports on the status of pending statements before the Committee are as follows.

Fourth Session we had seven statements and Third Session we had fourteen and Second Session we had two. All of them have already been given final requests to the Executives so if they don't give us statements by next week we are throwing them to you, thank you.

Hon. Speaker: Hon. Chairperson, Health

Hon. Member for Nairobi South Ward (Mr. Manoah Mboku): Mr. Speaker we have a statement from MCA Kahawa and we have resolved to invite him next week because this statement is for last year and we couldn't trace the details so we have invited him next week to at least update us on what he had requested the Committee.

Hon. Speaker: Hon. Members once again it is a very sad affair and the Chairpersons of committees have until next week Thursday to bring all the reports on the floor of the Assembly. Thank you. Proceed. Hon. Imwato, order, order please! Hon. Members I will give a direction on this tomorrow 2.30 p.m. in regard to what has been tabled by the Hon. Elkana Mauti.

MOTION

Hon. Speaker: Hon. Peter Imwatok!

Hon. Member for Makongeni Ward (Mr. Peter Imwatok): Thank you Mr. Speaker for allowing me to use your copy because my highly sophisticated iPad had an issue with the charging system and people in my office in charge of ICT are working on it.

Mr. Speaker protect me from the Majority Leader! Kindly with all due diligence protect me from the Majority Leader.

Mr. Speaker I hereby table the Motion: That aware that Article 41 a), 43(1) of the Constitution provides that every person has the right to the highest attainable standard of health which includes the right to healthcare services including reproductive healthcare, deeply concerned that attainment of the foregoing objectives remains a challenge given the dire shortage of health workers within the County, noting that the County has adequate trained health professionals who are currently out of employment and whose service can help fill the gap in provision of healthcare this Assembly urges the County Executive to

1. Set aside a specific budget on the 2016/2017 budget for the recruitment on temporary basis of additional healthcare professionals
 2. Work on partnership with relevant medical training institutions such as KMTC, University of Nairobi to identify healthcare graduates who are currently out of employment for the said recruitment.
- Thank you Mr. Speaker.

I hereby Mr. Speaker before I invite somebody to second the Motion. This Motion has been before this House and I believe it is very important that as much as the County Executive is trying to do all possible to bring more nurses and health officers on board, the number of Nairobians are now ranging from 4.5 million to 5 million. I was privileged to travel to Slovakia under this Assembly and I realized that Slovakia as a Country has 5 million population equivalent to Nairobi as a City. Mr. Speaker...

(Point of order)

Hon. Speaker: Point of Order on what? Order, order!

Hon Peter Imwatok: In fact Mr. Speaker he is dressed like a reggae musician Koffi Olomide. As I was saying was privileged to travel to Slovakia and the population is equivalent to that of the County of Nairobi but the healthcare in this Country is a priority of the government from the child to adult who is 80 to 90 years. As a country with a good healthcare, the mortality rate is too low. Therefore I felt it prudent that if this County Government could utilize the many professionals who are graduating from KMTC, UoN, KU, JKUAT and all these universities on a temporary basis as we look forward on the economic strength of this County to employ more I think our health centres and clinics across the 85 Wards will have enough staff to serve us in the health department. Therefore Mr. Speaker may I invite Zulfa from Carlifonia the great area I

have walked in this world sometimes when I travel in the Environment Committee to come and second this Motion, thank you Madam Hakim.

Hon. Speaker: Order Hon. Imwatok.

Hon. Zulfa Hakim (Nominated Member): Thank you Mr. Speaker sir, although am caught a bit unaware I must confess, because am a very truthful person. As much as I would like to second this Motion my brother am a bit... I will second but with reservations...

Hon. Speaker: Order Hon. Zulfa, you either second...

Hon. Zulfa Hakim: I second Mr. Speaker.

(Question proposed)

Hon. Speaker (Mr. Alex Ole Magelo): Hon. Karen.

Hon. Karen Wanjiku (Nominated Member): Thank you Mr. Speaker sir. I beg to oppose this Motion, Mr. Speaker. We cannot employ temporary professionals when we have already interviews. Recently we conducted interviews and some people have been employed, not temporary but permanently. We want people who will work not people who will say that we have employed people who will not come to work. Mr. Speaker sir, the situation in Nairobi County is terrible. Mr. Speaker sir when you go to a health facility for example, we don't have any drug because KEMSA has not been paid. Where will we get money or the budget to employ these temporary professionals?

Mr. Speaker sir, our free maternity monies which come from the National government has been used for other things in this County including paying suppliers. Mr. Speaker sir, we have been given a lot of money in the budget but nothing has been done. It is just in paper for PR to show that Nairobi County is giving a lot of money to Health. But what is it doing Mr. Speaker sir? We cannot give health any more money without seeing implementation Mr. Speaker sir.

Let me give an example of Eastleigh Health Centre where we visited most recently. I wish we had those photos, maybe the Chairman will show you those photos. We only have *dawa ya minyoo*, medicine for deworming in a health facility that is supposed to cater for the people of Eastleigh, Pangani and its neighbours. We cannot give any more money to this sector to employ temporary professionals.

Again, Mr. Speaker sir, these students from the University of Nairobi and KMTTC, let them hustle; let them volunteer in these health facilities. We have people who finished school 8 years ago and have never been employed. What is the big farce from these people coming from the U.O.N or KMTTC? I beg to oppose and this Motion should not be passed if we know what we are doing in Nairobi County. Thank you.

Hon. Speaker: Yes Leader of Majority.

Hon. Leader of Majority (Mr. Elias Otieno): Mr. Speaker as far as I am concerned---

Hon. Speaker: Hon. Omwenga!

Hon. Leader of Majority: Mr. Speaker as far as I am concerned or the...is concerned, this Motion even the seconder did not know he was seconding what. So Mr. Speaker let us just defer this Motion until--

Hon. Speaker: Order Hon---

Hon. Leader of Majority: Then Mr. Speaker if that is the case, I am also opposing it in totality.

(Laughs)

Hon. Speaker: Hon. Chairperson Education.

Hon. Member for Laini Saba Ward (Mr. Boniface Kitavi): Hon. Speaker thank you that your eye has caught my attention. Mr. Speaker it is common knowledge that health services are dwindling. Visit any health centre and you will realize that services are quite wanting. However Mr. Speaker I am standing here in support of the Motion. I am supporting this Motion because it is a good Motion and it has got the interests of Nairobians at heart. We have got very many graduates in the health sector from colleges and the universities who are not employed who can offer their skills as far as health matters are concerned. So Mr. Speaker I want to give a concrete example of the place where I represent in Kibra Laini Saba. We have got two health facilities that are being run by Non-governmental organizations, one of them called MSF Belgium and the other one is the AMREF.

Mr. Speaker sir, NGOs come to supplement what the County is doing, but as it is at the moment, these NGOS will be handing over these facilities to the County. If we don't have enough staff Mr. Speaker sir, those facilities will be run down. So it is only important that we support this Motion so that they can be employed in these facilities and our people can be able to get these services. Sometimes we have outbreaks of diseases like cholera and yet we come here in the Assembly and complain that there are no staff. This is the time that services to the people must be provided. And for that matter Mr. Speaker sir, I support the Motion, thank you.

Hon. Speaker: Hon. Ogeto.

Hon. Member for Kilimani Ward (Mr. Moses Ogeto): Mr. Speaker, I stand here to support this Motion. Looking at the intensity of how graduates are churned out from the universities, KMTTC. Mr. Speaker what the Motion is implying and the way I have understood it, is that let these people when they have graduated from the universities, let them be the attaches to these health institutions as they wait for employment.

Mr. Speaker when you find someone who is on attachment in Nairobi City County been paid nothing. Mr. Speaker it is very painful to undergo a four year course in a university, and then you are just walking around. It is very unfortunate. How is the government trying to help us? When you go to serious countries where, I used to admire the late Muammar Gaddafi. The students before even they graduate, you

find that they are engaged in their line of profession. They are already attached, they are already doing internships in these institutions and get something in return, Mr. Speaker. When a job opportunity arises, definitely these people could have experience to work at that particular time which will help us to reduce unemployment in this City.

If somebody like me could not have come to politics, maybe I could have been somewhere in the village struggling because I finished my degree the other year. But now because I don't have any connection to any other person, you find that many people go back to the village. Mr. Speaker let this Motion embrace the graduates of various universities to get these internships and also other Counties can copy us so that we don't have people tarmacking here and later they become thieves and drug smugglers because Mr. Speaker you cannot go to a university for 6 years then you are being told there is no internship where you can get something. Mr. Speaker you become frustrated and definitely you turn to a thief. Mr. Speaker, I would urge these members to see the importance of this Motion. It will really help us to achieve some of these things that our Governor pledged when he was doing his campaigns in 2013. Our pledges by ensuring we want to eliminate, we want to reduce unemployment in this County. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Kairu.

Hon. Member for Woodley Ward (Mr. Njoroge Kairu): Thank you very much Mr. Speaker sir. I beg to oppose this Motion in totality and the reason why I am opposing this Motion; one thing is that it was not factored in the budget. Mr. Speaker we cannot change any vote to cater for any subject that was not factored in the budget. Secondly, as much as we sympathize with the graduates from the KMTTC, University of Nairobi and other institutions, the national government has also failed to cope with the number of people. And therefore Mr. Speaker sir, we cannot put a burden in a County like this to pay people we cannot manage, Mr. Speaker sir.

Hon. Speaker: There is a Point of Order.

Hon. Njoroge Kairu: Mr. Speaker, on what? Right now, if you look at our budget, it is consuming more than 60% is used in paying employees, hence leaving very little amount for development. That is why for the last four years in our County, the County Government has done nothing because there is no enough money for development. As a Member of Budget Committee, the Motion is unrealistic, not applicable and it is in bad faith. Thank you very much.

Hon. Speaker: Hon. Chairperson, Ward Development.

Hon. Member for Nairobi West Ward (Mr. Maurice Gari): Thank you, Mr. Speaker. I rise to oppose this Motion. Mr. Speaker, sometimes we should write Motions by considering the Budget. Consult with the Committee and the Executive so that you know what you will write. I was urging my friend to defer this Motion so as to go and consult. Even medicines are not there in the hospitals and you want to bring the KMTTC and University guys.

Recently, we employed nurses, let them be deployed. If there is scarcity of nurses, we will raise it. But right now, I am urging my friend, Hon. Imwatoke to defer this Motion and consult further so that he can come up with a good thing. We should empower those who have been employed and supply medicines to these hospitals so that the hospitals can be pro-active. I beg to oppose.

Hon. Speaker: Hon. Manyala.

Hon. Member for Kayole South Ward (Ms. Elizabeth Manyala): Thank you, Mr. Speaker. I rise to support this Motion. I think when we are arguing in support or not in support; it is good to get the content right because what the Hon. Member is proposing is for the County to set a specific Budget in the 2016. These people are going to work on locum. In every establishment or organization even in the third world countries or first world countries, there must be people who are doing locum.

The health sector is bedecked by a lot of--- if you check the patient ratio to the health workers, it is wanting. Looking at the demographic population of Nairobi, by day it is 6 million and by night it is 5 million. The number of the health workers we are having when you visit our facilities, sometimes patients die because they are overwhelmed. They cannot tap the resources we are having of professionalism from the University of Nairobi who can work as part-time employees. These people are not coming to work on permanent basis but they are coming to offer expertise on pro bono basis. A little budget can be worked upon which can make them facilitate their movement. So, with that in mind, we want to have a one-stop-shop whereby the patients are being taken care of well.

It is prudent that we pass this Motion so that when we come up with a budget, then that will help a great deal. Most of our nurses are going abroad. Most of our graduates who have health expertise are being hired in Botswana and other countries like Tanzania. Why are we not utilizing what we have? Do we want now to get foreigners to come and work in our health facilities or the poor citizens to go and look for services in private health facilities which are quite expensive? It is prudent for this Assembly to pass this Motion that we hire these people to come and work on locum so as to make Nairobi City County a healthy County. Thank you, Mr. Speaker, I support.

Hon. Speaker: Hon. Chairperson, Health.

Hon. Member for Nairobi South Ward (Mr. Manoah Mboku): Mr. Speaker, thank you for this opportunity. Actually, I am surprised to hear Hon. Imwatoke bringing this kind of Motion yet he is a Member of Health Committee. He knows the challenges the Health Sector is facing.

Hon. Speaker: Hon. Chairperson---

Hon. Manoah Mboku: Mr. Speaker, I am standing to oppose this Motion.

Hon. Speaker: Very well.

Hon. Manoah Mboku: Mr. Speaker, he knows what is taking place in the Health Sector. Recently, we were in Eastleigh and Eastleigh has got a number of nurses who are on locum; the County allows this. We were in Mbagati; Mbagathi allows nurses who are on locum. For the last one year, these nurses have not been paid. How do we then employ others on temporary basis? We were in Eastleigh Health Centre, if you can see the photo I am holding here, this is a shelf containing only septrine syrup. The centre treats 80-100 patients per day yet we don't have drugs in our laboratory. If we bring in these people, what are they going to use? What prescription are they going to make because they don't have the tools?

Mr. Speaker, this Motion further explains that we employ these nurses on temporary basis. Last month, the County Public Service Board advertised opportunities for nurses, pharmacists and lab technicians. Why should we have temporary nurses when we can still accommodate a few permanent staff? I strongly oppose this Motion. We would rather employ nurses permanently than temporary. Thank you, Mr. Speaker.

Hon. Speaker: The mover of the Motion to reply.

Hon. Peter Imwatok: Mr. Speaker, with humility, may I say thank you to all the Members who contributed to this Motion. I want to make few remarks before I stand by the Motion, not being coerced to withdraw it. Let it go in to record this Motion came before the House Business Committee about four months ago before even the Budget was prepared. Mr. Speaker, kindly protect me from Al Shabab.

Hon. Speaker: Order, Hon. Imwatok!

Hon. Peter Imwatok: I withdraw that, Mr. Speaker.

Hon. Speaker: Order, Hon. Members! Order, Hon. Karen!

Hon. Peter Imwatok: This Motion, as the Prof. Elizabeth puts it, it was not about employing employees on a temporary basis.

Hon. Speaker: Order, Hon. Imwatok! You said Prof. who?

Hon. Peter Imwatok: Hon. Prof. Dr. Elizabeth Manyala. That clarifies to us, Mr. Speaker, what class means. In this Motion---

Hon. Speaker: There is a Point of Order.

Hon. Karen Wanjiku: Mr. Speaker sir, though we don't have that title for Prof, we have brains here and we have Health at heart, that is why we are opposing.

Hon. Nominated Member (Ms. Karen Wanjiku): Mr. Speaker, although we do not have the title professor, we also have brains and health at heart and that is why we are opposing this Motion. Let him not talk about class and withdraw that Mr. Speaker!

Hon. Member for Makongeni Ward (Mr. Peter Imwatok): Thank you Mr. Speaker. I was just describing the caliber of professionalism---

Hon. Speaker: Order Hon. Imwatok! Stick to the Motion

Hon. Peter Imwatok: Thank you Mr. Speaker. I will stick to the Motion. As I was saying, this Motion was not about employing County health workers on a temporary basis. It came to this Assembly about four months ago and by that time, we were just having a CFC paper as there was no budget. But now Mr. Speaker the budget cycle is not yet complete and we are tossing this Motion to the County Executive. Let it be noted that before I brought this Motion, I had proper consultations with the Executive arm of the Government, especially the health sector.

So Mr. Speaker the insinuation that this Motion came before this Assembly when I was a member of this Assembly is wrong. Therefore it is very important that the Hon. Members vote this Motion with clarity and not on the allegation that we are going to employ personnel. I am also aware that the Service Board is undertaking the vetting of new employees for the health sector: 130 Nurses and about 50 something Public Health Workers. That is not enough Mr. Speaker. We have more than 100 health centres in this County.

For instance, my Ward has three health centres. Kaloleni Health Centre is one of them and they have only one nurse who doubles as a Public Health Officer and one other Health Worker serving the people. For the able Committee to come here and lament that there are no medical supplies in this County is a failure on the Chairman. He should pull up his socks and report to us where the failure comes from. I want to say that in the next two weeks Nairobi's will know who between the Chairman of the Health Committee, those members who support the Chair and those who believe in equity and transparency why the Health Sector is a failure. If the Chairman has to go Mr. Speaker then I will not hesitate to bring the Motion against the Chairman.

Hon. Speaker: Order Hon. Imwatok! Order Hon. Chairman! Hon. Imwatok the Chairperson and the Committee for Health does not buy medicine.

Hon. Peter Imwatok: Mr. Speaker I wanted to clarify to the Chair with all honesty that there is something wrong somewhere. We cannot just throw a stone without knowing what size of glass we are throwing the stone into. The oversight role of the Executive is based on the Health Committee.

Hon. Member for Nairobi South Ward (Mr. Manoah Mboku): Point of Order Mr. Speaker.

Hon. Speaker: There is a Point of Order.

Hon. Manoah Mboku: Mr. Speaker the Member is confused. I am glad the Leader of Majority is listening. This Hon. Member has not attended the Health Committee meetings for the last three weeks. He even doesn't know what is happening in the Committee and that is why he is bringing baseless arguments here. We should throw away his arguments because they are baseless and lack merit here. Thank you.

Hon. Karen Wanjiku: Point of Order Mr. Speaker.

Hon. Peter Imwatok: Thank you Mr. Speaker. I accept the Chairman's irrationality as he put it.

Hon. Speaker: There is a Point of Order Hon. Imwatok.

Hon. Peter Imwatok: Thank you Mr. Speaker.

Hon. Karen Wanjiku: Mr. Speaker sir, we had a meeting today with the Chief Officer for Health discussing the challenges we are facing in the sector. Where was he Mr. Speaker sir? He doesn't understand any of the problems we are facing and he is a pretender. He should know the issues and have them at heart. Let him bring Motions that we can pass here. Like talking about internships without touching on the budget then we are going to pass it. Please attend the Committee meetings and you will be informed. Thank you.

Hon. Peter Imwatok: Thank you Mr. Speaker. It is very important to go to class because there is a difference between a Motion and a committee sitting. I want to clarify that to Catherine and that is why I support those people who went to class early. As I was saying, this Motion is about the graduates, my sisters, brothers and step sisters who are out there in KMTC.

Hon. Speaker: There is a Point of Order from the Leader of Majority.

Hon. Leader of Majority: Mr. Speaker I think the mover of the Motion was supposed to reply yet he is trying to twist the arm of the Chairman for Health by saying that in the next two weeks Nairobi is going the Chairman and if he does not support the Motion then he is going to have him impeached. It is high time that all the Hon. Members of this House vote against this Motion to discipline this Member. We passed the budget three weeks ago and it was not included in the budget. At the same time, there is no medicine in our

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hospitals and so what are these doctors going to treat patients with? Are we talking so that people can see that we are talking? Kindly withdraw your Motion--- he was in prison yesterday.

Hon. Speaker: Order Hon. Imwatak!

Hon. Peter Imwatak: Mr. Speaker as I close my remarks on this Motion. May I educate the Majority Leader---

Hon. Speaker: Order!

Hon. Peter Imwatak: May I educate the Majority Leader that this is a finance Motion which does not need prior preparation on the budget. The County Executive has a prerogative to decide how they can handle this Motion. The function of the County Assembly is to debate and make decisions on Motions and not to decide whether there is a budget or not. I therefore stand by this Motion and allow Nairobi's and those graduating from respective institutions whether this Assembly is full of people who have gone to class---

Hon. Speaker: Order! Hon. Imwatak, Members of the Nairobi County Assembly are educated and intelligent men and women. You are out of order! Order Hon. Imwatak! Order Hon. Members!

(Questions put and negatived)

Hon. Speaker: Order Hon. Imwatak! You are a good citizen. Hon. Members the Assembly is adjourned until tomorrow 2:30 p.m. I thank you.

(The House rose at 4:03 p.m.)