



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Second Session

Thursday 15<sup>th</sup> November, 2018

The House met at 2.30 p.m.

*(Hon. [Hon. Deputy Speaker (Mr. John Nyumu) in the chair]*

#### PRAYERS

#### QUORUM

**Hon. Deputy Speaker:** We don't have quorum. Seargent-at-Arms to ring the bell for ten minutes and Hon. Wanyoike to be told that he is not properly dressed. Thank you.

*(Quorum bell rang for 10 minutes)*

Please don't allow any member to go out. We need all the members to be seated. Thank you.

We now have the quorum. Clerk please proceed.

#### PAPERS

**Hon. Waithera Chege:** Thank you Mr. Speaker. Pursuant to Standing Order 202 (2) I beg to lay the following paper on the table of the assembly today Thursday 15<sup>th</sup> November 2018: The Nairobi City County Bursary Regulations.

#### STATEMENTS

#### REQUEST TO A STATEMENT REGARDING FUNCTIONAL OPERATIONS OF COUNTY INSPECTORATE DEPARTMENT

**Hon. Patrick Karani:** Thank you Hon Speaker. Pursuant to Standing Order 45 (2) (c) I wish to request a statement from chairperson of sectoral committee on Justice and Legal Affairs regarding the functional operations of county inspectorate department.

Hon Speaker the assembly in June 2018 passed a motion aiming at initiating broad and sweeping changes at the operation and management of city inspectorate. This followed the enactment of Nairobi City County Inspectorate Act 2017 which was expected to review policies and institutional structure of the inspectorate department, effort which seemed to have made no impact on the way the department works.

Hon Speaker in the statement the chairperson should inquire and report on:

1. Whether the inspectorate department operates within the strict contours of its mandate as provided in the Act and if not what legal framework guided their functional operations and mandates.
2. Measures the inspectorate department has put in place to align its functional operations with county strategic direction in terms of its day to day operations
3. Consequent to passage of the Act what organizational structure has the department put in place for effective discharging of its function and roles
4. The total number of seconded staff in the department and the role they perform

Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Chair of Legal committee?

**Hon. Jayendra Malde:** Thank you, Hon. Speaker. Can we have 12 days and we will come back with the report?

**Hon. Deputy Speaker:** Hon. Karani, are you comfortable with 12 days?

**Hon. Patrick Karani:** My only worry is that the Assembly will be on recess, I don't know whether you will be able to meet the deadline.

**Hon. Deputy Speaker:** Hon. Malde.

**Hon. Jayendra Malde:** Mr. Speaker, I think recess will start on 6<sup>th</sup> of December, so, before that we will bring the report

**Hon. Deputy Speaker:** Hon. Karani, are you comfortable?

**Hon. Patrick Karani:** I am okay, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Obuya.

#### REQUEST TO A STATEMENT REGARDING AIR POLLUTION IN THE COUNTY

**Hon. Kennedy Obuya:** Thank you, Hon. Speaker, I am privileged to sit on the ruling side, thanks to handshake. I rise to request for a statement.

Hon. Speaker, pursuant to Standing Order 45 (2) (c), I wish to request for a statement from the Chairperson of the Sectoral Committee on Environment and Natural Resources and Health Services regarding air pollution in the County.

Hon. Speaker, residents of Villa Franca in Imara Daima Ward are raising concerns over chest and throat irritation and dry coughs allegedly caused by exhaust emissions emanating from nearby factories.

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

- i. The exact cause of the telling symptoms experienced by the residents;
- ii. The recommendations of the environmental impact report done before approvals were granted to the factories to set up business on the said location;

- iii. Measures put in place by the departments to protect the residents from hazardous fumes coming from the factories.

Hon. Speaker, this is a matter of concern I received as representative of Imara Daima, a petition from association of residents and also the area DCC. I term it as a matter of national importance because it is touching on health and the right to life. I beg to lay the statement.

**Hon. Deputy Speaker:** Chair of Environment, I am sure they don't have Vice Chair. Any Member?

**Hon. Member:** Thank you, Mr. Speaker sir, I think the issue is being addressed.

**Hon. Deputy Speaker:** Are you on Environment or Health?

**Hon. Member:** That is Environment.

**Hon. Deputy Speaker:** How many days?

**Hon. Member:** It is a matter pertaining pollution.

**Hon. Deputy Speaker:** But the request is for the two departments.

**Hon. Fredrick Okeyo:** Hon. Speaker, I think the Vice Chair has not been attending Committee's meetings, so, he lacks information. There is Vice Chair of the Committee who is currently talking thanks to the handshake. The matter is weighty and as a Committee and as the Vice Chair, it should involve the two committees because it covers the health of the constituents. As such, we will request for at least three weeks because there are a lot of travels and we can harmonize between the two committees, both the Health and the Environment. Thank you.

**Hon. Deputy Speaker:** Hon. Abuya, are you comfortable with three weeks?

**Hon. Kennedy Obuya:** My good brother is saying 3 weeks and is confirming that is a matter of importance. Hon. Speaker, that is an insult to the right of life of the residents of this County, within Imara Daima Ward. A matter that touches on health and the right to life is a matter of national importance. I only pray that we treat this thing with keen interest and treat it as a matter of urgency. Three weeks are too long. I am praying that we look into it within a period of 7 days because our calendar is also catching up with us. We are soon going for recess.

**Hon. Deputy Speaker:** 7 days? Vice Chair, Environment committee?

**Hon. Fredrick Okeyo:** Hon. Speaker, we are dealing with reality here. 7 days is not possible. I would like to be given two weeks.

**Hon. Deputy Speaker:** Hon. Obuya, 2 weeks?

**Hon. Kennedy Obuya:** Hon. Speaker, it is a game of give and take. But I am still praying that we do within 8 days. That is my prayer.

**Hon. Deputy Speaker:** Any more dates apart from 14 days?

**Hon. Fredrick Okeyo:** Hon. Speaker, let us agree on one thing; that we agree on two weeks but we try our best as our committee to see if we can manage to do it in less than two weeks.

**Hon. Deputy Speaker:** Confirmed, 14 days. Thank you. Chair, health? I think you can jointly do it within 14 days.

**Hon. Stephen Gikonyo:** Hon. Speaker, because we have two committees, the Hon. Member should give us time because we have to request from the executive so that we can give a good response. So, within 14 days, we will give the response.

**Hon. Deputy Speaker:** Thank you Hon. Gikonyo. Next. Hon. Wambugu, you have a statement? Please proceed.

REQUEST TO A STATEMENT REGARDING THE UPGRADING OF PUMWANI COUNTY HOSPITAL

**Hon. Joseph Wambugu:** Thank you Hon. Speaker. Pursuant to Standing Order 45 (2) (c), I wish to request for a statement from the Chairperson of the sectoral committee on health services, regarding the upgrading of Pumwani County Hospital.

Hon. Speaker, Pumwani Maternity Hospital was earmarked for upgrading in the fiscal year 2017/2018 but to date works of the said upgrade are yet to kick off. Hon. Speaker, in the statement, the Chairperson should inquire into and report on:

- a) whether the upgrading is a public-private partnership project or is being funded single-handedly by the County,
- b) when the project was supposed to start and the expected date of completion and
- c) Whether the procurement process was above board and whether it adhered to the public procurement and asset disposal act 2015.

Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Hon. Mugambi? Hon. Okeyo

REQUEST TO A STATEMENT REGARDING APPROVAL STATUS OF DEVELOPMENT PLANS IN THE COUNTY

**Hon. Frederick Okeyo:** Thank you Mr. Speaker. Pursuant to Standing Order 45 (2c) I wish to request for a statement from the chairperson of the sectoral committee on Planning and Housing regarding the approval status of development plans in the County. Honorable Speaker, following the recent wave of demolition of building structures erected in public spaces spearheaded by the Nairobi regeneration programme committee, there is a need to appreciate the County development plans approval framework. Honorable Speaker in the statement, the Chairperson should inquire into and report on;

1. The number of development plans that have been approved since November 2017 to date?
2. Where the county is accruing any benefits of monetary terms without the approvals and revenue received during the stated period?
3. Whether the approvals done so far adhere to the County zoning policy?

Thank you.

**Hon. Deputy Speaker:** Chair Planning? Vice Chair? Any other Member? Bwana Wambugu proceed. Please put your card in, you are invisible.

**Hon. Joseph Wambughu:** Hon. Speaker, we request for 14 days

**Hon. Deputy Speaker:** Are you comfortable with 14 days Hon. Okeyo?

**Hon. Frederick Okeyo:** Thank you Mr. Speaker. I am comfortable with 14 days

**Hon. Deputy Speaker:** Thank you. Hon. Ronaldo? Ronaldo? Clerk proceed.

**MOTION****ESTABLISHMENT OF NAIROBI CITY COUNTY YOUTH INTERNSHIP AND VOLUNTEERING PROGRAMME**

**Hon. Deputy Speaker:** Hon. Matara.

**Hon. Silas Matara:** Thank you Hon. Speaker for this opportunity.

That aware that the National Government Youth volunteer programme has been instrumental in creating opportunities for young people across the Country and Nairobi County to engage themselves meaningfully in nation building while earning an income; noting that whereas the youth volunteer program is changing lives, more needs to be done by the stakeholders such as the County Governments to support the National Government initiative to realize its rue potential.

Deeply concerned that Nairobi City County has perhaps one of the highest populations of young graduates in the National Government programme cannot absorb all qualified youths into the programme. Recognizing that support from the Nairobi County Government in coordination with the National Government where the Nairobi County Government similarly identifies or creates opportunities for internship and volunteering for young people ad avails the same to them yearly; Carries the potential to greatly worsen youth unemployment in the city and its attendant hills over the long run. This Assembly urges the County Executive to explore mechanisms for the establishment of Nairobi City County youth internship and volunteering programme.

Hon. Speaker, the import of this motion is that the members of this House were elected on August 8<sup>th</sup> and one of the issues and policies while campaigning was creating opportunities for the youths and Nairobias at large to earn a living and exercise their right towards provision of opportunities. Every member of this House knows the effects of when the youths don't have opportunities to utilize their time well and make something small for themselves. This has caused insecurity in Nairobi and made the youths engage in drug abuse and other social ills. Hon. Speaker, the causes of the same are lack of talent and sport centres enough to cater for them even if they are not employed so that they can actively use their time in those centres. There is also lack of meaningful job opportunities and higher education opportunities due to lack of funds and interest in the same.

Hon. Speaker, the same youths bring benefits to the country and we can be able to use that as leverage because for one, we have old employees of the County who are almost retiring and that has a negative effect because by the end of the day they are retiring with so many skills and experience.

Therefore, this programme will come in handy in the effect of transferring the respective skills to these youths. There is also an issue of youths complaining that when they go to look for job opportunities they are asked the experience they have in their respective disciplines. Therefore, this programme will provide an opportunity for those youths when they are given their internship and volunteering opportunities to have their hands on experience, which will be able to enrich their CVs and there are going to be able to have hands-on experience which is a requisite in the current job market.

We also want the County to set a provision in their yearly budget, either to provide a stipends or allowances for the same of which by the end of the day this youths will also earn something small, they are

going to have a replication of the same, since they are going to procure goods and services provided by Nairobians, so they are going to provide market for services been offered by the entrepreneurs in their respective areas.

Since they are also going to earn something small they are going to have a healthy society and they are going to be of benefit to their respective families and communities where they live.

Hon. Speaker, it will also have a long-term effect for the youth developing a culture of giving back to the society, because once they are going to engage into these activities which is a form of volunteering, even if they are not been paid salaries it would create that culture which is important in this Society.

Hon. Speaker, it will also have an effect of fulfilling the promise that we made to the youth that we are creating opportunities for them which is going to be a plus for the Jubilee Government and for our able Governor Mike Mbuvi Sonko, because we would have provided a platform for the youth to actual harness their energy, and to which as a county is going to be of much benefit to us.

Hon. Speaker, once the County gets to put this programme in place the County is going to have a platform or a pool from where they can get to source for skilled labour for employment whenever an opportunity arises to that effect.

Hon. Speaker, finally we need to realize that it is a danger when the youth have nothing to be effected to and it is going to be a baggage from our end in our respective wards. So we urge this County to attend to this issue with the urgency and importance that it deserves. Then we are going to have a happy and healthier Nairobi. Thank you, Hon. Speaker and with that, I would like to call upon Hon. Mutheu to second this Motion.

**Hon. Deputy Speaker:** Hon. Mutheu please can you proceed.

**Hon. Patricia Mutheu:** Thank Hon. Speaker, I rise to support the motion. Indeed I think this should have been done yesterday because it is important we establish a volunteer section in our County Assembly bearing in mind Kenya has 62% of youth who are unemployed. The way things are going we really need a positive place where our youth can engage and actually promote healthy space for youth as they learn how job markets are. Therefore, I rise and support.

*(Question proposed)*

**Hon. Leah Supuko:** Thank you Mr. Speaker sir. I rise to support the motion as we all know that the youth is the backbone of our nation, we should give them all the support that they need and I remember in 2017, the President announced that all the youth be given a chance to have some experience for one year in all institutions as internship for them to gain experience.

As we all know when all the jobs are always advertised, they write that somebody has to have experience of one or two or five years. So it is good that the President saw that we need to give them that chance for internship so that when they apply for those jobs, at least they can have experience in the fields that they acquired in their higher education. So I stand to support the motion and I hope that nobody in this House will not support our youth going forward. Thank you Mr. Speaker sir.

**Hon. Mbugua Kabiro:** Thank you very much Mr. Speaker. I also rise to support this very good motion. I really would love that this programme would be implemented with speed in a way that the County of Nairobi would be proud of it and I believe if it is started within the assembly then it would be very good because some of us have been given this opportunity to represent this County and I want to believe that there are so many people out there who are looking for opportunities yet they are available for them.

We have been able to see that a lot of runaway crime and bad attitudes from the youth because they do not get the opportunities when they are at the peak of their careers. So I really would love that this programme would be implemented very quickly considering that Nairobi has the most universities which means that the county's IQ is one of the top in this republic. I would really want to ask that much of the absorption of these graduates be done within the County so that we can also benefit from hosting these kinds of universities within. Thank you very much Mr. Speaker.

**Hon. Millicent Jagero:** Thank you very much Mr. Speaker. I rise to support this motion. Being a young person I want to site the Millennium Development Goals, Goal No. 1 that states; Extreme poverty eradication and through the volunteer programme it will decrease the number of the unemployed young people in this nation.

Also as it is in the Jubilee Manifesto of job creation it will also establish it. Previously, like 2 years back the private sector in collaboration with the National Government had a program whereby the young people were taken for life skill training, internship and later on they were either placed in work stations or they would be sent to volunteer in some other areas. However it is unfortunate that the program died. If the County Government can realize and develop this program on volunteerism it will really help us because it is also enshrined in the Constitution in the medium term plan and also in Kenya Vision 2030.

Categorically the County should also be able to differentiate the types of volunteering programs that they will offer to the young people of this Nation, which is through academia unrelated... When I speak of unrelated it is the scope of the area in which they will hereby be working and formal and informal volunteerism, they need to differentiate that. They also need to lobby both regional and international political bodies to recognize that this county, Nairobi County can also have a volunteering program. I support the Motion.

**Hon. Deputy Speaker:** Hon. Muturi.

**Hon. Daniel Muturi:** Hon. Speaker, I stand on Standing Order 100 and looking at the mood of the House... Excuse me Hon. Speaker.

**Hon. Deputy Speaker:** Thank you. Maybe you did not have anything to say. I call the Mover.

**Hon. Silas Matara:** Thank you Hon. Speaker for this opportunity again and let me take this chance to thank the members of this House for the insightful input into the Motion and let me assure them that the onus is on us all plus the Executive to ensure that we entrench it into our minds and hearts that we really have to serve the people who pay us, who are Nairobians and Kenyans at large and with that in mind let me also take this time to thank the people who have supported this Motion and extend my heartfelt gratitude and for that reason I beg to reply. Thank you.

**Hon. Deputy Speaker:** I put the question.

*(Question put and agreed to)*

**Hon. Deputy Speaker:** Hon. Members, there being no other business the House stands adjourned until Tuesday 20<sup>th</sup> November, 2018 at 2.30 p.m. Thank you and God bless you.

***(The House rose at 4.30 p.m.)***