



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Second Session

Thursday 18<sup>th</sup> October, 2018

The House met at 2.30 p.m.

*[Hon. Acting Speaker (Mr. Chege Mwaura) in the Chair]*

#### PRAYERS

**Hon. Acting Speaker:** I am told that we have sufficient quorum to start the business of the day. Clerks proceed to Order No.1.

#### PAPERS

THE COUNTY BUDGET REVIEW AND OUTLOOK PAPER 2018

**Hon. Acting Speaker:** Hon. Deputy Majority Whip!

**Hon. Waithera Chege:** Thank you, Mr. Speaker Sir, I beg to lay the following paper: THAT, pursuant to section 118 of the Public Finance Management Act 2012, I beg to lay on the table of the Assembly today Thursday 18<sup>th</sup> October, 2018, the County Budget Review and Outlook Paper 2018. I beg to lay the paper.

**Hon. Acting Speaker:** Thank you, it will be committed to the Committee of Budget to process it from there.

#### MOTION

PROCEDURAL MOTION

**Hon. Acting Speaker:** The Deputy Majority Whip is standing in for Leader of Majority. Proceed please.

**Hon. Waithera Chege:** Thank you Mr. Speaker Sir, I beg to move the following Procedural Motion: THAT, pursuant to the provision of Standing Order 203 (1) this Assembly approves the Appointment of the following Member to the Sectoral Committee on Labour and Social Welfare (1) Hon. Mary Njambi MCA be

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appointed to Sectoral Committee on Labour and Social Welfare to replace Hon. Habiba Hassan MCA. I call my able Deputy Minority Whip, Hon. Moses Ogeto, to second me.

**Hon. Moses Ogeto:** Thank you, Hon. Speaker, I second.

*(Question proposed)*

**Hon. Acting Speaker:** Hon. Peter Warutere!

**Hon. Peter Warutere:** Thank you, Hon. Speaker, as you call the mover to reply I think I heard the cries of one Wamercy yesterday and she had very petty issues, she needs more than this other committee. I think she has been only serving one active committee and being a very active and able Member, I think it is high time now we start appreciating the hard work she has been doing to this Assembly.

I welcome her to the Labour Committee where I also serve so that at least she can make a difference in that very important committee. Thank you, Hon. Speaker.

**Hon. Acting Speaker:** Alright. Someone is using Hon. Mbatia's card. I call the mover to reply.

**Hon. Waithera Chege:** Thank you, Mr. Speaker sir. I wish to thank the Members for supporting this Hon. Member. As a party, we believe in gender balance. Therefore, I wish to welcome the Member to the Labour Committee. Therefore, I beg to reply.

*(Question put and agreed to)*

#### APPOINTMENT OF MEMBERS TO THE SELECT COMMITTEE ON ASSEMBLY BUSINESS

**Hon. Waithera Chege:** Thank you, Mr. Speaker sir. THAT, pursuant to the provision of Standing Orders 163 (1), this Assembly approves the appointment of the following Members to the Select Committee on Assembly Business:

1. The Hon. Chege Mwaura, MCA – Speaker & Chairperson
2. The Hon. John Kamangu, MCA – Chairperson of Committees
3. The Hon. Hassan I. Abdi, MCA – Leader of the Majority Party
4. The Hon. Elias O. Okumu, MCA – Leader of the Minority Party
5. The Hon. Waithera Chege, MCA – Majority Party Whip
6. The Hon. Peter Imwatok, MCA – Minority Party Whip
7. The Hon. James K. Kariuki, MCA.
8. The Hon. Millicent Mugadi, MCA.
9. The Hon. Patricia Musyimi, MCA.
10. The Hon. Anthony Kiragu, MCA.
11. The Hon. Peter Warutere, MCA.
12. The Hon. John Kamau, MCA.
13. The Hon. Rose Adhiambo Ogonda, MCA
14. The Hon. Moses Ogeto Nyangaresi, MCA
15. The Hon. Esther K Munayi Nyangweso, MCA
16. The Hon. Wilfred Oluoch Odalo, MCA
17. The Hon. David Njilithia Mberia, MCA
18. The Hon. Osman Khalif, MCA

Hon. Speaker, the Standing Order 163 is very clear on the composition of the House Business Committee and all officers must be Members of this Committee plus the Chairs.

Therefore, both the Minority and Majority sides have made sure we have actually complied with Standing Order 163. I, therefore, beg to move the Motion and I call the Minority Whip to second.

**Hon. Peter Imwatok:** Thank you, the Majority Whip and the Speaker for giving me an opportunity to second this Motion. As she rightly puts, this is very important Committee--- Allow me not to invoke Order No. 113, Mheshimiwa Adow.

Hon. Speaker, looking at the composition of the Members, I welcome two Members to this Committee, Hon. Esther Munayi Nyangweso and Hon. Osman Khalif to put more effort to ensure this Committee is always the best. On behalf of my office, my deputy and the opposition side, we appreciate the job done by the Selection Committee to give us these Members. I beg to second the Motion.

*(Question proposed)*

**Hon. Acting Speaker:** Hon. Members, the floor is open. Hon. Moses Ogeto.

**Hon. Moses Ogeto:** Mr. Speaker, looking at the mood of the House, the mover should reply.

**Hon. Acting Speaker:** Hon. Ogeto, you have not told us whether you are supporting or not.

**Hon. Moses Ogeto:** I am saying that looking at the mood of the House I am begging the mover to reply.

**Hon. Acting Speaker:** But you have not indicated what your position is.

**Hon. Moses Ogeto:** Hon. Speaker, I support the motion. I don't see a problem with the composition of the committee. There are ladies and gentlemen who are there. That is why I was requesting for the mover to reply. Thank you. I support.

**Hon. Acting Speaker:** Mover.

**Hon. Waithera Chege:** Thank you, Mr. Speaker. One of the duties of the House Business Committee is to monitor and oversee the business and programs of this House. I, therefore, wish to welcome all the new members of this committee and also wish to request all Members and Chairpersons to be serious when transacting businesses in the committees. Mr. Speaker sir, I beg to reply.

**Hon. Acting Speaker:** Thank you.

*(Question put and agreed to)*

## MOTION

REPORT OF THE SECTORAL COMMITTEE ON CULTURE AND COMMUNITY SERVICES ON THE INSPECTION VISIT TO TOM MBOYA FIRE STATION

*(Resumption of debate)*

**Hon. Acting Speaker:** Hon. members the Sectoral Committee on Culture and Community Services had a motion to request this Assembly to adopt the report of the sectoral committee on Culture and Community Services on the inspection visit to Tom Mboya Fire Station to establish the capability of the fire station to put off fire in the county laid on the Table of the Assembly on Wednesday 26<sup>th</sup> September 2018. It was debated on the 11<sup>th</sup> of October 2018 and we never concluded it. We are now resuming debate on the issue of the committee on Culture and Community Services with regards to the report of the Tom Mboya fire station. So, the floor is open. I can see Hon. Kennedy Obuya.

**Hon. Kennedy Obuya:** Thank you, Mr. Speaker. I rise to support the motion. Last night there was a huge explosion in my area, Imara Daima Motomoto Slums. Hon. Speaker, about 200 families were left homeless.

I thank the first respondent of the fire brigade, one director Brian Kisali, one Mr. Maina. The response was fast and swift and I am only praying that the presence of firefighters be decentralized to every sub-county. Mr. Speaker, in that regard as a representative of a big population of informal settlements I am rising to support and also making a prayer that in respect to this Motion Mr. Speaker, our Governor to act with speed to decentralize the firefighting brigade to every sub-county. In that regard as Embakasi South Constituency, we pray that we get firefighting machine in the fastest time possible. I beg to support the Motion.

**Hon. Acting Speaker:** Thank you. The Hon. Millicent Jagero.

**Hon. Millicent Jagero:** Thank you, Mr. Speaker. As a member of the Culture Committee, I rise to support the report and I want to insist on the recommendations that we made. We visited the fire station on Tom Mboya and the state of the offices there is not in good condition. It is dilapidated and repairs need to be done urgently. The outreach programmes that are usually conducted are very minimal due to lack of funds and there is need to sensitize the community on the same because you find that fires are of different types and different forms of fire need to be kept out. There are some that cannot be contained by water but can be contained by foam. If the community is educated on the same then we will have a county and a country whereby people are well informed and in case of fire breakouts they will be able to contain that fire before the firefighters arrive.

Again, we have the issue of deployment of the 200 firefighters that we recommended in the report. When we visited the place they said that they are understaffed and there is a need to employ more people. Early this year recruitment was done for firefighters and we still do not know the state of the process or how it is going because when we were with the Governor in Mombasa he said that after the recruitment they are still on the selection and some people were already selected and have been taken to Kiganjo Training Center for training. However, so far we do not know where the process has reached because this is something that is very urgent and we need to deploy more firefighters so in case of fire breakouts they can be readily available.

There is a need to also employ a director; they do not have a director, they only have a Deputy Director who acts on his capacity. Why isn't the post being advertised for a director to be there because we do not want a Deputy Director? We want someone who will be acting in his own capacity, who will be making his own contribution and points in regards to the disaster management as opposed to the deputy who is acting in his capacity.

We have the issue of quad bikes that need to be bought because the existing ones have mechanical breakdowns. The quad bikes are the four-wheeled motorcycles that can traverse the roads that are usually in the people's settlements and you find that in these settlements there is usually no access to roads and it is difficult for even the fire engines to access those roads. With the purchase of those quad bikes, it will be very easy for them to access the roads in order to contain the fires. I beg to support the Motion. Thank you.

**Hon. Acting Speaker:** Thank you very much. The Hon. Antony Kiragu.

**Hon. Anthony Karanja:** Thank you Hon. Speaker. I stand to support this motion and also take cognizance that it is encouraging to hear Members of this Assembly say that the firefighters responded swiftly, that is very encouraging because we are coming from an area where even the firefighters could not put out the fire if the Fire Station caught fire. I think it is very encouraging and the way to go. However, it is also interesting that my committee observed that the quad bikes which have never been used already have mechanical issues. These quad bikes were delivered about two or three years ago and I have never heard or seen any of them been used for any firefighting activity.

As if that is not enough, we also need people to be trained to use these quad bikes. Most of them were delivered to sub-counties and are locked somewhere in the stores, that is where they are gathering their mechanical issues. I beg to support this motion and also want to urge the County Public Service Board to advertise the position of the Director. We have so many positions in this county which are not filled, so many people in acting capacity and so many positions which are not filled. And I believe that the committee which is responsible, the Labour Committee, is supposed to ask the County Public Service Board whether they are waiting for the highest bidder to buy these positions or what is happening.

I think we need to be very serious to equip our people. On the 200 officers, I do not think there is any evidence at all to suggest that what the Governor communicated in Mombasa is true. We need to verify whether these people are already in training because once the new fire stations are in place, we are going again to be hit by a shortage of staff and again to commend the people who are working in those departments because like we know a few months ago they did not even have the capacity to tell whether the fire engine has water. They used to appear in fire disaster zones without water. So let us encourage and support them by supporting this report and recommendations to ensure that Nairobi is safer and is disaster management ready. Thank you.

**Hon. Acting Speaker:** Thank you very much. The Hon. Mbugua Kabiro?

**Hon. Mbugua Kabiro:** Thank you very much, Mr. Speaker. I would like also to support this report. The recommendations are very well done and I can't agree more with my senior brother Hon. Kiragu that a report should be done on whether the employment of the jobs that were promised to the youth will be done quickly or what is the status currently.

The one recommendation that I would wish that was captured in these recommendations is that of existence of fire hydrants. Fire hydrants are spots within the water networks which allows for a fire engine once it has exhausted its water to go and refill quickly so that it can go back to its service of putting off the fire. Mr. Speaker, there is no recommendation or there is no audit of the amount of fire hydrants that exist in Nairobi County parse. I would wish that the committee takes time to just do an audit of the fire hydrants and tell us if the condition is actually good or not and if there is water in that network of water. It is a very important thing especially when you are fighting fire in densely populated areas like the slums. I beg to support, thank you.

**Hon. Acting Speaker:** Thank you. I bet the Hon. Gatune you are the mover? I now call you then to make your remarks as you also reply.

**Hon. Anthony Gatune:** Thank you, Mr. Speaker. I would like to support the motion having moved it before; I would like to say thanks to the members who have contributed. But I also have a few points to put across or to add on to what they have said. I would say that the County Executive need to ensure that all buildings in the county or in the country have alternative emergency exits and provide a report to the committee on the status of the audit within three months, then again, the Executive to make sure that they allocated funds to ensure that both fire stations buildings and facilities are rehabilitated to the approved standards.

The last point is that the Chief Officer in charge of the Disaster Management to ensure that in the future, budget proposals of disaster are factored in the department budget and also to hasten the process of employing those 200 staff because as we can see and hear each and every member has a problem with his ward being affected by the fires and also to ensure that, as Hon. Mbugua has asked concerning the status of hydrants, they are properly equipped. When they reach the disaster area they can only manage to stay for five minutes. That is not adequate. The executive should do a better job or find other alternative solutions. Thank you.

**Hon. Acting Speaker:** The Hon Vice chair you also need to conclude by replying so that we end the debate, for the record.

**Hon. Anthony Gatune:** Mr. Speaker I beg to reply.

**Hon. Acting Speaker:** Fantastic. It is good to be in line with the procedures. The Hon. Members, I have looked at the recommendations of this committee and I think it is important because we also did a lot of changes in the committees. It is important that the members who are in this committee feel recognized. The recommendations that they did are very important and it can form the basis of changing the way firefighting is done in Nairobi.

I also want to make a mention of Hon. John Kamau MCA, Hon. Jairus Omayo MCA, Hon. Kennedy Odhiambo Oyugi MCA, Hon. Jared Okoth Okonde MCA, Hon. David Mberia MCA, Hon. Mellab Atemah Lumalah MCA, Hon. Imaped Kemunto MCA, Hon. Nicholas Okumu MCA, Hon. Anita Thumbi MCA, Hon. Anthony Karanja MCA, Hon. Clarence Munga MCA, Hon. Benson Mwangi MCA, Hon. Joseph Wambugu MCA, Hon. Nancy Muthama MCA, Hon. Elias Okumu MCA, Hon. Patrick Karani MCA, Hon. Millicent Onyango MCA, Hon. Anthony Gatune the vice chair and Hon. Mwangi Njihia as the chairman.

I want to personally and on behalf of this assembly commend you for having done a superb job in ensuring that the assembly has a report that is worth its salt and I hope you will take the report further or the ones in this committee will take it further to ensure all the recommendations are met within this financial year or at least 70% or 80% are met. Thank you.

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Acting Speaker:** Hon. Members we have come to the conclusion of today's sitting. I now request you to rise and enjoy your weekend and we meet on Tuesday at 2.30 p.m. Thank you Hon members.

**The House rose at 3.29 p.m.**