



## COUNTY ASSEMBLY OF MOMBASA

### OFFICIAL REPORT

Wednesday, 20<sup>th</sup> June, 2018

The House met at 2:38p.m.

*(The Deputy (Hon. Fadhili Mwalimu) in the Chair)*

### PRAYERS

**The Deputy Speaker** (Hon. Mwalimu): Have your seats, yes Clerk.

### COMMUNICATION FROM THE CHAIR

Hon. Members, I wish to bring to the attention to this Hon. Assembly that we have visitors from Burhaniya Primary School, Ronald Ngala Primary School and Fahari Primary School all from Tudor Ward...

*(Applause)*

And I hereby recognize the presence of the delegation; if you hear your name stand and bow so that the Hon. Members acknowledge your presence.

From Burhaniya Primary School we have;

1. Salome Adhiambo
2. Dorcas Ikholi
3. Esha Amir
4. Hannan Omar
5. Rashid Issa
6. John Otieno
7. Sharon Evert
8. Husna Jamal
9. Michael Chite
10. William Odhiambo
11. Miguel Ogo
12. Perez Achando

And from Ronald Ngala primary School we have;

1. Ramadhan Mwero
2. Geoffrey L'usengo
3. Dickson Jilani
4. Maxwell Mwanduka
5. Zawadi Kenga
6. Mwanaidi Saidi
7. Elizabeth Adhiambo
8. Aisha Ahmed
9. Mwanahamisi Mohamed
10. Abdulrazak Ismail

From Fahari primary School

1. Nasra Umazi
2. Debora Mwende
3. Calvin Munene
4. Moses Nyambu
5. Violate Akoth

And the head of delegations, the teachers we have,

1. Sheila Myriam
2. Lydia Odhiambo
3. John Mwakio

And on behalf of the Assembly I welcome you all to the County Assembly of Mombasa, na nasema karibuni sana...

*(Applause)*

Before we proceed we have the Hon. Member from that ward i'll give him a chance to say a few words. Yes Hon. Tobias Samba?

**Hon. Samba:** Thank you Mr. Speaker for at least acknowledging and also appreciating the effort that you've done at least to bring the young debaters, actually these are young debaters we started debating club and so far these are the Schools that have achieved that but hopeful we are going to do it within the school within my Ward and hopefully will have the County as a whole, to my student welcome, *karibuni sana*, thank you so much and feel free you will enjoy how Hon. Members debate. Thank you so much Mr. Speaker.

*(Applause)*

**The Deputy Speaker** (Hon. Mwalimu): And I will also ask Hon. Rosemary to at least say something to the students.

**Hon. (Ms.) Mukavi:** Thank you Mr. Speaker for giving me the chance to welcome the students who have come to be with us today to at least learn how we debate our issues in this chamber because you have just ambushed me on the issue let me leave you with those few words.

*(Applause)*

**The Deputy Speaker** (Hon. Mwalimu): Thank you, yes Clerk?

**MOTION**

DECENTRALIZATION OF THE SEWERAGES SYSTEM IN THE COUNTY

Yes Hon. Faith Mwende, Kipevu Ward?

*(Hon. (Ms.) Faith Mwende moved the Motion)*

**Hon. (Ms.) Faith Boniface:** Thank you Mr. Speaker Sir for giving me this chance, I would like to move the following Motion about decentralization of the sewerages system in the County.

*(Hon. (Ms.) Faith Boniface moved the Motion)*

THAT AWARE that the County Government is mandated with the responsibility of County health Services, including, in particular refuse removal, refuse dumps and solid waste disposal under part 2 (g) of the fourth Schedule of the constitution of Kenya, 2010;

FURTHER AWARE that the sewerage system in the County was constructed in colonial era and has been concentrated in a few areas of the island;

NOTING THAT sewerage system and the general sanitation has always been coordinated from the County level;

FURTHER NOTING THAT the existing infrastructure is inadequate and dilapidated and cannot adequately cater for the ever increasing demand for the service;

CONCERNED that the current state of sewers in the County may pose a threat to both the residents and the environment in the County;

I therefore urge this Assembly to RESOLVE that:

1. The County Government constructs and decentralizes the sewerage system to all the Wards in the County.
  2. The County Government transfer sewerage systems management to Ward level.
- Mr. Speaker I beg Hon. BMW to second.

**The Deputy Speaker** (Hon. Mwalimu): Hon. Faith Mwende we don't have Hon. BMW in this House.

*(Laughter)*

**Hon. Faith Mwende:** Am sorry Hon. Speaker, I urge Hon. Thoya from Mikindani Ward to second the Motion. Thank you.

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Thoya?

**Hon. Thoya:** Thank you Mr. Speaker, am in the preparation of making that name BMW a legal one so in the near future you will allow it, may be next year but I beg to support.

*(Question proposed)*

**The Deputy Speaker** (Hon. Mwalimu): Members, I now propose a question that the Motion on decentralization of the sewerage systems in the County be discussed in this House.

*(Question proposed and agreed to)*

*(Applause)*

Yes Hon. Faith?

**Hon. (Ms.) Faith Boniface:** Ahsante sana Mheshimiwa Spika kwa kunipa tena hii fursa niweze kuchangia hoja hii nilioleta kwenye Bunge hili kuhusiana na *sewerage* za Kaunti ya Mombasa. Mheshimiwa Spika hapo nyuma tumekuwa na taarifa nyingi za kuhusu *sewerage*, nyingi zime *block* zingine hazina vifiniko, kwengine hakuna *sewerage* kwengine zina *connectiwa* kimakosa na nikaona ni vizuri kwa sababu hili ni janga la Mombasa nzima si sehemu fulani. Ningeomba hii Nyumba iweze kupitisha huu Mswada ndio uweze kufanyiwa kazi ndio tuweze kukaa katika mazingira masafi kwa vile tunajua Mombasa Kaunti ni mahali pa watu wataarabu na watu wasafi na kama tutakaa kwa mazingira ambayo kuna harufu ambazo hazieleweki Mheshimiwa Spika itakuwa ule ustaarabu wetu wa Mombasa Kaunti haupo tena. Kwa hivyo Waheshimiwa wenzangu naomba tujadili na tuweze kupitisha huu Mswada ndio tuweze kupata mazingira masafi katika jamii yetu. Ahsante sana Mheshimiwa Spika

**The Deputy Speaker** (Hon. Mwalimu): Hon. Tobias Samba?

**Hon. Samba:** Yes thank you once again Mr. Speaker actually decentralization of the sewerage system is something that could have happen long time ago; actually the pioneers of the devolution who came up with idea of devolution wanted to bring the services closer to the people and so far our country has tried but at least we have some steps to make. When everything has been decentralized at least it brings services closer to the people, in respect to that we know the Motion that Motion mover has just moved it is a problem that may be it is affecting our County as a whole and of late we have seen County Government trying but their effort is not enough we need to at least give them some mandate or some powers to actualize and to bring the services closer to the people.

When we talk about sewerage system especially in my Ward I just recently had some rehabilitation in my Ward but they are not doing these things as per the standard that is required, may be to the contractor or may be who gave out the contract may be might say that they are doing us some favor. Hon. Speaker we need to bring these things down to Ward level, because you might find there might be just a mere blockage and it will take you some time or it will take County Government to respond something actually that could have been decentralized at least cannot even take a minute for the action to be taken.

Another thing we will also be creating job opportunities for our youths and this thing we should have a regular unit that will be responsible for the services of the County projects by doing so also will be ensuring that we have a clean environment and our youths who are jobless will also get the opportunity also to get employment through that, so I think the timing is also the best and I beg to concur with my fellow Hon. Member. Hon. Speaker I beg to support the Motion, thank you so much.

(Applause)

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Naliaka?

**Hon. (Ms.) Mary Naliaka:** Thank you Mr. Speaker sir for granting me this chance to contribute. Mr. Speaker when it comes to matters of responsibility people will always apportion blame where there is no direct responsibility but when there is decentralization there will be somebody who will be directly responsible down there. When it comes to those sewerages being blocked or may be if there is anything that is not working right. So Mr. Speaker Sir I urge the House to pass this Motion given that it will enable the work to be done easier. Another thing, it will also incorporate the involvement of members of the public on the ground given that at the Ward levels we just deal with electorates who are our mothers, our sisters and our brothers. So I tend to believe that that they will also be there to give a hand. Thirdly this decentralization will also make our kids also to learn about taking care of the environment right from home given that there will be a policy maybe from the Ward representatives on how the work should be done or how the environment should be catered for. So these things will just enhance the easiness in working and doing this work, thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Mwalimu): Hon. Ahmed?

**Hon. Ahmed Salim:** Ahsante Bwana Spika, mimi nataka kumuunga mkono Mheshimiwa mwenzangu kwa kuleta Mswada huu. Kama alivyosema Mheshimiwa Samba hili jambo liko kila mahali sio mahali pamoia pekee yake kwa sababu hata upande wangu pia vile vile tangu niingie lawama ni nyingi kuhusu hizi *illegal connection* hata mpaka naambiwa mimi ndio ninafanya hizi kazi huko eneo langu na shida yote inatokana na wakaazi pahali ambapo hiyo kitu inafanywa na pia vile vile askari wa *inspectorate* pia wako katika hili jambo pia wao wanahusika na ikiwezekana hili jambo tulichukulie mkazo sana kwa sababu bila hivyo naona Mombasa nzima itaharibika maanake kila ukienda kazi ikifanywa unaambiwa ni ya mkubwa na hatujui ni mkubwa gani? Kwa hivyo upande wangu ndio naweza nikasema kuwa imekuwa imeathirika sana kwa hivyo hili jambo lazima tulichukulie mkazo nataka kusema tuunge mkono tupitishe Mswada huu. Ahsante sana.

(Applause)

**The Deputy Speaker** (Hon. Mwalimu): Yes the Member from Frere Town Ward, Chief whip?

Majority Chief Whip (**Hon. Kitula**): Ahsante Mheshimiwa Spika. Mheshimiwa Spika mimi leo nitakuwa mchache wa maneno kuweza kutilia mkazo na kuweza kumuambia alieleta hoja hii kwamba kama serikali tumeweza kujitahidi kwa juhudi zetu kuhakikisha kwamba hasa mfumo wa maji taka unaweza kufanya kazi bila kubagua kata ndogo yoyote.

Mheshimiwa Spika vile vile kama serikali pia kuchukua hoja kwa wakaazi na hatua kama hii iliweza kufanyika mashinani hivi majuzi na hivi sasa tayari tunaweza kuweka bajeti ya kutosha kuweza kuangazia kila sehemu na kuna itilafu itaweza kutokea katika bajeti yetu ambayo tuna jukumu sisi kama Wabunge wa sasa tutahakikisha kwamba kila sehemu sio sehemu moja pekee bali sehemu nzima ya Kaunti ya Mombasa. Lakini Mheshimiwa Spika la kushangaza mfumo wa maji taka sio janga la kuweza kutiliwa mkazo na viongozi pekee ila wananchi kwa sababu wananchi wametumia njia hizi kutupia takataka alafu baadae sisi ndio tunaletewa lawama hizi.

Kwa hivyo tungependa pia hawa wananchi waweze kuhamasishwa ya kwamba njia hizi ni sehemu za mfumo wa maji taka lakini wanapotuma matakataka Mheshimiwa Spika inakuwa nini jukumu ambalo kila mmoja anastahili kuweza kulitekeza lakini sio jukumu au kidole cha lawama kuelekezwa sisi kama serikali. Hivyo basi ni jambo zuri nani hoja nzuri lakini tungependa pia wakati anaijibu ambaye ameweza kuleta hoja ya leo aweze kutueleza tunapokagua utenda kazi wa mfumo wa maji taka, je ina maana kuweza kujenga maofisi mashinani? Maana serikali yetu wafanyi kazi wako tayari kufanya kazi kila kata ndogo Mheshimiwa Spika atueleze vizuri anapoleta hoja hii ni kwamba je ina maana kwamba kila Wodi iweze kujengwa ofisi? Au kugatuliwa kwa mfumo wa maji taka utagatuliwa kwa njia gani Mheshimiwa Spika? Ahsante sana.

**The Deputy Speaker (Hon. Mwalimu):** Thank you I can see the Chief Whip taking the roles of the Majority Leader. Hon. Junior Wambua?

**Hon. Wambua:** Ahsante sana Bwana Spika ningelitaka kuunga mkono hoja hii, sehemu zengine kama zetu za Chaani ambapo yalijengwa wakati watu ni wachache saa hizi imekuwa ni kazi yetu sisi tunafanya ukiamka asubuhi unakuta wananchi wako pale unatakikana kwa mashimo na wakati huo nao unahitaji katika Bunge ni jambo ambalo nataka kumpongeza Mheshimiwa Faith Mwendu kwa kuleta hoja kama hii...

*(Applause)*

Kwa sababu itaweza kusaidia ili ipanuliwe tuweze kupata huduma nzuri kwa sababu mambo kama haya ijapokuwa Kinara wa Bunge amesema wananchi nao wanachangia sana katika mambo haya ya kuharibu mitaro, wanajaza matakataka hapo kama juzi kwangu kulikuwa kunasafishwa nilienda katika sehemu hiyo nikaona zile takataka zilizokuwa zikitoka mahali pale nikaona nikashangaa sana. Kwa hivyo hamasisho linastahili pia ili tuweze kuhimiza watu wetu wasije wakaharibu maji taka tuweze kupata huduma bora katika mji wa Mombasa. Naomba kuiunga mkono ahsante sana.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Hamida?

**Hon. (Ms.) Hamida Noor:** Thank you Mr. Speaker Sir for giving me this opportunity. I congratulate my fellow Member of the Assembly who has brought this Motion. It is true that we need to decentralize these sewerage systems because the sewers are running a lot and the people have increased and we need to do this thing like yesterday, so I do support this Motion and congratulate Member of the Assembly for bringing this Motion. Thank you.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Thoya, you the reason as to why I have not given you time to at least say something it's because we are guided by Standing Orders and in our Standing Order 78 (1) it clearly show that you cannot speak twice on the same issue but for today Hon. Thoya and this will be an example to all the Hon. Members when you second you can just nod by seconding or any sign of seconding so that you are not exempted from building your issues when debate time comes, you can proceed Hon. Thoya.

**Hon. Thoya:** Ahsante Bwana Spika naona hiyo ndio sababu ingekuwa mimi ni askari wa peponi unapata tikiti ya moja kwa moja kuingia. Nataka kuchukua nafasi hii kuunga mkono hoja hii na kusema ni hoja ambayo imekuja wakati unaostahili na ni vizuri kama tunazungumzia tuzungumzie. Tukiangalia eneo nzima la Mombasa kuna sehemu ambazo masuala haya ya maji taka ama mabombo ambayo yanazungumziwa hapa hayajafika ni sehemu ndogo sana ya Mombasa ambayo kufikia saa hii huduma hii iko na kule ambako iko pia ilijengwa miaka ya nyuma sana kwamba ilikuwako itahudumia watu kama 1000.



Saa hii sehemu hizi ziko ni watu zaidi ya 50,000 kwenda juu, ipo haja kwamba ukarabati huo ufanywe na pia ningependa kukumbusha Jumba hili sio wakati wa kunyoosha vidole mwananchi kwa sababu sisi tuko na asasi zote, yule mwananchi anatupa taka kuna kitengo kamili hapa cha kinahakikisha kwamba zile sheria zinatiliwa mkazo. Tuko na kitengo cha *Inspectorate* wale wahalifu atakae onekana anatupa taka anatakikana ashikwe aletwe kortini tunataka tuanze kuona hiyo kama kuna watu ambao si watiifu wanachafua mazingira tuone kile kitengo kile ni wajibika.

Kila mmoja anavyojua mwananchi wa kawaida anakosa ufahamu na kukosa ufahamu uko isiwe ni hukumu kwetu sisi kwamba hatutawajibika kama Kaunti au serikali ya Kaunti ya Mombasa ni lazima tuwajibike na ninaomba iwezekanavyo sehemu nyingi za Mombasa Kaunti ziweze kupewa huduma hii ya maji taka na pia tuweze kuangalia hawa watu ambao wako katika kutengeneza hizi sehemu nyingi sana ziko na ile kitu inaitwa *illegal connection* sijui kwa Kiswahili tutaita vipi? Utanisamehe ni kosa lengine hilo lakini nasikitika kwamba juzi nilikuwa nafanya msako huo kila ukichukua maofisa wetu ukienda hapo wanasema kosa ni letu, ukienda wanasema kosa ni letu sasa ile *illegal connection* haifanywi na wananchi wa kawaida inafanywa na maofisa wetu.

Nataka kuchukua nafasi hii kusema shida iko nyumbani, shida iko nyumbani na ipo haja tujipange kama nyumbani kabla tutoke, tutoke wasafi. Hawa maafisa wetu hususan ile Kamati husika najua kitengo hicho kiko sehemu ya maji tuwaite tuwaambie mbele ya macho yao kwa sababu hii iko wazi kwamba kuna mtu alitoa *mlungula* akaunganishiwa choo chake inamwagika sasa leo unaona kinyesi wazi kabisa ndio hicho kinaelea kwa maji, kinaelea kwa maji kila kukicha, kwani atakuwa Gavana akitukanwa kila siku si Gavana kuna watu ambao wanamuwakilisha Gavana kule nyanjani? Kila mmoja amefika wakati awajibike na ambaye hatawajibika kuna watu wengi ambao wako tayari kuwajibika hatutakubali Kaunti hii ya Mombasa iregeshwe nyuma na watu wawili, watatu. Tunampa kongole Waziri wa Mazingira hii sehemu ya takataka amejaribu Kibarani sasa tunaona maua yanapandwa pale ni lazima tuipe kongole hiyo Kamati na Wizara husika...

(Applause)

Huku kwengine huku nako ni lazima twende tutazama kuzama mpaka pale mambo yatakuwa sawa Kaunti Mombasa ama sivyo sitaregelea tena nikiambiwa niunge mkono nitakataa...

(Laughter)

Manake mimi napenda kuchanja masuala. Ahsante.

**The Deputy Speaker** (Hon. Mwalimu): Members I can see you have exhausted the debate of Motion, I would now call upon the Mover of the Motion to respond before we proceed. Yes Hon. Faith?

**Hon. (Ms.) Faith Boniface:** Mheshimiwa Spika naomba kushukuru Waheshimiwa wote ambao wamechangia na kuunga mkono hoja hii; najua pia wale hawajaongea walikuwa na nia hiyo hiyo kwa vile mahali tunapotoka kuko hivyo hivyo na kama hili jambo litatiliwa manani hatutakuwa na majanga ya mikurupuko ya magonjwa ambayo hayajafika Kaunti zengine na tutakuwa tukiongoza kwa mambo ya usafi na watu watakuwa wanakuja ku *benchmark* huku na wale ambao wamepatiwa hiyo kazi ya kutuhakikishia mazingira ni mazuri.

Hizo *connection* utaniwia radhi kama hawawezi kufanya kazi waweze kupumzishwa wengine wapatiwe hiyo kazi kwa vile jina la Gavana haliwezi chafuliwa kwa watu wachache sababu kila kitu kikiwa kibaya unasikia ni Gavana. Kwa hivyo kama hawawezi kufanya kazi ni wapumzishwe wengine wachukue hiyo kazi. Ahsante sana Mheshimiwa Spika.

*(Applause)*  
*(Question put)*

**The Deputy Speaker** (Hon. Mwalimu): Members I now stand to put a question that the Motion by Hon. Faith Mwendu on Decentralization of the sewerage systems in the County be approved in this Honorable House.

*(Question put and agreed to)*  
*(Applause)*

### **ADJOURNMENT**

Having there no other business the House stands adjourned until tomorrow the 21<sup>st</sup> Thursday at 2:30p.m.

The House rose at 3:10p.m.