



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Tuesday 23rd July, 2019
The House met at 2:51p.m.

(The Speaker (Hon. Aharub Ibrahim Khatri) in the Chair)

The Speaker (Hon. Khatri): Hon. Members you may be seated. Yes Clerk?

COMMUNICATION FROM THE CHAIR

Hon. Members, I wish to bring to the attention of this Honourable Assembly that we have visitors from Tumaini Children's Home (Sirio School). I recognize the presence of the delegation which consists of:

1. Yvonne Arusi
2. Christine Ajode
3. Lynne Njeri
4. Edwin Musando
5. Santa Maria
6. Esther Nzige
7. Renee Ochieng
8. Everline Wanjiru
9. Latifa Jaffa
10. Rodger Emmanuel
11. Odrina Nyaboke
12. Fathiya Juma
13. Hassan Jumaa
14. Noel Odhiambo
15. Nathaniel Mwamudzo
16. Ron Omondi
17. Gladwell Wambui
18. Eugene Origi
19. Swaleh Hamisi
20. Bradley Kikech
21. Meshack Tumaini
22. Mary Wambui

23. Joan Nuru
24. Naftal Munyori
25. Edison Karisa
26. Emmanuel Aswan
27. Stephen Onyango
28. Fauzia Mwatumbo
29. Elizabeth Muthoni
30. Fortune Israel
31. Rebecca Nyota
32. Abel Nyota
33. Sharon Zion
34. Melody Zion
35. Careen Zion
36. Purity Zion
37. Timothy Zion
38. Celine Zion
39. Jemima Zion
40. Migel Zion
41. Jeremy Zion
42. Mercy Zion
43. Abdul Mudachi
44. Sylvester Gelaora
45. Brenda Mwakisha
46. David Mwakisha
47. Swabra Jaffa
48. Zahora Ebiffa
49. Shallete Talia
50. Trinity Jescah
51. Ann Betty
52. Abigael Ndinda
53. Sylvia Njoroge
54. Neema Lavacotus
55. Venus Njeri
56. Irene Achieng
57. Triza Ojuja
58. June Rose
59. Teacher Renson Karisa
60. Teacher Margaret Lwangu
61. Teacher George Odhiambo

On behalf of the Assembly, I welcome you all to the County Assembly of Mombasa.
Karibuni sana.

(The Teachers and students bowed)

(Applause)

Yes Clerk next Order?

RESHUFFLING OF COUNTY CHIEF OFFICERS

The Speaker (Hon. Khatri): Hon. Members I have a letter from the County government of Mombasa, office of the County Secretary and Head of Public Service, dated July 22, 2019. Reference: Reshuffling of County Chief Officers.

His Excellency, the Governor has made some reshuffles to the County Chief Officers so as to revitalize the operations of government with a view to improving efficiency as follows:

1. Mr. Abdulwahab Mbarak, Chief Officer, Water - Department of Water, Sanitation and Natural Resources;
2. Dr. Jeophita Mwajuma, Chief Officer, Lands – Department of Lands, Housing and Physical Planning;
3. Mr. Abdirahim Farah, Chief Officer, Investment – Department of Trade, Tourism and Investment;
4. Mr. Francis Kombe, Chief Officer – Department of Environment, Waste Management and Energy.
5. Ms. Justina Mwikya, Chief Officer, Youth and Gender – Department of Youth, Sports and Culture;
6. Ms. Tuni Mwalukumbi, Chief Officer, Trade – Department of Trade, Tourism and Investment;
7. Ilhan Abbas, Chief Officer – Devolution and Public Service Administration;

Hon. Members I would like to read out Chief Officers who have retained in current position;

8. Ms. Asha Abdi, Chief Officer – Department of Finance and Economic Planning;
9. Mr. Rajab Babu, Chief Officer Sports – Department of Youth, Sports and Culture;
10. Mr. Hamisi Kurichwa, Chief Officer Culture - Department of Youth, Sports and Culture;
11. Mr. Anuari Ahmed, Chief Officer, ICT - Department of Education, ICT and Mombasa Vision, 2035;
12. Dr. Khadija Shikely, Chief Officer, Medical Services - Department of Health;
13. Dr. Aisha Abubakar, Chief Officer, Public Health - Department of Health;
14. Engineer Albert Keino, Chief Officer Transport - Department of Transport Public Works and Infrastructure;
15. Mr. Uzel Mzera, Chief Officer, Fisheries - Department of Agriculture, Fisheries, livestock and Co operatives;
16. Ms. Rosina Wasoi, Chief Officer, Agriculture - Department of Agriculture Fisheries, livestock and Cooperatives;
17. Ms. Juliana Cherera, Chief Officer, Office of the Governor;
18. Mr. Innocent Mugabe, Chief Officer, Tourism - Department of Trade, Tourism and Investment.

Hon. Members, I have another list of acting appointments Chief Officers which is:

1. Dr. Jeophita Mwajuma is Acting on Chief Officer Housing and Physical Planning - Department of Lands Housing and Physical Planning;
2. Eng. Albert Keino is Acting Chief Officer, Public Works and Infrastructure;

3. Mr. Inocent Mugabe is Acting Chief Officer, Education - Department of Education, ICT and Mombasa Vision, 2035.

Thank you, Hon. Members those are the names which I have read out. Yes Clerk next order?

NOTICE OF MOTIONS

SPONSORSHIP OF TEAMS PARTICIPATING IN FOOTBALL KENYA FEDERATION (FKF) LEAGUE

Yes Hon. Charles Juma, the Chief Whip. Yes you may give the Notice of Motion.

The Chief Whip (Hon. Kitula): Mr. Speaker Sir I beg to give the following Motion;

THAT AWARE that part two (4) (h) of the Fourth Schedule of the Constitution of the Republic of Kenya, 2010 mandates the County government to take charge of sports, cultural activities and facilities;

FURTHER AWARE that sports is a source of livelihood and one of main contributors to our economy;

CONCERNED THAT many of our youths cannot achieve their dreams in sports especially football due to lack of support to Football clubs from relevant authorities;

NOTING THAT lack of support will continue affecting the growth of talents, economic reliability and as a result, many youths may engage in unlawful activities to make ends meet;

I URGE this Assembly to RESOLVE that;

The County government of Mombasa through the Department of Youth, Gender Sports and Cultural Affairs to partner with Constituency Development Fund (CDF) Committee, sponsors and other well-wishers to cater for participation fee, security fee, transport fee and wages for referees to all the Football Kenya Federation (FKF) registered teams in Mombasa County.

Thank you Mr. Speaker.

(Applause)

The Speaker (Hon. Khatri): Thank you Hon. Charles Kitula from Frere Town. Yes Clerk next Order?

STATEMENTS

Yes Hon. Renson Juma Thoya, Chairperson Committee on Labour and Social Welfare?

Hon. Thoya: Thank you Mr. Speaker. We were to deliberate and the same company managers were to report to the Committee tomorrow morning but I have a communication that the same matter was supposed to be taken to the County Labour officer at National Social Security Fund (NSSF)...

(Interruption)

The Speaker (Hon. Khatri): Yes Hon. Charles, sorry Hon. Renson?

Hon. Thoya: I am saying the same Statement came and we were pursuing it but we would require your indulgence because the Clerk of the Committee communicated to us in the morning that the same matter he was advised it to be taken to the County Labour Officer.

The Speaker (Hon. Khatri): Yes I think Hon. Renson we spoke about that but I do not think that there is any harm if you have the report you can just give it to us there is no problem. You can continue to give us the report.

Hon. Thoya: I was saying that the said managers of the company were given a letter and they were to come tomorrow morning

The Speaker (Hon. Khatri): Okay so they are coming tomorrow morning?

Hon. Thoya: Yes.

The Speaker (Hon. Khatri): So you are asking for more time?

Hon. Thoya: More time.

The Speaker (Hon. Khatri): So is it okay if we give you next Wednesday?

Hon. Thoya: Most obliged.

The Speaker (Hon. Khatri): Thank you Clerk. I think just note that and next Wednesday afternoon you can bring that matter back. Yes Clerk, next Order?

STATEMENT

The Speaker (Hon. Khatri): Yes Hon. Fadhili Mwalimu, the Deputy Speaker and Chairperson Committee on Public Accounts and Investment Committee, please give a response?

The Deputy Speaker (Hon. Mwalimu): Thank you Mr. Speaker. Mr. Speaker during the morning session you allowed the PAC Committee to forward the letters and due to technical reasons I was unable to print copies to the all House but I have copies that I can forward to your desk and another copy to the person who raised this Statement before I read out what we have brought to this Honourable House.

Mr. Speaker with us we have got several letters which the PAC Committee wrote to the different Departments waiting for responses.

Mr. Speaker as we speak it is only the Sports, Youth, and Gender Department that has brought the response but as from the Auditor General we wrote a letter on 26th March, 2019 regarding responses to audit reports.

Mr. Speaker what we received from the office of the Auditor General was that reports from the County Executive for the FY 2013/2014 were submitted, FY 2014/2015 were submitted, FY 2015/2016 they were not submitted and FY 2016/2017 they were not submitted. And as I said earlier Mr. Speaker we as a Committee we cannot work on our own unless we get status from the office of the Auditor General, so the ones that have been submitted we as a Committee have worked upon those reports but we could not move further as no responses were taken to the office of the Auditor General.

Mr. Speaker No.2 was the County Assembly FY 2013/2014 submitted, FY 2014/2015 submitted, 2015/2016 not submitted, 2016/2017 not submitted.

Another Department from Water, MOWASCO, FY 2013 they submitted the responses, FY 2014/2015 not yet submitted, FY 2015/2016 not yet submitted, FY 2016/2017 not yet submitted Mr. Speaker.

Elimu Fund FY 2013/2014 it was not established, FY 2014/2015 not established, FY 2015/2016 not submitted, FY 2016/2017 not submitted.

Alcoholic Fund FY 2013/2014 not established, FY 2014/2015 not established, FY 2015/2016 not established, FY 2015/2016 not submitted, FY 2016/2017 not submitted Mr. Speaker.

The Revolving Fund FY 2013/2014 not established, FY 2014/2015 not established, FY 2015/2016 not established, FY 2016/2017 not submitted.

Mr. Speaker as you can see we have annexed several letters showing that the PAC Committee is working tirelessly to make sure the Departments concerned bring the responses and the Committee to work upon those reports not as it was raised that the Committee is sleeping on its work. Thank you.

(Applause)

The Speaker (Hon. Khatri): Thank you Hon. Fadhili. Yes Hon. Charles Kitula?

The Chief Whip (Hon. Kitula): Ahsante Mheshimiwa Mwenyekiti. Mheshimiwa Mwenyekiti nimekaa na nikawa napitia stakabadhi ambazo Mwenyekiti wa Masuala ya PAC ameweza kuleta katika Bunge hili lakini la kushangaza barua hizi zote ni za mwaka 2019. *Audit queries* zilikuja ni za mwaka 2017/2018 ikiwa sisi wa kwanza kuingia katika Bunge hili na mwaka 2018/2019 ndio tunasubiri. Sasa la kushangaza iweje barua zote hizi ni kama baada ya leo kutoa ile *order* zilienda zikakaliwa, zikapigwa *photocopy* ndio zikaletwa kwenye Bunge hili. Mheshimiwa Mwenyekiti na hii sio sawa inatoa heshima Bunge letu, haiwezekani mikutano yote ikapangwa katika wiki moja kwa Idara zote kumi kwa pamoja Mheshimiwa Mwenyekiti.

Kwa hivyo sijaridhika sana na taarifa inayoletwa katika Bunge hili na sisi kusema kweli Mheshimiwa Mwenyekiti tulitaka mapendekezo ya FY 2017/2018 na hadi kufikia hapo inaashiria kwamba Kamati kama Kamati hawajakaa na kuweza kuangalia ni mbinu gani pesa zetu zilivyotumiwa katika miaka ambayo imeweza kutajwa katika *audit query*. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Yes Hon. Charles Kitula that was a Statement... you were giving? So maybe Hon. Fadhili if you have a reply for the Hon. Member.

The Deputy Speaker (Hon. Mwalimu): Thank you Mr. Speaker it is unfortunate that the Hon. Members are missing these copies but what I can say is that the Hon. Member is misleading this House. These letters were not done on a single day Mr. Speaker, I have clearly said there is a letter to the Office of the Auditor General dated 26th March, 2019; we wrote a letter to the Auditor General on 26th March, 2019 and they brought their response which was received by the Assembly Clerk on 28th March, 2019.

Mr. Speaker there is also another letter that was done on April 11th 2019 and I think April and July are different months of which there is also a letter that was done on 18th July, 2019 and there is also a letter that was done on 25th March, 2019 if am not wrong and also there is an invite letter on 18th January, 2019..

So Mr. Speaker the Hon. Member was somehow misleading the House saying that these all letters were done on a single day. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Yes Hon. Ibrahim?

Hon. Omondi: Mr. Speaker Point of Information. Mr. Speaker Sir we are at a standstill at this particular time and I would like the Chair Public Accounts Committee (PAC) to clarify to this House what does the technical hitch entails because this issue is talking about the technical hitch. I do not understand and you can see what he purports to be saying technical hitch is causing...? Whereby Hon. Speaker Sir we are not able to communicate.

The document was supposed to have reached the Members and look at the documents and try to give our views Mr. Speaker Sir but now it has become an engagement between the two Members of this House; the Chief Whip and the Chair, Public Accounts Committee (PAC). I think it is very unfortunate and therefore he will only do us good when he clarifies what does this technical hitch entails so that we can be able to understand. Thank you Mr. Speaker Sir.

The Speaker (Hon. Khatri): Thank you Hon. Ibrahim. Hon. Members I think the Chairperson said it very clearly that he did not have enough copies so what the Hon. Member will do is he will get the other copies and give it to all the other Members and if you have any other thing you will bring the Statement on that issue. Yes Clerk continue.

BILLS

THE MOMBASA COUNTY INVESTMENT AUTHORITY BILL, 2019

Yes Hon. Kizito Opeya?

Hon. Opeya: Thank you Mr. Speaker, Bill for the Introduction to the County Assembly of Mombasa. The Mombasa County Investment Authority Bill, 2019...

(Consultations)

The Speaker (Hon. Khatri): Yes Clerk?

FIRST READING

The Speaker (Hon. Khatri): Yes Hon. Members this Bill stands committed to the Committee on Trade, Investment and Tourism for considerations. Yes Clerk next Order?

ADJOURNMENT

Hon. Members this House stands adjourned until Wednesday 24th of July, 2019 at 10:00a.m.

The House rose at 3:18p.m.