



## COUNTY ASSEMBLY OF MOMBASA

### OFFICIAL REPORT

Thursday, 4<sup>th</sup> April, 2019

The House met at 2:54p.m.

*(The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair)*

### PRAYERS

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

### COMMUNICATION FROM THE CHAIR

Hon. Members this is a verdict of the Select Committee on report on the allegations of incompetence and gross violation of the Constitution and other laws levelled against Hon. Tawfiq Balala, County Executive Committee Member for Transport, Infrastructure and Public Works.

Hon. Members, a Select Committee was constituted to investigate and report to this County Assembly the allegations levelled against Hon. Tawfiq Balala County Executive Committee for Transport, Infrastructure and Public Works.

The Select Committee tabled its report on Tuesday, 2<sup>nd</sup> April, 2019 and the Committee found the allegations unsubstantiated Pursuant to Section 40 (5) of the County Government Act, no further proceeding shall be taken on this matter.

The County Assembly through the Clerk shall therefore communicate the decision of the Select Committee to the County Executive Committee Member for Transport, Infrastructure and Public Works Hon. Tawfiq Balala.

Hon. Members, pursuant to Article 195 of the Constitution these findings do not however stop the County Assembly from inviting or summoning the County Executive Committee Member for Transport, Infrastructure and Public Works to answer any questions that the Committee or the County Assembly may require him to respond to.

In accordance with Article 185 (3) the County is vested with the oversight authority over the County Executive Committee and any other County Executive organs and whenever it finds fit, may require the County Executive Member to appear before it for the purpose of accountability. Thank you Hon. Members. Yes Clerk?

### STATEMENTS

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON EDUCATION, INFORMATION  
TECHNOLOGY AND MV 2035 HON. OMONDI ON THE STATUS OF SCHOOL MILK IN THE  
COUNTY

Yes Hon. Ibrahim Omondi, the Chairperson Committee on Education, Information Technology and MV 2035 please respond.

**Hon. Omondi:** Thank you Mr. Speaker for the opportunity granted. I want to respond on the statement on the Status of milk in Mombasa County. We did receive the Statement from Department of Education but we had a meeting with the Committee of Education and deliberated on all the issues that had been raised but we found most of those issues that were raised in that particular responses were irrelevant and therefore the Committee...

*(Silence)*

**The Speaker** (Hon. Khatri): Yes continue Hon. Ibrahim.

**Hon. Omondi:** And therefore the Committee rejected to adopt the response Mr. Speaker and therefore we do request, we did not want to bring a Statement into this House which would not satisfy the Members then we rejected that.

Therefore, the Committee of Education want Members to give us one week so that we may bring our recommendation, full report and recommendations concerning the School milk. Thank you.

**The Speaker** (Hon. Khatri): So what is your conclusion Hon. Ibrahim? You are asking for more time or?

**Hon. Omondi:** We are asking for one week to come with the report and the recommendation after rejecting the Executive response Mr. Speaker.

**The Speaker** (Hon. Khatri): Ok, thank you that is fine we are giving you one week. Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON EDUCATION,  
INFORMATION TECHNOLOGY AND MV 2035 HON. OMONDI ON THE SUPPLY OF  
LEARNING EQUIPMENT AND TOOLS IN THE EARLY CHILDHOOD DEVELOPMENT  
CENTRES (ECDES)

Yes again Hon. Ibrahim Omondi.

**Hon. Omondi:** Thank you Mr. Speaker Sir once again. It is a House which want to perform its duties up-to-date but the response that we received from the Executive was a sham and as a Committee of Education we did not accept that report to come in this House. And therefore we also rejected that particular response and again we would like to request my fellow Hon. Members to give the Committee of Education time to come with a full report and also the recommendations on what should be done on supply of learning equipment and tools in the ECD's Centre. Thank you.

*(The Speaker (Hon. Khatri) exited the Chair)*

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

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

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON EDUCATION,  
INFORMATION TECHNOLOGY AND MV 2035 HON. OMONDI ON THE STATUS OF  
BURSARY DISBURSEMENT IN THE COUNTY

Yes Hon. Ibrahim.

**Hon. Omondi:** Once again thank you very much for this particular opportunity once more. Mr. Speaker I want to respond on the bursary status as it was requested and the response is in two categories; it touches on the bursary, the Kshs.50Million that was awarded for those pupils who got 300 marks and above and it also touches on the bursary which is yet to be given but the process is going on.

Mr. Speaker Sir, I would to give a Statement response to status of bursary disbursement in the County as requested by Hon. Murfad Abdallah Amur, Member of County Assembly from Old Town Ward, during the 15<sup>th</sup> Sitting on 13<sup>th</sup> March, 2019 of this House.

Mr. Speaker Sir, on Monday 8<sup>th</sup> March, 2019 Form one bursary cheques were released to the public. The Deputy Governor, H.E. Dr. William K. Kingi who is also the CEC for Education officially launched the exercise at Tononoka Social Hall and 3,286 beneficiaries attending close to 800 schools around the County.

Below is the breakdown per category and Sub-County. I hope that Members have these copies so Mr. Speaker I think it will be unnecessary and waste of time for me to go through this schedule and if you may allow because Members have got the copies they can just go through that schedule if there is any objection then it will be okay. Thank you Mr. Speaker.

*(Interruption)*

**The Deputy Speaker (Hon. Mwalimu):** Just a minute, you can highlight from the schedule what has been disbursed, the total amount that has been disbursed for Hansard records.

**Hon. Omondi:** The total amount that has been disbursed?

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

**Hon. Omondi:** Thank you Mr. Speaker Sir for the direction given. The total amount that was disbursed is Kshs.45,976,000, that was for Form one beneficiaries.

**The Deputy Speaker (Hon. Mwalimu):** Okay thank you and the number of beneficiaries?

**Hon. Omondi:** Total beneficiaries 3,286 in that particular exercise.

**The Deputy Speaker (Hon. Mwalimu):** Okay have your seat.

**Hon. Omondi:** Thank you Mr. Speaker Sir and therefore again on the process that is going on because I said I am going to touch on two; the one that was disbursed to the pupils who got 300 and above and also the on-going.

Mr. Speaker Sir there is a bursary that we are supposed to give to form two, form three and form four and I want also to respond to it; the County Treasury...sorry Mr. Speaker Sir following subsequent meetings of the Committee and Departments held on 1<sup>st</sup> April, 2019 in the office of the Deputy Governor, that is the CEC for Education it was resolved that going forward the collection and issuing of the bursary, application forms; issue of the bursary, application forms and cheques to beneficiaries will be conducted in the offices of the Member of County Assembly that is MCA in conjunction with County Administration.

**The Deputy Speaker** (Hon. Mwalimu): Okay, thank you Hon. *Bomoa* for the response unless there is an Hon. Member with any concern. Yes Clerk? Yes Hon. Ogutu?

**Hon. Ogutu:** Thank you Mr. Speaker he just said that...

*(Silence)*

*(Loud consultation)*

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

**Hon. Ogutu:** He said that moving forward the bursary will be issued at the offices of the MCAs but he did not indicate the time because currently as we are speaking the process is going on. So when shall it be issued from the offices of MCAs?

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

**Hon. Omondi:** Thank you Mr. Speaker Sir. As I said moving forward that means the process is on and I am going again to report back to this Honourable House on all the programs, the timelines of all this exercise, how it will take place and I will give a very comprehensive Statement on this. Thank you.

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

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HON.  
AMRIYA JUMA BOY ON UNLAWFUL ARREST BY INSPECTORATE OF PEDESTRIANS PASSING  
BENEATH THE FLY OVER

Chairperson Committee on Justice and legal affairs Hon. Amriya Juma?

**Hon. Amriya Juma Boy:** I might please you Mr. Speaker, thank you very much for according us the opportunity. Mr. Speaker the Committee on Justice and Legal Affairs is ready with their response to what was brought by Hon. Kitula the Committee is happy to inform the House that a letter was written to the Department of Devolution to provide information on the issue of unlawful arrest by Inspectorate arresting of pedestrian passing beneath the fly over. Mr. Speaker, the Department has confirmed that indeed the Inspectorate is within the Department's mandate and the status with regards to legislation is that there was a Mombasa County Inspectorate Bill, 2016.

This was introduced in the First Assembly but unfortunately that Bill did not see the light of the day it lapsed during the first reading on the Tuesday 27<sup>th</sup> September, 2016. So Mr. Speaker the Committee has consulted with the Legal Department on the status of the said Bill and we have committed the Legal Department to have draft on the Inspectorate Bill and the Committee will partake pursuant to Standing Order 121 to re-introduce the Bill in the County Assembly.

Mr. Speaker...

(Silence)

**The Deputy Speaker** (Hon. Mwalimu): Yes proceed.

**Hon. Amriya Juma Boy:** Thank you Mr. Speaker. Mr. Speaker in accordance to Article 191 where there is absence of the County legislation the national legislation take precedence. So currently the Department is using the Traffic Act pursuant to our Constitution and I saw their effort that they are in line to reintroduce and pass to this House the Inspectorate Bill when Mr. Speaker it is our hope as a Committee that once the Legal Department has finalized the drafting the Committee on Justice will re-introduce the Bill.

Thank you very much, that is the submission.

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Kitula are you are the one who brought that Statement?

**The Chief Whip** (Hon. Kitula): Ahsante Mheshimiwa Spika. Mheshimiwa Spika mimi rai yangu ningependa utoe muongozo katika taarifa hii iliyoletwa na Mwenyekiti wa Maswala ya Haki. Mheshimiwa Mwenyekiti mimi sina shida kwamba ufahamu huu tuna ufahamu sisi Waheshimiwa, je wananchi wana fahamu vipi sheria hizi za trafiki Mheshimiwa?

Kwa hivyo ningependa sana utoe uamuzi kwamba kuweze kuwekwa alama za barabarani pale kwamba endapo mtu yeyote atavuka itamgharimu kiasi fulani cha fedha kama faini. Katika Kaunti yetu ya Mombasa Mheshimiwa Mwenyekiti hakuna alama hizo mpaka leo, kwa hivyo ningependa sana serikali ya Kaunti ya Mombasa iweze kuweka pale alama za barabarani ili wananchi wetu waweze kuona pale kwamba endapo atavuka basi itagharimu kiasi fulani katika Kaunti yetu ya Mombasa. Ahsante sana.

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

**Hon. Amriya Juma Boy:** Mr. Speaker with your indulgence because once the Bill has been finalized by the Legal Department it will involve the research team, the House Business and the House will also have an input.

So I request the Hon. Member to save his horses we will have to consider all the input from all the Hon. Members on the said Bill and we hope that Bill will come as soon as possible.

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

**Hon. Thoya:** I want to echo the same observation that have been reiterated by the Chair Justice; that in absence of that Bill the Inspectorate are conducting that or the business illegally so there is every reason that the Department should harness that Bill.

I also have been in touch with Chief Officer Madam Mwikya that if that Bill is not brought before this House then when they arrest somebody who is clever enough in terms of the law will be challenged.

So the Hon. Member Chairperson Legal should push the said Department to bring that Bill, contrary to that they are doing the business out of law. Thank you.

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

**Hon. Athman Mwamwiri:** Thank you Mr. Speaker. As from what the Chair has just stated on legal that currently we do not have legislation to the Inspectorate to enforce the use of flyovers but they are relying to the legislation which is the Traffic Act and it is in that Act each and every sign, road users and signs are supposed to be portrayed on our... we call them road infrastructure.

So according to this Act the signs and signage which the Honourable is referring to are supposed to be on the site so that the users can know that this refers to this and this refers to this, so if they are referring to this Act they do not have any excuse to say that they are waiting for their Bill for them to put those signs and they are already using an Act which is clear and more superior than the Act which will be passed by this Assembly.

Thank you Mr. Speaker.

**The Deputy Speaker (Hon. Mwalimu):** Thank you Hon. Mwamwiri. Hon. Amriya I think you heard the concern from the Hon. Members so it is up to your Committee and your Department to atleast make sure the signs are kept in good positions so that Kenyans will see what fines are there if they cross or they do not pass through the flyover, so make sure you fast track from the Department of Devolution and Transport.

*(Interruption)*

What is it Hon. Bernard? If it is this issue we have already ruled on it.

**Hon. Ogutu:** Please!

**The Deputy Speaker (Hon. Mwalimu):** Okay.

**Hon. Ogutu:** Mimi nafikiria Mheshimiwa Spika hata watu wa Uchukuzi yafaa waingizwe ndani hapo manake kukiwa na *barrier* hapo chini ya hiyo *flyover* hakuna vile mtu ataruka hiyo *barrier* aache kupita kwa *flyover*. Sasa watu wa Uchukuzi watuwekee *barrier* na hizo alama za barabarani ambazo zinahitajika ili watu wetu waache kushikwa. Ahsante.

**The Deputy Speaker (Hon. Mwalimu):** Thank you. I think the Hon. Member has noted so it is a matter of two Departments but it is led by the Chair of Legal and Justice they will sit with the Committee on Transport and try to work on whatever that you have raised Hon. Members. Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON TRANSPORT, INFRASTRUCTURE  
AND PUBLIC WORKS HON. MUMBA ON INFRASTRUCTURAL CONCERNS

Yes Chairperson Committee on Transport, Infrastructure and Public Works, Hon. Prischillah Mumba?



**Hon. Mumba:** Ahsante Mheshimiwa Spika. Nimeambiwa hiyo ripoti bado haiko tayari, niwapatie muda kidogo ili waweze kunipa ripoti ya kisawa sawa.

**The Deputy Speaker (Hon. Mwalimu):** Yes Chief Whip.

**The Chief Whip (Hon. Kitula):** Ningependa kumkumbusha Mwenyekiti ya kwamba si ripoti, ni majibu tu. Ahsante.

**The Deputy Speaker (Hon. Mwalimu):** Thank you, and she has responded. Hon. Prischilla it is a response, not unless you want to bring a report for it to be debated.

**Hon. Mumba:** Ahsante Mheshimiwa Spika, pengine ni kuteleza kwa mdomo lakini hiyo Taarifa haiko tayari, itakuja.

**The Deputy Speaker (Hon. Mwalimu):** Okay, so when actually are you thinking that you will have the response.

**Hon. Mumba:** Nitaifuatilia kwa wiki inayofuatia niweze kupata hiyo ripoti, nitahakikisha nimeifuatilia niweze kuleta ripoti inayofaa katika Jumba hili Tukufu.

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

**Hon. Thoya:** Ahsante Mheshimiwa Spika. Ni vizuri kwamba tumeweza kusikia kwamba italetwa lakini rai zangu ama za Nyumba hii ni kumpatia changamoto Mwenyekiti mwenzangu, ni juzi tu kumekuwa na hizo tetesi kwa hivyo huu ujumbe aupeleke kule kwamba idara hiyo ijifunge kibwebwe, hizi habari za kuwa habari tukitaka ni kesho, ni kesho kutwa haziji tunataka zifike tamati.

Kwa hivyo ningependa ujumbe huu aupeleke kwa niaba ya Jumba hili kwamba, wale maafisa wa Idara ile waweze kutokana na hii damu chafu, ambayo imeingia ilikuja mpaka ikafika hapa, tujaribu sana wafunge vibwebwe wajikaze watuletee hizo ripoti husika na kazi zifanyike wawajibike. Ahsante.

**The Deputy Speaker (Hon. Mwalimu):** Okay thank you. I think Hon. Prischillah Mumba you have heard the concerns from Hon. Thoya so Hon. Prischillah make sure your Department responds to whatever that has been raised in this House and Assembly or the House will not tolerate delays in responding to whatever that has been asked from this House. Yes Clerk.

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON TRANSPORT, INFRASTRUCTURE  
AND PUBLIC WORKS HON. MUMBA ON INFRASTRUCTURAL CONCERNS FROM HOLY CROSS  
CATHEDRAL CHURCH TO MATERNITY IN KIPEVU WARD

Yes Hon. Prischillah Committee on Transport?

**Hon. Mumba:** Ahsante Mheshimiwa Spika. Kauli ni ile ile, hizo Taarifa zote mbili zilikuwa zije kwa pamoja na hazikuja, sasa nazisubiri mpaka wiki ijayo ndio nizilete manake zilikuwa zije kwa pamoja ni vile tu zimewekwa ya kwanza na ya pili lakini zilikuwa zote zije kwa kufuatana ambapo wiki nafikiri juzi nilileta ripoti karibu nane, zilikuwa majibu yake nikawa niko nayo wakaniambia niwape muda kidogo ili watengeneze na majibu haya...

*(Applause)*

Kwa hivyo hata nyinyi pia niwieni radhi manake wakati mwengine naja na ripoti karibu kumi ama Taarifa kumi najibu, hivyo basi ikiwa nimewaambia subirini, subirini kidogo niweze kuwapatia jambo la kisawasawa.

Sio nikiwa najitetea hapa nionekane kama nafinyilia; Wizara yangu ni ya kueleweka na itaweza kuleta mambo kisawa sawa na itaweza kuleta mambo ya kisheria, kaa chini Mheshimiwa sitaki...

*(Interruption)*

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

**Hon. Mwende:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika ni ieleweke wakati Mheshimiwa analeta Taarifa huwa anatarajia majibu haraka iwezekanavyo kwa vile si yeye anajiwakilisha anawakilisha wananchi.

Mheshimiwa Spika na maswala ya kusema Idara labda Kamati ilileta majibu mengi si lugha ya kuongea mbele ya Bunge hili. Taarifa ikiletwa Bungeni majibu yaletwe kwa vile wananchi wanangojea hayo majibu, hii Taarifa mimi ndio nilioileta na nikasema dharura ambazo ziko, ile barabara ni ya matatu na inakaa kama shamba na sasa hivi vile tunaongea manamba au wananchi wa hiyo sehemu wanataka kupanda migomba ya ndizi.

Mheshimiwa Spika itakuwa ni aibu sana Kaunti yetu kuona vitu kama hivyo vinaendelea mashinani; naomba hii Wizara yetu ya Uchukuzi ifanye kazi kwa uadilifu kwa vile wanatumia raslimali za Kaunti ya Mombasa na wanalipa ushuru...

*(Interruption)*

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

**Hon. Fahad Kassim:** Mheshimiwa Spika, *Point of clarification and information*, Mheshimiwa Faith alikuwa katika *ad-hoc Committee* na leo tumetoa *clean sheet* kwa Wizara hiyo kwa hio...

*(Interruption)*

**The Deputy Speaker** (Hon. Mwalimu): Hon. Fahad you are out of order! So Hon. Prischillah Mumba please take charge and make sure you respond to this House in a week's time because as I said earlier we will not tolerate the delays and Hon. Member is complaining of situation of Holy Cross Cathedral Church to Maternity in her Ward so please make sure you fast track the response to this Honourable House. Yes Clerk.

RESPONSE TO STATEMENT BY THE LEADER OF MAJORITY HON. MWIDANI ON REORGANIZATION OF MEMBERS TO COMMITTEES

Yes the Leader of Majority?

**The Leader of Majority** (Hon. Mwidani): Thank you Mr. Speaker. I think I have a Statement to respond on reorganization of Members to Committees.

Mr. Speaker you know if it could be one Committee I think it could be a very easy job but now it seems it is all Committees.

So my request you know it is a matter of time because you know we have almost 18 to 16 Committees so it is something which cannot be done in a very short time.

Therefore Mr. Speaker mine is to request this House to give me time we sit with my Committee or Selection Committee so that we can bring a very comprehensive report on all Committees concerned. Thank you Mr. Speaker.

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



**Hon. Ngare:** Thank Mr. Speaker. The Majority Leader we appreciate your response and we appreciate your leadership too however you have not given us timeline on when, how soon or how long it is going to take for us to deal with the Committee reshuffle. I think it will be good for us to know the time limit.

**The Leader of Majority** (Hon. Mwidani): Well Mr. Speaker this is the House of law, even if I said three weeks you know the only person who can determine on issues is the Speaker so I hope I have raised it, it is not an easy job, so if you want me to mention time limit then it is like almost three weeks then I think I will be done. Thank you.

**The Deputy Speaker** (Hon. Mwalimu): Thank you Leader of Majority. Leader of Majority please we are guided by our Standing Orders so go through our Standing Orders and bring back a comprehensive response using our Standing Orders because I understand that there are Committees that have got timelines and others do not have, so using the Standing Orders you can respond to these issues. Yes Clerk?

**The Leader of Majority** (Hon. Mwidani): Thank you Mr. Speaker.

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

RESPONSE TO STATEMENT BY REPRESENTATIVE OF CHAIRPERSON COMMITTEE ON  
ENVIRONMENT, WASTE MANAGEMENT AND ENERGY HON. NYIRO ON ENVIRONMENTAL  
CONCERNS IN KAA CHONJO AREA OF TUDOR WARD

Yes Chairperson Committee on Environment, Waste Management and Energy. Yes Hon. Nyiro.

**Hon. Nyiro:** Thank you Mr. Speaker. I stand in for my able Chair who has some issues outside this House, and as a Member of Environmental Committee, I also feel honoured to give...

*(Interruption)*

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

**Hon. Fahad Kassim:** Mheshimiwa Spika *am on a Point of Order*, tafadhali Mama Kushe atoe miwani sababu sijui ni madharau ama ni nini ndani ya Bunge? Tafadhali.

**The Deputy Speaker** (Hon. Mwalimu): Okay proceed Hon. Nyiro.

**Hon. Nyiro:** Thank you Mr. Speaker and thank you Hon. Fahad.

*(Interruption)*

**The Deputy Speaker** (Hon. Mwalimu): Order! Proceed.

**Hon. Nyiro:** Let me give a response to the statement you requested from Kaa Chonjo, that is in Tudor Ward by Hon. Samba and in this response it is an all inclusive response because whatever is happening now it is like we are in a state of danger because the rains have started.

So we have a communication from the Department, that the Department on Environment is embarking on employment; it is not employment or rather recruiting groups in the Wards who are going to be reimbursed from the Department so that they can help the Hon. Members in unclogging of their sewage systems and any other urgent need that will rise from the state of the rain.

So I urge the Hon. Members in case you have an emergence please liaise with the Department of Environment so that we can constitute your team of youths so that the Department can reimburse them with some cash so they can help you do some unclogging of your the trenches in your Wards. Thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Mwalimu): Thank you Hon. Nyiro. Yes Clerk?

RESPONSE TO STATEMENT BY VICE CHAIRPERSON COMMITTEE ON HEALTH SERVICES HON. FATMA SWALEH ON STORM WATER DRAINAGE SYSTEM AT MAGONGO HEALTH CENTRE

**The Deputy Speaker** (Hon. Mwalimu): Yes, Chairperson Committee on Health.

**Hon. Fatma Swaleh:** Mheshimiwa Spika mambo ya *storm water* hayako katika Wizara ya Afya, kwa hivyo naomba aliyeleta Taarifa hii, apate jibu kutoka Wizara ya Uchukuzi ama ya Maji.

**The Deputy Speaker** (Hon. Mwalimu): Thank you Hon. Fatuma Kushe.

*(Interruption)*

What is Hon. Bernard Ogutu?

**Hon. Ogutu:** Mheshimiwa Spika mimi ndio niliitisha hiyo Taarifa na bajeti iliwekwa kwa Wizara ya Afya milioni nafikiri tatu kushughulikia mambo hayo. Sasa ikiwa Naibu Mwenyekiti anakana basi watoe hio milioni tatu waiweke kwa Wizara ya Uchukuzi na hiyo idara nyengine amesema ili watufanyie hio kazi, yale ni mambo ambayo yanahusiana na mambo ya afya, kwa hivyo wafanye ile kazi ambayo inatakikana. Ahsante Mheshimiwa Spika.

**The Deputy Speaker** (Hon. Mwalimu): Yes, Hon. Fatuma Mote.

**Hon. Fatma Swaleh:** Mheshimiwa Spika nataka kumfahamisha Mheshimiwa mwenzangu kwamba naomba aelewe kwamba mambo ya *storm water* hayako kwetu, naomba aweze kwenda kuuliza katika Wizara ya Maji ama Uchukuzi hayako kwetu.

**The Deputy Speaker** (Hon. Mwalimu): Hon. Fatuma Kushe, the concern from Hon. Ogutu was the storm water drainage system at Magongo Health Centre, so that is why the Hon. Member says that it is a concern that the Health Department can tackle.

**Hon. Ogutu:** And Mr. Speaker there is allocation for that in the Department of Health so if the Vice Chair is not aware of that she should visit the budget office so that she can be aware of that.

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

**Hon. Fatuma Swaleh:** Sawa Mheshimiwa Spika. Sijakubali kikamilifu mpaka nipate fursa ya kwenda *site visit* Mheshimiwa Spika.

**The Deputy Speaker** (Hon. Mwalimu): Thank you Hon. Fatuma. Hon. Members we shall now stick to our Standing Order 161, and let the spokesman of the Committee to come and respond to that issue that has been raised, so the Chair of that Committee will come and raise in this Honourable House in a week's time. Yes Clerk?

STATEMENT SOUGHT FROM CHAIRPERSON ON FINANCE BY HON. FAHAD KASSIM ON ACCESS TO GOVERNMENT PROCUREMENT OPPORTUNITIES (AGPO)

Yes, Hon. Fahad Kassim?

**Hon. Fahad Kassim:** Mr. Speaker Sir, pursuant to the provision of Standing Order No. 45(2) c I wish to seek a Statement from Chairperson on Finance and County Planning Committee regarding the above mentioned subject.

Mr. Speaker, Article 227(1) of the Constitution of Kenya, 2010 provides that when a state organ or any other public entity contracts for goods or services, it shall do so in accordance with a system that is fair, equitable, transparent and cost effective.

Mr. Speaker, the aim of the Access to Government Procurement Opportunities (AGPO) program is to facilitate the enterprise owned by women, youths and persons with disabilities to be able to participate in government opportunities.

This will be made possible through the implementation of the legal requirements that 30 per cent of government procurement opportunities be set aside specifically for enterprises owned by these groups. As a result, the program is aimed at empowering them by giving them more opportunities to perform business with the government.

Mr. Speaker, I urge the Chairperson Committee on Finance, Budget and Appropriations to inform this House on:

1. The name of the companies, the Directors and their respective ages and other description of the works, services or supply of goods awarded to youths in the financial year 2017/2018 and their correct values;
2. The name of the companies, the Directors and the description of the works, services or supply of goods awarded to women in the financial year 2017/2018 and their correct values;
3. The name of the companies, the Directors and the description of the works, services or supply of goods awarded to persons with disabilities in the financial year 2017/2018 and their contract value, their NCPWD certificates;
4. The total contract value of works, services and supply of goods in the financial year 2017/2018;
5. Whether the County government complied with legal requirement that 30 per cent of government procurement opportunities are set aside for women, youths and persons with disabilities.

Thank you.

**The Deputy Speaker** (Hon. Mwalimu): Thank you Hon. Fahad. The acting Chair Finance, any response? The Vice Chair?

**The Leader of Majority** (Hon. Mwidani): I think Mr. Speaker I have just heard it now, in fact I need all the (??) which the Members has mentioned to have it in papers so that I can follow up.

So Mr. Speaker it is not a bad issue as a Member, he has all the rights to get the information, but I wish to have time so that I get the paper which he has mentioned so that I make some follow up. Thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Fahad Kassim.

**Hon. Fahad Kassim:** Thank you Mr. Speaker I will hand over the official written communication to the Vice Chair of Finance and kindly ask him to give us the exact time frame, we will appreciate.

**The Leader of Majority (Hon. Mwidani):** Thank you Mr. Speaker. Thank you Hon. Fahad for giving me the access to government procurement opportunity by youth, women and person with disability and I think it is an issue of time now.

Mr. Speaker I would request to be given two weeks' so that I can respond. Thank you.

**The Deputy Speaker (Hon. Mwalimu):** Okay thank you. Yes Clerk?

METHADONE CENTRE AT SHIKA ADABU DISPENSARY IN LIKONI SUB COUNTY NOT OPERATIONAL

**The Deputy Speaker (Hon. Mwalimu):** Hon. Mwaka Bakari.

**Hon. Athman Mwamwiri:** Thank you Mr. Speaker. I have just received communication from the said Hon. Member, to stand on his behalf for her Statement.

Mr. Speaker Sir, I stand Pursuant to Standing Order 41 (2) (c), seeking to know from the Chairperson Committee on Health if he is aware that the Methadone centre at Shika Adabu Dispensary in Likoni Sub County has not been in operation for quiet sometime and whether the County government of Mombasa has any plans to put up another Methadone prescription Centre in Likoni Sub County as a matter of urgency considering that it has high number of drug addicts in the County. Thank you Mr. Speaker Sir.

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

*(Consultations)*

*(Laughter)*

**Hon. Fatma Swaleh:** Ahsante sana Mheshimiwa Spika. Ningeomba Mheshimiwa anipe kiasi ya siku nne hivi ili tuweze kuja na jibu mwafaka.

**The Deputy Speaker (Hon. Mwalimu):** Okay thank you, the issue will return back to the House Business and they will allot time and date of when it is going to be responded in this House. Yes Clerk?

STATEMENT

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

*(Consultations)*

Okay, what is it Hon. Ibrahim?

**Hon. Omondi:** Thank you Mr. Speaker Sir. Mr. Speaker Sir I stand Pursuant to Standing Order 41 (2c). I want to give a very powerful Statement here and am calling it powerful because it really affects our people especially during this rainy season.

Mr. Speaker Sir it is just last week where Chairperson for Roads and Public Works promised us a program on how they are going to drain or to open the drainage system in our Wards.

Mr. Speaker Sir to my surprise today in the morning I just received a phone call that there are people on the ground opening the drainage system but when I reached I was more amazed when I found out that the youths that were being used in my Ward to open the drainage system were transported from the town up to that place!

It is worse because at that particular place we also have youths who can do the same work. Mr. Speaker Sir I remember very well we promised a dawn of a new type of leadership and leadership based in service delivery not lordship, a leadership based on consultation not autocracy.

Mr. Speaker Sir leadership should be based on youth and women empowerment not wealth accumulation; today our youths on the ground nobody is concerned about them it is a very big problem.

Mr. Speaker Sir to add on that I just want to find out from the Department of Roads and Infrastructure that every Ward has only been given one day; has only been allocated funds for one day to open the drainage system. Mr. Speaker Sir like in Changamwe Sub County we have been given five days that means every Ward will only get one day.

Mr. Speaker Sir when you go to my Ward even five days are not enough to open those drainage systems and when you look at manpower; the people that have been allocated are only 15 youths from town. So Mr. Speaker I just want to know from the Chairperson Transport and Infrastructure surely what is happening in that particular Department?

Mr. Speaker Sir last time they told us that they were waiting for some money so that they can empower the youths on the ground to do the same work, today they have transported youths from town to come and do the same work; 15 youths and they have only been given money for only one day and when you look at those drainage systems they are pathetic. Mr. Speaker Sir you are my neighbour and you can confirm that. Thank you Mr. Speaker Sir.

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

**Hon. Mwende:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nikingezea katika hiyo Taarifa ya Mheshimiwa Ibrahim Omondi kwa kweli kuna hiyo kazi ambayo ilikuwa ikiendelea vibarua wanachaguliwa na *Ward Administrator*.

Mheshimiwa Spika itakuwa ni hujuma kwa Mwakilishi wa Wodi kama hatahusishwa kikamilifu kwa kuchagua vijana ambao wanafaa kufanya hizo kazi Mheshimiwa Spika.

*(Applause)*

Mheshimiwa Spika ukienda mashinani na uangalie ile pesa ambayo imepeanwa kwa wale vijana kwa siku moja na ile kazi imefanywa hazifanani. Mheshimiwa Spika wale *Ward Administrators* ambao wako ground hawakai pale ku *supervise* ile kazi, kwangu imefanywa jana na kusema kweli huwezi sema kama ni kazi ya shilingi elfu moja.

Kwa hivyo Mheshimiwa Spika *Ward Administrators* wanafaa wakashwe na waongeleeshwe MCA awe *involved in each and every process in his Ward*. Thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Mwalimu): Thank you. Chairperson do you have a response on the issue that have been raised?

**Hon. Mumba:** Ahsante Mheshimiwa Spika na naona Mheshimiwa mwenzangu anataka kujua na tena anatoka lakini Kamati ya Mazingira ndio inafanya hizo kazi kwa saa hizi sio Uchukuzi.

Kuna kandarasi imetolewa na Kamati ya Mazingira wanafanya hizo kazi za dharura za kusafisha mitaro na kuandika, pia ni wao ndio wana andika vibarua hao kwa hivyo kwetu kwa Uchukuzi kazi hiyo haipo.

**The Deputy Speaker** (Hon. Mwalimu): Okay thank you.

**Hon. Thoya:** I think maybe we are trying to look at where this problem maybe tackled from, it is the obligation of the Committee of the Environment and Labour and as it is said there is need for the Committee on Labour just because it is evening but if we had a morning session we could say the Committee on Labour and Environment do visit the Minister and go at the ground.

We are seeing Mombasa County Assembly is on the new dawn and things should be done in the right manner, if at all the job is in Port Reitz Ward we expect the youths of that Ward to benefit.

But if people are going to be transported and there was a day I brought something like that in Mikindani and the Labour Committee did visit the site and the same will happen and must happen tomorrow in the morning. Thank you.

**The Deputy Speaker (Hon. Mwalimu):** Okay thank you so the Committee on Environment and Labour to respond to this House latest by Tuesday next week. Yes Hon. Kitula?

**The Chief Whip (Hon. Kitula):** Ahsante Mheshimiwa Mwenyekiti. Mheshimiwa Mwenyekiti niliuliza swali langu siku ya tarehe nne Mwezi wa pili nikajibiwa na Mwenyekiti wa Maji kwamba Frere Town Kisimani Pipeline itatoa kandarasi *evaluation stage* and *award of contract* itafanyika katikati ya mwezi mwaka huu.

Mheshimiwa Mwenyekiti lakini hadi leo mradi huu haujaweza kufanyika wala kuanza rasmi. Kwa hivyo ningependa kujua kutoka kwa Mwenyekiti mradi huu utaanza rasmi lini na ni kampuni gani imeweza kupewa kandarasi hii?

**The Deputy Speaker (Hon. Mwalimu):** Yes Chairman Water? Yes Vice Chair?

**Hon. Hamadi Mgwisho:** Ahsante sana Bwana Mwenyekiti. Naomba munipatie mpaka wiki ijayo nitaweza kuwapatia majibu. Ahsante.

**The Deputy Speaker (Hon. Mwalimu):** Thank you. What is it Hon. Thoya?

**Hon. Thoya:** Mheshimiwa Spika ilikuwa tunazungumzia hilo tatizo la Mheshimiwa Ibrahim Bomoa na ilikuwa nastahili kusimama kama Mwenyekiti wa Ajira lakini nina yangu ambayo yananichoma ambayo yeye pia lazima ayawajibikie, niruhusu niweze kumpatia dozi yake.

**The Deputy Speaker (Hon. Mwalimu):** Proceed and ...

**Hon. Thoya:** Ahsante Mheshimiwa Spika. Ni juzi tu tuliweza kupata ripoti kwamba shule ya St. Mary's Bangladesh ilikuwako itajengwa ECD lakini ikasemekana ardhi imenyakuliwa na ujenzi ule ulikuwa hautaendelea lakini baada ya siku ambazo hazikuzidi siku 10 mambo hayo yalibadilishwa ikasemekana hata kandarasi imepeanwa.

Kwa hivyo nataka nijue je ujenzi ule wa St. Mary's upo ama haupo na kama upo unaendelea wapi? Kwa sababu ilikuwa ni tofauti ya siku tano hizo habari za kukanganya kwamba imesimamishwa ardhi imeibiwa halafu tunaambiwa kandarasi imetolewa sasa sijui wanaenda kujenga wapi? Ahsante.

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

**Hon. Omondi:** Thank you Mr. Speaker. I would like to inform Hon. Thoya on that issue but the Committee on Education did have a site visit and we are doing a report on the relevant areas including the school he has just mentioned.



Therefore Mr. Speaker we do request that they give us a week so that we may come up with a very comprehensive and satisfactory report to that. Thank you.

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

**ADJOURNMENT**

Hon. Members having there no other business the House stands adjourned until the 9<sup>th</sup> of April at 2:30p.m.

The House rose at 3:52p.m.