



## COUNTY ASSEMBLY OF MOMBASA OFFICIAL REPORT

Tuesday, 9<sup>th</sup> February, 2021  
The House met at 11:00a.m.

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

### PRAYERS

**The Speaker** (Hon. Khatri): Hon. Members you may be seated.

*[Silence]*

Yes Clerk, next Order please?

### COMMUNICATION FROM THE CHAIR

Thank you again Hon. Members. Hon. Members, I trust you are well. I take this opportunity to welcome you back from the long recess which commenced on Thursday, 3<sup>rd</sup> December, 2020 and ended on Monday, 8<sup>th</sup> February, 2021. You have had ample time to interact with your electorates and now you are ready to continue with your legislative, representation and oversight roles. Honourable Members, during the recess period we had two special sittings on 22<sup>nd</sup> January, 2021 and 26<sup>th</sup> January, 2021. We have therefore met as an Assembly in 2021. We commence the County Assembly calendar for 2021 today being Tuesday 9<sup>th</sup> February, 2021 as per the Mombasa County Assembly Standing Orders.

Honourable Members, as you are aware this being a new session in our legislative calendar 2021, there are some business which have to be prioritized such as reconstitution of the County Assembly Business Committee which is as per Standing Order 152 of the Mombasa County Assembly Standing Orders. Any other Committees which need to be reconstituted due to expiry of their period in accordance with the Standing Orders should be reconstituted.

Honourable Members, COVID 19 is still here with us and we must be at the forefront in adhering to the Ministry of Health guidelines on the deadly virus. As an Assembly we are committed to ensuring the environment is safe for our Members and staff and all our visitors.

Honourable Members, I must applaud you for the exemplary leadership that you exhibited during the passing of the Finance Bill, 2020. You took your time to scrutinize the Bill and by the time you were passing it, you ensured that the residents of Mombasa views and sentiments were taken into consideration, especially now that the economy is still grappling with effects of COVID 19.

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I must also applaud our able Governor, His Excellency Honourable Hassan Ali Joho for assenting to the Finance Bill, 2020. It is a clear indication that he is alive to the plight of majority of Mombasa residents who are to recover from global economic slump. My prayer has been that a lasting solution to this pandemic will be found and that we there will global revamp from the adverse effects of Corona.

Honourable Members, at the start of every session we expect two documents; one being the County Fiscal Strategy Paper to be submitted by 28<sup>th</sup> February as per Section 117 of the PFM Act. When the document will be submitted, kindly scrutinize through diligently and point out any areas of concern. Seek clarification if need be as this will enable your understanding of how the County runs its affairs. The County Fiscal Strategy Paper provides for insights into County revenue and expenditure. It also sets ceiling for sectors; given that we are the people's eyes, let us play our representation mandate to the best of ability.

Honourable Members, second is the Debt Management Strategy Statement to be submitted on or before 28<sup>th</sup> February. This document is of great importance as we seek progression in our County. Financial constraint is an enemy to progression; therefore, it is my humble hope that this document shall provide for appropriate measures that will ensure the debts remain at a sustainable level.

Honourable Members, as you are aware Mombasa County has been proposed as the final venue to host the Third Edition of the County Assembly Sports Association (CASA) games, 2021. Given that as a County we suffered challenging economic times due to COVID19, this will aid in the road to economic recovery as it will propel domestic tourism in the County. We therefore appreciate this opportunity. Sports are a powerful tool for the promotion of inclusion and development of positive self-image. May the CASA, 2021 games bring about meaningful interaction and enhance our social interactions with other Counties Assemblies.

Honourable Members, may I also bring it to your attention that on 28<sup>th</sup> January, 2021, I received a letter dated 26<sup>th</sup> January, 2021 from the independent Electoral and Boundaries Commission (IEBC) on transmission of the (Constitutional Amendment) Bill, 2021 to the County Assemblies which I proceed to read.

RE: TRANSMISSION OF THE BBI (CONSTITUTIONAL AMENDMENT) BILL, 2020 TO THE COUNTY ASSEMBLIES

Reference is made to the above matter.

The Independent Electoral and Boundaries Commission ('The Commission') received a draft Bill to amend the Constitution by Popular Initiative pursuant to Article 257 of the Constitution of Kenya, 2010 dubbed Building Bridges Initiative. The said Initiative was promoted by Hon. Dennis Waweru and Hon. Junet Mohamed.

In compliance with Article 257(4) of the Constitution of Kenya, 2010, the Commission undertook a verification exercise to ascertain whether the Building Bridges Initiative is supported by at least one million registered voters.

The Commission through interim verification of data captured as of 19<sup>th</sup> January, 2021 has confirmed and is satisfied that the initiative has been supported by 1,140,845 registered voters.

This is therefore to notify you that the initiative has met the requisite threshold as provided in Article 257 Sub Section 4 of the Constitution of Kenya, 2010 pursuant to Article 257 Sub Section 5 of the Constitution of Kenya, 2010. The Commission hereby submits a copy of the draft Bill BBI Constitution Amendment, 2020 to your County Assembly for consideration within three months from the day therefore.

In conformity with Article 257 Sub Section 6, you are required to submit the decision of your County Assembly to the Speaker of the National Assembly and the Senate within three months from the date of this letter. Chebukati Chairperson.

The letter was signed by the Chairperson, Wafula Chebukati.

Honourable Members, the draft Bill is to be tabled and considered within three months of the date of receiving from Mombasa County Assembly, thereafter the decision of the County Assembly is to be conveyed to the Senate and the National Assembly. I trust we shall fast-track the process and conclude the matter expeditiously. Honourable Members, we are in the last year before we go for elections so I urge you all to preach peace and love to electorates and also to ensure that you will leave a mark in the Second Assembly in terms of legislation that you have passed, how well you have represented your electorates and you have effectively exercised your legislative authority.

Last but not least, as we take the walk towards common goals; that is serving the people of Mombasa, I wish you all nothing but the best, May God bless you. And I welcome you all to this session. Thank you.

Honourable Members, I have another communication to communicate which is a sad communication but we all know that Hon. Members that we have lost our brother Hon. Mohamed Hatimy and I would like to take this opportunity to announce that following the demise of Hon. Mohamed Hatimy that occurred on Saturday 14<sup>th</sup> of November, 2020, he was a Member of the County Assembly Pursuant to Section 177 of the Constitution. So, I hereby declare his seat vacant.

Thank you Honourable Members, I would just like to urge on this issue *na nitazungumza kwa Kiswahili ndugu zangu waheshimiwa, nafikiri sote hapa tuna masikitiko na tunajua tumepoteza ndugu yetu Mohamed Hatimy na kiungo muhimu sana katika hili Bunge letu hata kama wengine wetu tulikuwa na tofauti nae lakini tunajua kuna umuhimu mwingi sana tumepoteza kwa kumpoteza huyu ndugu yetu. Na yote hayo ni maamrisha ya Mwenyezi Mungu, kwa hio Mwenyezi Mungu anajua zaidi. Lakini leo sisi ambao tuko hapa na tuko hai, ningeomba ndugu zangu tujaribuni hii nafasi ambayo tumepatiwa leo tumemaliza miaka mitatu sisi tumechaguliwa kama viongozi katika Bunge hili na tumebakisha mwaka mmoja na nusu. Tujaribuni vile tunavyoweza kusaidia hawa ndugu zetu wa Mombasa maana yake tuko na majukumu, hata sisi kesho utakuja kusikia mwengine ametuacha, mwengine yuko duniani ama baada ya miaka mitano utasikia wengine hawajarudi tena kwenye hili Jumba. Lakini kesho mbele ya Mwenyezi Mungu tutakuwa na majukumu.*

*Kwa hiyo, tujaribuni ndugu zangu, tafadhali nawaomba waheshimiwa tuchukue mfano wa ndugu yetu Mohamed Hatimy ambaye tulikuwa naye hapa na tunajua alikuwa akipigania sana kutetea watu wa Mombasa na leo hayuko na sisi yuko mbele ya haki ya Mwenyezi Mungu. Hivyo basi sisi tuliobakia hapa katika hili Bunge tujaribuni, tujaribu kutetea haki za ndugu zetu, mama zetu, watoto wetu maana yake yale mambo tutakayo kuyafanya hapa, kesho ndio yatakayo kuja kusaidia watoto wetu.*

*Hivyo basi, tuwekeni tofauti zetu kando tukifika katika hili Bunge tusiitane yule ni wa huyu sijui ni wa mreno fulani, tuangalie interest ya yale yaliyo tuleta katika hili Bunge ili kusaidia watu wetu wa Mombasa. Kwa maana tumebakisha mwaka mmoja na nusu, tutakuja kujuta nawaambia tena ndugu zangu. Leo tuko katika hili Bunge, kesho hatutakuwa hapa lakini tutakuja kujuta maana yake tukiwa kule nje tutaona vile yale mambo yanavyofanyika, tutasema lau tungekuwa tunaweza ule wakati tuko katika hili Bunge tungeweza kurekebisha, na wakati ni sasa ambao tunao uwezo.*

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*Kwa hiyo, kwa nini tungoje kesho tuko nje za ofisi tuanze kujuta? Kama tuna uwezo turekebisheni tuhakikishe mama zetu, baba zetu, watoto wetu watakuja kulindwa na hii Serikali yetu ya Kaunti ya Mombasa. Kwa hayo machache ahsanteni na Mungu awabariki nyote.*

*[Applause]*

Yes Clerk, next Order please?

### **ADJOURNMENT**

Hon. Members, this House stands adjourned until 9<sup>th</sup> February, 2021 at 2:30p.m.

The House rose at 11:21a.m.