



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Wednesday, 20th March, 2019

The House met at 2:51p.m.

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

PRAYERS

The Deputy Speaker (Hon. Mwalimu): Have your seats.

(Silence)

Yes Clerk?

STATEMENTS

REORGANIZATION OF MEMBERSHIP TO HOUSE COMMITTEES

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Tobias Samba I was informed that you had a statement? Yes then proceed.

Hon. Samba: Yes thank you Mr. Speaker I am standing on Standing Order 41. 2 (c)

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

Hon. Samba: I request a Statement under Standing Order 41. 2 (c) of this House from the Leader of Majority on when the Committee of the House will be reorganized and Members appointed to Committee of their choices pursuant to Standing Order 154. Thank you Mr. Speaker.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Okay the Leader of Majority.

(Interruption)

What is it Hon. Amur? I hope you are not the Leader of Majority.

Hon. Murfad Amur: No Mr. Speaker, that is what I want to say with all due respect the Leader of Majority is committed somewhere but if he will allow I can take the message on behalf of the Leader of Majority and make sure that the message reaches the Majority Leader.

(Applause)

Hon. Samba: Mr. Speaker...

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Samba?

Hon. Samba: I think it is improper for the Hon. Member of Old Town to take responsibility that was never meant for him. I think we have House leadership; maybe the Chief Whip and the other leaders, yes am just suggesting in case...

(Consultations)

But we have House..., yes I know it is not political that is why am insisting on House leadership not unless as the Speaker you give direction whoever will respond to that Statement not unless through your guidance. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Benard Ogutu?

Hon. Ogutu: Ahsante Mheshimiwa Spika. Mheshimiwa Spika mimi ngingependa kusema ya kwamba tukiangalia hayo mambo ya Kamati tuzingatia sana *Finance* na *Public Accounts Committee (PAC)* manake hizi Kamati mbili moja inaangalia nyengine...

(Applause)

Na unapata Wanachama wa PAC ndio wale wale Wanachama wa Kamati ya Fedha utakuwa unamuangalia mwenzako namna gani? Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Benard Ogutu; as far as the membership of Committees of the Assembly is concerned it is a matter that derive from the parties so I think the Hon. Majority Leader being the Majority Leader of the ODM Party will communicate to the respective offices and respond to this Honourable House.

Yes Hon. Tobias, what is it? Use your microphone.

ILLEGAL DUMPING SITE AROUND MARY CLIFF PRIMARY SCHOOL IN TUDOR WARD

Hon. Samba: Yes Hon. Speaker my Statement request goes to the department of Environment I have got an issue at my Ward. There is an illegal dumping site and all my effort to try it be cleared Hon. Speaker has not borne any fruit, I have gone to an extent even spending my own money.

So I would wish to request a Statement from the Department of Environment if at all the department has got any programme and plans to clear the site and also to have a security plan so that it might not be turned to an illegal dumping site. The site is around Mary Cliff Primary School on your way to Kaa Chonjo. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Shebe Athman any response on issue raised my Hon. Tobias.

Hon Shebe: Thank you Hon. Speaker, as the Chair of Environment I think the Hon. Member of Tudor is confused but because the way I know there is no dump site in Tudor; maybe the collection point. So what I will do Hon. Speaker am going to look at that matter immediately and then am going to give back a comprehensive Statement to this Honourable House. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Tobias Samba, what is it?

Hon Samba: Hon. Speaker I am not confused I think Chairman should always be attentive I said illegal dumping site, take that to note Hon. Chair. Thank you.

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

Hon. Thoya: Mr. Speaker I think I need to bring to your attention that this House we have been having the habit of trying to bring the party and we want even to take our business; it is just this week that our oversight role was supposed to be decided please as much as we love ODM party in Mombasa please I want to say...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Renson you are reacting on which Statement?

Hon. Thoya: There was a Statement related to Committees of the House; is it the ODM that said that some Members should have seven Committees and others two Committees? So am saying as we are...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Hon. Renson Thoya I think i have given a clear directive on that issue; the Hon. Member who requested for a response asked the Majority Leader and I said that being the Majority Leader of ODM party he will come with a comprehensive response to this Honourable House, be it complying with whatever the Hon. Member said or otherwise but he has to make sure we follow our Standing orders and also fairness also to be considered.

Yes Hon. Athman Shebe?

ACUTE SHORTAGE OF WATER IN JOMVU KUU WARD

Hon. Athman Shebe: Thank you Hon. Speaker; under Standing Order 41(2)(c) kindly there is a matter of great importance in my area; I would like the Chairman of Water and Natural Resources to take up this matter immediately because there is a problem of acute shortage of water in my area.

It has been a week and my people are suffering there is no drinking water in Jomvu Kuu am kindly urging the Chair to see how we are going to look at that matter.

Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes, any Member from Water Committee? Yes Hon. Mwalimu Mgwisho?

Hon. Mwalimu Mgwisho: Ahsante sana Bwana Spika ndio nimesikia hizo habari kwamba huko sehemu za Jomvu Kuu hakuna maji lakini na Changamwe yote kwa jumla lakini kwa sasa naomba nipatiwe hii wiki pengine Alhamisi nitaweza kutoa jawabu.

Ahsante Mheshimiwa Spika.

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

Hon. Mwende: Thank you Mr. Speaker. I would like the Committee to take it as an emergency because as we talk we have like two weeks now; the former Changamwe West they are suffering there is no fresh water so through your guidance you can direct the Committee to know before maybe that Thursday when to bring the response.

Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Renson Thoya, are you a Member of Water Committee?

Hon. Thoya: I am a Member of the same Sub-County having the problem.

The Deputy Speaker (Hon. Mwalimu): Proceed.

Hon. Thoya: As much as the response is expected next week Thursday we want the Chairman to come up with mitigation measures; we can see either they can provide water through water boozers, we want mitigation measures from now up to that Thursday.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Mwalimu Mgwisho? Let Hon. Mgwisho first respond then I will come back to you.

Hon. Mgwisho: Ahsante sana. Mheshimiwa Spika aliyetoka kuongea pia ni Mwanakamati katika Kamati hii ya maji kwa hivyo mimi kama nilivyosema kwamba nimepata hizo habari saa hizi mpaka tufanye uchunguzi na tujue kwamba tutakuja na jibu mwafaka siku ya Alhamisi.

The Deputy Speaker (Hon. Mwalimu): There are two Members, what is it Hon. Athman Shebe?

Hon. Athman Shebe: Ahsante sana Mheshimiwa Mwenyekiti. Nafikiri Mheshimiwa Mwenza anasema afanye uchunguzi na sisi tunataka kupata suluhu la dharura hatuwezi kungoja wiki moja na watu wangu wakafa kiu! Tafadhali Mheshimiwa tupatie *mitigation measures* utafanya nini katika Wizara tujue tutapelekewa *water boozers* Jomvu na maeneo mengine ambayo yako na shida ya maji. Maji ni uhai Mheshimiwa Mwenyekiti si swala la mchezo.

The Deputy Speaker (Hon. Mwalimu): Yes what is it Hon. Feddis Mbura? I can see the seat is very hot, let Hon. Feddis first then you will respond.

Hon. Mbura: Ahsante Mheshimiwa Spika, mimi ningeomba hii Kamati ya maji ina mchezo sana ikiwa mimi niko ndani...

(Applause)

Na nasema hivyo kwa uchungu mwaka jana yote nililia kilio Mwakirunge na mimi nikiwa Mwanachama tumeonana na *Chief Officer*, tumeonana na Waziri nimeomba wapeleke hata kama ni maji mara moja kwa wiki hawajafanya, leo hii kuna dharura Changamwe kwa sababu kuna watu na Mwakirunge hakuna watu! Hilo jambo limeniudhi. Ahsanteni sana.

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

Hon. Omondi: Thank you Mr. Speaker Sir. When I heard a Member who rose to complain about water shortage Mr. Speaker Sir in his area I found out that this is a very important matter that I should stand and air my voice. Mr. Speaker Sir you will realize that in this House we have just failed to be distributed water for around one or two days but it has been a very big problem.

Now when you compare to the situation in our Wards whereby we have gone three to four weeks without water Mr. Speaker Sir this is a matter of a very grave situation and therefore we need a very urgent measure to be taken.

I would like just to support the Member of Mikindani who said it is high time that the mitigation measures should be put in place so that whenever there is shortage of water there is a temporary solution to curb the situation and therefore I think that the Chairman whom I respect is going to take this particular matter with a lot of seriousness to ensure that...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Address the Chair please...

Hon. Omondi: ...To ensure that water is well supplied in Airport Ward Mr. Speaker Sir apart from other Wards.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Ibrahim. Yes Hon. Prischillah?

Hon. Mumba: ...(Coughing) Thank you Mr. Speaker. I think first I need some water here before I speak.

(Applause)

Am choked and I need some water Mr. Speaker Sir please before I continue.

(Hon. Noor and Hon. Shebe Athman offered water to Hon. Mumba)
(Laughter)

The Deputy Speaker (Hon. Mwalimu): Hon. Robert Nyiro?

Hon. Nyiro: Thank you Mr. Speaker. I think you should allow me to make my contribution as I sit because I had a dislocation on my waist right now as I was trying to stand, seriously it is a problem that i have been having it for a long time so allow me Mr. Speaker to speak as I sit, I have a problem on my lower back...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): I understand that you came to this Honourable House...

(Interruption)

Hon. Nyiro: It has just happened now, maybe my friend can bear witness...

(Interruption)

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

(Interruption)

Hon. Nyiro: If you want me to try...

(Hon. Nyiro stood)

It is a serious problem by the way am not joking I have a problem with my lower back; I had a small accident when I was traveling to Nairobi recently but I think I can now make my contribution. Mr. Speaker I want to make my contribution as a Member of Water Committee, maybe my contribution will assist my fellow Members.

I want to bring to the attention of this House that Mombasa as a County we do not have water, we do not produce water we depend on water from other sources from outside the County so let me inform the House first...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): I think Hon. Robert Nyiro sit with your Committee Members to deliberate on the water issues then bring back to this Honourable House whatever that you want to address the House please.

Hon. Nyiro: ...Although I want to give them mitigation measures they were requesting for...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Yeah but just sit with your Committee and bring back a comprehensive report soonest by tomorrow afternoon because it is an urgent issue...

(Applause)

And...

(Interruption)

Hon. Nyiro: I am well guided Mr. Speaker but they should also visit the Mombasa Water Company for the information.

The Deputy Speaker (Hon. Mwalimu): Okay thank you. Yes Hon. Thoya I can see you are in order number 7 and I received information; can you inform the Honourable House?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON LABOUR HON. THOYA ON
INTIMIDATION OF MEMBERS OF THE COUNTY ASSEMBLY BY COUNTY OFFICERS

Hon. Thoya: Thank you Mr. Speaker Sir. I know there is a matter that was requested by Hon. Member related to intimidation of Members of County Assembly by County Officers that was brought by Hon. Athman Shebe before this House. I wanted to say that we have been doing a lot of investigations and I want to tell this House that we are around 90 per cent complete because today we invited the...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): So you are yet to conclude? Just come clear.

Hon. Thoya: Yes there is information that we are focusing on, one officer to get payslips to complete this information. Thank you.

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

MOTION

SELECTION OF THE SELECT COMMITTEE

Hon. Members take your seat; Hon. Athman Shebe you have been up ever since yesterday so today just feel the comfort of your seat. Hon. Members the Motion on Selection of the Select Committee; the five Members of the Select Committee will come tomorrow afternoon. Yes Clerk?

ADJOURNMENT

Hon. Members there being no other business the House stands adjourned until tomorrow at 2:30p.m.

The House rose at 3:20p.m.