

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Wednesday, 17th May, 2017

The Members met at 2:33p.m.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****Deputy Speaker** (Hon. Mswabah Rashid): Members you may sit down, Clerk.**ADMINISTRATION OF OATH***(Interruption)***Hon. Onyango:** Mr. Speaker i wish to inform you that there is no quorum.**Deputy Speaker** (Hon. Mswabah Rashid): Clerk can you ascertain whether there is quorum or not?*(Clerk counted Members in the House and confirmed quorum)**(Applause)***Deputy Speaker** (Hon. Mswabah Rashid): Yes continue Clerk.**COMMUNICATION FROM THE CHAIR**

Hon. Members I wish to bring to attention of this Hon. House that we have visitors from Mombasa Secondary for the Physically Handicapped students debate club, Members therefore recognise the presence of the delegation that consists of;

1. Emmanuel Kitonga
2. Daniel Lumala
3. Ezekiel Maruti
4. Hussein Ali
5. Raymond Shume
6. Rooney Otieno
7. Gilbert Fondo
8. Andrew Kitsao
9. Casey McKnight
10. Mark Mwangi
11. Javan Ntaoki
12. Charlton Brown
13. Saidi Zawadi (Challenged)
14. Patrick Kazungu
15. Martin Ndelewa (Challenged)
16. Kamal Hassan

Teachers

1. Mr. John Tenai
2. Mr. Jasper Mwavita

(Visitors on the public gallery bowed)

On behalf of the Assembly I welcome you all to the County Assembly of Mombasa

(Applause)

Yes Clerk.

MOTION

Hon. Jimmy Odari.

Hon. Odari: Mr. Speaker I wish to move the following Motion entitled renovation/re-carpeting of Changamwe New Flats Road.*(Hon. Odari moved the Motion)*

THAT AWARE that the County transport, including County roads, is a mandate of the County roads, is a mandate of the government as provided under the Fourth schedule part two 5) a) of the Constitution of the Republic of Kenya:

FURTHER AWARE that well maintained roads make a crucial contribution to economic development and bring social benefits, for instance, providing access to employment, social health and education:

CONCERNED that the road adjacent to Changamwe New Flats is poorly maintained thus can cause disaster such as road accidents, threatening the lives of drivers, riders and pedestrians;

I therefore urge this Assembly to RESOLVE that;

The County government of Mombasa to refurbish/re-carpet the road adjacent to the aforesaid new flats in Changamwe ward.

Thank you Hon. Speaker I beg to move and I wish to call upon Hon. Amur to second.

Hon. Amur: Thank you Mr. Speaker I rise to second the Motion by Hon. Jimmy Odari on renovation/re-carpeting of Changamwe New Flats Road.

Deputy Speaker (Hon. Mswabah Rashid): Members I therefore propose the question Renovation/Re-carpeting of Changamwe New Flats Road, Yes Hon. Jimmy Odari.

Hon. Odari: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kwa manufaa ya watu wangu wa Changamwe ningependa kuregelea kwa lugha ya Kiswahili. Mheshimiwa Spika barabara ambayo tunaizungumzia ya Changamwe flats ni barabara ambayo imejengwa mda mrefu uliopita na ilikuwa ikisaidia watu ama wakaazi wa mtaa ambao ulikuwa ni mtaa wa Manispaa wakati ule wa Changamwe new flats na pale ilipojengwa karibu miaka 40 iliopita ama zaidi, hivi sasa Mheshimiwa Spika nataka kulijulisha Jumba hili kwamba hio barabara iko katika hali mbaya sana sana kiasi cha kwamba hata kupita kwa magari imekuwa changamoto kubwa na wakaazi wa hapo wamekuwa wakilalamika kwa kipindi kirefu sasa na pia imekuwa changamoto kwa kuwa inaweza sababisha ajali kwa vile mashimo ni mengi magari huwa yanataka kuporomoka mpaka kupenduka kwa sababu ya shimo. Kwa ajili hio Mheshimiwa Spika ni kilio changu kwa serikali ya Kaunti ya Mombasa ifikirie jambo turekebishe hii barabara manake ndio barabara ya pekee inayounganisha watu wa mtaa huo, ni barabara ambayo ni muhimu sana kwa wakaazi wa sehemu hio na vilevile iko nyuma ya kituo cha petroli ya Total mkabala na banki ya Barclays ya Changamwe nyuma ya kituo cha mafuta ya barabara hio inapitia huko katikati ya mtaa kuunganisha mtaa wa Changamwe *new flats* na mtaa wa Malandi ambao ni wa zamani zaidi kuliko mtaa huo. Kwa hivyo Mheshimiwa Spika ni kilio cha watu wangu wa Changamwe na ni kilio cha watu wengi kwamba hii barabara ipate kurekebisha ili kwa manufaa ya watu wetu ndio maana nimekuja na ninaongea kwa niaba ya watu wangu wa Changamwe nikiomba parekebisha kwa kuwa hakuna anayeweza kurekebisha isipokuwa ni Kaunti ya serikali ya Kaunti ya Mombasa, ahsante Mheshimiwa Spika, ningeomba Bunge hili liniunge mkono. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Dancun.

Hon. Onyango: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika niruhusu nitofautiane na nieleze hoja hii, nafikiri nilitafsiri vizuri nikasema barabara hii imekua mbovu miaka mingi na wakaaji wa Changamwe wamekuwa wakilalamika miaka mingi. Sasa nashangaa ndugu yangu amekaa kwenye Jumba hili toka 2013, mimi tangu nikiwa kijana hio barabara ilikuwa ni mbovu, Mheshimiwa Jimmy akichaguliwa hio barabara ilikuwa mbovu leo hii imebakisha miezi miwili na ndugu yangu ambaye ni jirani yangu mimi sijui kwa nini hizi hoja anazileta baada ya mchujo....

(Laughter)

Mheshimiwa Spika Mheshimiwa Jimmy angeileta hoja hii mwezi wa sita nina uhakika angekuwa anasheherekea mpaka ingekuwa ashapigiwa kura anangojea kuapishwa mwezi wa nane manake barabara imekuwa mbovu tangu hatujachaguliwa kwenye Jumba hili, ya pili

tunaelewa ya kwamba tuko katika mambo ya bajeti na hivi karibuni pengine wiki ijayo twaweza kuipitisha sasa ikiwa huo mradi hakuuleta wakati ule ukawekwa kwenye bajeti nashindwa hizi pesa za kutengeneza hizi barabara na sio barabara ati pengine ni mtaro mmoja ni barabara ndefu inagharimu karibu mamillioni ya pesa, sijui tukipitisha hizo mamillioni zitatoka wapi sasa hivi na tunaelewa yale mapato tunayopata katika Kaunti hii Kaunti yetu ya Mombasa tunajua idadi ya zile pesa tunapata.

Kwa hiyo mimi namuomba Mheshimiwa ya kwamba ni hoja nzuri lakini ameileta wakati mbaya aache pengine watakaojaaliwa kurudi manake hata mimi hio barabara huniathiri mimi huipitia hapo ikiwa naenda kanisani lakini kwa sasa Mheshimiwa Spika mimi natofautiana na Mheshimiwa Jimmy.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. of Mwakirunge?

Hon. Mwinga: Ahsante sana Mheshimiwa Spika pia mimi nasimama kupinga huu Mswada....

(Applause)

Mheshimiwa ambaye ameleta Mswada huu Mheshimiwa Spika ameeleza vizuri akasema barabara hii ni ya zile nyumba za *flats* ambazo wenye ma *flats* wamejenga na hiyo barabara iko kwao. Mheshimiwa Spika nafikiri Mheshimiwa angewauliza hawa wenye haya ma *flats* mwanzo wakarekebisha hizo barabara kwa sababu hao wenye *flats* wamelipwa na wawatengenezee hawa watu wao barabara. La pili Mheshimiwa Spika nataka kusema hivi kwa sababu ya huu wakati wa mvua barabara zile muhimu sana zimeharibika, zile barabara kuu ambazo zinaunganisha watu kuingia mji wetu wa Kaunti ya Mombasa saa hii kwa sababu ya mvua zimeharibika.

Kwa hio Mheshimiwa Spika mimi naomba Kaunti iweze kurekebisha barabara hizi badala ya kurekebisha ma *flats* hazitatusaidia lakini hizi ambazo zinaunganisha watu waingie katika Mombasa Kaunti waje kwa makazi yao wafanye biashara zao Mheshimiwa Spika hizi kwa sasa ndio muhimu kwa sababu barabara nyingi sana zimeharibika. Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Wangudi.

Hon. Wangudi: Ahsante Mheshimiwa Spika kwa fursa hii na mimi niweze kuchangia Mswada huu ulioletwa ndani ya Nyumba hii na Mheshimiwa Jimmy Odari anayewakilisha eneo la Changamwe. Mimi nachukua fursa hii kumpongeza isipokuwa nitaenda kueleza Jumba hili kutokana na suala hili ni jukumu la suala la Kaunti kwa ujenzi wa barabara tulipewa jukumu la kujenga barabara za mitaani na kuna barabara ambazo zinalindwa ama bajeti zake zinapewa shirika la Kenya Urban Authority (KURA) ambayo iko na bajeti ya kuangalia barabara zote za mitaani ama mitaa iliopangika kama vile barabara Mheshimiwa Jimmy anayoizungumzia ni barabara ambayo iko na bajeti yake kwa KURA...

(Applause)

Mheshimiwa Spika kuna KERRA ambayo inashughulikia barabara za vijijini vyetu ambazo hazikuchorwa ama hazijapangiliwa zinashughulikiwa na KERRA. Mheshimiwa Spika shirika la KENHA linaangalia barabara za kitaifa kwa mfano kama barabara zetu zilizojengwa eneo la Changamwe.

Mheshimiwa Spika nikirudi katika hoja ya leo ndani ya Jumba hili ningeweza kushauri Jumba hili kwamba ni jukumu la shirika la KURA na yeyote yule ambaye ni Mwakilishi wa eneo lile ama amehisi kwamba barabara ile ni sharti irekebishwe tutapendekeza na tutaonyesha mahali sehemu za ofisi ya KURA iko inaruhusiwa hata kuwa wa kwanza na bajeti iko inaweza kurekebisha na iwapo atakosa ufahamu ofisi ziko wazi Mheshimiwa Spika nitajitolea kumuonyesha ili tusije tukajitwika mzigo usiokuwa wa Kaunti ikawa tunaubebesha mzigo serikali ya Kaunti.

Kwa hivyo Mheshimiwa Spika mimi napinga Mswada huu kwa kusema kwamba Serikali ya Kaunti itengeneze barabara iwapokuwa ninaunga kurekebisha barabara kupitia kwa bajeti tulioko nayo kwa KURA. Ahsante sana Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Amur?

Hon. Amur: Ahsante Mheshimiwa Spika, mimi ninaunga kwa sababu zifuatazo; kwanza kila mwana Kaunti Pwani, Mombasa anayelipa ushuru ni haki yake kupata huduma hizi; ieleweke *all these Members they pay rates to this Mombasa County government so it's their right to be given those services either by the national government or KENHA or even the County government can pop in and do for the citizen of this town. Mr. Speaker sir for any town to prosper in whatever circumstances good roads are supposed to be there in case of emergency today anything happens at night today; if it rains with the floods that we have and the potholes that we have at the roads what will happen to the pedestrians and the vehicles? So for Hon. Jimmy to say he is asking the County government to do he is not wrong, whether he is representing them yesterday or today it is right for Hon. Jimmy as he is still representing the people of Changamwe until 8th of August when he will cease to be the MCA of Changamwe.*

Mr. Speaker Sir it's only yesterday the government brought down the prices of 'ugali' and this was a national issue, all these years the price of ugali was Kshs. 200 and Kshs 180 but because there was a pressure from people and the leaders and it was only yesterday that the government brought the prices at Kshs. 49, to Ksh. 90, it was due to the pressure. So what Hon. Jimmy is doing is putting pressure so that that road can be repaired for the betterment of our people, those people who are opposing are those who have been bitten in the nominations now they feel guilty to work for their people.

Mr. Speaker it should not be that way; once you are bitten you should be a gentleman and still represent your people, Hon. Jimmy should be given congratulations representing his people knowing that he has been thrown out of the Chair but he is still representing his people, congratulations to Hon. Jimmy. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Muriuki?

Hon. Siminyu: Thank you Mr. Speaker Sir for giving me this opportunity. Mr. Speaker I believe leadership is not the Chair or the position that one holds so that he can represent his people. Mr. Speaker I have known Hon. Jimmy back years before he was elected and he was representing the people of Mombasa despite the position that he holds, Hon. Jimmy has been bringing Motions and he still has many, I have visited his office and he still has a canter full of Motions waiting...

(Applause)

...given opportunity Mr. Speaker to bring these Motions, Hon. Jimmy will still bring and as a Member of the County Assembly our sole mandate is to represent our people and I have met Hon. Jimmy several times in the KURA offices and he is trying to fight for this and last time I spoke to him he said that he has to bring this to the Members so that the Members may give him direction so that his people may have justice over the matter. Mr. Speaker I don't concur with those who are trying to bring Hon. Jimmy down for what he is doing for his people, and I fully support this Motion because it's going to cater for our people and when development is happening in this County it's a plus to the Governor and the leadership of this County Mr. Speaker, thank you sir.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Thank you Members of this County Assembly, since all the hands are down I will let Hon. Jimmy Odari to reply to the Motion.

Hon. Odari: Ahsante sana Mheshimiwa Spika, kwanza ningependa kuwapongeza wale wote ambao wameunga mkono Mswada huu na pia kuwapongeza wale ambao walipinga...

(Applause)

...Kwa sababu siku zote lazima uungwe mkono na kuna wapinzani pia ndio kawaida ya Bunge, kwa hivyo sina kinyongo na mtu yeyote nataka kusema Mheshimiwa Spika kwamba sisi kama watu tuliochaguliwa na wananchi tumechaguliwa tufanye kazi mpaka dakika ya mwisho...

(Applause)

...Mpaka siku ya mwisho tufanye kazi mpaka tufanye uchaguzi muda utaisha ile siku tutatoka Bunge, kwa hio inatakikana ulete Mswada mpaka siku ya mwisho haijalishi umeleta miezi sita iliyopita au miezi kumi iliyopita, hata iwe siku kama kesho ndio mwisho wa Bunge unaweza kuleta Mswada madamu umelipwa kwa sababu hiyo na lazima uthibitishe, uwajibike mpaka dakika ya mwisho maana wananchi wamekuchagua mpaka dakika ya mwisho.

Kwa hivyo si vibaya kwa kuwa tumeleta huu Mswada wakati ati pengine ni kipindi cha mwisho mzuri najua kuna baadhi yetu hapa washavunjika moyo tayari...

(Applause)

...Hawaleti Miswada wanakuja Bungeni wengine hata Miswada hawaleti wanakuja kukaa tu, mimi nitaleta Miswada yangu mpaka dakika ya mwisho na nitaleta Miswada mpaka senti ya mwisho ama ndururu ya mwisho vile inavyostahili kama wananchi wangu wa Changamwe walivyomituma nifanye. Mheshimiwa Spika nashangaa kwamba baadhi ya Waheshimiwa hapa hawajui kwamba Kaunti inajenga barabara; ukienda sehemu ya Kongowea kuna barabara zinajengwa. Kwa ajili hiyo mimi naunga mkono serikali ya Mheshimiwa Gavana wetu kwa kuwa imegharamika kufanya maendeleo ya barabara, Gavana wetu amefanya mambo mengi mazuri ndio maana lazima pia tumpongeze na Kaunti inajenga barabara mbali na KENHA, mbali na KURA ndio maana nikaleta kilio changu kwa Kaunti ili Kaunti ilivyojenga mabarabara kule Kongowea Makaburini kuweka *cabro* na pia kwangu iweke Changamwe kama kule Kongowea na sehemu nyingine na Kaunti itajenga ina uwezo wa kujenga.

Sisi viongozi tunakuja na kwenda lakini serikali itabakia pale pale, sio jambo tumepitisha hapa sio kwamba sisi tukiondoka hapa litakoma, hili swala Mheshimiwa Spika hata tukipitisha leo watakaokuja watayatekeleza haya tumepitisha.

Kwa hio Mheshimiwa Spika sio mwisho serikali inaendelea, sisi viongozi tunakuja na tunaenda lakini serikali itabakia pale pale, Miswada ambayo tumepitisha itabakia pale pale na itatekelezwa, kwa hio Mheshimiwa Spika hakuna mambo ya kuchelewa kuleta Mswada, kwa ajili hiyo nataka kusema ahsante kwa Bunge lote na nataka kuwashukuru Wabunge wote walio hapa na naomba tupitishe huu Mswada. Ahsante sana Mheshimiwa Spika...

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Members since there is no further debate I am left with no option, I have to put the question for the Motion.

(Question put and approved)

(Applause)

Yes Clerk?

ADJOURNMENT

Members?

The Members rose at 3:00pm.