

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Thursday, 18th May, 2017

The House met at 2:40p.m.

*(Deputy Speaker (Hon Mswabah Rashid) in the Chair)***PRAYERS****Deputy Speaker** (Hon. Mswabah Rashid): Members you may sit down. Yes, Clerk.**MOTION**

Yes, Hon. Murfad Amur, MCA Old Town Ward.

*(Hon. Murfad moved the Motion)***EMPLOYMENT OF YOUTH ON CASUAL BASIS TO ASSIST IN UNCLOGGING DRAINAGE WITHIN THE COUNTY**

Mr. Speaker Sir, I beg to move the following Motion:

THAT AWARE that it is the mandate of the County government to ensure proper drainage systems on the roads provided under the Fourth Schedule Part Two (5) of the Constitution of the Republic of Kenya, 2010;

FURTHER AWARE that Mr. Speaker the County Assembly, in its 50th Sitting held on Thursday, 4th May 2017 passed a Motion that, the Department of Transport and Infrastructure to ensure that the drainage within the County is unclogged and the Department of Environment to ensure that they sweep the roads and collect the garbage to avoid clogging of the drainage;

Mr. Speaker Sir, CONCERNED that there is lack of enough personnel to assist in unclogging of the aforesaid blockages and that flooding continues to be experienced within the County due to the rains;

Mr. Speaker Sir, I therefore URGE this Assembly to resolve that the Department of Environment to make a formal request to the County Public Service Board through the County Secretary for 200 youths to be employed on casual basis as a matter of urgency to assist in unclogging of the drainage systems for proper flow of rain water within the County, thank you Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): You move the Motion.

Hon. Amur: I beg to move the Motion Mr. Speaker and I ask my brother Hon. Jimmy Odari.

Deputy Speaker (Hon. Mswabah Rashid): Yes, Hon. Jimmy Odari.**Hon. Odari:** Hon. Speaker I rise to second the Motion.**Deputy Speaker** (Hon. Mswabah Rashid): Thank you. Yes, Hon. Murfad.

Hon. Amur: Thank you again Mr. Speaker. Mr. Speaker the intention of this Motion is to empower the Mombasa County government seeing that it is performing the duties that is supposed to be done by the department. We know very well Mr. Speaker that the department of storm and drainage as it is faces shortage of staff, it is a fact even in recent rains, the department of Inspectorate, our officer we were made to go and assist in the department so that we can we get access to the roads by knowing that the drainage and over falling on the road and in the area. Mr. Speaker it is only some few months in the same Assembly a report was tabled by the Committee of Disaster that there is a shortage, also another department of Fire fighting department is a shortage of more than 200 people are required again within the same department.

Mr. Speaker we are not requesting that people be employed because we know our wage bill is too big but we believe those who are retired they collect their number, they collect their data instead of employing new people or advertising for those department this

should be in particular only application should be done either Fire fighting department or the Drainage Storm water Department because if we don't have enough manpower then this issue of rain, blocking and over flooding of our towns will be a day in day out issue.

So I beg for the Department to be given that opportunity to empower our youths, we will have created atleast some way of people getting temporary and I am not saying that we don't have money, the issue of money should not be brought because in every County there is emergency money, Mr. Speaker we should not be told that there is no money, because in every budget there is a kitty that is kept for emergency. We are asking the emergency kit to be utilized, also by providing casual employment for our youths so that we can assist in the situations whereby we are seeing this time Mr. Speaker.

Mr. Speaker Sir if this is combining with the report that was tabled in this Assembly regarding the department required which was tabled in this House, again even the required department had members, enough members then same people could have been used in the same issue but due to lack of staffing both sections it has forced the department to go to the Inspectorate instead of them looking after the vehicles on the road, they have all been taken to the same department of water storms. So I beg this House Mr. Speaker to support this so that we can have a team that can be able to be trained and be ready to beat whatever elements are there. Thank you, Mr. Speaker.

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

Hon. Kalume: Ahsante sana Mheshimiwa Spika mimi nimesimama kuunga mkono mjadala wa Mheshimiwa Amur aliotoa, kweli huu ni mpango mzuri sana jambo muafaka ambalo litasaidia Kaunti ya Mombasa hasa katika maeneo yangu ya Ziwa la Ng'ombe kumekuwa na mafuriko mengi sana hata tukaleta vyombo vya habari kuangazia kuhusiana na mafuriko yaliyotokea kwa hiyo naunga mkono huu mpango ambao Mheshimiwa Amur amesema ni mpango muafaka sana vilevile utasaidia kwa upande wa ajira kutafutia ajira vijana wapate riziki zao nafikiri wengi katika sisi Waheshimiwa tumeona mambo kama haya yakitendeka tunakuwa sisi ndio tulo mashinani inabidi kuingia mifukoni kuhakisha mitaro imezibuliwa na maji yameenda. Kwa hiyo mimi naomba Mheshimiwa Spika kupitia kwa kiti chako na najua una uwezo kwa hiyo utusaidie ili mpango huu uanze mara moja hata kama ni kesho. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Patrick Siminyu.

Hon. Siminyu: Thank you Mr. Speaker, as I stand here as a Chair of Disaster Committee I tabled a report in this House and during my research as a Committee and to all Disaster department we found that there was shortage and this Motion will cure that disease of shortages if we will allow the relevant department to take casuals and also it will create job opportunities for our youths.

Mr. Speaker I fully support this because there is a shortage of staff in cleaning of the storm water system, it is a minor thing just cleaning a drainage system and storm water system it will save the disaster that we would have seen in the previous rainy season hence employing our youths in casual basis it will make sure that the entry of the storm water system is open all the time so that whenever we have rains the problem of blockage will be a thing of the past.

Mr. Speaker I would like to take this opportunity to congratulate my brother from Old Town to bring such a Motion of which it will take the County forward. Mr. Speaker I fully support this Motion. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Kibwana Swaleh Baya.

Hon. Kibwana Swaleh: Thank you Hon. Speaker. Hon. Speaker I would like to differ with my colleagues on this issue, one; Hon. Speaker the recent rains that made many people to cry including my area.

What I need to say in this Honorable House is that the preparedness of the County is very crucial for us Mr. Speaker; we normally know that there is time for rain season and the blockage of the drainage should be a priority, the Department of Infrastructure Mr. Speaker rather than waiting for a problem to occur then we try to do our intervention we should make sure the Department of Infrastructure and transport is well equipped and well funded so that any issue that occur should be able to handle. Hon. Speaker also the area that is of my concern is about disaster, disaster is something that should be looked on because this is occurrence from God that nobody knows when it is going to happen. Hon. Speaker we have a disaster team in the County and I think we should also add it quickly during our budget and make sure there will be enough funds for this disaster team, otherwise we will also be getting blames from *wananchi* while our budget is not adequately funded on the issue of disaster.

Hon. Speaker, another issue; I think you are aware that there are 200 people that we intend to employ, I don't know where we will get the funds because the issue of the budget is very crucial, I think the mover of this Motion should also to tell the House whether he has done enough consultations with the Department of Finance, on the issue of paying these casual workers because sometimes it happens that we pass several Motions without considering the financial aspect on it. So rather than rushing to this Motion Hon. Speaker the mover should also tell us clearly whether this money is there or the money had been captured in our budget. Hon. Speaker as we are all aware that....

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Ahmed Faraj what is it?

Hon. Faraj: Thank you very much Mr. Speaker. Mr. Speaker this is a point of information, I think the mover of the Motion Hon. Amur Murfad made it very clear that he had considered the financial implications of having this project commencing and there is allocation which you made as a County government with regards to emergency and I think we need to look into the amount, how much has been allocated for this particular occurrence, and I think on the financial part Hon. Kibwana I think we have been be able to address it, as herein stated by Hon. Amur. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Kibwana you may proceed.

Hon. Kibwana Swaleh: Thank you Hon. Speaker, I do also understand my colleague but the figure is not stated here and I think it should come from the Department of Finance, for any evidence on the issue of money it should not come from the Hon. Member I think he should be able to attach the correspondence between the Committee and Department of Finance assuring us that the money has been allocated. Hon. Speaker mine is just a concern and I think we should not just rush because there is an emergency but we should be able to learn to plan ourselves well. Hon. Speaker I think we should also create awareness to our people that also there is Department of Inspectorate and Department of Lands when people are building the houses they should also be cautioned that there are certain areas that the houses should not be built for the benefit of people. Hon. Speaker, thank you for giving me time.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Omar Meti.

Chief Whip (Hon. Ahmed Omar Ebrahim): Thank you Mr. Speaker for giving me this opportunity. Mr. Speaker I do here stand to support my colleague for tabling such a noble Motion concerning employment of youths on casual basis to assist in unclogging drainage in the County. Mr. Speaker all of us as residents of Mombasa we need not be told about the situation which is going on, as you well know the rainy season has begun and we have been witnessing floods, we have been witnessing loss of lives, even our financial or business wise Mombasa because of the rainy season there is a Swahili saying that says, *maji hufuata mkondo*.

Mr. Speaker these rains or the rain waters is affecting our people because our drainage systems are blocked and water cannot find ways to go to the oceans or any other sources where they can be utilized well, and so this leads to all the damages which we are witnessing right now in our County. Mr. Speaker we should therefore, considering that the Department which is responsible for unclogging these blockages has a shortage of employees then we should consider employing our youths so that they can help this County, and concerning the money issue we all know that our budget, two per cent of our total budget, I think is allocated to disaster or any emergency. So the issue of money Mr. Speaker is not a problem, I can confirm it's not a problem because all Hon. Members were here when we were tabling the budget and two per cent was allocated for emergency and disaster so that money...

(Interruption)

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

Hon. Mohamed Hatimy: I beg to correct my fellow brother Honorable not to mislead this House, we don't have emergency funds so he should not mislead this House, thank you.

Chief Whip (Hon. Ahmed Omar Ebrahim): Mr. Speaker I see my Finance Chairman being worried about the issue, but we also know that even if you don't have the emergency funds but we have people like Red Cross who are willing to assist us and they have been cooperating very well on this issue and we have been witnessing this several times. So Mr. Speaker we still need to consider this for the wellbeing of our County and also the issue of our youths there are a lot of learned youths who are willing to do such kind of jobs instead of staying idle in our villages. Mr. Speaker we can employ these youths on casual basis because this is a very critical issue and I need my fellow Members to stand up in solidarity and support this noble Motion. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Amur Murfad can you reply to the Motion...

Hon. Amur: Thank you Mr. Speaker. Mr. Speaker with all due respect to the Chairman of the Finance but when things happen there are well-wishers they come on board and we believe we saw Red Cross as one of the well-wishers who came on board and I believe all the private partners will come in because it is a situation whereby it needs help. It is true Mr. Speaker maybe we have been constrained by the budget but as we speak the money that was there has been used since the rains started, there is some money being used so there is a way of getting money to help. I am not saying that I am challenging the Chairman but there is a way of getting money, even the Governor himself can volunteer and say that I am donating one million to this noble issue Mr. Speaker so that even me as a Member of County Assembly I can give out Ksh.50, 000 as a Member of the County Assembly so that we help our own, it is not all the time that it is the County government even well wishers, myself and my colleagues they can give. Mr. Speaker day in day out people are retiring; this year or the end of this month or June not less than 50 people are retiring so the reason I am requesting casual employment is to replace those who are retiring and I want to believe the County can manage it through well wishers and partners. Thank you, Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Thank you Hon. Amur.

(Interruption)

Hon. Mohamed Hatimy: I am standing under Standing order number 91.

Deputy Speaker (Hon. Mswabah Rashid): Let me read Standing Order 92(a), *closure of debate; after the question on a Motion the mover of which has a right of reply has been proposed a Member rising in his or her place may claim to move, "That the mover be now called upon to reply" and, unless the speaker is of the opinion that such Motion is an abuse*

of the proceedings of the County Assembly or an infringement of the rights of the Members, the question, "That, the mover be now called upon to reply", shall be put forthwith and decided without amendment or debate and if that question is agreed to, the mover may, immediately reply to the debate and so soon as the mover has concluded or if the mover does not wish to reply immediately the speaker shall put the question, subject to paragraph 3 of Standing Order 50.

Yes Hon. Hatimy? What is it?

Hon. Mohamed Hatimy: Mheshimiwa Spika nafikiri naomba ruhusa kutumia Kanuni za Bunge nambari 91 kwa sababu pesa kwa bajeti huwa inafika lakini haimaanishi ikiwa pesa ziko kwenye bajeti tunaweza kuzitumia ikiwa sheria ya zile pesa haijatengenezwa, kwa hio Mheshimiwa Spika mimi naomba Nyumba hii *Bill ya Disaster and emergency* tuko nayo *First reading* ishakuja tunaomba kama itawezekana Jumanne tulete ndani ya Nyumba hii tuiptishe alafu zile pesa zilioko kwenye bajeti ziweze kutumika kwa njia ya kisawa sawa kwa sababu ukiangalia maswali ambayo tumeyapata kutoka kwa ofisi ya *Auditor General* swali moja tulilo nalo ni hawa watu wamechukuliwa vibarua na njia ya kando imetuletea shida sana Mheshimiwa mpaka leo miezi mitatu wengine wanafanya kazi ambao bado hawajaandikwa kazi wanalipwa kwa njia ya *manual*. Kwa hio kukimbia hii shida kama ofisi yako itakubali sisi kuleta hii *Bill* mara moja tuiptishe ili asilimia mbili ya zile pesa zilizokuwa kwenye *accounts* za Kaunti zitaweza kufanyika kwa hio kazi. Kwa hayo machache ahsante Mheshimiwa Spika nafikiri mimi peke yake ndiye niko mwenye...

(Laughter)

...hata mwenye Mswada hana.

Deputy Speaker (Hon. Mswabah Rashid): Thank you Hon. Chairman is the Bill ready? The said bill is it ready?

Hon. Mohamed Hatimy: Yes, it is ready Hon. Speaker? Public participation has been advertised *na imekwisha kwa hivyo iko tayari kuletwa kwa Bunge*.

Deputy Speaker (Hon. Mswabah Rashid): Then Members then let us pass the Bill and then we will put the question after the Bill has passed. Yes Clerk.

ADJOURNMENT

The House rose at 3:07p.m.