

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Tuesday, 16th May, 2017

The House met at 2:35p.m.

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

Hon. Members there is a petition here, pursuant to Standing order 195 of the Mombasa County Assembly Standing orders I wish to present to the Assembly the following petition from Mombasa County former Councillor Forum to Clerk, Mombasa County Assembly.

(Deputy Speaker Hon. Mswabah Rashid read the Petition)

Re: petition made by former Councillors who served in the defunct Mombasa Municipal Council pursuant to Standing order 195 of the Mombasa County Assembly interim Standing orders.

The Mombasa County former Councillor's forum consisting of Members who served under defunct Municipal Council of Mombasa (Local authorities Act in Kenya) wish to petition Mombasa County Assembly on the following;

1. THAT, we faithfully and diligently served the people of Kenya as Councillors and in various capacities under the defunct Local authorities prior to 2013 General elections when the said local authorities were dissolved to give way to the devolved system of government.

2. THAT, while former Members of Parliament and other elective and appointive government officials are entitled to and indeed enjoy pension and gratuity packages that ensure that they live comfortably once out of office, there exists no similar mechanism to compensate or appreciate those who served this country faithfully as Councillors under the defunct local authorities;

3. THAT, majority of those who served as Councillors in the defunct local authorities since independence are now living in squalor and are faced with the deteriorating health in the absence of health insurance covers;

4. THAT we have made the best efforts to have this issue addressed by the relevant organs and agencies without any positive outcome.

(5). THAT, the matters raised in this Memorandum are not pending before any court of law, constitutional or other legal body.

WHEREFORE, your humble Petitioners pray that the County Assembly:-

1. Investigates the issues raised in this Memorandum and makes appropriate recommendation and legislative interventions thereon address the plight of former Councillors who served in the defunct Mombasa Municipal Council since independence should include:-

(a) Making provision for payment of a one off honoraria of Kshs. 2.0 Million to every person who served for a minimum of one term as a Councillor in Mombasa Municipal Council since Independence.

(b) Making provision for payment of a monthly pension of at least Kshs. 50, 000.00.

(c) Making provision for state-sponsored health insurance for all persons who served as Councillors in Mombasa Municipal Council since Independence.

(d) Making provision for access by former Councillors to premises and facilities of the current County Assembly of Mombasa including Canteens and Speaker's Galleries in Mombasa County Assembly.

(e) Making provision for former Councillors to be exempted from paying parking fees and other rates and fees while within Mombasa County where we served.

We your petitioners will ever pray to County Assembly for consideration and action.

The petitioner's representatives are as follows:

Chairman	Cllr. Mohamed M. Mwandugu
Secretary	Cllr. Manoah Obat
Member	Cllr. Abdalla Miraj
Member	Cllr. Mohamed Mwalimu
Member	Cllr. Mohamed Abubakar Kibarawa

And those are the representatives and their numbers of the said Councillors who served since independence. Thank you.

Yes Clerk, sorry Members I now direct this petition to the Committee of Finance to give a report within 60 days. Yes Clerk.

MOTION

Hon. Amur Murfad.

Hon. Amur: Thank you Mr. Speaker Sir. Mr. Speaker Sir on behalf of Hon. Mohamed Hatimy, Nominated Member of County Assembly I wish to move a Motion on his behalf.

(HON. Amur Moved the Motion on behalf of Hon. Mohamed Hatimy)

Mr. Speaker Sir. I beg to move the following Motion;

GAZETTMENT OF GOVERNOR'S OFFICE PRECINCTS AS EXCLUSIVE PARKING AREA

THAT AWARE that the County government head offices are situated near each other including the Betting Control Building, H.E the Governor's office, the Municipal Court Building and the County Assembly Building and open space fronting and surrounding thereof used as parking space;

FURTHER AWARE that there is limited space for parking for County government officials due to outsiders using the parking space for parking private vehicles;

Mr. Speaker Sir,

CONCERNED THAT, County government officials and officials guest are getting difficulty in getting parking space to attend official duties;

Mr. Speaker Sir I therefore urge the Assembly to RESOLVE that;

The County government through the Department of Planning, Lands and Housing to gazette the area fronting and surrounding the Betting Control Building, former Telekom offices, H.E the Governor's Office, Municipal Court and County Assembly Building as exclusive parking zone for the County government.

Thank you Mr. Speaker. I beg to move Mr. Speaker Sir.

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

Hon. Siminyu: I second.

Deputy Speaker (Hon. Mswabah Rashid): Members I now propose the Motion; gazettment of Governor's office precincts as exclusive parking area. Yes Hon. Amur.

Hon. Amur: Thank you Mr. Speaker Sir. Mr. Speaker Sir it has become a bad habit, Members of the public avoid parking in the town pretending they are going to pay rates or payments at the County government but it ends up somebody comes to park his vehicle and goes to do his personal work and at the end of the day they come take their cars. Mr. Speaker they depend on the County Assembly parking whereby the parking was issued to the persons who have issues at the Assembly. People are taking advantage of the parking Mr. Speaker Sir so it is about time we reserve the parking for the entire staff, the MCAs, the Court people and other departments so that outsiders would not be allowed to park their cars unless they are

visitors on official duties. Mr. Speaker Sir we are being denied parking fees by so many people nowadays by coming to park here, so if it is gazetted officially if somebody who parks intentionally then we can tow his car and the person will be made to pay the parking fee and once it is gazetted it will be good so whoever parks does so at his own risk or the car will be towed at his own risk and the breakdown will be paid by that person. Thank you, Mr. Speaker.

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

Hon. Siminyu: Thank you Mr. Speaker. Mr. Speaker...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Members Order! Can you consult slowly please.

Hon. Siminyu: I do support the Motion Mr. Speaker but us as a County we have to put mechanism in place and for any law to take effect there must be gazetment because any one can challenge that decision but if it is gazetted it can be used in the court.

Mr. Speaker the matter of security of the office of the Governor is a very important office even in the Assembly if we allow each and every Dick and Harry to come and park their car into our space it causes the security threats both to the Assembly and the Governor's office.

Mr. Speaker if this place is gazetted then we have the authority to ask why are you parking here, but because it is not gazetted anybody can come even terrorists, we need to have this place protected and the only way we can protect this area is by gazetting those spaces which are surrounding the office of the Governor so that we can have proper security for our Governor plus the Assembly.

I fully support this Motion because it is going to take care of the security of the Assembly and also of the security of our Governor. Thank you Mr. Speaker Sir.

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

Hon. Amur: Thank you Mr. Speaker. Mr. Speaker maybe I can just say for the security purpose of the Governor's office not only the Governor but even the public some cars nowadays we have seen cars being planted bombs. It will be best for our security to even have scanners as it will help this County to protect its Governor and the entire other building. Mr. Speaker that's why we are requesting the identified areas to be gazetted so that no issues will be raised in future since once you gazette a place the area then there's no issue of somebody saying I did not know or my car was towed without my knowledge, once it is gazetted then consequences of somebody parking there will be known. Thank you, Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Thank you very much Hon. Amur, Members I now put the question to the Motion it has been proposed that the area or the precincts of the Governor's office to be gazetted as a parking area for County Assembly and for the Governor's office.

(Question put and agreed to)

Yes Clerk.

ADJOURNMENT

Deputy Speaker (Hon. Mswabah Rashid): Well thank you Hon. Members there being no other business this House is adjourned until tomorrow morning. Thank you.

The House rose at 2:51pm.