



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Tuesday, 7th February, 2023
Third Assembly – Second Session
FIRST SITTING

*[The County Assembly met at 10:10a.m. at the County Assembly Buildings]
[The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair]*

PRAYERS

The Speaker (Hon. Khatri): Yes, Clerk next order please.

COMMUNICATION FROM THE CHAIR

OPENING REMARKS, SECOND SESSION

Good morning again Honourable Members. I take this opportunity to welcome you all back from the long recess. Today, Tuesday, 7th February, 2023 marks the first regular sitting of the Second Session of the Third Assembly. I trust you had a wonderful and fruitful break together with your families and electorates. It is good to see you back, invigorated and ready to execute the duties bestowed upon you under public trust. Honourable Members, for any new County government; that is County Assembly and Executive, the law requires that certain offices must be put in place for proper functioning of the Government. During the Third Assembly First Session, the House had set the necessary structures for its operations by constituting House leadership and Committees. However, the process of filling the offices of External Members to serve in the County Assembly Service Board is ongoing and will be concluded soon and approvals sought from this House. On the Executive arm of the County government, the process is still at the formative stages as Membership of County Executive Committee, Chief Officers and County Attorney is yet to be fully constituted. From our end, we would like to assure the Executive of our unwavering support as we move forward, cognizant of the principle of separation of powers.

Honourable Members, during our long recess period that began on 8th December, 2022 to 6th February, 2023, we successfully held four Special sittings. During those sittings, the County Assembly transacted important County business. For reference, the County Assembly passed a Motion granting the County government approval to borrow up to the limit of the total County payroll, for the purpose of early payment of salaries. The County Assembly also approved the nominations of Mr. Jeizan Faruk to the position of County Secretary and Head of Public Service and Mr. Fadhil Maamuni Ali for the position Secretary/CEO County Public Service Board. Honourable Members.

Both Nominees were vetted by the Committee on Appointments led by yours truly and Committee on Labour and Public Service Administration under the stewardship of Honourable Jacktone Madialo respectively on Thursday, 19th January, 2023. The House approved the Nominees on Thursday, 26th January, 2023. I want to appreciate the two Committees for conducting themselves diligently during the vetting exercise.

Honourable Members, allow me to congratulate the Committee on Finance, Budget and Appropriations led by the Chairperson Honourable Kibwana Swaleh for the commendable work done in processing of the Mombasa County Finance Bill, 2022 during the recess period. The Committee conducted Public Participation meetings on the Bill in all the six Sub-Counties from 3rd to 5th January, 2023 to collect the views of the stakeholders. Among the major highlights of the approved Bill include granting 30 per cent waiver of Single Business Permits to Persons Living with Disabilities (PWDs); there was also a reduction of charges levied on businesses such as market traders, tuk-tuks and Matatus that had been adversely affected by Corona Virus pandemic and the global economic recession. The introduction of a new tax referred to as the Port Users Infrastructure Support and Maintenance Fee will go a long way in increasing own source revenue by the County government. I, therefore most sincerely wish to relay my heartfelt gratitude to you all for honouring the invitation and availing yourselves for the four special sittings held during the recess period.

Honourable Members, as we commence this second session, a lot is expected from us in terms of the legislative agenda ahead. Among the urgent business we are required to discharge is the Approval Hearings of County Executive Committee Members that are scheduled for Thursday, 16th February to Monday, 20th February, 2023. Thereafter, the necessary reports will be tabled before this Honourable Assembly for Approval. We are also anticipating receipt of a Message from His Excellency the Governor, Honourable Abdullswamad Sheriff Nassir on the nominations of Chief Officers to serve in various County government departments. The Chief Officers will then be vetted by the County Assembly Sectoral Committees. I expect that the relevant trainings that you have undergone will enable you to handle the vetting exercise as required by law.

Honourable Members, one of the most important mandates of the County Assembly is budget making for the County government. As per the budget timelines, the County Fiscal Strategy Paper (CFSP) is expected to be laid before the County Assembly by Tuesday, 28th February, 2023 for consideration; thereafter, the County Assembly is expected to pass the CFSP by Tuesday, 14th March, 2023. It is therefore important for Members to always remember the dates and important events that take place during the budget cycle.

Honourable Members, we must reckon that the responsibility ahead of us is huge, but we are also up to the task of delivering on our mandates of Representation, Legislation and Oversight. The legacy we shall leave as Members of this Honourable House after serving our people for five years is dependant on the quality of Motions and Bills we bring to this Assembly. It is therefore our collective and individual responsibility to come up with businesses that will have a positive impact on the day to day lives of our people.

Honourable Members, as I end my remarks, I wish to call upon us all to embrace the spirit of teamwork and consensus building in our transactions, appreciate our diversity and work towards achieving our common goal of serving the residents of Mombasa. With those few but many remarks, I wish you all a fruitful and productive session. May God bless you all. Thank you.'

[Applause]

NOTICE OF MOTION**APPROVAL OF MEMBERS TO THE COUNTY ASSEMBLY BUSINESS COMMITTEE**

Yes, Honourable Rama Mwamwiri, Leader of Majority party. Please give the notice of Motion.

The Leader of Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika. Naomba kutoa ilani ya hoja ifuatayo; Kwa mujibu wa Kanuni za Kudumu ibara 151(d) za Bunge letu tukufu, naomba Bunge hili kuidhinisha uwana chama wateule wa vyama tanzu katika Bunge hili ili waweze kuhudumu katika Kamati ya biashara za Bunge kama ifuatavyo;

1. Mheshimiwa Aharub Ebrahim Khatri-Mwenyekiti
2. Mheshimiwa Athman Rama Mwamwiri-Naibu Mwenyekiti
3. Mheshimiwa Prischillah Mema Mumba
4. Mheshimiwa Morgan Matsaki
5. Mheshimiwa Hamida Noor Sheikh
6. Mheshimiwa Abdirahman Abdulkadir
7. Mheshimiwa Frankline Makanga
8. Mheshimiwa Hawa Abdulrahman
9. Mheshimiwa Ibrahim Oyugi Omondi
10. Mheshimiwa Kibwana Swaleh Baya
11. Mheshimiwa Amriya Boy Juma
12. Mheshimiwa Naeem Shafiq Mohamed
13. Mheshimiwa Mwinyi Mtoto Khamis

The Speaker (Hon. Khatri): Yes, Clerk next order please.

MOTION**APPROVAL OF MEMBERS TO THE COUNTY ASSEMBLY BUSINESS COMMITTEE**

Yes, again Honourable Athman Mwamwiri. Please move the Motion.

The Leader of Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika, Naomba kuwakilisha hoja ifuatayo;

Kwa mujibu wa Kanuni za kudumu ibara 151(d) za Bunge letu tukufu naomba Bunge hili kuweza kuidhinisha uwana chama wateule wa vyama tanzu katika Bunge hili ili waweze kuhudumu katika kamati ya biashara za Bunge kama ifuatavyo;

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13. Mheshimiwa Mwinyi Mtoto Khamis

Nimuombe Mheshimiwa Juma Mwalimu Kambi kuweza kuafiki hoja hii. Ahsante Mheshimiwa Spika.

Hon. Juma Mwalimu: Nimeafiki hoja ilioletwa na Mheshimiwa Athman Mwamwiri Kiongozi wa Wengi Bungeni.

[Question Proposed]

The Speaker (Hon. Khatri): Thank you Honourable Juma Mwalimu. Honourable Members, I now propose a question that the Motion by Honourable Athman Mwamwiri Leader of Majority party on approval of Members to the County Assembly Business Committee be considered by this Honourable House in the same terms as moved.

[Question put and agreed to]

Yes, Honourable Athman Mwamwiri, please make your contributions.

The Leader of Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika. Kama ilivyo desturi na Kanuni za Bunge hili Mheshimiwa Spika, tunapotoka katika likizo ama mwanzoni mwa hatamu ya Bunge hili lazima shughuli ya kwanza iwe uwanachama wa Kamati ya Biashara za Bunge ambayo ndio itapangilia ratiba zitakazofuata. Kwa hivyo Mheshimiwa Spika ni wajibu wetu kama Bunge kuweza kuafiki na kupitisha orodha hii kwa sababu asilimia mia ya uwanachama hawa ni wale waliotajwa awamu ya kwanza ya Bunge la tatu kama wanachama wa shughuli za biashara za Bunge na kuwa pamoja na ushirikiano na Waheshimiwa shughuli ziliweza kuendeshwa barabara na ni imani kuu ya kwamba Waheshimiwa hawa ambao wamepata nafasi ya kuwakilishwa katika Kamati hii wataweza kutekeleza majukumu yao inavyostahiki kama ilivyokuwa awali ili Bunge letu libakie kuwa kidedea katika utekelezaji na uendeshaji wa shughuli zake za kawaida na mipangilio ya ratiba ya kimaendeleo kwa wananchi wetu katika shughuli na biashara ambazo wawakilishi wa Wadi tofauti watakuwa wakifikisha katika Kamati. Kwa hayo mengi niwaombe Waheshimiwa tuweze kuafiki ili shughuli ziweze kupangiliwa na biashara kuendelea kama inavyostahiki. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you Honourable Rama. Yes, Honourable Jacktone Madialo please make your contributions.

Hon. Madialo: Mr. Speaker Sir, I rise to support as the Leader of Majority has correctly put it, this team led by yourself executed your work well and we wish to continue to lend our support to this team, I support.

The Speaker (Hon. Khatri): Thank you Honourable Jackton Madialo, Yes Honourable...?

Hon. Salim Mbaya: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Kwanza kabisa nimshukuru Mwenyezi Mungu ameweza kutujaalia tukawa tuko kwa likizo na akatujalia afya na furaha mpaka leo tumeweza kukutana tena katika Nyumba hii kwa nia ya kuhudumia jamii mahali ambapo tumetoka. Mheshimiwa Spika mimi nitaunga mkono jopo hili liloteuliwa rasmi katika kuongoza shughuli zetu za Nyumba hii; nitaliunga mkono mia kwa mia likiwa linaongozwa na viongozi ambao wameweza kubobea katika uongozi akiwemo Spika wetu Aharub, Kiongozi wa Wengi Athman Rama Mwamwiri napenda kuliunga mkono jopo hili rasmi, nikiona mafanikio na huduma za Nnyumba hii zitakwenda ipasavyo.

Vilevile tukiwa na matumaini, tukiwa tunaongoza ama tumechaguliwa kama kule mahali ambapo nimetoka kwenye kata ndogo ambayo ni kubwa kwa mipaka na jamii nikiwa na matumaini wataweza kupata huduma bora inayostahili na hiyo ndio lengo kubwa la ile jamii mahali ambapo tumetoka. Kwa hivyo jopo hili naliunga mkono mia kwa mia bila ya kurudi nyuma wala kuangalia ubavu wa kulia wala kushoto. Ahsante.

The Speaker (Hon. Khatri): Thank you very much. Yes, Honourable Matsaki.

The Leader of Minority (Hon. Matsaki): Ahsante Mheshimiwa Spika. Kwanza nashukuru Mungu kwa wakati huu kuweza kunifikisha hapa Bunge hili, pia pongezi sana kwa Waheshimiwa wenza walioweza kufika Bunge hili leo. Mimi kwanza napeana pongezi sana katika hii Kamati na nashukuru sana kwa uteuzi huu; naona kupitia Bunge hili la tatu liko na Waheshimiwa kutoka vyama tofauti ukiangalia kwanza napongeza Kiongozi wa Wengi yuko hapa na Kiongozi wa Wachache ambae anatoka chama cha UDA yuko hapa. Pia napongeza Mheshimiwa Mwinyi Mtoto ambaye ametoka chama cha Wiper, napongeza pia Mheshimiwa Naeem Shafiq ambaye pia ni UDA, Mheshimiwa Frankline Makanga yeye ni Independent. Ninazidi kupongeza uteuzi huu kwa sababu imeweza kuchanganya wajumbe wote ambao wametoka vyama mbalimbali. Kwa hivyo mimi nashukuru sana kwa uteuzi huu Mungu awabariki sana wale walio chukua nafasi hii ya kuteua hii Kamati. Ahsante sana.

The Speaker (Hon. Khatri): Thank you very much. Yes, Honourable Manuari. Please make your contribution.

Hon. Juma Manuari: Ahsante Mheshimiwa Spika. Kwanza nimshukuru Mwenyezi Mungu kwa kutuwezesha kuanzisha muhula wetu huu na pili nimuunge mkono ndugu yangu Mheshimiwa Mwamwiri kwa kuleta hii hoja ya jopo hili la kutengeza biashara ya Bunge. Mimi nimesimama tu kuiunga mkono na kusema kuwa wakati umefika kuwa tufanyie kazi wananchi wetu; kwa hayo mengi machache naunga mkono. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you very much Honourable Manuari. Yes, Honourable Arwa.

Hon. Ojala: Thank you Mr. Speaker for giving me this opportunity to contribute. I rise to support the Majority leader because when you look at the names given here you tried as much to consider the respective parties to be in this team led by you and I congratulate you because as we are aware that we have the competent Speaker and who is reliable and who is ready to deliver where it is necessary, so I stand to support.

The Speaker (Hon. Khatri): Thank you very much. Yes, Honourable Athman Rama, please reply to the Motion.

The Leader of Majority (Hon. Mwamwiri): Ahsante Mheshimiwa Spika. Niwashukuru Waheshimiwa wenza licha ya kwamba ni siku ya kwanza lakini ukakamavu na uchangamfu walio nao ni bayana ya kwamba likizo Mwenyezi Mungu alitulinda na wote tumerudi tukiwa salama. Pili pia niwashukuru ya kwamba wameweza kuchangia hoja hii na kwa wingi wameweza kuiunga mkono ya kwamba wanaipa baraka zao tuweze kutekeleza majukumu ya kupangilia biashara za Bunge hili ili huduma kwa wananchi wetu nyanjani ziweze kufika.

Nitoe tu wito wangu kwa Waheshimiwa ya kwamba ni wajibu wetu kama wawakilishi kuhakikisha kwa mda ambao tumekuwa likizo tumeweza kujenga wingi wa biashara zinazohusu wananchi wetu na kuanzia sasa tunatarajia biashara hizo kuweza kufika katika Kamati inayostahiki.

Hii ni muhimu ili ziweze kupangiwa wasaa maalum wa kuweza jadiliwa katika Bunge hili na huduma kuweza kufika kule nyanjani. Kwa hivyo niwashukuru na kwa pamoja tuzidi kushikana kwa sababu umoja ni nguvu na utengano ni udhaifu, Ahsanteni na ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you Honourable Rama. Honourable Members, I now put a question that the Motion by Honourable Athman Rama Mwamwiri, Leader of Majority Party on approval of the Members to the County Assembly Business Committee, be approved by this Honourable House in the same terms as moved

[Question put and agreed to]

Yes Clerk.

ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday 7th February, 2023 at 2:30p.m.

The House rose at 10:37a.m.