



## COUNTY ASSEMBLY OF MOMBASA

### OFFICIAL REPORT

Wednesday, 14<sup>th</sup> October, 2020

The House met at 2:36p.m.

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

### PRAYERS

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Hon. Members you may be seated. Yes, Clerk?

### STATEMENTS

Yes Hon. Kizito Opeya, Chairperson Committee on Trade, Tourism and Investments. Any Member from that Committee? Yes Hon. Tobias Samba.

**Hon. Samba:** Hon. Speaker I would like to stand on behalf of my Chair who is not around, so I would ask if the House can give us some seven days.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Okay the issue will be taken back to the next House Business Committee and they will allot a day of when the Hon. Member will come to respond. Yes, Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON WATER, SANITATION AND NATURAL RESOURCES HON. HAMIDA NOOR ON ACUTE WATER SHORTAGE IN MWAGOSI WARD

Yes, Chairperson Committee on Water, Sanitation and Natural Resources Hon. Hamida Noor.

**Hon. Noor:** Thank you Mr. Speaker Sir. I stand on response to statement on acute water shortage in *Mwagozi* Ward. Mr. Speaker Sir...

*[Interruption]*

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Yes there is a Member who is up. What is it Hon. Benard Ogutu?

**Hon. Ogutu:** Mr. Speaker I just want to inform the Hon. Member who is on the floor that we do not have *Mwagozi* Ward but in this Paper it is written Mwagosi Ward.

**Hon. Noor:** *[Off microphone]*.

**Hon. Thoya:** Mr. Speaker I think Hon. Ogutu is just confusing the Hon. Member, he should let her go on because it is not again written Mwagosi Ward it is even written Mwagosi *Award*, therefore just protect the Chairperson of Water.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Okay, thank you. I think as the Hon. Member has said it is a typing error so proceed Hon. Hamida.

**Hon. Noor:** Mr. Speaker Sir, the Committee of Water and Natural Resources wrote to the Chief Officer Department of Water whom acknowledged that there has been no any other services in the area, and that the residents have been receiving water through vendors. Hon. Members the response solution has been made to put up four lines from the Constituency Development Fund (CDF) office at Bokole to Mwagosi village, which is approximately 3km. The department's main challenge has been for finances to fund the proposed project; Mr. Speaker the budgetary support has been sought from the County to fund the project and serve the residents of Mwagosi in Changamwe. Please find attached document from the Chief Officer for information. Thank you Mr. Speaker Sir.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Thank you Hon. Hamida for the response. Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON ROADS, INFRASTRUCTURE AND PUBLIC WORKS AND HON. SHEILAH MUMBA ON POOR STATEMENT OF BOMU CATHOLIC ROAD MWIDANI, BOKOLE NURSERY ROAD AND BOKOLE DISPENSARY ROAD

Yes Hon. Mwaka Mwaludonda?

**Hon. Mwaka Bakar:** Thank you Mr. Speaker Sir, in the morning I said that I will respond after the recess but by good luck our Committee of Transport is very active. Here is the report. Mr. Speaker I wish to give the statement on a request by Hon. Ibrahim Omondi, MCA Airport Ward, whom on Wednesday 19<sup>th</sup> February, 2020 sought to know whether the Chairperson was aware on a statement on state of the above roads and what plans the County government has in repairing the road. Mr. Speaker Sir, the Committee wrote to the Department of Transport, Infrastructure and Public Works which delivered their response vide their letter dated on 2<sup>nd</sup> October, 2020; the contents of which are as follows. Mr. Speaker Sir, those roads are repaired and they are planning for maintenance during this financial year, the contract is at evaluation stage and will be repaired by sections during the second quarter of 2020/2021. Thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Thank you Vice Chair. Yes, Clerk?

STATEMENT SOUGHT BY TUDOR MEMBER OF COUNTY ASSEMBLY (MCA) HON. TOBIAS SAMBA FROM THE DEPARTMENT OF ENVIRONMENT PURSUANT TO STANDING ORDER 41(2c) REGARDING GARBAGE COLLECTIONS IN THE COUNTY

Yes Hon. Tobias Samba?

**Hon. Samba:** Thank you Hon. Speaker, I seek to get a Statement from the Department of Environment. Pursuant to Standing Order 41 (2c) I wish to request for a Statement from the Chairperson Committee on Environment, Waste Management and Energy regarding garbage collections in the County. Hon. Speaker *Kazi Mtaani* is an initiative of the government to clean up the community by unemployed youth. Hon. Speaker the exercise being conducted by the said youth has led to garbage heaps pile ups along the street across the estates. Hon. Speaker, these heaps of garbage are now causing a health hazard to the residents of Mombasa County. Hon. Speaker therefore in the Statement the Chairperson should inquire and report on the following; what plans the County government has as a matter of urgency to ensure that the waste collected is properly disposed and the designated dumping site to avert the outbreak of the disease. Thank you Hon. Speaker.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Yes Chairperson Environment?

*[Silence]*

Any Member from Environment Committee? Yes Hon. Leila?

**Hon. Nyache:** Ahsante sana Mheshimiwa Spika, ningeomba Jumba hili waweze kutupatia wiki mbili kulingana na ripoti ya Mheshimiwa Samba aliyeleta tuweze kujadiliana kama Kamati tuweze kuja na jibu mwafaka. Ahsante Mheshimiwa Spika.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Thank you. Yes, Clerk?

STATEMENT SOUGHT BY CHANGAMWE MEMBER OF COUNTY ASSEMBLY (MCA) HON. BENARD OGUTU FROM THE COMMITTEE ON YOUTH, GENDER, SPORTS AND CULTURE AND THE COMMITTEE ON LANDS AND PLANNING CONCERNING THE CHANGAMWE VOLLEYBALL GROUNDS

Yes Hon. Benard Ogutu?

**Hon. Ogutu:** Thank you Mr. Speaker. Mr. Speaker first I want to declare the interest that am a Member of Youth, Gender and Sports Committee. Mr. Speaker I seek a Statement from the Committee on Youth, Gender, Sports and Culture and the Committee on Lands and Planning concerning the Changamwe Volleyball grounds Mr. Speaker;

1. The Committee should tell us the measures that the County government has to curb the ongoing grabbing of the above mentioned ground;
2. The plans that the County government has to identify clear boundaries of that particular ground;
3. The plans that the County government has to upgrade the ground.

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Mr. Speaker I also request the two named Committees to do a site visit on that particular ground. Thank you.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): So as you have declared the interest as a Member of that Committee I think you have spoken on behalf of your Committee and you will plan as to when you are going to bring back this report but on Lands Committee, any Member from Lands Committee? Yes, Vice Chair Hon. Aran?

**Hon. Aran:** Thank you Mr. Speaker Sir. I kindly request that you give us two weeks so that we can have a concrete report.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Thank you Hon. Aran Moses. Yes, Clerk?

### **PROCEDURAL MOTION**

#### **ADJOURNMENT OF THE COUNTY ASSEMBLY**

Yes Leader of Majority?

**The Leader of Majority** (Hon. Mwidani): Thank you Mr. Speaker. Mr. Speaker let me move a Procedural Motion;

THAT, pursuant to Standing Order Number 25 (3) and the County Assembly Calendar which was adopted by the House on Tuesday, 18<sup>th</sup> August, 2020 this Assembly adjourns for recess from today 14<sup>th</sup> October, 2020 and to resume regular sittings on Tuesday, 27<sup>th</sup> October, 2020. Thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Who is your Seconder?

**The Leader of Majority** (Hon. Mwidani): I would like to call Hon. Tobias Samba to second the Motion.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Yes Hon. Tobias?

**Hon. Samba:** I stand to second Hon. Speaker.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Hon. Members, I now propose a question that the Procedural Motion on Adjournment of the County Assembly by Hon. Hamisi Musa Mwidani as moved be debated and approved in this Honourable House.

*[Question proposed and agreed to]*

Yes the Leader of the Majority?

**The Leader of Majority** (Hon. Mwidani): Thank you Mr. Speaker Sir.

I hope this is a routine because as I have mentioned we have already passed the Calendar for the whole year on Tuesday 18<sup>th</sup> August, 2020 so Mr. Speaker this is just a reminder to the Members for the day of going to the recess.

Mr. Speaker this will be a very short recess and it give chances to the Members at least to have some time to deal with their voters on the ground. So Mr. Speaker mine is to say that let us have this recess so that we can even have time with our electorates. Thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Thank you. Yes Hon. Charles Kitula?

**Hon. Kitula:** Ahsante Mheshimiwa Spika, nimesimama kumuunga mkono Kiongozi wa Wengi wa Bunge hili kwa sababu imefika wakati tumetumia muda mwingi katika Bunge na inabidi sasa kuweza kukutana na wananchi wetu kuweza kukaa nao, kuweza kufanya miradi tofauti tofauti. Mtu kama mimi wiki iliopita niliweza kukutana na Kiongozi wa pili wa nchi hii na niko na miradi chungu nzima ambayo nastahili kuwapelekea wananchi wangu Mheshimiwa Spika...

*[Applause]*

Kwa hivyo sina budi kuweza kuwakabidhi na zile ambazo ziko njiani zinakuja na itakuwa nafasi yangu mwafaka manake ilikuwa natatizika muda wa Bunge na muda wa kupeana vile vitu. Kwa hivyo nashukuru Mheshimiwa Spika kilio changu kimesikika. Ahsante sana.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Yes Hon. Renson Thoya?

**Hon. Thoya:** Mr. Speaker I think I need to be informed, I understood that this is a Procedural Motion and I do not think if it is out for debate. It is supposed to be close down...

*[Interruption]*

**The Deputy Speaker** (Hon. Fadhili Mwalimu): It is...

**Hon. Thoya:** It is a Procedural Motion and therefore we have less to discuss about it, we bring it to a close Mr. Speaker. Thank you.

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

**Hon. Samba:** Hon. Speaker I stand to support the Motion brought by the Leader of the Majority and it is a routine and it is a formality that whenever we are planning for our calendar of events we have a period or duration there which we go for a recess. Hon. Speaker this is the time there are Members who are coming as far as from Mwakirunge, others also have to cross the Likoni Channel every day and others they do not even come completely and this is the right time for us also to have time with our constituents directly and like some of us we are going to have good times with those whom we love because even when we have been given a break for one week we have been given time to even make our minds, relax and during some past sittings my colleagues when we were doing the debate here when it came to issue of stress, frustrations and depressions this is the only time we going to relax our mind and we are going to come back when we are full of energy when our brains are fresh and when we are fully refreshed.

Hon. Speaker as my friend Hon. Kitula every now and then I think there is a day that is coming when every time hustler nation it will just expire and I hope this will also retire. Thank you Hon. Speaker.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Yes Hon. Athmani Shebe?

**Hon. Athmani Shebe:** Mheshimiwa maumbile yangu ya twiga naona yananisaliti, ningependa niweze kupata kipaza sauti, kinasa sauti tafadhali...

*[Commissionaire handed the microphone to Hon. Athman Shebe]*

Ahsante sana Mhe. Mwenyekiti kwa kunipatia fursa hii ya kuweza kuchangia. Bila kupoteza wakati ningependa kuunga mkono hoja ambayo imeletwa na Kiongozi wa Wengi katika Bunge hili letu la Mombasa. Nikitangulia kusema kuwa kila kitu huwa kinahitaji mapumziko Mhe. Spika kwa sababu kufanya kazi kwa Bunge hasa kwa mda mrefu na akili inachoka na watu wetu pia wanatuhitaji kule mashinani, familia zetu pia wanatuhitaji.

Kwa hivyo naunga mkono hoja hii iliyoletwa na Kiongozi wa Wengi; hata mimi pia Mhe. Mwenyekiti nilikuwa nimetatizika, nimetatizika mithili ya kuchakurwa kwa sababu mashinani nimeandaa mipangilio kabambe ya kuhakikisha kuwa Jomvu Kuu...Nafikiri Mheshimiwa kumbukumbu ya Bunge hii itaweza kumbuka kauli yangu niliposema kuwa usihofu Mungu akikufungia mlango mmoja, Mungu huyo huyo anakufungulia mlango mwingine.

Hivyo basi nafikiri ni wasaa mwafaka wa kuhakikisha kwamba Waheshimiwa Wenza hata kama hali hali ya jamvi ya mkeka nafuu nzuri ya kuingia mashinani kuhakikisha kwamba watu wetu wanatuona na tunaweza kuwasaidia pale mahali panastahiki. Hii ni kwa sababu mda wangu ilikuwa nashindwa Mheshimiwa nitagawanya mda gani kwa sababu mipangilio na ratiba nafikiri naangalia orodha yangu mia ni kidogo.

Kwa hivyo nashukuru kwa saa hii nitapata wasaa mzuri wa kuhakikisha kuwa Jomvu Kuu Mheshimiwa na wewe jirani yangu ndugu yangu tutakuwa pamoja katika mikakati ya kuhakikisha kuwa ndugu zetu tunawatembelea na wanapata natija. Ahsante sana Mhe. Mwenyekiti.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Hon. Aran Moses.

**Hon. Aran:** Ahsante sana Mhe. Spika. Mimi pia ningependa kuunga mkono hoja iliyoletwa na Kiongozi wa Wengi na wakati umefika kwamba sisi viongozi twende mashinani, tuhudumie wananchi wetu na pia vyenye Mhe. Samba amesema tuwe na wakati wa kukaa na familia zetu pia. Ya pili Mhe. Spika sisi kama chama yenye inatawala Afrika...

*[Applause]*

Chama cha ODM unajua tuko na *By-election* tatu, tuko na Msambweni tuko na Taita na tuko na Kilifi na hapa ndani sisi ndio tuko wengi hata wenye wameenda Tanga Tanga, lakini kwamba wajue kwamba ODM ndio bado chama itazidi kutawala, na ni wakati sisi kama viongozi pia tutoke twende zetu, ili tuhakikishe kwamba tumeambia wananchi kwamba, ingekuwa leo marehemu Tom Mboya, ama marehemu Jaramogi Oginga Odinga anapatia watu wheelbarrow, hatungekuwa na wenye wamefanikiwa kimaisha Mhe. Spika, lakini hao viongozi waliamua kujua maana ya elimu...

*[Interruption]*

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Yes Hon. Charles?

**Hon. Kitula:** Mhe. Spika ningependa kumpatia taarifa ndugu yangu Mhe. Aran kwamba, hakuna *apartment* iliyokamilika bila uwepo wa *wheelbarrow*. Ahsante.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Yes Hon. Aran? Let us stick to the Motion.

**Hon. Aran:** Kwa hivyo Mhe. Spika mimi ningependa kushukuru na ni kwamba nilikuwa nazidi kuongea kwamba ni lazima viongozi wetu pia tuangalie na tushukuru yale wametufanyia, na sisi pia tunaenda mashinani na hili ni Jumba la siasa Mheshimiwa tunaenda mashinani kuambia wananchi wetu pia. Tukiwafanyia kazi kwamba *wheelbarrow* zitakuja na hizo *wheelbarrow* zilikuja na zile pesa zimeibiwa na wazipokee na wazikule vizuri lakini ikifika wakati tutajua kwamba sisi ndio bado tuna nguvu na wala *tapietape* mwishowe watarudi na wazikule lakini wajue kuna siku watazitatika. Ahsante sana Mhe. Spika.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Thank you. Yes, Clerk?

### ADJOURNMENT

Hon. Members this House stand adjourned until Tuesday 27<sup>th</sup> October, 2020 at 10:00a.m.

The House rose at 3:02p.m.