

**COUNTY ASSEMBLY OF MOMBASA****OFFICIAL REPORT**

Tuesday, 30th June, 2020.
The House met at 11:37a.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 next order please?

PAPERS

FINANCE COMMITTEE REPORT OF THE PROGRAMME BASED BUDGET (PBB) ESTIMATES FOR
THE FINANCIAL YEAR, 2020/2021

Yes Hon. Hatimy Mohamed, Chairperson Committee on Finance, Budget and Appropriation lay your Paper.

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker Sir, I wish to lay on the Table the County Assembly today 30th of June, 2020 the following Paper, *a Report of the Finance Committee Programme Based Budget Estimate for the financial year 2020/2021*. Thank you Mr. Speaker.

[Paper laid]

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

MOTION

ADOPTION OF THE REPORT ON MOMBASA COUNTY PROGRAMME BASED BUDGET ESTIMATES
FOR THE YEAR 2020/2021

Yes, Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I beg to move the following Motion;

That this House adopts the report of Finance Committee on the Programme Based Budget Estimates for the financial year 2020/2021.

I beg to move, Mr. Speaker.

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

Hon. Mohamed Hatimy: I request the Vice-Chair to second Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Leader of Majority?

The Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker. I arise to second the Motion. Thank you.

[Question proposed]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members I now propose a question that the Motion by Hon. Mohamed Hatimy on adoption that the report on a Mombasa County Programme Based Budget Estimate for the year 2020/2021, be considered in this House in the same terms as moved.

[Question proposed and agreed to]

Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I gave a notice of amendment and I request this House to amend the notices; that this House approves the addition of Ksh.250Million on to the County Assembly Programme Based Development Budget (PBB) for the year 2020/2021 to finance the Speakers' residence, renovation of the Mombasa County Assembly Building at the Treasury Square of Mombasa and for the offices of Members of the County Assembly.

Number two, Mr. Speaker that this House approves of other addition of Ksh. 50Million to the County Assembly Programme Based Development Budget for the year 2020/2021 to finance the car and mortgage loans scheme.

I beg to move Mr. Speaker and I request Hon. Kibwana to second. Thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon. Kibwana?

Hon. Kibwana Swaleh: Thank you Mr. Speaker, I do second.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members I now propose a question that the amended Motion by Hon. Hatimy Mohamed as moved be debated in this House?

[Question proposed and agreed to]

Any inputs Hon. Members? Yes Hon. Raphael Bwire?

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker I beg for more clarification on the amendments and I would wish to know again the total budget of County Assembly, plus the amended that has been done by the Chair. I would also wish to know Hon. Speaker which offices is the Hon. Member talking about; the MCA's offices? So in short I would wish to get more clarification on the amendments that have been done because it has not been captured on the soft copies which we were sent earlier, thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Hatimy Mohamed?

Hon. Mohamed Hatimy: Mheshimiwa Spika nafikiri Wanachama wote watakubaliana na mimi kuwa hili jambo la ofisi za Waheshimiwa zilikuwa na shida sana kwa hivyo ikiwa tutakuwa na ofisi yetu sisi wenyewe itakuwa hatuna shida za kupelekana mbio na nafikiri pia alileta fikra ya kusema kuwa tutafute yale makasha ya kisasa ambayo ni maofisi ambayo yatawekwa kwa kila Wodi.

Kwa hivyo sisi tumeweka hivyo kama *projection* na sio kuwa ati kusema kuwa itagharimu milioni 50, hapa itakuwa yaweza kuwa milioni 50, yaweza kuwa chini ya milioni 50, yaweza kuwa juu ya milioni 50, hapo itategemea tutakapofanya BQ ndio itaonekana. Ya pili Mheshimiwa Spika ni kutaka kujua juu ya bajeti, nasema bajeti *expect* iwe bilioni 40, six, 34 Mheshimiwa na kuongeza shs 250 million zile ni za upande wa Bunge la Kaunti. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Raphael Bwire, I think you still need more clarification?

Hon. Bwire: Of course Hon. Speaker, am still digesting it. You see I am looking for a page, I came across a page that I saw some allocation of the said offices already in the soft copy that we had been sent and again there is amendment on the same Hon. Speaker. So am still struggling to find that page where the offices or those containers have been captured in the initial copy that we had and again there is that amendment Hon. Speaker. So I would just like to have that clarification; why is it that we had an allocation and again there is an amendment on the same? If am not wrong there was an allocation of shs15 million and again that there is that amendment, why? Thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Hatimy can you clarify more? Hon. Bwire it is actually on page 23. Yes proceed.

Hon. Mohamed Hatimy: Mheshimiwa Spika nafikiri hesabu ya 15 na figure ya 50 ni vitu viwili tofauti; kwa hio tumesema 15 zitakuwa hazitoshi, nimesema kuwa zitasimamia kwa ofisi za Wodi zote na kama ninavyo sema kuwa hii ni *projection*, sio ati itakuwa ni 50 ama itakuwa chini ya 50, ama itazidi juu ya 50. Kwa hivyo milioni 15 tumeona kuwa hazitatosha kwa maofisi za Waheshimiwa na ndio kwa maana nimesema tulete marekebisho ya jambo hilo ili tusipate shida wakati saa yote kupata shida mambo ya *votes*, hatutapata shida mambo ya *votes*.

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

Hon. Bwire: Yes Hon. Speaker am still struggling to get what the Hon. Chairman is talking.

Of course I understand what he is saying but everybody knows how much and anybody can guess how much a container can cost; be it a 40 tall feet, be it a 12 tall feet, we can just guess. So with 15 million shillings Hon. Speaker the initial estimated budget for the 30 containers, it was almost shs 750,000 if am not wrong, if we estimate shs 15 million divide by that something close to that 700. So Hon. Speaker I do not find it necessary adjusting those amounts; again from 15 to 50 and again saying that we cannot actually give it a price. Hon. Speaker I wish to go with shs 15 million initially that was allocated and I do not buy the idea of amending it to 50 million shillings or rather we do something with the extra amount Hon. Speaker, that is my view. Thank you.

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

Hon. Athman Mwamwiri: Mheshimiwa Spika naomba mimi nimtaarifu Mheshimiwa wa Junda ya kwamba kimahesabu amenukuu visivyo, milioni 15 kwa Wodi 30, ni laki tano na si laki saba na elfu hamsini.

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

Hon. Bwire: Thank you Mr. Speaker. Thank you Hon. Mwamwiri for clarification, but again 500 is almost close to a price that you can give a 40 feet or a 20 feet container, but having a 50 million shillings budget for 30 containers Hon. Speaker is more exaggerated, even if we go by what Hon. Chairman is saying we will be exaggerating those figures and we need to do something that is close to reality. Thank you.

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

Hon. Mohamed Hatimy: Mheshimiwa Spika tunaposema *container* sio *container* iliyopakia mzigo, hizi ni *container* ambazo ni spesheli itakuwa *equipped* na kila kitu *container* itakuwa na fanicha, choo, *air condition* na itakuwa na kila kitu manake itakuwa ni ofisi kamili. Sikusema kuwa nitakwenda kuchukuwa *container* kuja kulikata ukafanya ati ndio ofisi, hili ni *container* ambayo ni kama nyumba limetengenezwa kisawa sawa Mheshimiwa Spika. Mimi sina shida kabisa ikiwa yeye anaona hii milioni 50 zitakuwa zimetosha, ikiwa Wanachama wamekubaliana na yeye mimi sina shida lakini nasema kuwa hii si *container* ile ya kubeba mzigo, hizi ni *container* spesheli ambazo zimetengenezwa zimetiba kila kitu ndani. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Tudor Ward.

Hon. Samba: Thank you Hon. Speaker. Mr. Speaker as I said yesterday here, that whatever contributions that we are making always we should have soberness to prevail. As the Chair for Finance has just stated there is also a procurement process, it is not just that we want to pick up a container then just plant it somewhere, but it is going to follow all the tender procedures and I think whoever is going to win the tender has to make some profit out of it and one container as the Chair has stated..., I was in a business of clearing and forwarding before I became a Hon. Member and one container 40 feet it goes for around shs 500 to 600 thousand plus. It is not just an empty container, it will be fully equipped and the Chairman also has said this is just a projection, so that when time comes there will be no excuse that there are no votes in accounts.

So after that I think they will be auditing and even the Chair for Finance will also table the report, and I think the projection that we are having here we should go by that projection what matters is the accountability...

Hon. Samba:....With that projection what matters is the accountability, so instead of us debating I request Hon. Bwire to relax because as far as I am concerned he needs those for containers more than any Member here. Thank you Hon. Speaker.

[Applause]

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

Hon. Kitula: Ahsante Mheshimiwa Spika. Kabla sijazungumzia hili swala na lengine Mheshimiwa Spika wewe ukiwa katika Kiti chako unastahili uweze kuangalia kwanza Bunge wakati limekaa linakaa kuongea kuhusu nini. Orodha ya Bunge Mheshimiwa Spika inasema kikao cha leo *paper* itakuwa *laid, the report on Mombasa County Program Based budget FY 2020/2021* alafu tukija katika mwisho ambayo inasema, *adoption of the report of Mombasa County Program Based Budget of FY 2020/2021*. Sasa wewe kama Mwenyekiti na Makatibu wako wametupatia stakabadhi katika Meza zetu ni za jana; Mombasa County Annual Development Plan (ADP). Sasa report ya *budget estimates* ziko wapi? Waheshimiwa mnapopatiwa stakabadhi kwanza someni tusiwe tu watu wa kukubali kila kitu lakini hata hujasoma kwenye meza kuna vitu gani. Tukubaliane Mheshimiwa Spika...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Kitula? Hon. Kitula?

Hon. Kitula: Naam.

The Deputy Speaker (Hon. Fadhili Mwalimu): I am sure every Member has got a soft copy of what we will be discussed today...

[Interruption]

Hon. Kitula: Hapa katika dawati langu Mheshimiwa Spika nilikuja jana, leo ni...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Kitula...Order! Hon. Kitula! What I have with me that has been laid in this Honourable House is a Report on the Mombasa County Program Based Budget estimate of the FY 2020/2021 and what *Mheshimiwa* has moved and it is being discussed now is amendment then we will proceed to discuss the Report from the Committee on Finance on a Mombasa County Program Based Budget, so if you have an ADP I do not know.

Hon. Kitula: Mheshimiwa Spika wacha nikurekebishe kidogo, *Motion* iliyokuja hapa ni *Motion ya budget estimate amendment Motion, amendment* inakuja katika *Motion* Mheshimiwa Spika ambayo...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Kitula what is being discussed now is amendment that Members..., it has been proposed and it is now on the floor of the House and Members will decide either to abide by this amendment or to reject the amendment...

[Interruption]

Hon. Kitula: Amendment on what?

The Deputy Speaker (Hon. Fadhili Mwalimu): ...the amendment then we will proceed after the amendments... we will proceed discussing this Report...

[Interruption]

Hon. Kitula: Amendments on what Hon. Speaker, you need to be clear.

The Deputy Speaker (Hon. Fadhili Mwalimu): On what has been tabled because the Hon. Member tabled amendment on....

[Interruption]

Hon. Kitula: Mheshimiwa Spika nimekubali saa hii napatiwa hiyo stakabadhi ilikuwa ni kitu kidogo Mheshimiwa Spika kama Makatibu wana stakabadhi wanipatie tuendeleo lakini mara ya kwanza wametupatia ADP ya jana. Saa hii ndio tunaona Kiranja wa Bunge wanatupatia...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): May be that is a technical error Hon. Kitula.

Hon. Kitula: Ilikuwa ni hilo tu Mheshimiwa Spika si mambo mengine.

The Deputy Speaker (Hon. Fadhili Mwalimu): Okay then Hon. Member, proceed with the amendments. Yes Hon. Mwamwiri.

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Ni afiki marekebisho ya Mwenyekiti katika swala zima la kuziandaa ofisi za Wodi Mheshimiwa Spika; tukizingatia bajeti hii inayokusudiwa ambayo ni makadirio na sio matumizi halisi kuna uwezekano kama nilivyotangulia kusema ya kuzidi kima ama kupungua lakini pia tujiulize bajeti inayotumika kulipia ofisi za kukodi kwa mwaka ni pesa ngapi kwa jumla. Mheshimiwa Spika, na kwani hili ni swala ambalo litafanyika mara moja na kwendewa mbele ya kwamba hakuna ada ya kulipia ofisi tena na hiyo bajeti imekuwa ikitumika miaka ya nyuma. Mheshimiwa Spika itaweza kuelekezwa katika matumizi mengine ya kusaidia wakaazi na wananchi wetu wa Mombasa kulikoni kuelekeza zaidi kulipia ofisi kila mwaka, kila mwezi hali ya kwamba tunapoteza pesa zaidi Mheshimiwa Spika.

Kwa hivyo kintazamo wa kiuchumi Mheshimiwa Spika mimi naafiki na naunga ya kwamba ofisi zote katika Wodi ziwe ofisi za kudumu ambazo ni swala itafanyika mara moja kuendelea mbele, itakuwa hakuna tena matumizi hayo ya kulipia ofisi Mheshimiwa. Kwa milioni 50 Mheshimiwa Spika kuna uwezekano ndio zisitumike zote na kama zitabaki kila mwaka tutafanya *supplementary* na pesa ile itapata shughuli ya kutumika kuisaidia na kukuza serikali yetu Gatuzi ya Mombasa kwa minajili ya manufaa ya wananchi wetu. Mheshimiwa Spika, ahsante naunga mkono marekebisha ya kipengele hicho.

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

Hon. Kibwana Swaleh: Thank you Hon. Speaker. Hon. Speaker I do support amendments in line with the issue of the loans of the staff plus the Members. Hon. Speaker our Assembly is struggling not like other Assemblies when it comes to mortgage and car loans, they normally [??] point pick to pay or to remit or to give to their Members. So I think this amendment will go and help our staff plus Hon. Members in getting their rights; this is their right Hon. Speaker, even the National Assembly, in fact they are better than the Counties because they even get grants at the National Assembly but here at our County level we normally get loans. So I think it is very difficult for Members to get loans which they are going to repay back to the County, therefore I think the amendment in giving more money to this scheme will go to help the staff plus the Members. Thank you.

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

Hon. Nzai: Thank you very much Mr. Speaker. First and foremost I do concur with the amendments which were just read by the Chair of Finance because they have a lot of support and great importance to the Hon. Members. Before I hand my contributions to the floor Mr. Speaker Sir I would want to talk on the integrity and leadership, I am not going back but the mistakes which were mentioned by my colleague in Nyali we had noticed them earlier and we are the ones who has collaborated with the Chair and also liased with our Clerks...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): I think a Member is up. Are you up on a Point of order?

Hon. Bwire: Yes.

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Nzai, have a seat.

Hon. Bwire: Hon. Speaker we must remind ourselves with the procedures of this Assembly. Hon. Speaker already you had ruled out what the Member has raised and we have now embarked on discussing the amendment, I wonder why the Hon. Member is still revisiting the issue raised by a Member and you have already given out the ruling on the same. Thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. Yes, proceed Hon. Nzai.

Hon. Nzai: Mr. Speaker I do concur with...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): ...and you time is ending.

Hon. Nzai: I do concur with the amendments which have just been added because ksh.15Million was too little for the offices in the Wards.Thank you Mr. Speaker.

[Laughter]

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

[Technical hitch]

The Deputy Speaker (Hon. Fadhili Mwalimu): Use the microphone infront of you.

Hon. Amriya Juma: I do not think that is working; it is not working.

[Hon.Amriya Juma handed microphone]

Hon. Amriya Juma: Okay thank you Mr. Speaker. Mr. Speaker as much as we appreciate these hard economic times; as much as I also appreciate that having an ambitious budget at this time of the year is not a very good idea because everyone knows the economic times we are experiencing and how it has affected the economy of Mombasa, both the COVID 19 pandemic and the SGR issues, I also would want to reiterate that it is important that this Assembly gets the face that it deserves and most of the Hon. Members can agree with me that these Assembly buildings are not in very good condition and even very good condition I will be overstating! They are actually in just moderate conditions or bad; especially our latrines, our toilets and our buildings are leaking, it needs some refurbishment and the plenary itself we have old furniture that has been here for over the past two decades, I assume.

It is high time that we get the pending facility up-to-date and modern deserving of our tenure or our status Mr. Speaker. So I want to agree with the Finance Chair that this building needs renovations but I am not very sure that we can be able to achieve that now that we have had an economic challenges and there are other priorities in the County, but I want to support that the building should have a facelift Mr. Speaker and if may be if things continue like this may be we can have some other challenges or circumstances that do not allow but as I speak I think it is important that this building has a facelift if circumstances allow. Thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members I now stand up to put a question that the amendments to the Motion read by Hon. Hatimy be adopted in this House.

[Question put and agreed to]

Yes Hon. Hatimy, you can now start the debate for the input.

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika.

Mheshimiwa Spika nasimama hapa mbele ya Jumba hili kuomba Wanachama leo tarehe 30 ndio inatajikana iwe bajeti imepitishwa tuweze kujadili kwa njia ya sawasawa na isiwe kwa njia ya watu kushindana kupotezeana wakati bali kupeana faida na kuweza kuwafanyia kazi wanachi wetu wa Mombasa. Kwa hivyo Mheshimiwa Spika *Motion* iko mbele yetu, yule mwenye na maneno yake azungumze hapa tuyazungumze tukubaliane ili Kaunti ya Mombasa ipate kuendelea mbele. Ahsante Mheshimiwa Spika.

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

Hon. Kitula: Ahsante Mheshimiwa Spika kunipatia fursa hii. Hasa siku ya leo ni siku muhimu Mheshimiwa Spika, siku ambayo inastahili kupitisha bajeti ya Kaunti kwa wananchi wetu wa Mombasa. Mheshimiwa Spika leo ninavyotakia maono yangu ni desturi ya baadhi yetu katika Bunge hili anapoongea kiongozi yeyote basi yeye anapokosoa kitu huonekana kana kwamba yeye ametumwa basi au ako katika misingi ya kisiasa. Mheshimiwa Spika ili kuthibitisha hilo kwamba nitakayoongea leo hii sijatumwa na mtu yoyote wala sio katika misingi ya kisiasa nimeamua mwenyewe kwa maamuzi yangu nikiwa katika Bunge hili nainulia mkono moyoni mwangu kwamba nitakayosema siku ya leo ni ukweli mtupu na hakuna mtu aliyenituma wala sio katika misingi ya kisiasa na Mwenyezi Mungu aniongoze.

Mheshimiwa Spika tuliingia hapa mwaka 2017 katika Bunge hili tukapitisha bajeti ya 2017 na ilipokamilika bajeti ya 2017 ambayo tuliweza kuitumia iliyopitishwa na Bunge lililopita. Halafu mwaka 2018/2019 tukapitisha bajeti ya pili Mheshimiwa Spika, mwaka 2019/2020 tukapitisha bajeti ya tatu. Katika ripoti hii nimeweza kuipitia usiku ilipotumwa katika grupu zetu za *Whatsapp* na nikasema ni jambo bora Kiranja wa Bunge ametufanyia ambayo izidi kuendelea ikiwa mtu atakuwa awe karibu na maswala ya mtandao akipata stakabadhi katika mtandao inakuwa ni afadhali watu kama sisi ambao tunapenda kupitia mitandao na kusoma kinachoendelea katika mitandao Mheshimiwa Spika, kwa hivyo kongole Bwana Kiranja wa Bunge.

Lingine Mheshimiwa Spika katika bajeti yetu iliyopita 2017/2018, 2018/2019 na 2019/2020 baada ya kupitia Ripoti hii ambayo imeletwa na Mheshimiwa Mwenyekiti nimeshangaa sana kuona katika kipengele cha 14 wanasema kwamba, *'The County Treasury in submission before the Committee has also blamed departments for slow absorption of development funds referring to consumption of recurrent funds for non core activities and putting low efforts in revenue collection, this needs to be corrected by the Departments by prioritizing the delivery of programmes that will benefit the larger citizenry in the County....'*. Hii inaashiria ya kwamba kulinga na ripoti ya Kamati ya Fedha kwamba viongozi katika idara husika hawajui pesa ya maendeleo. Lakini ukweli uko wapi leo tuambiane ukweli sisi tangu 2017/2018 hadi 2019/2020 Julai 2017 hadi Desemba 2019 sisi tumetumia shilingi bilioni 28 Mheshimiwa Spika; shs28 bilioni tumetumia lakini la kushangaza katika shs 28 bilioni hizi tulizotumia mimi nashangaa nimekuwa kiongozi katika Bunge ndani ya 28 bilioni vijana wetu na kina dada zetu katika idara ya *Inspectorate* wengine wao hawana mishahara mpaka leo. Mheshimiwa Spika ndani ya shs 28 bilioni hakuna hata ECDE moja tumejenga ikakamilika na inatumika. Ndani ya shs28 bilioni Mheshimiwa Spika, katika shs 28 bilioni hizo hakuna hata mwanafunzi mmoja kiserikali ambaye Mombasa tumempatia *scholarship*. Mheshimiwa Spika ndani ya shs2 bilioni tulizotumia katika vikundi vyetu vya kina dada na kina mama *empowerment* hawapatiwi; ndani ya shs28bilioni Mheshimiwa Spika tulizotumia sisi ni mji wa pili baada ya Nairobi lakini hatuna hata kiwanja kimoja cha kimataifa, ndani ya shs28 bilioni hakuna hata soko moja sisi tumejenga likakamilika na likatumika. Shs28 bilioni Mheshimiwa Spika hii hakuna vilevile katika sehemu zetu tunakotoka *drainage systems* ni mbovu.

Sasa nikajiuliza katika shs28 bilioni hizi wahusika ni akina nani; na leo nimekula kiapo nitawaambieni, nitawatajieni wahusika wanne wakuu katika serikali yetu ya Kaunti ya Mombasa ambao wananyanyasa haki zetu za Bunge na vilevile kutotendea wananchi wetu haki. Nitawatajia baada ya kumaliza hotuba yangu watu wanne; mmoja Mheshimiwa Spika hatuwezi jua hizi pesa zinakwenda wapi, la kushangaza zaidi nikaona Wizara ya Uchukuzi na Miundo Misingi ndani ya miaka hii miwili na nusu wametumia shs 3 billioni. Mheshimiwa Spika, shilingi bilioni tatu wametumia nikataka kujua vilevile hizi bilioni tatu zimetumika vipi Ripoti ya Wizara ya Uchukuzi na Miundo Misingi wanasema kwamba 2017/2018 walikarabati na kuweka *murram* mashinani kilomita 109.75 Mheshimiwa Spika.

Mheshimiwa Spika hii ni ishara ya kwamba kila Wodi tuliekewa kilomita 3.6 za barabara tena 2018/2019 Wizara ya Uchukuzi na Miundo Misingi wakajenga barabara zengine kilomita 65. Mheshimiwa Spika hii ni ishara kila Wodi kwa kiwango cha chini barabara ni kilomita 2. Kwa hivyo 2017/2018 na 2018/2019 kila Wodi tuliwekewa kilomita 5 na mita 220 kwa kila Wodi. Nikaendelea pia kuangalia miradi ya ujenzi wa barabara Mheshimiwa Spika 2017/2018 tukawekewa kilomita 12.7 kila Wodi. Hii ina ashiria kuwa kila Wodi ilipata *cabro* mita 400 kila mtu, 2018/2019 wakajenga kilomita 18.74 Mheshimiwa Spika, hii ni ishara kuwa kila Wodi ikapata kilomita 1.5. Kwa hivyo kuanzia miaka mbili na nusu tumejengewa katika Wodi zetu tumejengewa kilomita 1.9 za *cabro*.

Mheshimiwa Spika hapa tuko Waheshimiwa wote nani hapa aniambie katika Wodi yake amejengewa *cabro* hata za mita 500 na serikali yetu ya Kaunti ya Mombasa? Mheshimiwa Spika leo hii tuko mahali hapa kuweza kupitisha bajeti ambayo nikamsimamisha Mwenyekiti wa Kilimo Mheshimiwa Wambua, Mwenyekiti wa Vijana na Michezo Mheshimiwa Samba, nikasimamisha Mwenyekiti wa Leba Mheshimiwa Thoya, nikasimamisha Mheshimiwa Bomoa mmoja wao asimame aniambie hapa katika Bunge hili katika idara yake maendeleo amewekewa pesa ngapi, Mheshimiwa Spika hataniambia. Hii ni ishara kwamba bajeti hii haihusishi Mheshimiwa; mbali na hivyo bajeti hi ya 2020/2021 ni kinyume na sheria, imekiuka Kanuni za Bunge nambari 207 inayosema, *'(1) The Member of County Executive Committee responsible for finance and the accounting officer of the County Assembly Service Board shall, not later than 30th April, respectively submit to the County Assembly budget estimates and related documents specified in law for the County government, and County Assembly. Mheshimiwa Spika (2) The estimates and related documents submitted under Paragraph (1) will be tabled in the County Assembly within three days of submission....*

[Interruption]

Hon. Samba: Point of order!

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes there is a Point of order.

Hon. Samba: Yes Hon. Speaker I am on a Point of order number 87, the responsibility of statements and facts. Hon. Speaker we are being lectured by the Hon. Member and I stood because I was mentioned; even in our Wards there are no roads, there is no single Member who has been constructed a road of even 500 metres. Hon. Speaker I do not know whether the document that he has we can get them so that at least we may tread on the same path; I am not objecting his own findings, i think the document that is supposed to be debated in the House I think they have to be verified through the office of the Clerk, and we should also have them so that we can also contribute to the Motion.

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So it is just a kind request if he has the documents let him share with us because some of the Wards, like my Ward i think 500 metres cabro construction that is my concern Hon. Speaker. Thank you very much.

Hon. Nzai: Point of Order Mr.Speaker!

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Nzai there is no Point of order on a Point of order! Let the Hon. Member finish then you will stand with your Point of information or interruption or Point of order but Hon. Kitula as per the Standing order raised by Hon. Samba you were supposed to substantiate your facts and also to put in mind Standing Order 83 (1), you cannot mention somebody whose removal from office depends on a decision from this County Assembly. So you have to put in mind also it is in our Standing Order not unless you can substantiate whatever that you have and proceed and also your time is limited.

Hon. Kitula: Ahsante Mheshimiwa Spika. Nimeweza kusema ya kwamba na nikanyoosha Bibilia kwamba ninayoongea yote ni ya kweli na akitaka ushahidi nimekuja nao nitampatia ama niipatie Kiti chako. Barabara zote zimejengwa katika maeneo yetu ziko hapa nitakupatia ama Mheshimiwa Mwenyekiti akiwa tayari Mheshimiwa Samba nitampatia hapa stakabadhi ushahidi uko hapa Mheshimiwa Mwenyekiti kwa hivyo nampatia Katibu...

[Interruption]

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

Hon. Nzai: Thank you Mr. Speaker to have understood what I mean. Mr. Speaker I stood to congratulate the information my fellow Hon. Member is giving to this House but I want to inform him that there is every good, news messages, good areas where you can give that message to the public. I believe the time we are having in this Assembly right now is so minimal that we cannot absorb all the good material he is giving us; I would suggest and wish that he look for a better platform whereby he can give us the proof documents and evidence. It is also that the time is not on us today, we are here for what is on our hand so can we please look on this then the rest we shall go to the EACC, DCIO to whatever so I beg him kindly. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Okay thank you. Yes Hon. Kitula there is a proper way of tabling your evidence and if you will wish to table whatever that you have you can table through the proper procedures in this Hon. House so that what you have in hand reaches the table of the Speaker.

Hon. Kitula: Mheshimiwa Spika nilikuwa nimesimama chini ya Kanuni za Bunge nambari 87 ambayo Mheshimiwa Samba alikuwa ameongea kuhusu *responsibility of statement of facts* na nimwambie Mheshimiwa Nzai hili ni Bunge la Waheshimiwa, Bunge tukufu sio Bunge la wananchi. Kwa hivyo kama tuko katika Bunge tukufu ambayo stakabadhi yoyote na kama Kanuni ya Bunge 87 inasema ikiwa nimekiuka sheria ni lazima hapo hapo nikupatie stakabadhi ili kama ninayoongea ni ya kweli au la.

Kwa hivyo nithibitishe Mheshimiwa Samba kwamba kila Wodi kwa kiwango cha chini barabara zimetengezwa ni kilomita saba, ushahidi uko hapa Mheshimiwa Spika ndio nikasema Kanuni ya Bunge 87 ili kuongea ni ya kweli ninge kupatia stakabadhi hii.

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The Deputy Speaker (Hon. Fadhili Mwalimu): Table the document before the House.

[Document tabled]

Hon. Kitula: Mheshimiwa Spika nimalizie kusema najua hili litaumiza wengi mioyo yao lakini nimalizie kusema nilianza kuongea kina nani hawa wanatumiza sisi Waheshimiwa na wananchi wetu. Mheshimiwa Spika kulingana na uchunguzi wangu nimefanya katika Bunge hili kiongozi wa kwanza ambaye...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Kitula you are out of order as per our Standing orders! Do not mention somebody's name who cannot even respond to your allegations as at now and I said earlier it is in our Standing order if the person you are to mention his removal from office depends on the decision of this Assembly you will also be out of order to mention his name at this moment and also Hon. Kitula as per our Standing orders your time is up. Let us proceed Hon. Members, yes Hon. Mwamwiri?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Ukiangalia ripoti tuliokabidhiwa na Mheshimiwa wa maswala ya fedha na makadirio ya bajeti kuhusiana na mandalizi ya bajeti ya mwaka wa 2020/2021 niungane nao kwa yale yalitokezwa ambayo ni baadhi ya changamoto tulizozipata mashinani tulipokuwa tunaendesha zoezi hili kuhakikisha yale yalioangaziwa ndio yale ambayo wananchi wetu waliyakusudia. Mheshimiwa Spika na swala lililokuwa nyeti mashinani ama eneo ninalowakilisha mimi lilikuwa swala zima la ukamilishaji wa miradi; ya kwamba kila mwaka Serikali gatuza itakuwa ikienda mashinani kuulizia swala la mapendekezo ya miradi yaliotengezwa na inapofika mwaka unaofuata wanaenda tena kuulizia maswala mengine wakati miradi iliotanguliza yaliokamilika na nini haikukamilika.

Mheshimiwa Spika kwenye ripoti sehemu ya 13 naona Kamati imeangazia ya kwamba hizi juhudi za wakaazi wa Mombasa kwa kuachwa nusu au kutokamilika kwa miradi kwa sababu inawanyima makusudio na malengo yaliokusudiwa awali na hivyo kuishurutisha idara zote husika ya kwamba katika bajeti hii wamewekewa kipao mbele na kulazimishwa kukamilishwa kwa miradi ilio nusu kabla ya kuanzisha miradi mipya na miradi mipya ilioangaziwa hapo ni miradi ya dharura ambayo haijawahi katika bajeti iliotangulia. Mimi niunge mkono kwa hili ya kwamba Kamati imetendea haki mapendekezo ya wananchi na kwamba wamezingatia na nina imani Mheshimiwa Spika ya kwamba kila Kamati husika katika uwezo wa *oversight* tutasimama kidete kuhakikisha idara hizi tunazisukuma kuweza kukamilisha yale yaliotangulizwa mbeleni na sio kuwapitishia kuwaunga mkono kutaka kujenga maswala mapya na yale mengine kuweza kubaki njiani.

Mheshimiwa Spika pia katika sehemu ya 11 kifungu cha mwisho Kamati za Bunge zimetajwa na kuombwa kuzidishwa uweleji wao na uwezo katika kuzisimamia idara husika utendekaji wa majukumu. Jambo hili ni jukumu letu kuhakikisha kwamba *quarterly reports* zinafika kwa wakati na Kamati zinachukua hatua mwafaka ya kuzikagua kuzipitisha na kuhoji pale kulioko na dosari au walakini katika utendakazi kwa sababu bila *oversight* ama waangalizi wa idara ambazo ni jukumu la Kamati, tunapeana fursa ya idara zetu kuendesha bajeti zile kwa jinsi na taratibu wanazotaka.

Pia kuna kipengele chengine kimeangazia ya kwamba idara ya Fedha na Bajeti ama *Finance* imeweka lawama na shutuma kwa idara zetu ya kwamba zinakuwa polepole katika matumizi wa fedha za maendeleo. Mheshimiwa Spika hili limechangia pakubwa na utepetevu wa Kamati zetu za Bunge kwa sababu kama tumeimarika na ufuatiliizi ya kuwa bajeti tuliopitisha ni hii na katika *Programme Based Budget* kuna *timeframe* ya miradi ambayo kila idara imeangazia kwa ufuatiliizi wa karibu ndani ya kile kipindi walichosema idara inaweza kufanya jambo fulani. Mheshimiwa Spika na kuhoji kwa nini hakijafanyika ingewalazimu na kuwashurutisha wasimamizi wa Idara hizo yaani *Chief Officers* kuweza kuwa wepesi wa ufuatiliizi wa bajeti zao na kuhakikisha kila kilichokusudiwa kinatendeka kwa wakati unaofaa.

Mheshimiwa Spika nikimalizia ni wito wangu kwa Waheshimiwa wenza na hususan Mwenyekiti wa Kamati za Bunge kuhakikisha Kamati zetu tunazipeleka mchakamchaka tukizingatia muda tuliobaki nao kuhudumia wananchi wetu wa Mombasa ya kwamba makusudio yao na matarajio yao yameweza kufikiwa kutokana na bajeti tulizokuwa tunapitisha kila mwaka kwa kuhakikisha idara zinatenda uadilifu na uwajibikaji katika utekelezaji wa bajeti zao hususan katika bajeti za maendeleo na sio tu zile za matumizi ambazo zina manufaa kwa watu wachache lakini kwa miradi ya kimaendeleo ambayo ni natija mwafaka kwa wananchi wetu wa Mombasa. Mheshimiwa Spika na nasimama kuunga mkono ripoti ya Kamati kwa sababu imezingatia haki na ukweli, uwazi na mapendekezo ya wananchi kuhusiana na yale yaliojiri kwenye bajeti zilitangulia. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon. Ibrahim.

Hon. Omondi: Thank you Mr. Speaker for the opportunity offered to me. Mr. Speaker maybe before I talk about this report I would just like to inform fellow Members that this is a House of procedures; we are guided by the Standing Orders and the Constitution and it is very much unfair for a Member to show something that he himself cannot substantiate or even give facts...

[Interruption]

Hon. Kitula: Taarifa Mheshimiwa Spika!

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Ibrahim there is a Member up.

Hon. Kitula: Mheshimiwa Spika nimesema niko na ushahidi wote na nimeshaupeana sasa sijui anazungumzia kuhusu nini aniambie ni kitu gani anataka kujua nimpatie sasa hivi.

The Deputy Speaker (Hon. Fadhili Mwalimu): Okay Hon. Ibrahim focus on this report, the Hon. Member has laid a report before this House and it has reached the desk of the Speaker so let alone what he has alleged we will look upon that and then we will look for a way on how the report he has laid is going to be debated in this House.

Hon. Omondi: Yes that one just to inform him that one has not given him the threshold of saying that his report is authentic. Mr. Speaker by him laying a report does not mean he has substantiated; as the Chairman for Education you know this matter has touched me when it was said that there is no ECDE constructed. We have to have the facts and there are so many ECDs that I can mention that have been constructed and they are working.

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Okay let me concentrate on this report, first of all Mr. Speaker I want very much to concentrate on education and ICT where I head as the Chair; basing on this report I can see a total of Ksh.972Million allocated to this particular department and I can see that we have the recurrent expenditure of around Ksh.372Million, personnell emoluments of Ksh.269Million, Ksh.200Million for bursary, development Ksh.311Million and of course this excludes the Ksh.110Million which is going to be included in our supplementary budget after our schools reopen. We all know that for now we cannot be able to open schools because of the uncertainty which is facing the country.

Mr. Speaker Sir, I would like to say that this Committee to me has met the threshold and they have done their best and I am basing on facts; when you look at development as far as education is concerned it had been allocated Ksh.311Million, you will find out that there are some of the ECDEs that have been done almost 90 per cent, some 80 per cent and some 100 per cent. This one is going to help, it is going to assist those particular projects and I also want to say Mr. Speaker you know that when you talk about education we should also talk about how are we going to educate our children because that is where there is a big problem in our County.

Mr. Speaker whereby you find out that most parents are not able to take their children to school because of school fees and as I can see there is Ksh.200Million for bursary which has been allocated and therefore am very optimistic that now our parents are going to be able to take their children to school. I want also to support this particular document on the issue of school milk which we have already talked about which is supposed to be allocated KSh.220 Million, but it has not been put there, we are going to pass it after the supplementary budget which this one has always been a recipe to our children and it has been helping our children to improve the attendance of the school.

Mr. Speaker Sir...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Your time is up, one minute.

Hon. Omondi: And therefore Mr. Speaker Sir I stand to say that I stand to support this particular document. Thank you Mr. Speaker Sir.

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

Hon. Samba: Thank you Hon. Speaker. At least you see, whenever you see Hon. *Bomoa* is up Mr. Speaker Sir you will always wish you are given an opportunity first because he always exhausts every point but due to the time factor, I think we should start by giving *Bomoa* first priority then we talk after him. Thank you Hon. Speaker, I am up to support the report and to adopt the report. Hon. Speaker, I have got two observations that I have made; observations and findings number 11 which my fellow colleague was also up on *during the departmental hearings on the budget estimates some of the departments complained of underfunding.*

Hon. Speaker it has been a problem whenever sometimes when we have programs and projects that the department wish to initiate or put in place, the issue will be that there is no funds and I think this is not the first time I am up complaining that whenever we do not have funds everyone will be shouting there is no funds, there are no funds but whenever there are funds, you will never hear that there are funds and we can now put on the projects that were stalled.

Hon. Speaker, the Committee should have come up with a proper and clear mechanism to ensure..., to make sure that each and every department consumes its allocation properly and the issue of re-allocation of funds during the supplementary budgets, some of the departments have never even enjoyed their budget allocations. That one also the Committee should have come up with a proper mechanism and a clear way to tackle that. Another issue Hon. Speaker is the issue of pending bills; pending bills, the Auditor General was very clear, the deadline was supposed to be March, March, 2020, the deadline...

[Interruption]

Yes, Hon. Speaker another issue is the pending bills, pending bills has been a problem not only in our County but in the entire country. Hon. Speaker, there are some of the suppliers, I know one but due to the statement of facts I will not mention the name, he did some work at the Governor's office and the County owes her only shs1.6 million. Now this is the second and a half year she has been coming to the County Assembly Treasury department to no avail. Hon. Speaker, some of the people took loans to fund the projects that they are doing and some have even given up. I think the only, the major issue and the major point that the Committee should come up with a proper and clear way to contain the issue of pending bills.

Hon. Speaker, it will be sad for me to say yesterday I was here till late, I was here till late because I was just doing some of the findings here and you find that whenever there is money that people are supposed to be paid, the doors are locked. They lock both doors even they do not want to care whether we are Honourable Members and we have the right to access that place and at some given point you can find yesterday I was there when the Hon. Chairman Finance came and he went back because he could not access that place.

Hon. Speaker it is high time the issue of pending bills is sorted; we should compel the Finance department to come up with a clear mechanism to contain and tackle the issue of pending bills. We might not be the victims for now, but one day at a time you might fall the victim of the circumstances or maybe your friend a colleague or your relative might happen to be a victim so through the department of Finance kindly look for a way we can handle that. Another of my concerns, this is out of the Motion Mr. Speaker, can we have our key where whenever we want to access the other side of the Treasury department we should have a key for Hon. Members to avoid *hizo ma aibu ndogo ndogo unasimama hapo* for hours. Thank you Hon. Speaker I beg to support the Motion.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, the Leader of Majority?

The Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker. Mr. Speaker I want to inform the House on Standing order number 27;

Unless the Speaker for the convenience of the County Assembly otherwise directs, the County Assembly shall meet at 9:00a.m on Wednesday and (2), unless for the convenience of the County Assembly the Speaker or the Chairperson as the case may direct earlier or later interruption of the business...

Mr. Speaker you are aware we have taken more than the required time so I was requesting this Assembly to be on adjournment to extend up to, to extend for one hour, so that we can be in a very good position according to our Standing order.

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So I request to amend or to add some more time so that we are in a proper position with the Standing order. Thank you Mr. Speaker.

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

The Leader of Majority (Hon. Mwidani): Hon. Shebe to second that.

[Hon. Shebe Athuman bowed]

[Question proposed]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members I now propose a question that the hours of meeting be extended as moved by the Leader of Majority?

[Question proposed and agreed to]

The Deputy Speaker (Hon. Fadhili Mwalimu): Any input Members before I put a question? Yes, Hon. Charles?

Hon. Kitula: Mheshimiwa Spika naunga mkono Kiongozi wa Walio Wengi Bungeni kwa sababu hapa kama Waheshimiwa tumekuwa mapema kulingana na ujumbe wa Kiranja wa Bunge wetu lakini kwa sababu mambo yasioeleweka na namuunga mkono Kiongozi wa Wengi tuweze kuongeza muda.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members I now stand to put a question that the Motion by the Leader of Majority of the hours of sitting be passed in this Honourable House?

[Question put and agreed to]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, let us proceed with our previous debate. Yes, Hon. Amriya?

Hon. Amriya Juma: Thank you Mr. Speaker for giving me this opportunity. Mr Speaker, I have highlighted number 5, 6, 12 and 13 of the report, and this is very important. I want Members to follow with me; in page 3 number 5 the submission of the Committee that the County government is expecting to receive Kshs.14Billion of revenue and equitable share with the expectation of equitable share will be Kshs.7.4Billion as opposed to Kshs.7.05Billion from the previous financial year which amounts to an increase of Ksh.379Million. I hope everyone is following from the previous year, so essentially it leaves the local revenue that the County is expecting will be about half of the total amount, that is Kshs.14Billion and my concern is that when we came in 2017/2018 we passed a budget of about Kshs.12Billion Mr. Speaker and we had an absorption of Kshs.1Billion and I am seeing as we progress in time things are not looking any better and I do not think that the estimation of Kshs.7.2 billion in terms of local revenue collection...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, what is it Hon. Athman?

Hon. Athman Mwamwiri: Mheshimiwa Spika naomba tu kumtaarifu Mheshimiwa ya kwamba tuliapishwa tarehe 6 mwezi wa 9 mwaka 2017 wakati bajeti tayari ya mwaka 2017/2018 ilikuwa ishapita. Kwa hivyo tu Mheshimiwa Spika ni kukumbushana tu ya kwamba bajeti yetu ilikuwa ya mwaka 2018/2019 na sio 2017/2018. Ahsante Mheshimiwa Spika.

Hon. Amriya Juma: Thank you for that correction, it is 2018/2019 Mr. Speaker. But anyway, what I was submitting to this House Mr. Speaker is that at this time where Mombasa's economy is really on a decreasing scale, I think there will be issues. There is a danger of issues of under absorption; there will be a danger of issues of not meeting the target, the development targets, there will be a danger of even pending bills come next year and I think that it should be in record that I spoke this at this particular time because in my view when you look at the economy of Mombasa right now it is on a down scaling terrace not upscaling because most of the businesses are looking at alternative business opportunities like home businesses so there will be no much businesses in Mombasa according to the projections of business people. So that is my view and I think it should be the view of so many of us that Kshs.7.2 billion as the expected local revenue is an ambitious amount Mr. Speaker. Moving forward and even the Committee here has highlighted that they are expecting a reduction in the grants from the national because due to the same reasons we are talking about, due to the pandemic and all that. So I think even us as we speak today we should do things differently so that we capture the current economy so that we do not look like we are in Mars and other people in Mombasa are in the planet earth.

The Deputy Speaker (Hon. Fadhili Mwalimu): There is a point of information.

Hon. Nzai: Thank you Mr. Speaker. Mr Speaker I would like to point it out that the fact that the whole world is under the pandemic of the COVID 19, some state organs have already found means and ways of improving their economies, one of them being Kenya as a country. The Government of Kenya has set a very big and huge amount to revive the economy whereby the Chairperson to that is our former Prime Minister Hon. Mr. Raila Odinga, so the issue of financing this budget is not an issue.

The Deputy Speaker (Hon. Fadhili Mwalimu): Ok thank you. Thank you for the information. Yes Hon. Amriya proceed.

Hon. Amriya Juma: Mr. Speaker I move on. Section number 6 of the report and I want to commend the Committee for doing a great job and even simplifying for the Members. This is a commendable job Chairman, congratulations for that and it is very clear that one of the hinderances to the realisation of Mombasa's projects is due to the high wage bill that has been inherited even from the Municipal Council Mr. Speaker. We are talking of a wage bill of Kshs.5.3Billion, which is 37 per cent of the total expenditure Mr. Speaker and above the 35 per cent that has been recommended in law, that is the PFM regulation.

Mr. Speaker, I think now that we have the module of working from home, on the other operations and maintenance, the Committee would maybe think of reviewing the budgets especially on the allowances and other expenses that are not necessarily the salaries and wages, that is my recommendation on that point.

So moving on Mr. Speaker, on Section 12 and I am winding up I am seeing you are looking at the time; Section 12 and 13 of the same report highlights the pending bills and I know some of us we want to pounce on me for highlighting this but anyway, this is the right forum actually it is not the mandate of the Committee to solve these pending bills which actually it is the mandate of the whole County Assembly that has the power to pass estimates and the budget. So this is the time to solve this issue and Mr. Speaker you know Mombasa had been given a deadline by Cabinet Secretary Matiangi of 20th March, 2020 to clear all the pending bills and yesterday the Chairman spoke about it that they are waiting on the Auditor General for verification and validation of the amounts that are being held by the County.

However, Mr. Speaker having said that, we are looking at what are the solutions to this issue of pending bills; because as we move forward it appears to me there will be if the same systems are still in place that brought forward the pending bills then we might solve one issue and the next day is at the same place maybe in a small amount. So Mr. Speaker I wish the Committee considers the open contracting procurement method...

[Interruption]

Hon. Kitula: Taarifa Mheshimiwa Spika. Mheshimiwa Spika nafikiri jana nilizungumzia kuhusu *pending bills* nikasema nitazungumza leo wakati wa *budget estimates*. Mheshimiwa Spika anayeongea sasa ni Mwanachama wa PAC, kwa hivyo *pending bills* hakuna hapa mahali ameandika kiwango cha *pending bills*, na sisi kama Wabunge hatufahamu *pending bills* ni ngapi, na ni nani anatudai. Kwa hivyo sisi kuzungumzia kitu ambacho kiko hapa na sisi hatufahamu.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Kitula this is a Report from the Finance and Budget Committee.

Hon. Kitula: Yes.

The Deputy Speaker (Hon. Fadhili Mwalimu): Which is in front of all the Hon. Members in this House, so by excluding the Hon. Member from debating this because she is from PAC Committee Hon. Kitula you will be out of order. Because she is the Chair of Legal and Justice Committee and she is a Member of this Honorable House so she can debate on this report which is in front of us, when PAC bring their Report then when we are going to question their report.

Hon. Kitula: Mheshimiwa Spika maoni yangu ni kwamba *pending bills* kulingana na ufahamu wetu ni kwamba zimekuwa *cleared* lakini katika Ripoti hii zipo na sisi kama Bunge hatufahamu *pending bills* hata moja. Suali langu ni kwako kama Mwanachama wa PAC angetuambia katika *pending bills* kweli ziko na ni kiwango fulani ili tuweze kuendelea kujadili suala hili, lakini wa sasa kusema *pending bills* kwenye ripoti ya Kamati ya Fedha wakati Mwanachama wa PAC hawezi kutuambia hata kiwango Mheshimiwa Spika sidhani kama itakuwa ni sawa. Ahsante.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Hon. Kitula for the kind of information. Yes Hon. Amriya proceed and you have one minute to wind up.

Hon. Amriya Juma: Ok Mr. Speaker. I would not wish to waste my time to respond on that, I wish to continue with my submission; that one of the recommendation of the President on the pending bills moving forward 2020/2021 is to have an open contracting procurement processes. These will be transparent and open to the public, the public will be able to know what the County or the company is seeking to have and at what amount, how many are applying and who is qualified in an open system that is called open contracting, who has been awarded and who has been paid all will be in public knowhow, that was the President highlights of the pending bills.

So that was my final submissions that I was hoping that the Finance Committee during their recommendation will capture reduction on the expenditure and also the solutions to the pending bills and slow absorption of development funds. Otherwise this is a good report and I support with reservations with what I have highlighted. Thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. Yes Hon. Ogutu?

Hon. Bwire: *[Inaudible]* Thank you Mr. Speaker. Mr. Bwire in terms or seniority am more senior than you. Mr. Speaker being the norm today I was about to carry the Bible but because of time I will not do that. Mr. Speaker I would like to rush directly to Section 13, we have been told about the pending bills and everything. Mr. Speaker I think it is very important that moving forward we should highlight this project and know which are these projects per Ward so that after passing this budget the Committee should do a site visit to ensure that all the pending projects had been done before any new project is started, anyway it is a very good report and I do support. Thank you.

[Applause]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Raphael Bwire?

Hon. Bwire: Thank you Mr. Speaker. First I would wish to inform Hon. Ogutu that in this Honourable House am senior than him, am the Speaker's Panel Member and I should be the first to talk. Hon. Speaker one; am very afraid because if you go through this report you will find out that this report is not signed, it is an unsigned report and we have been taking back the reports that were not signed even those that were brought by the departments so...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Bwire the report with me is signed.

Hon. Bwire: And the one that am having is unsigned, there might be different copies Mr. Speaker, it is just a concern...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): The one that has been tabled is signed by the Chair.

Hon. Bwire: The one I have is unsigned.

The Deputy Speaker (Hon. Fadhili Mwalimu): So you would like to get my copy so that you contribute and ascertain that the copy you are having is the same as the one i have?

Hon. Bwire: Hon. Speaker it might be the same but my concern is that it is unsigned, the one that I have so...

The Deputy Speaker (Hon. Fadhili Mwalimu): The one that has been tabled is signed.

Hon. Bwire: Thank you then.

The Deputy Speaker (Hon. Fadhili Mwalimu): Ok proceed.

Hon. Bwire: Hon. Speaker my second concern is also about what Hon. Ogutu has just said; if you remember last financial year the last budget we passed here it was just the Program Based Estimates Budget (PBB) and with such kinds of budget it becomes very difficult in terms of oversight. It is not indicated anywhere in my Ward how much will be allocated; what will be done under this 2020/2021, so let us be having the budget that indicates like the one that was passed in the first year. My first budget indicated....

[Interruption]

I am on the floor...

[Inaudible]

I do not want to be informed...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): What is your information?

Hon. Ogutu: If the Hon. Member for sure is echoing what I have said then he is very wrong. I was precise on the issue of pending bills not the whole budget; Section 13 there are projects which are stalled and I want those ones completed first then we can do new projects. That is exactly what I said.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you and Hon. Raphael projects which you are talking about were captured in the Annual Development Plan (ADP), we are discussing the report.

Hon. Bwire: Mr. Speaker that is why I said first I support the report and my concerns were the issue of the signature that is one; two am also raising the issue of this Program Based Budget Estimates that is my concern and with an issue of Hon. Ogutu I echoed your sentiments and you should be appreciating that the senior Member has tabled your sentiments otherwise thank you Mr. Speaker, I support the report.

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

Hon. Mohamed Abrari: Ahsante Mheshimiwa Spika. Mheshimiwa Spika ripoti ilioko mbele yetu ni nzuri lakini katika hali halisi mashinani sioni ikiwa sawa. Kwa kusema hivyo ni kuwa nimepitia ripoti hii lakini nikiangalia kuna baadhi ya vitu ambavyo tukiangalia miradi ambayo tumeipitisha tangu 2018/2019 kwenye mashinani bado hata zengine hazijaanza. Nikitoa mfano natoa mfano kwa bajeti 2018/2019 kulikuwa na barabara nne ambazo zilikuwa kwenye bajeti ile hata moja mpaka sasa haijaanzwa! Naregelea tena hapo hapo, 2018/2019 tulipitisha Wodi ya Junda kuwe na *Social hall* na Kongowea kuwe na *Social hall*, hiyo *Social hall* ambayo tuliweka kima cha Kshs. 20 Milioni haijaanzwa, haijaguswa kokote. 2019/2020 hapo hapo kwa *Social hall* ikawekewa Kshs.3.5 Milioni Wodi ya Junda na Kongowea zikawekewa Kshs.3.5 Milioni ya marekebisho hakuajafanywa lolote.

Tukienda kwenye ECD kuna vitu vingi sana vimewekwa; kuna ECD ya Kengeleni iliwekewa pesa mwaka wa 2014 huko na mpaka sasa haijaanzwa, ni juzi tu tumeona wana Kandarasi walikuja kwenye *site* kupima pima lakini kusema kweli hapa kwenye *pending bills* hapa kuna mchezo ambao wachezwa kwa sababu tukiangalia hata kwenye ripoti ya Mhasibu Mkuu tunapata Kshs. 214 Milioni 2014/2015 zilitumika kutengeneza ECD na wakaweka vizuri ECD nane ziwe zimeisha lakini mpaka sasa hizo ECD nane ziwe zimeisha lakini mpaka sasa hazijaisha.

Mheshimiwa Spika sisi hapa twaenda mbele miguu minne twarudi nyuma miguu kumi, tutakuwa kila siku tukiregelelea kuzungumzia ripoti nzuri lakini hali halisi kwenye *ground...* Mheshimiwa Spika kusema la kweli sisi wenyewe kwenye Wodi zetu twataka Mheshimiwa Hatimy ama Mheshimiwa wetu wa Fedha twende naye kwenye mashinani akaone sisi ambao tunawakilisha Wodi zetu aende akaone ile miradi tunazozungumzia hapa. Hapa tukija kila siku itakuwa twazungumzia hivi kupakana mafuta lakini ile hali halisi mashinani mambo ni tofauti. Kwa hilo mimi Mheshimiwa Spika naipinga ripoti hii. Ahsante.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. Yes Hon. Athman Shebe?

Hon. Athman Shebe: Ahsante sana Mheshimiwa Mwenyekiti kunipatia mimi ruhusa na mimi kuweza kuchangia mawili matatu ambayo niko nayo. Natumai yangu yatakuwa kwa muktadha wa dondoo ya dukuduku ambao niko nayo, pili niweze kuangalia ripoti nzima Mheshimiwa Mwenyekiti kwa hii ripoti itoe mapendekezo yangu na fikira zangu...

[*Interruption*]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Athman Shebe as far as the Assembly is concerned you have not dressed properly, so please Hon. Athman Shebe I understand that you are on the floor but just leave the Chambers and dress properly and you still have time you can come and proceed with the debate.

Hon. Athman Shebe: Ni kweli Mheshimiwa Mwenyekiti samahani lakini kabati yangu ilikuwa sina mbadala...

[*Interruption*]

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The Deputy Speaker (Hon. Fadhili Mwalimu): No, respect the House please...

[Laughter]

Yes Hon. Members I can see there is a Point of information and Hon. Members put into the consideration the time passed by the Leader of the Majority is about to elapse. Yes Hon. Charles?

Hon. Kitula: Mheshimiwa Spika nataka Mheshimiwa Mwenyekiti wa Fedha wakati anajibu aweze kutufafanulia sisi wanachama wa Kamati ya Vijana, Michezo na Jinsia kwamba katika ADP tumeweka *construction of a modern County Stadium* pale Tononoka kwa bajeti ya Kshs. 1Bilioni, lakini kulingana na *estimates* ya Idara nzima ya Vijana, Michezo na maendeleo ya Jinsia ni Kshs. 485Milioni. Sasa nashangaa ikiwa Stadium imechukua Kshs.1 Bilioni na kwa *estimates* Idara ni Kshs. 485Milioni, hizo pesa zengine zitatoka wapi Mheshimiwa Spika. Ahsante.

The Deputy Speaker (Hon. Fadhili Mwalimu): Ok thank you Hon. Charles Kitula. Hon. Mohamed Hatimy you are required to reply on what Hon. Kitula has raised but I would like to inform Hon. Kitula what I understand it is the budget or the stadium that you have mentioned it will come in phases but I will let Hon. Chair to respond on the Motion and the issue that you have raised. Yes Hon. Chair, the Mover of this Motion?

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Nafikiri hivyo ilivyo ndivyo ilivyo; kuna pesa zishalipwa kwa hiyo *Stadium* inakwenda kwa *phases* kwa hivyo anaweza kwenda kufanya uchunguzi kama anavyofanya atajua kuwa wale wanaotengeneza tayari wameshalipwa...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Mohamed Hatimy that is not a good way of responding to this Honourable House, respond to the Chair and in a proper parliamentary way.

Hon. Kitula: Mheshimiwa Spika hapo hapo alipoongea yeye ni Mwenyekiti wa Fedha...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Kitula you are now out of order because he is replying to this Motion. Proceed.

Hon. Mohamed Hatimy: Mimi nasema anaweza kwenda kuangalia aende athibitishe, achunguze kufahamu maneno ninayosema sikusema kwa ubaya na kama nimekosea Nyumba...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): You said kuchunguza...

[Interruption]

Hon. Mohamed Hatimy: Kuchunguza ni kuangalia pengine kama kuchunguza nimekosea basi kuangalia athibitishe maneno ninayoyasema. Mheshimiwa Spika ni jambo la kusikitisha sana kuwa sisi tunachukua hili Jumba kama ambaye ni baraza; kuna sheria hufuatwa ndani ya hili Jumba kwa hivyo yangu ni kuambia Waheshimiwa kuwa tuwe tunafuata sheria ndani ya hii Nyumba.

Pili Mheshimiwa Spika ni kutaka kuwashukuru Wanachama wale ambao wamezungumza na wanaleta suluhisho na sio tu kulalamika na hawaleti suluhisho; nafikiri itakuwa si sasawa unakuwa unakosa na useme suluhisho lake sisi kama Kamati tumekaa na tukaangalia na kama unavyojua Mheshimiwa Spika ilikuwa wasaa wa watu kuleta maoni yao ilikuwa imekwisha lakini kama Kamati tulikaa tukaongeza muda kwa sababu ya mambo ya COVID yalikuweco na shida zilizoko watu wa *Civil Society* wote waliungana na wakatuomba tuongeze na sisi tukaongeza na wakaleta maoni yao na tukaangalia maoni yote ya watu walioleta.

Kwa hivyo wale ambao watasoma hii ripoti kwa njia ya ukweli na sawa sawa bila ya kuwa na duku duku lolote ataona kuwa hatutegemei mahala popote tumesema maneno ya kweli kabisa hatukuficha neno hata moja. Kamati zimekuja kutetea bajeti na sisi tukawaambia kama mwenzangu Mheshimiwa Abrari amezungumza habari za miradi ambayo haijaanza na sisi nafikiri jana tumeyazungumza ya kusema hakuna mradi wowote mpya utakaofanywa kwenye Idara ile ama Wodi zile iko kabla haijamalizwa ile ya zamani.

Kwa hivyo na sisi kama Kamati, kwa niaba ya Kamati ya Fedha tutawahakikishia kwamba jambo hilo limefanyika na kuzunguka pia tutazunguka Mheshimiwa wa Kongowea ni kuwa sisi twataka ionekane kuwa kweli na haki Kaunti si kampuni ya baba yetu sisi wala si kampuni zetu sisi lakini twataka watu wapate haki zao na sisi kama vile wanavyosema watu wamekula kiapo hata sisi tumekula kiapo tutatumikia watu wa Mombasa kwa njia ile ambayo inatafikana bila ya kumbagua mtu yeyote na haki imetendeka.

Mheshimiwa Spika nachukua fursa hii kwa kushukuru Wanachama kwa mchango wao; wamezungumza vizuri na kusema kuwa twaomba tuendele tuipitishe hii kusudi Kaunti ipate kuendelea na kazi. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Now Hon. Members I put a question that the Motion by Hon. Mohamed Hatimy on the report of adoption on the Mombasa County Programme Based Budget Estimates for the Financial Year 2020/2021 as amended be approved in this Honourable House?

[Question put and agreed to]

Yes Clerk?

ADJOURNMENT

Hon. Members the House stands adjourned until Tuesday 30th June, 2020 at 2:30p.m.

The House rose at 1:15p.m.