

**MOMBASA COUNTY ASSEMBLY****HANSARD REPORT**Thursday, 10<sup>th</sup> November, 2016

The House met at 2.39pm.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****Deputy Speaker** (Hon. Mswabah Rashid): Members you can have your seats, yes Clerk.**STATEMENT**

Jimmy Odari, Hon Jimmy Odari?

*(Silence)*

Yes Clerk?

**STATEMENT**

Hon Jimmy Odari?

*(Silence)*

Yes Clerk. Yes Hon Ibrahim Kondo? Statement, you have a statement?

*(Nods)*

Yes Clerk.

**MOTION**

Yes Hon Mary Akinyi, Hon Mary Akinyi.

**Hon. (Ms) Akinyi:** Thank you Mr Speaker Sir.**Deputy Speaker** (Hon. Mswabah Rashid): Statement, where were you? You have a statement, you have been sleeping or resting your mind? Ok can we hear Hon Boma?**Hon. Boma:** Ahsante sana Mheshimiwa Spika, mimi nikiwa kama Mwenyekiti mdogo wa Kamati ya ardhi na nyumba, kuna kile kisa ambacho kilitokea kati ya askari wetu na ukuta ambao ulijengwa katika wodi ya Kongowea.

Kisa hiki kilitokea kiasi cha kuwa baadhi ya watu wetu waliweza kutolewa bunduki na afisa mmoja wa polisi kutoka Nyali, ukuta huu uliojengwa kwa njia ambayo si ya halali na tungeomba Bunge hili lichunguze kama ukuta huu ama ardhi hii ukuta ulijengwa kukiwa na stakabadhi ambazo ni halali ama si halali na kama si za halali tusukume swala hili kwa vyombo husika kwa sababu kaunti yetu imekuwa na kashfa kuhusu jambo la ardhi mpaka ikapelekwa kortini.

Naomba kama kutakua kumepatikana udanganyifu lisukumwe kwa kitengo cha *anti corruption*. Ahsante sana Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Fadhili Makarani.**Hon. Mwalimu:** Ahsante sana Mheshimiwa Spika kwa ruhusa yako ulionipatia nashukuru.

Mheshimiwa Spika kusema kweli jambo aliloliangazia ndugu yetu, Mheshimiwa Mwenyekiti mdogo Kamati ya ardhi ni jambo la kusikitisha, na kama hatutasimama kutetea haki za wananchi wetu, haki za walala hoi tutakua tunakiuka majukumu yetu na alivyozungumza Mwenyekiti mdogo inaonyesha wazi kwamba mahali pale palikuwa panaibwa ama palikuwa pana nia ya kuibwa.

Mheshimiwa Spika kama ilikuwa imefika mpaka ukuta unajengwa mimi ningetaka pia Kamati hii, ije itwambie pahali pale kama palikuwa panalipiwa ada za kila mwezi ambazo serikali ya Kaunti ilikuwa inastahili kupata.

Kama ilikuwa ikipokea pia ilikuwa ikilipwa kinyume cha sheria; Mheshimiwa ikiwa mahali ni pahali kwa wananchi ama watoto kucheza na kujivinjari Mheshimiwa Spika itakuwa inasikitisha ikiwa tunaruhusu sehemu kama zile pia lazima sheria ifuate mkondo wake ikiwa tunaona haki ya mwananchi inakiukwa ama mwananchi ananyimwa haki yake halafu walinda usalama wanashika doria kuhakikisha haki ya mwananchi yule imepotezwa.

Mheshimiwa Spika ni jambo la kusikitisha na tunaomba kama ilivyo ndani ya katiba yetu hii ni Nyumba ya sheria hii ni sawa na ilivyo korti kuu hapa tunaweza kutoa mwelekeo wa hata mtu kupelekwa kortini.

Mheshimiwa Spika tunaomba hata sisi pia kama Wabunge tuweze kukabiliwa stakabadhi ambazo zinaonyesha umiliki wa sehemu ile ili tuweze kuangalia kwa kina na tuhakikishe pahali pale pa wananchi hapadhulumiwi. Ahsante Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Ndanda Chiro.

**Hon. Mohamed Ndanda:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika japo kuwa umetoa ruhusa ya watu waweze kuzungumzia jambo hili lakini lina umuhimu pia sisi kama wawakilishi wa wananchi na watu wa Mombasa kuweza kutoa sauti zetu na cheche zetu za maneno kwa sababu jambo hili utapata ya kwamba huu mtindo wa kuiba mashamba umekuwa ni mtindo mbaya sana umeingia mpaka kwa sisi viongozi.

Ukiangalia katika wakati mwingine tulikuwa tukilalama kule Dunga Unuse kulikuwa na kitendo kama hiki, leo kimekuja mpaka usoni mwetu ya kuwa ardhi inayosemekana ilikuwa ya serikali imeweza kunyakuliwa na vituko kuendelea.

Zaidi ya hayo tunaelezwa katika habari ambazo hatuja thibitishiwa ya kuwa pia yale makaratasi hayakuwa halali.

Mheshimiwa Spika tunaomba jambo hili lisiachike katikati, jambo hili tume itengenezwe, mimi ombi langu ni kwamba Bunge hili lote liweze kugharamiwa liweze kwenda mahali pale, ili pia wananchi waone ya kwamba tunawahudumia ili sisi tujitenge na ule uovu ambao unafanyika.

Mheshimiwa Spika kama jambo kama hili tutaliachilia basi mabwenyenye wengi watazidi kudhulumu wale watu wetu, kama vile unavyosikia mara watu wanataka kuuza shamba hii wakijidai shamba ni lao na wengine ni mabwenyenye tu wa kawaida Mheshimiwa Spika. Ahsante.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Mheshimiwa Fatma Kushe.

**Hon (Ms) Fatma Swaleh:** Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Kwa kusema kweli kabisa kitendo kilichotendeka juzi ni kitendo cha aibu sana.

Kuna baadhi ya waheshimiwa waliochaguliwa kuja katika hili Jumba, lakini walichaguliwa kimakosa, manaaiki ikiwa wewe ni Mheshimiwa kisha unaenda kudhulumu watu waliokuchagua hilo ni jambo la kusikitisha sana.

Ikiwa tutadhulumu watu wa nje waliopiga kura na hao ndio waliokupigia kura ukaja ukawa Mheshimiwa leo hii hao hao watu unaeanda kuwaibia Mheshimiwa spika.

Hilo jambo alilofanya Mheshimiwa mwenzetu ni jambo la aibu; jambo la kusikitisha na hiyo tabia lazima ikome, na tumenyamaza sana Mheshimiwa Spika manake sasa huyo aliyefanya kitendo hicho ni ugonjwa ama ni maradhi maanake mimi nitasema ni maradhi alio nayo.

Maana kulikuwa na tetesi za *sticker*, mara gari la mzungu mara sasa imefikia mashamba ambayo ni ya kaunti Mheshimiwa Spika.

Mimi Naomba Bunge hili liweze kufuata taratibu na ikiwa amepatikana na hatia ningeomba sheria iweze kufuatwa. Ahsante sana Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Mheshimiwa Lucy Chizi Chireri.

**Hon (Ms) Chireri:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika kwanza ningependa kumlaani aliyefanya kitendo hiki...

*(Applause)*

Mheshimiwa Spika kitendo kilichofanyika si kizuri sisi tulichaguliwa kama viongozi kwa kuongoza wale walioko chini mashinani.

Mheshimiwa huyu aliyefanya kitendo hiki cha aibu kama ameshindwa na kuongoza akae chini watu wachague kiongozi aje awaongoze.

Mheshimiwa Spika hii ni aibu, aibu, aibu kiongozi huyu ametuvua nguo sisi waheshimiwa wote...

*(Applause)*

Maana kwa wote Mheshimiwa Spika tukaanze...

*(Interruption)*

**Deputy Speaker (Hon. Mswabah Rashid):** Yes Mheshimiwa Fadhili what is it?

**Hon Mwalimu:** Point of order. Ahsante Mheshimiwa Spika. Mheshimiwa Spika ninaona waheshimiwa wenzangu wanaenda wakitaja mtu kimaumbo na hii ni Nyumba ya sheria.

Mheshimiwa Spika kama kuna stakabadhi ambazo zinawafanya mpaka Waheshimiwa waweze kutaja Mheshimiwa fulani, tafadhali ziwekwe maana hii ni Nyumba ya sheria.

*(Applause)*

Mimi nimezungumza nikasema ni jambo la kusikitisha Mheshimiwa Spika lakini wengine wanaenda kutaja, ikiwa kuna stakabadhi wenzangu wanazo wazionyeshe au wazi *table mbele* ya Bunge ili tujue.

Hii ni Nyumba ya sheria tusienda na ati tusiende na nimesikia Mheshimiwa Spika, tuhakikishe ndani ya Nyumba hii ndipo kamati husika itaweza kufuata jambo kama lile ama tuilazimishe idara au wizara ya ardhi iweze tukabidhi na stakabadhi zozote zile ili Bunge lichukue mkondo wake.

Ahsante Mheshimiwa Spika nilikuwa najaribu kuwaeleza wenzangu tushike mkondo gani.

**Deputy Speaker (Hon. Mswabah Rashid):** Mheshimiwa Lucy Chizi Chireri.

**Hon (Ms) Chireri:** Ahsante sana Mheshimiwa Spika ningependa kueleza Nyumba hii, taarifa iliyoletwa si taarifa ya kuwa ni ya..., ni jambo ambalo lina ukweli, kama lingekuwa halina ukweli lisingeletwa hapa mbele ya Bunge.

Mtu wetu ashikwe, ardhi ya umma inyakuliwe na mtu binafsi, haiwezekani Mheshimiwa Spika, uchunguzi ufanywe naona baada ya hapa tukishazungumza uchunguzi utafanywa na mwenye hatia atahukumiwa kulingana na makosa yake na hii taarifa imeletwa ina uchungu na ule uchungu ninaozungumzia hatuwezi kudhalilishwa na mtu moja akawa yeye ndio kichwa, akawe kichwa kinono lakini akili ikawa hakuna haiwezekani...

*(Applause)*

Kwa hivyo ni lazima tuzungumze na uchunguzi ufanywe, hatuwezi kudhalilishwa Mheshimiwa Spika, sisi tumetumwa na wananchi tufanye kazi mwananchi anatutegemea sisi kwa hivyo ukweli ujulikane, na ukweli ukijulikana ambaye amefanya makosa haya aende nyumbani alale kuje mtu mwengine aje afanye kazi. Ahsante sana.

**Deputy Speaker (Hon. Mswabah Rashid):** Amur Murfad.

**Hon Amur:** Mheshimiwa mimi nasimama kwa masikitiko makubwa sana kama MCA.

Kile kitendo kilichotendeka pale si cha MCA mmoja ni jina la MCA wa Mombasa kwamba nia na malengo yetu badili ya kuwakilisha wananchi twaja hapa kuiba ardhi za wananchi.

Ile ni aibu ya Mombasa na MCAs wote na kama sisi hatutalaani kitendo kile inamaanisha sisi tuko pamoja na Mheshimiwa yule kile kitendo kilichofanywa kimeabisha Mombasa kaunti, imeabisha Bunge la Mombasa na ikiwa hatutakilaani kwa kuogopana yakuwa sisi ni waheshimiwa basi kesho kutaibiwa na chengine na chengine na chengine.

Mheshimiwa imefika wakati sheria ichukue mkondo wake, si eti sheria ya Mombasa kaunti peke yake sisi tumefanya ya Mombasa kaunti na tayari tumepata ushahidi uko na tutau *table* saa hii Mheshimiwa kwamba stakabadhi zile ni za uongo na bwana yule alitumia uongo.

Tunacho kilaani sisi ni kwamba majina yetu kama ma MCA wa Mombasa kule nje...

*(Interruption)*

**Hon Mwalimu:** Point of order Mr. Speaker!

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Mheshimiwa Fadhili.

**Hon Mwalimu:** Bwana Spika Mheshimiwa anayeongea kama ako nazo stakabadhi atupatie lakini mambo ya kusema tutapeana sasa hivi Mheshimiwa Spika na anaendelea kuongea anamaliza.

Mheshimiwa Spika atupe ukweli wa maneno hii ni Nyumba ya sheria Mheshimiwa Spika, ahsante.

**Hon Amur:** Nafikiri Mheshimiwa alikuwa na harara sana singeweza kusimama na kusema nita *table* stakabadhi hizi mimi sijafanya wazimu.

Mheshimiwa Spika mimi ninachokisema kuwa ni *dignity* ya ofisi ya *Assembly has been put into a question by one Member and if we allow it Mr. Speaker the integrity of this Assembly will be put in dirt and in shame, then we are not supposed to be here.*

*Mr. Speaker I wish to table the documents that are confirming that that piece of land was not officially allocated to this person or our brother Hon Jabess but he stole it and we have confirmation from the land department.*

*Mr. Speaker the respect of this House if we do not take necessary action then the Assembly will not be respected outside by our people who elected us. It is high time Mr. Speaker kila mmoja abebe mzigo wake mwenyewe*

*(Applause)*

Tunasema kila mtu atabeba mzigo wake mwenyewe lakini jina la Bunge la Mombasa lisiwe litatumika na makosa ya mtu mmoja, akikosa mtu mmoja iwe ni Jabess ndio mtu mmoja sio Bunge au MCA wa Mombasa kaunti, itumike kama Jabess Odour, ahsante Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Muriuki.

**Hon Siminyu:** Thank you Mr. Speaker for giving me this opportunity. Mr. Speaker the other time I was watching TV I was shocked, very shocked! Our county officials are being harassed in that manner by the... of the national government and I was thinking to myself what is happening, what powers does this other Member have?

Mr. Speaker the power that was shown on that day it seems there are a lot of people behind this scam, there are a lot of people who have an interest on that parcel of land. Mr. Speaker how can a government official doing a government business instead of protecting government property and the property of Mombasa people from being grabbed is being arrested like a common criminal.

It is sad to hear and watch such a thing unveil in our TVs; the governments should respect each other, we have 47 governments and the 48<sup>th</sup> government which is the national government should respect the county governments.

There are systems of investigating matters and not arresting officials Mr. Speaker, today we have discovered as a County Assembly fake documents were presented in a Honorable court; that means a forged court order was used to arrest county officials trying to stop land grabbing.

Mr. Speaker as Hon Members; even of the County Assembly, even of the Mombasa County Government was treated and the same police who acted swiftly because this is an act of forgery.

Mr. Speaker we have to investigate this matter and make necessary arrangements so that the person responsible for forgery being arrested so that the people of Mombasa can see the County Government of Mombasa is working day and night.

I am condemning such an activity from continuing because we have so many lands which keep on being grabbed Mr. Speaker; in Tudor there are several the other day a person was charged because of a grabbed land in Mombasa County, Tudor Beach Mr. Speaker we have to act on this matter, we have to let a committee investigate on this matter.

I urge this House Mr. Speaker to stand firm to protect the land of our people because they are a lot of social injustices that have been metted to our people of Mombasa and we as County Assembly we should not allow this activity of land grabbing to continue at this era so the Anti corruption Commission should act fast as they acted last time with the false information of the Coca Cola then I want to see them acting fast...

(Applause)

...and action to be taken Mr. Speaker Sir. Thank you Mr. Speaker Sir.

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

**Hon. Mohamed Hatimy:** Mheshimiwa Spika nafikiri Wanachama wameongea itakuwa ni makosa chini ya *Standing Order* kungea yale ambayo yashaongelelewa lakini nafikiri juzi mbele ya *Anti corruption* tulikuja tukasaini *code of conduct* tukiangalia kifungu cha sita cha Katiba inaongea kuhusu mambo ya *leadership and integrity*.

Nafikiri Mheshimiwa Spika imefika wakati wa huyu aliyefanya kitendo hichi kuangaliwa *conduct* yake na mimi naomba kupitia kwa kiti chako iweze kutoa uamuzi iweze kueleza kuwa *Anti corruption* ifanye kazi yake kwani nafikiri haya mambo yaliyofanyika ni stakabadhi ama zilioko mbele yetu sisi hiyo ilikuwa ni mipango ya Kaunti kwani hakuna mahali kokote Kaunti itaweza kwenda kujenga bila ya serikali ya Kaunti.

Na pia stakabadhi zile tuko nazo lakini kungoja kitengo cha ardhi kuangalia itakuaje lakini sisi tunazungumzia hii stakabadhi yetu ya mipango inapitishwa na sisi kuwa stakabadhi hizi kadha wa kadha ambazo zote ni za uongo na pia ni stakabadhi za uongo ndio zilizotumika kwenda kupata *court order* ambayo *court order* ile ilitolewa kwa njia ya stakabadhi za uongo.

Kwa hiyo Mheshimiwa Spika naomba kwa kauli moja kwani wengine wamezungumza kwa kusema kuwa Waswahili walisema samaki mmoja akioza basi wote wameoza lakini sisi hiyo hatukubali sisi tuko na heshima zetu, tuko na majina yetu ambayo yako safi ni watu tu kujaribu kutupaka tope kuonekana kuwa sisi sote ni wafisadi, si sote ambao tuko wafisadi Mheshimiwa Spika.

Kwa hivyo naomba utoe uamuzi wako ambayo ni uamuzi wa kuthibitisha kusema iende *Anti corruption* ikajadiliwe ama iangaliwe ili ule ukweli upate kuonekana kwani Mheshimiwa Spika nafikiri ukiangalia kwenye gazeti la leo....

(Interruption)

**Hon. Mwalimu:** Point of order.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Fadhili.



**Hon. Mwalimu:** Mheshimiwa Spika Nyumba yetu ni Nyumba ambayo kunanakiliwa kila kitu ambacho tunazungumza. Mheshimiwa Spika sisi tumeona stakabadhi zikipeanwa hatujui ni *order paper* umepewa ama nini?

Mheshimiwa Spika tujue tu ni stakabadhi fulani na fulani ambazo umepokea Mheshimiwa Spika kwa sababu....

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): Your time is done Hon Fadhili because you are contributing and wait for the others to contribute...

*(Applause)*

Yes Hon Hatimy you can continue.

**Hon. Mohamed Hatimy:** Mheshimiwa Spika Mheshimiwa Asha Hussein (*Ashu*) ananisumbua...

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): Mheshimiwa Asha Hussein (*Ashu*) stop disturbing Hon Hatimy, yes continue.

**Hon. Mohamed Hatimy:** Mheshimiwa Spika nafikiri kuna sheria na kusema kuwa twataka jambo hili lionekane lisiwe kuwa polisi wanakuja kutushika sisi tu kutupeleka *Anti corruption*, hata sisi wenyewe pia tunataka tuonekane kuwa ji hatari pia sisi twapeleka watu *Anti corruption*...

*(Applause)*

Kwa hivyo Mheshimiwa Spika naomba Nyumba hii kwa kauli moja ipitishe kwa kusema kuwa jambo hili lipelekwe *Anti corruption* iangaliwe na kama kuna kosa ni mtu apelekwe kortini moja kwa moja Mheshimiwa Spika. Ahsante sana Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Zainab Said Ali (*Darwesh*).

**Hon. (Ms.) Zainab Said:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi nilikuwa nataka kusema ikiwa makaratasi yako ipelekwe moja kwa moja mpaka *Anti corruption* na kama haitapelekwa tutafanya maandamano...

*(Laughter and Applause)*

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Members. Members this is a serious matter and it has to have some serious concerns.

In front of me I have some papers or documents but these documents are photocopies so I think these photocopied papers should go to the Committee of Lands because they don't come from the Committee of Lands.

So the Chairman of Lands or Vice Chair I think your case has been cemented with these documents which unfortunately these are the photocopies, so I order you to take these documents to go and look if they are authentic or if they are true certified copies and then you take the matter to your committee or further investigation and further move if they are true you can proceed to Anti corruption but first of all the documents should be checked if they are authentic or not and if they are true you take the matter further.

Thank you. Yes Hon Hatimy

**Hon. Mohamed Hatimy:** Thank you Mr. Speaker Sir I think you have gone through the documents and the documents are from the court, so we cannot give fake documents.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes but they have to be certified so the Committee can take it for further investigations....

*(Interruption)*

**Hon. Mwalimu:** Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Fadhili what is it?

**Hon. Mwalimu:** Mheshimiwa Spika nafikiri nilisema utujulishe ni stakabadhi gani?

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): Okay there's a letter from the County Government of Mombasa, Department of Lands, Planning and Housing and there is a letter City Council of Mombasa...

*(Deputy Speaker (Hon. Mswabah Rashid) read the letter)*

Thank you, yes Clerk.

### MOTION

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Mheshimiwa Mary Akinyi.

**Hon (Ms.) Akinyi:** Thank you Mr. Speaker Sir, on behalf of the mover of the Motion I wish to second the Motion.

*(Hon (Ms) Akinyi read Motion)*

I beg to move the following Motion on site visit.

*Mr. Speaker Sir,*

*THAT AWARE that development projects are important for the welfare and well-being of the citizens of the county government;*

*FURTHER AWARE that the County government has ongoing development projects whose status of completion is unclear;*

*CONCERNED THAT there may be laxity and problems in completing development projects by contractors which may affect service delivery to citizens;*

*Mr Speaker Sir,*

*I therefore urge the County Assembly to RESOLVE THAT, all County Assembly Sectoral Committees to conduct site visits to development projects falling under their Committee mandates and table status reports in the next 21 days.*

*(End of Motion)*

Thank you Mr. Speaker Sir and I ask Hon Ibrahim Kondo to second the Motion.

*(Hon Ibrahim Kondo bowed)*

*(Question proposed)*

**Deputy Speaker** (Hon. Mswabah Rashid): Thank you Hon Ibrahim for seconding I now propose the question that sectoral Committees to check the status of development projects.

**Hon. (Ms) Akinyi:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika kama tujuavyo kuwa katika serikali yetu ya Kaunti tumefanya miradi mingi sana hasa katika Wodi zetu na hiyo miradi katika wodi zetu wale Wabunge pia wamefanya miradi yao.

Hivyo basi Mheshimiwa Spika ningeomba Bunge hili kupitia zile Kamati za kila kitengo ziende mashinani zitutafautishie ile miradi ambayo imefanywa na serikali ya Kaunti na serikali kuu ili kusitokee tetesi.

Kwa sababu wakati mwingine utapata kuwa Wabunge wanasema ni miradi yao na serikali ya Kaunti pia wanasema ni yao, ili tutakapo letewa hio ripoti hapa Bunge tuweze kuwaambia wananchi kuwa miradi hii ni serikali ya Kaunti imefanya ama miradi hii imefanywa na Wabunge. Ahsante sana Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Kizito Opeya Okoth.

**Hon. Opeya:** Thank you Mr Speaker; first of all it should be clear ...*(Inaudible)* ...about the projects they should not be mixed up anyway, before these Committees go to do the site visit it will be in order for this House to get a response on the ongoing projects because ...*(Inaudible)* ...so that we can get exactly which ...they are going because ...we will just spend the whole day going round ....*(Inaudible)*....Thank you.

**Deputy Speaker** (Hon. Mswabah Rashid): Thank you, Hon Mary Akinyi.

**Hon. (Ms) Akinyi:** Mr Speaker Sir, I just wanted to know whether he is supporting the Motion because he has not told us whether he is supporting the Motion or not.

**Deputy Speaker** (Hon. Mswabah Rashid): Hon Opeya I think that is the duty of the Committee Chairman so I think each Committee can go to various departments to seek that information so that they can go from there on, that is a starting point. Yes Hon Ibrahim Kondo?

**Hon. Ibrahim Kondo:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nimesimama ndani ya Nyumba hii kuunga mkono mswada huu ambao ni mswada utakao tuwezesha kwa kipindi kilicho bakia kuonyesha wananchi kazi tulioifanya kwa muda wa miaka minne.

Mheshimiwa Spika itakua ni jambo zuri wizara pamoja na Kamati ambazo zinahusika na maswala haya kushughulikia miradi ambapo baadhi ya miradi wiki iliopita tuliongelea baadhi ya miradi haijakamilika na mingine iko katika hali ambayo hairidhishi.

Kwa hivyo Mheshimiwa Spika kupitia kwa kiti chako hili jambo ni muhimu na sisi kama viongozi tunavyokwenda kule jua linatuchoma Mombasa hata wewe unaliona ule mfuko wa hazina usukumwe kwa haraka ili wiki ijayo watakao toka kuingia katika wodi zetu pia nao mfuko wao uwe sawasawa. Ahsante Mheshimiwa Spika.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Boma.

**Hon Boma:** Ahsante sana Mheshimiwa Spika kwa kunipa nafasi hii. Mimi pia naunga mkono mswada huu wa Kamati za *Sectoral* ziwe zinazunguka kwa ile miradi yote ambayo ilifanywa na serikali ya Kaunti kujua hatma ya miradi ile ambayo imefika.

Kama tunavyojua kipindi chetu kiko karibu kuisha na wananchi watataka kujua ile kazi ambayo tumefanya, wengi wao wanajua kazi tunazozifanya lakini kuna wale ambao bado nusu ni vipofu nusu wanaona, wanasema serikali ya Kaunti ya Mombasa haijafanya kitu lakini wakati tutatembelea tutajua ni miradi gani haijamalizika na kutakuwa na sababu gani ambazo...

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Amur?

**Hon. Amur:** I believe this is not a sleeping hall Mr Speaker Sir, Hon Makarani is sleeping in this Assembly...

*(Laughter)*

**Deputy Speaker** (Hon. Mswabah Rashid): Hon Fadhili Makarani, are you okay?!

**Hon Mwalimu:** Mr Speaker Sir have ever seen a Hon Member sleeping in an Assembly, I was just thinking.

**Deputy Speaker** (Hon. Mswabah Rashid): You are in a deep thought.

**Hon. Mwalimu:** Mr. Speaker I was in a deep thought of how to oppose this Motion. Mr Speaker the whole Committee going around the County looking for development projects, I am opposing this Motion Mr. Speaker!

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): It is not your turn to speak, somebody told you were sleeping, we just wanted to know if you were asleep or not. Yes Hon continue.



**Hon. Amur:** May I add a word that is proof that the Hon was sleeping because during the proposed and secondment he was asleep Mr. Speaker that shows he was asleep.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Mheshimiwa Boma.

**Hon Boma:** Tukiangalia miradi hii ndio tutajua hatma yake na mahali ambapo imefikia na tutajua changamoto ambazo ziko tukitembea. Ahsante sana Mheshimiwa Spika.

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

**Hon. Siminyu:** Thank you Mr. Speaker for giving me this opportunity to support this Motion. It is important as an Assembly to know, it is part of the mandate of oversight of the Assembly, there are a lot of speculations, when this project is done it will confirm that what Mombasa County is, of which Members of the public should know and the report should be open to the public.

I fully support because it is going to make more awareness to our community and the Assembly.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Amur.

**Hon. Amur:** Mr. Speaker sir i support; it is high time the Mombasa County government does a documentary on TV so that people can see what we have achieved for the last four years, a documentary, be aired on TV so that those who want to see can see, those who don't see can be given spectacles...

*(Applause)*

So it's high time we go into documenting our projects, this is the only way we can show those people what we are doing Mr. Speaker, thank you.

**Deputy Speaker** (Hon. Mswabah Rashid): Mheshimiwa Fadhihi.

**Hon. Mwalimu:** Thank you Mr. Speaker, as i earlier said as per what the Hon Member have laid on the floor of the House we usually have the Annual Development Plan (ADP) which am aware many of the Hon Members who are contributing have not raised their ADPs that have been submitted to this Hon House.

The ADP has all the information that the Hon Members are seeking for, all the developments...

**Hon. Amur:** Mr Speaker it's not about the Hon Members who have been given the documents, it is about the people we are representing in this House to know what we are doing, the Members have gone through, it's not us, we know.

**Hon. Mwalimu:** Mr. Speaker we have to know first we represent the people, the whole people from this County cannot come to this House, that is why we are elected to represent them, if you receive this document it means your people have received it too, during public participation, these documents are being handed to the people for them to see what the County government has done, how can you allow a live coverage Mr. Speaker...

**Hon. Amur:** I said documents can have anything useful so that people can see it is not about reading it is about seeing what they have achieved, the Hon Member is not differentiating the two things, reading and seeing.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Mary.

**Hon. (Ms) Akinyi:** Thank you Mr. Speaker sir, i would like to inform the Hon Member who has been talking to go through the Motion.

*(Interruption)*

**Hon. Mwalimu:** Mr. Speaker i don't want to be informed and it will cost the County millions of money to do a documentary on projects that have been done by the County.

There are some projects that are yet to be completed instead of taking these millions to those projects we are here fighting for live coverage of the projects that have been done.

It is upon the Members to go deep to the ground and tell them....

**Deputy Speaker** (Hon. Mswabah Rashid): Mheshimiwa Muriuki.

**Hon. Siminyu:** There is no prayer which says that ...*(Inaudible)*.

**Hon. Mwalimu:** As per the prayers if there is laxity in the contractors...

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): Hon Boma what is it?

**Hon. Boma:** Ahsante sana Mheshimiwa Spika ningeomba Mheshimiwa Fadhili apelekwe Port Reitz...*(Inaudible)*.

*(Laughter)*

**Hon. Mwalimu:** Thank you Mr. Speaker as we are now trying to...in the process of budgeting for our next financial year I will propose that in every sub county to at least a mental hospital for them because they are seeing it is an advantage for me to have a mental hospital in Port Reitz and yet mental sickness are from others sub counties and Mr. Speaker many are from Likoni.

*(Laughter)*

As in the prayer we have seen that they are saying there is laxity, the Hon Members they know where to bring their concerns, i as PAC Chair let them bring their concerns to me and I will tackle them with immediate effect Mr. Speaker i will go on the ground to supervise and see if whatever they want have been taken care of so with due respect just let the Committee on PAC to take this matter instead of documenting, thank you.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Amur.

**Hon. Amur:** Mr. Speaker my learned friend I don't understand him he doesn't want other Committees to work he wants only PAC to work while do we have Sectoral committees.

The prayer is Sectoral committees in each department to do whatever has been requested it is not about PAC, they should only investigate about money, it's not about doing projects, there are so many reports, the PAC are so many have not been tabled we want to add him other issues, no Mr. speaker.

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon Lucy.

**Hon. (Ms) Chireri:** Ahsante sana Mheshimiwa Spika. Mimi ninaunga mkono hii hoja moja kwa moja. Tunashukuru serikali ya Kaunti imejizatiti kabisa ikishirikiana na miradi hii ni sahihi lakini iko haja ya hizi Kamati kutembelea ile miradi.

Mimi Mheshimiwa Spika nashukuru sana katika wodi ya Mtopanga wodi ile ilikuwa imejaa tope, mvua ikinyesha kuingia barabarani ilikuwa ni kazi kubwa lakini saa hii *cabro* inaingia.

Shida iliyoko Mheshimiwa Spika ni hawa wana kandarasi, *cabro* zimeanza kutoka toka, hujui kama huyu bwana huyo mwana kandarasi alimaliza kazi yake amepewa hizi pesa amemaliza kazi yake ama ni vipi.

Kwa hivyo hizi Kamati zikitembelea kule Mheshimiwa Spika tutaweza kujua kama ni kuregelea kazi zao waweze kuregelea; mfano mwengine ni hospitali, upande wa hospitali namshukuru Gavana wangu ameweza kuleta *level 4 hospitals* lakini hawakumaliza wananchi

walikuwako wana hamu ya kupata huduma pale kama ambavyo walikuwa wameahidi kufikia mwezi wa kumi ile hospitali itakuwa imekamilika lakini mpaka sasa haujamalizika.

Kwa hivyo iko haja na kazi si kuwa haikufanyika, tunashukuru kazi imefanyika na itazidi kufanyika Mheshimiwa Spika, ahsante.

**Deputy Speaker** (Hon. Mswabah Rashid): Priscillah Mumba.

**Hon. (Mrs) Prischillah Mumba:** Ahsante Mheshimiwa Spika kwa kunipa fursa hii nami niweze kuongeza mchango wangu na nikiwa naunga mkono kikamilifu hoja hii ambayo naona iko katika wakati mwafaka ambao unafaa kwa sababu katika kazi ambazo zilianzishwa katika Kaunti yetu ni wakati mwafaka Kamati ziweze kupata fursa ya kuenda kuangalia kwa sababu nafikiri hata sisi wenyewe katika kipindi cha lala salama na watu watakapo ona walioiga kura ni miradi gani ambayo Kaunti iliweza kukamilisha na tuweze kutumia wakati huu kuweza kusongeza pale ambapo kidogo patakapo kuwa pamezembea au kutumia nguvu ya kuweza kurekebisha patakapo kuwa kidogo tunaona pana matatizo.

Kwa sababu tunajua tumepata malalamishi mengi kuwa saa ingine kuna miradi ambayo imekatishwa; kuna kazi nzuri imefanywa na unakuta saa ingine kuna pahali pengine pana tatizo, na tunaona miradi mingi ni miradi mizuri lakini hata wakaazi wengine hata hawajui ni mradi gani ulioletwa na Kaunti, ni mradi gani umeletwa na Bunge, ni mradi gani ulioletwa na watu wengine ambao sitawataja kwa sababu ni watu tofauti tofauti.

Kwa hivyo mimi ningependelea Kamati hizi ziweze kuenda kuangalia miradi yetu na wananchi kuweza kufundishwa kuwa hii ndio miradi ya Kaunti ambayo Kaunti imefanya kwa sababu utakuta hata kwenye hizo *public participation* watu wengi hawaji, watu wengi huwa hawapendi kuja kusikiliza ili ndio waweze kujua kitu gani kinaendelea, sasa tutaona ni wakati mzuri wakizunguka kila wodi wakiangalia na wakuwe na muwakilishi wa ile wodi ili waweze kuangalia ni miradi gani ambayo ilifanywa sisi tuna kadiria wakati tunatoa bajeti yetu na miaka yote tumekuwa tukipata pesa za miradi ili tuweze kujua kweli miradi imekamilika au la.

Kwa hivyo nitakapoonu mtu akipinga, sijui yeye kwake ilikuwa hataki miradi ama hana miradi, ndio maana hataki watu waende huko, kwa hivyo yeye mradi wake alioshika ni mmoja huo wa Port Reitz na ametosheka kwa hivyo hii miradi mengine yeye haitaki...

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Fadhili what is it?

**Hon. Mwalimu:** Mr. Speaker I need your protection.

**Deputy Speaker** (Hon. Mswabah Rashid): That's why I allowed you to speak now.

**Hon. Mwalimu:** Mr. Speaker as you can see the Hon Member she's as if she's not taking my take whatever that I... Mr. Speaker...

**Deputy Speaker** (Hon. Mswabah Rashid): You can speak in Kiswahili.  
laughter

**Hon. Mwalimu:** Mr. Speaker the Hon Member has been composing whatever I talked in this Hon House and she's saying that I am just accepting whatever is in Port Reitz ward, the mental hospital in Port Reitz is not the only development in the County in Port Reitz but I was proposing the issue of Hon Members going around the County televising these developments, it

will be a waste of money something that has not been budgeted for, if the Hon Member is aware of what has been done to their wards...

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): A point of order Hon...

**Hon. Mohamed Hatimy:** I rise under Standing order 50.2 Mr. Speaker, thank you.

**Hon. Mwalimu:** Mr. Speaker before we read the Standing order number 50.2 what am saying is we should stop on wasting money. Mr. Speaker the Hon Member first he doesn't know which Standing order that he wants to...

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): Okay Members, yes.

**Hon. Mohamed Hatimy:** It is section 2.

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): Hon. Fadhili you can seat down we read this Standing order.

**Hon. Mwalimu:** Mr. Speaker I was on the floor.

**Deputy Speaker** (Hon. Mswabah Rashid): No Hon. Fadhili, have you finished, because we are supposed be, I don't get your point we are supposed to be...

**Hon. Mwalimu:** My point Mr. Speaker is for the Hon Members to also see my point because what I was saying is we should not emphasize on wasting public funds, something that is not budgeted for. Mr. Speaker we have Annual Development Plans...

*(Interruption)*

**Deputy Speaker** (Hon. Mswabah Rashid): You are repeating what we said before Hon. Fadhili so please sit down...

*(Interruption)*

Hon. Fadhili please sit down because you are repeating yourself now, yes Hon. Mary what is it, Members Standing order 50. 2, Hon. Mary do you want to reply the Motion?

**Hon. (Ms) Akinyi:** Yes I want to reply.

**Deputy Speaker** (Hon. Mswabah Rashid): Reply and then we go to 50.2.

**Hon. (Ms) Akinyi:** Thank you Mr. Speaker, first and foremost I would like to thank all the Members who have supported this Motion and secondly I would urge you Members to pass

this Motion so that the sectoral Committees can start working immediately, thank you very much Mr. Speaker.

**Deputy Speaker** (Hon. Mswabah Rashid): Thank you Hon. Mary, Members I put a question, I put a question, Members it has been proposed that all County Assembly sectoral committees to conduct site visits to check status of development projects, bring status reports in the next one week.

*(Question put and agreed to)*

*(Applause)*

Yes Clerk.

**ADJOURNMENT**

Members there being no business this House stands adjourned until Tuesday 15<sup>th</sup>.

The House rose at 3:44pm.