



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Wednesday, 17th October, 2018

The House met at 9:33a.m.

(The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair)

PRAYERS

The Speaker (Hon. Khatri): Hon. Members you may be seated. Yes Clerk.

NOTICE OF MOTION

COUNTY TO PUT STRATEGIES TO ADDRESS INCIDENCES OF GENDER BASED VIOLENCE

Yes Hon. Milka Moraa is not around, is there anyone to...

(Consultations)

Yes Hon. Aran?

Hon. Aran: Mr. Speaker Sir I beg to give a notice of the following Motion;

(Hon. Aran moved the Notice of Motion)

THAT AWARE THAT the right and fundamental is well stipulated in part two of Chapter four of the Constitution of Kenya, 2010 which places a significant...

(Interruption)

The Speaker (Hon. Khatri): Yes Hon. Bwire?

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker I remember the other day...

(Interruption)

The Speaker (Hon. Khatri): Are you standing under what...Point of information or?

Hon. Bwire: Yes.

The Speaker (Hon. Khatri): So which Standing order are you standing on?

Hon. Bwire: Point of information Mr. Speaker.

The Speaker (Hon. Khatri): What is the Standing order number point of information?

Hon. Bwire: Mr. Speaker I am standing on a point of information.

The Speaker (Hon. Khatri): Yes.

Hon. Bwire: Mr. Speaker I would just want to inform this House that for a Member to stand in for any Member who is absent he/she ought to have a letter addressed to Speaker stating why she/he is absent and whether a Member who is intending to stand in for that Member is allowed. Thank you.

The Speaker (Hon. Khatri): So you want to enquire if I have that letter or?

Hon. Bwire: Of course Mr. Speaker because it happened to me the other day and I would wish to see the same repeating itself.

The Speaker (Hon. Khatri): Okay yes, Hon. Moses Aran you can continue.

Hon. Aran: Thank you Mr. Speaker.

(Hon. Aran continued)

Mr. Speaker, FURTHER AWARE that the Sustainable Development Goals include a specific target to eliminate all forms of violence against women and girls in the private and public spheres;

CONCERNED THAT, the phenomenon of Gender Based Violence is rampant within our County, and with no specific dedicated body to address the complexities of Gender Based Violence, no safe houses or shelters, no specific budget or basic health care services. This means many victims don't get much needed services;

I therefore URGE this Honorable House to resolve that...

(Interruption)

The Speaker (Hon. Khatri): Yes Hon. Thoya?

Hon. Thoya: Ahsante sana Bwana Spika nafikiri likiwa ni Jumba la sheria ni vizuri sheria iwe itafuatwa na pia Jumba hili lisiwe shamba la wanyama kwamba wengine Waheshimiwa wengine ni bora zaidi ya wengine. Tuliona kwamba Mheshimiwa Bwire alisimama kama hivi hivi na ulikuwa wewe ndio Spika wa siku hiyo na ukasema pasi na barua rasmi kutolewa haiwezi endelea hoja hiyo. Nakuomba tusitengeze kwamba kesho sheria ni hii kesho kutwa kama ni Thoya itabadilika...

(Interruption)

The Speaker (Hon. Khatri): Mheshimiwa Thoya wewe unafanya kazi ofisini kwangu? Wewe una hakika kama hiyo barua haiko kwa ofisi yangu?

Hon. Thoya: Hiyo ndiyo tulikuwako tunataka tujue kama barua imetoka rasmi.

The Speaker (Hon. Khatri): Utajua basi wewe kaa. Endelea Moses.

Hon. Aran: Thank you Mr. Speaker sir for protecting me and for protecting this House.

(Hon. Aran continued)

Mr. Speaker sir therefore I urge this House to RESOLVE that;

1. The County government provide adequate resources and enhance partnerships for comprehensive response to incidences of Gender Based Violence.
2. There is need for our County to have a technical Gender Working Group to address issues concerning Gender Based Violence in our County to do home visiting programs to combat this issue;
3. Gender violence responsive unit at Coast Provincial General Hospital should be open 24/7;
4. The Health Department to have trained nurses who can be on call to carry forensic exams to collect evidence for possible prosecution of the offenders and most importantly Mr. Speaker provide psychological support treatment for possible STIs and refer them to social services to help get resources for continued counselling;
6. The Health Department needs to do collaboration with other more established health facilities within and outside the country for greater achievement.

Thank you Mr. Speaker Sir.

The Speaker (Hon. Khatri): Thank you Hon. Moses Aran, yes Clerk?

MOTION

Yes Hon. Ibrahim Omondi please move the Motion?

Hon. Omondi: Yes Mr. Speaker I would like to move the following Motion;

That this House adopts the report on the vetting of Mr. Anwar Ahmed, a nominee for County Chief Officer for Information Technology laid on the table on Tuesday 16th October, 2018. Thank you.

The Speaker (Hon. Khatri): Hon. Ibrahim who is seconding it?

Hon. Omondi: I would like to request Hon. Mwamwiri MCA for Likoni Ward to second it.

The Speaker (Hon. Khatri): Yes Hon. Mwamwiri?

(Hon. Athman Mwamwiri bowed)

Thank you. Hon. Members I now propose a question that the Motion on adoption of the report on the vetting of Mr. Anwar Ahmed, nominee for County Chief Officer for Information Technology by Hon. Ibrahim Omondi be considered by this Honorable House in the same terms as moved.

(Question proposed)

Yes Hon. Ibrahim Omondi? The floor is open you can debate.

Hon. Omondi: Yes Mr. Speaker sir once again thank you for the opportunity. Mr. Speaker sir first of all I just want to inform the Members where the mandates have come from for us to be mandated to do this particular vetting. Mr. Speaker sir the Committee on Education, Information Technology and Vision 2035 is mandated under Standing Orders 42 (2) and 185 (4) to hold approval hearings and make recommendations to the County Assembly for appointment of Chief officers to the County. Now Mr. Speaker Sir I want also to consider or what we really considered for us to approve or to recommend this particular nominee. Mr. Speaker sir having considered the credentials, suitability, capacity and integrity of the nominee and pursuant to section 9 of the Public Appointments (County Assemblies Approval) Act, 2017 Section 35 (2) of the County Government Act, 2012 and Standing Order 42 and 185 (4), the Committee at its meeting held on 9th October, 2018 at 3:00p.m at the Mombasa County Assembly Buildings at 10:00a.m resolved to recommend that the County Assembly approves the appointment by His Excellency the Governor of Mr. Anwar Ahmed to the position of Chief Officer for Information Technology in the County Government of Mombasa. Mr. Speaker sir indeed we interrogated the nominee and we found out that the nominee had a lot of competence to assume the particular office so the Committee was impressed by the nominee educational achievements and wide experiences serving in various senior positions in the public and private sector. Therefore Mr. Speaker sir I want to request the Members in this particular House to approve this nominee to that particular position. Thank you Mr. Speaker sir.

The Speaker (Hon. Khatri): Thank you Hon. Ibrahim Omondi. Yes Hon. Hamisi Musa Mwidani, do you want to contribute?

Leader of Majority (Hon. Mwidani): Ahsante sana Mheshimiwa Spika kwa kunipatia hii fursa na mimi kuunga mkono hii nafasi ya *Chief Officer for Information Technology*. Bwana Spika ni kama unavyojua saa hii mambo yote yanaenda na mambo ya hali ya teknolojia na tusipokuwa na mtu kama huyu vitu vingi vitakuwa vinakwama na Bwana Spika kama unavyojua lengo letu na Gavana wetu ni kwamba 2035 tuwe tumetimiza mambo mengi sana ambayo yataeleweka na katika kutimiza hayo mambo ni kupitia hiyo hali ya teknolojia. Kwa hivyo mimi ningependa pia Waheshimiwa wenzangu tuweze kuiunga mkono hii hoja kwa sababu ni muhimu sana huyu *Chief Officer* kuwepo, hivyo basi ningependa sana Bwana Spika hoja hii iweze kupita tuweze kupata mafanikio yetu ya 2035. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Yes Hon. Moses Aran?

Hon. Aran: Ahsante sana Mheshimiwa Spika mimi pia nasimama kuunga mkono na vile Kiongozi wa Walio Wengi Bunge wetu amesema kwamba mambo na teknolojia ni kitu muhimu sana kwetu haswa watu wa Kaunti ya Mombasa kwa hiyo mimi naunga mkono na nawasihi Waheshimiwa wenzangu tuiptishe hii hoja ili aanze kazi haraka. Ahsante.

The Speaker (Hon. Khatri): Yes Hon. Fadhili, the Deputy Speaker?

The Deputy Speaker (Hon. Mwalimu): Ahsante Mheshimiwa Spika baada ya kupitia ripoti hii ya Bwana Anwar Ahmed kupitia kwa Kamati husika tumeona kuwa taratibu zifaazo zilifuatwa, tunaona ya kuwa ilitangazwa kwenye jarida la The Star tarehe tatu mwezi wa kumi mwaka wa 2018 na baada ya kutangazwa hakuna ulalamishi wowote ulioletwa kuhusiana na Bwana Anwar Ahmed kutokana na masuala ya ufisadi ama masuala mengine ambayo yanguweza kumnyima Bwana Anwar Ahmed cheo hichi na kulingana na umaarufu wake katika nyanja hii inadhihirisha wazi kuwa anaweza na anaweza kuboresha Kaunti yetu ya Mombasa iweze kusonga mbele. Mheshimiwa Spika twafahamu dunia tulio nayo sasa ni dunia ya mtandao na Kaunti yetu ya Mombasa kwa hakika tumefanya mambo mengi lakini tukienda mitandaoni hatujioni; nina imani kutokana na kazi alizofanya Bwana huyu na umakinifu wake kama walivyotuelezea Kamati nina imani ataweza kuendesha ama kuiinua Kaunti ya Mombasa iweze kuonekana zaidi ya pale ambapo tumefikia na nina imani kama hivi sasa kuanzia leo kama sikukosea kuna kongamano la Skal ambalo liko linaanza ndani ya Mombasa. Mheshimiwa Spika nina imani baadaye baada ya ndugu yetu kama huyu kuanza kazi tutaweza kuuza Kaunti yetu ya Mombasa kupitia mitandaoni katika nchi tofauti tofauti ambazo zitakuwa zinatufuatilia kutokana na kazi zile zetu nzuri ambazo ziko na makazi mazuri ndani ya Mombasa na mauzo mazuri ambayo yatakuwa yanaweza kutembea katika mitandao. Nawasihi na nawaomba ndugu zangu tuunge mkono ripoti hii iliyoletwa na Kamati ya elimu na tuhakikishe ndugu yetu nae ameanza kazi na vilevile tumusukume ili aweze kuinua jina la Mombasa lisonge mbele, ahsante.

The Speaker (Hon. Khatri): Thank you Hon. Fadhili. Yes Hon. Hamida Noor.

Hon. (Ms.) Hamida Noor: Thank you Mr. Speaker sir for giving me this opportunity to look at the credentials of this nominee Anwar Ahmed. By looking at his credentials I can see that he is fit for the job because his IT is very good and this is the kind of person we need to hold such kind of offices so that our County in Mombasa we can go ahead, thank you.

The Speaker (Hon. Khatri): Thank you yes Hon. Ahmed Salama.

Hon. Ahmed Salama: Ahsante Mheshimiwa Spika, nashukuru lakini kwa vile nimeingia sasa hivi ungenipa muda kidogo nikashika yale yanayoendelea kisha niyajibu, ahsante.

The Speaker (Hon. Khatri): Yes Hon. Mwamwiri.

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika, nasimama kuunga mkono ripoti ya Kamati nikitangaza msimamo. Mimi pia ni Mwanakamati katika idara hii na kwetu ni furaha ya kwamba idara yetu imehudumu kwa takriban mwaka mmoja bila kuwa na afisa mkuu katika kitengo hiki cha maswala ya kiteknologia, na tumepitia changamoto nyingi kama Kamati na idara kwa jumla kwa sababu kulikuwa na mkusanyiko wa majukumu ambayo yalisalia kwa afisa mshikilizi.

Lakini kwa kupata afisa muhusika wa kitengo hiki tuna imani na tunaahidi ya kwamba Kamati itawajibika kupitia kwa afisa mkuu na huduma za maswala ya kiteknologia zitapatikana barabara tukijua pia hata katika Bunge letu tuko na changamoto ya maswala ya kiteknologia lakini sasa hivi tungekuwa na afisa mkuu haya yote yatanyoroka. Vile vile Mheshimiwa Spika mbali na vigezo ambavyo anavyo ndugu yetu huyu vilivyomuezesha kufuzu katika nafasi hii mbali pia tunatambua na kuheshimu ile ya kwamba jamii kwa jumla baada ya kuweka matangazo tarehe tatu mwezi wa kumi ya kuulizia kama kuna mtu ana dukuduku kuhusiana na maswala ya viongozi na uwajibikaji na maadili ya ndugu yetu huyu hakuna malalamishi tuliopokea katika jamii na kwetu sisi kama Kamati na Bunge tunaomba tuafikie ya kwamba jamii iliungama ya kwamba ndugu yetu yule anayo tajriba ya kuwa afisa mkuu na sisi tuweze kumuafiki na kumpitisha kisha aweze kuwajibikia majukumu na kusukuma mbele azima ya Mheshimiwa Gavana ya riwaza ya mwaka 2035, ahsante.

The Speaker (Hon. Khatri): Thank you Hon. Mwamwiri. Yes Hon. Mwaka Zahoro.

Hon. (Ms.) Mwaka Zahoro: Ahsante Mheshimiwa Spika kunipa fursa hii, pia mimi ningependa kuunga mkono katika uteuzi wa Anwar Ahmed. Kulingana na tajriba na uzoefu wa kazi zake anaonekana ni mtu ambaye anaweza endesha hii idara kwa hivyo ningependa wenzangu tumuunge mkono Ahmed ili kazi yake iweze kuwa sahihi, vilevile kulingana na Kamati kama wameridhika na kazi yake hivyo basi sioni kama kuna kuwa na pingamizi yoyote yeye kupitishwa na hili Bunge, shukran Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you, Yes Hon. Mwalimu?

Hon. Mgwisho Mwalimu: Ahsante sana Bwana Spika kwa kunipatia nafasi hii nami niweze kuchangia. Nataka kuchukua fursa hii kuwashukuru wanakamati ambao walikaa na kumhoji bwana huyu na pia tumechelewa sana kuwa nae katika shughuli ambazo huyu bwana yuko nazo za *IT*, lakini chelewa lakini ufike. Tunashukuru sana ni muhimu sana kuwa na kitengo hiki cha *IT* katika Bunge letu kwa sababu kama tulivyoona mambo yanavyokwenda kisasa sio kama zamani, hivyo basi sina budi kuunga mkono Kamati iliomhoji huyu bwana na kumuunga mkono huyu Bwana Anwar ili aweze kuanza kazi yake haraka iwezekanavyo. Kwa hivyo mimi ni miongoni mwa wale ambao wanamuunga mkono bwana huyu na naomba Waheshimiwa wenzangu tusichukue muda mrefu kujadili swala hili kwa sababu ni swala ambali liko wazi na ni muhimu tupitische haraka iwezekanavyo, ahsante sana Bwana Spika.

The Speaker (Hon. Khatri): Thank you Hon. Mwalimu. Yes Hon. Kitula you want to contribute?

(Silence)

Thank you, yes Hon. Ibrahim you can reply.

Hon. Omondi: Mr. Speaker sir, I just want to take this humble opportunity to thank all the Members for actually supporting this particular nominee and I am very sure that this nominee will not let us down, particularly the County of Mombasa in this particular Department, I just want to assure the Members. And just to add on that something that was not mentioned which is very important Mr. Speaker this particular Department of Technology is very important also when it comes to paying rates in our County.

You will find that one (*Technical hitch*) Mombasa County the levies are not paid on time therefore coming up with this particular department the people or even the organization will be able to get information at the right time and therefore they will be able to pay their levies at the right time, like for example when you talk about the Mombasa Coast General whereby the patients can be able to pay the bills online and get information at the right time. Thank you very much and May God bless you.

The Speaker (Hon. Khatri): Thank Hon. Ibrahim Omondi. Hon. Members I now put the question that the Motion on adoption of the report on vetting of Mr. Anwar Ahmed nominee for County Chief Officer for Information Technology (IT), by Hon. Ibrahim Omondi be adopted by this House in the same terms as moved?

(Question put and agreed to)

(Applause)

Yes Clerk?

MOTION

Hon. Members, Hon. Mwamwiri please move the Motion.

Hon. Athman Mwamwiri: Thank you Mr. Speaker. Mr. Speaker Sir, I beg to move the following Motion;

THAT AWARE that Mombasa County has been grappling with high rate of unemployment...

(Interruption)

The Speaker (Hon. Khatri): Yes Hon. Fadhili?

The Deputy Speaker (Hon. Mwalimu): Thank you Mr. Speaker. Mr. Speaker the Motion that Hon. Mwamwiri is moving has already been moved in this Honorable House and debated what we are supposed to get from Hon. Mwamwiri were the amendments to this Motion.

The Speaker (Hon. Khatri): Yes Hon. Mwamwiri, I think that is what you are doing?

Hon. Athman Mwamwiri: Yes Mr. Speaker I am moving this Motion with...

(Interruption)

The Speaker (Hon. Khatri): Since Hon. Members had already made their contributions to the Motion, so I will call you to reply to the Motion then, so you can just reply to the Motion then I will put the question.

Hon. Athman Mwamwiri: Ok, thank you Mr. Speaker. I reply to the Motion which was debated last week.

I thank all the Hon. Members for their contributions, there were some suggestions for the amendment which was supposed to be on prayer number one but going through it I did not see any reason to amend that one because the issue here was to adhere to the 30 per cent Procurement Act that is there in the Constitution so it was upon our County government and all the procurement departments to adhere to, to make sure that the 30 per cent is reserved to the youths, women, and People Living with Disabilities (PLWD's) and whoever who was contributing or having some issues with the issue on 30 per cent or I suggest he had some personal interest maybe he is benefiting from those 30 per cent and he is not a youth. So the rest of the Members who had contributed and accepted the issue that we give our priority to the 30 per cent to those who are meant to benefit from it I agree with it and as it is Mr. Speaker I ask this Honorable House to adopt the Motion as it is without putting the prayer which the other Member has suggested on the issue of 30 per cent. So I do not see the reason as to why I should put any amendments to me I leave it as it is and I ask Hon. Members to adopt as it is. Thank you, Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Mwamwiri. Hon. Members I now put the question that the Motion on youths, women and PLWD's empowerment and wealth creation by Hon. Athman Mwamwiri be approved by this House in the same terms as moved?

(Question put and agreed to)

(Applause)

Yes Clerk?

ADJOURNMENT

Hon. Members this House stands adjourned until Wednesday, 17th October, 2018 at 2:30 p.m.

The House rose at 9:58a.m.