



## COUNTY ASSEMBLY OF MOMBASA

### OFFICIAL REPORT

Wednesday, 20<sup>th</sup> March, 2019

The House met at 9:11 a.m.

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

### PRAYERS

**The Deputy Speaker (Hon. Mwalimu):** Have your seats. Yes Clerk?

### STATEMENTS

RESPONSE TO STATEMENT BY CHAIRPERSON EDUCATION HON. OMONDI ON RENOVATION AND SUPPLY OF LEARNING EQUIPMENT/TOOLS IN THE ECDE'S

Yes Hon. Ibrahim Omondi? Any Member from Education Committee? Yes the Vice-Chair Hon. Ali Shariff? Use the microphone, proceed.

**Hon. Ali Shariff:** Thank you Mr. Speaker Sir. I wish to request for more time for the Committee to respond to this Statement on renovation and supply of learning equipment/tools in the ECDEs which was requested by Hon. Raphael Bwire.

Mr. Speaker, the Department of Education, ICT and MV2035 responded to this matter, however the Committee was not satisfied by the response and thus we request for more time for a fact finding exercise through site visits to the ECDEs in question and consultation with our financial experts before meeting with the Department for consultative answers.

Mr. Speaker Sir, we wish to bring to this Honourable House a comprehensive response that will satisfy the cry of the people of Mombasa County.

Thank you Mr. Speaker.

**The Deputy Speaker (Hon. Mwalimu):** So when you say more time what do you actually mean by more time, a weeks' time or a month time?

**Hon. Ali Shariff:** After the sites visit you can give me two weeks' time Mr. Speaker.

**The Deputy Speaker** (Hon. Mwalimu): Two weeks' time okay its noted, yes Hon. Samba?

**Hon. Samba:** Mr. Speaker point to note I think it is high time we take the business of this House very serious and it has been always my plea and my prayers that whenever a Committee has been mandated to bring a response this has been a trend where they ask for more time all the time and while a Member is requesting for a Statement there is specific time that we normally give, they ask for themselves that they be given that duration.

We are setting a very bad precedent in this House that there is no a single day a Committee has been mandated to bring a report and brought a very conclusive, convincing, clear report, until when will all this happen and I will request even if we are going to give them a chance it is either they admit that they have failed or they cannot carry out their mandate well as required. So it is my prayer not only this Committee but the House Committee they are failing us Hon. Speaker, we cannot keep on giving them more time it is as if they do not believe in themselves.

So I would request through the direction that you are going to give that you set a very good example that this should be the last time, if they cannot carry their mandate out there are so many people from various Committees we can even dissolve the whole House Committee so that at least we might come with a very good Committee which will work for people and the interests of the people of Mombasa. Thank you Hon. Speaker.

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

**Hon. Thoya:** Mr. Speaker I appreciate that we are doing a good work and as we are addressing the issue of executive we need to address our House here. I want to bring it to attention that there is total confusion in the Committee of Education, it is just last week when they were supposed to tell us on the status of bursary they articulated that forms are being made or whatsoever just to wake up Monday morning cheques are being issued. I need to ask this Honourable House that are they aware what is happening in that department or they are just there as rubber stamps? So we need to know what is going on in Education, they give us the real facts. Thank you.

**The Deputy Speaker** (Hon. Mwalimu): Thank you Hon. Renson Thoya. Hon. Members from what has been said by the Honourable from Tudor I will call upon the Liaison Committee to sit tomorrow morning and deliberate on that issue so that business shall return as usual in this Honourable House, the Committees to fast-track whatever that has been asked by the Honourable House and the response back to this House within a reasonable time so the Liaison Committee will sit tomorrow morning...

*(Silence)*

So from tomorrow if the Committee fails we will know the route to take but we shall not allow Members to...??? it has been a habit that Members keep on repeating what other Committees are doing; the issue of coming to this House and giving just three lines Statement that we need more time that trend must end...

(Applause)

And Committee Chairs please take note. So Hon. Ali Shariff we have given you the time as you have asked for but please talk to your Committee that this time round we will need the comprehensive report as you have said. Yes Clerk next order?

DILAPIDATED STATE OF THE ROAD FROM BWAGAMOYO TO MAUNGUJA PRIMARY SCHOOL IN  
MWAKIRUNGE WARD

Yes Hon. from Mwakirunge Feddis Mbura, your Statement on status of Bwagamoyo to Maunguja primary School Road.

**Hon. Mbura:** Ahsante sana Mheshimiwa Spika. Ningetaka kumuuliza Mwenyekiti wetu wetu wa Barabara na Miundo Misingi kwamba kuna barabara ya Bwagamoyo mpaka shule ya misingi ya Maunguja; hio barabara kusema kweli ni mbovu, ni mbaya na saa hii twaelekea mfumo wa mvua. Kusema kweli itakuwa ni hasara kwetu ama itakuwa ni aibu kwetu kama Kaunti kwa sababu kuna watu binafsi ambao saa hii wanataka watafute matinga waweze kulima ile barabara.

Kwa hivyo kabla wale wafanyi biashara kufanya hilo zoezi ningeomba tafadhali tuweze kuchukulia kwamba kabla mvua, ile barabara ikaweze kutengenezwa iwekwe *murram* yaani kuwe hata kama na alama kwa sababu najua itakuwa ni wakati wa haraka pengine ama ni ghafla lakini tuonyeshe kwamba kuna jambo limefanyika kwa sababu wakati wa mvua ukifika wa mvua basi hata watoto huwa si rahisi kwenda shule, walimu huwa si rahisi kwenda shule. Kwa hivyo ni ombi kwa Mwenyekiti wetu aweze kufuatilizia aone ni kitu gani itafanyika kabla mvua. Ahsante sana Mheshimiwa Spika.

(Applause)

**The Deputy Speaker** (Hon. Mwalimu): So Hon. Feddis you just want people to show off that there is something done or you want the road to be...

**Hon. Mbura:** Ahsante sana Mheshimiwa Spika. Hiyo ni lugha tu lakini hizi Taarifa nimeleta wakati mwingi sana kwa hio ni lugha tu lakini ningetaka ile barabara itengenezwe iwekwe *murram* ili watu wa Mwakirunge pia waishi kama wenzi wao. Ahsante sana Mheshimiwa Spika.

**The Deputy Speaker** (Hon. Mwalimu): Okay, thank you. The Chair Transport Committee, any response?

**Hon. Mumba:** Ahsante Mheshimiwa Spika. Nimesikia kilio cha Mheshimiwa mwenzangu na nitakwenda kwa *Engineer* mhusika niende nikazungumze naye kwa sababu amesema ni dharura ili tuweze kwenda hapo mashinani kwa haraka iwezekanavyo tukiwa tuko na yeye kama Mwakilishi wa hilo eneo ili ajieleze kinaga ubaga vile anavyotaka ndio sasa *Engineer* atajua vile ataendelea ndio niweze kuleta ripoti katika hii Nyumba yetu.

Ahsante Mheshimiwa Spika.

(Applause)

**The Deputy Speaker** (Hon. Mwalimu): So when do we expect the report back?

**Hon. Mumba:** Ahsante Mheshimiwa Spika. Nafikiri ikiwa leo ni Jumatano pengine kwa sababu leo tuko na vikao viwili na sitoweza kupata nafasi ya kwenda kule pengine nimuone ninaomba Nyumba hii inipe nafasi ya kuwa nitamuona kesho halafu kwa muda wa wiki ijayo tupange siku yeyote ya kwenda. Kwa hivyo haitachukua muda wa kama wiki moja ikiwa tutaleta majibu pengine ni kama Alhamisi wiki inayokuja, niweze kuwa na majibu. Kwa sababu katika wiki katikati siku moja ya wiki ijayo ndio tutaweza kwenda huko ili twende tukaangalie halafu sasa ndio niweze kupewa ripoti ambayo pengine ikiwa nimechelewa sana pengine Alhamisi ya wiki ijayo ndio ninaweza kuileta. Ahsante Mheshimiwa Spika.

(Applause)

**The Deputy Speaker:** Ok noted. Yes Clerk? There is an Hon. Member who is up. Yes Hon. Faith?

**Hon. Mwende:** Mr. Speaker I am standing on Standing Order 41 (2) c.

**The Deputy Speaker** (Hon. Mwalimu): Okay proceed.

**Hon. Mwende:** Mr. Speaker Sir I would like to know from County Assembly Service Board and Committee of Finance when are they planning to pay the Ward office rents and our staff in the *mashinani*? Thank you.

(Applause)

**The Deputy Speaker** (Hon. Mwalimu): Yes any Member from the Service Board, yes Hon. Maimuna any response?

**Hon. Maimuna Salim:** Ahsante sana Mheshimiwa Spika. Nashukuru kwa swali hilo lakini nitasema ya kwamba sisi kama Bodi tulifanya kazi yetu tunajua ya kwamba pesa mpaka zishuke chini ndio watu waweze kulipwa. Kwa hiyo sisi kama Bodi tulipeleka maombi ya pesa haijashukishwa chini na tunajua ya kwamba pesa haijatoka Nairobi. Hilo ndilo jawabu.

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

**Hon. Thoya:** Nafikiri Mheshimiwa Spika Mheshimiwa Faith ametaka kujua kutoka kwa Bodi ya Bunge la Kaunti *Assembly Service Board* ama mtu yoyote kutoka Kamati ya Fedha na jambo hili ni jambo ambalo hata wewe mwenyewe linakuathiri. Tunataka kujua hizi pesa zilikuwa zinatoka mara kwa mara lakini saa hii sijui zinakuja na SGR ama zinakuja na mkokoteni kwa hivyo tunataka tupate habari kamili ikiwa *Service Board* haiwezi kujibu tupate majibu kutoka kwa Kamati ya Fedha.

**The Deputy Speaker** (Hon. Mwalimu): But a Member from the Service Board I think she was clear enough she said they have made a request but the money is yet to be disbursed to the County Assembly of Mombasa. So I do not know which clear information do you want? They are still waiting for information because they have already requested for the money, so I do not know what clear information do you need and the Hon. Member has been clear enough? Yes Hon. Renson?

**Hon. Thoya:** Kitu ambacho ningeweza kufahamisha Mwenyekiti ninajua lakini itakuwa ni vyema tupewe mikakati ya kuwa hizi pesa tunaweza kuzipata. *This thing is biting in the wall*, wale maofisa ambao tumewaandika ni wazazi kama sisi wako na majukumu kama sisi na wakati wowote utasikia ofisi zimefungwa itakuwa ni aibu ilioje? Hiyo ndio tunataka kusema ni mikakati gani inawekwa kuona kwamba tunaweza kuwa tunapata hizi pesa kwa wakati wowote?

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Tobias then I will come back to you Hon...(??).

**Hon. Samba:** Hon. Speaker, County Assembly Service Board serves the interest of the Members of the County Assembly yes whether we go east, west or whether we will wish to dodge but it is their mandate to look upon the interest of the Members of the County Assembly, number one I fail to understand when we are being told that we did this now there is nothing we can do. We expected Members of the Board at list to request for time so that at least where they left from, they can also pick it there.

They should atleast to do a follow up; at least they should show some concern, Hon. Speaker it is very unfair, very unfair! We have people in the offices for a whole month, today is 20<sup>th</sup> we are almost getting into another month! Even before God and man, it is very unfair. These people have their needs to be catered for; they have their rents to pay, they have school fees, they have children to cater for their interests.

It is very unfair and in as much as we are representing our constituents we should also look for our own interest; the County Government Act is very clear that the interest of the Members of the County Assembly will be catered for by the Members of the County Assembly Service Board, and if they have fail Hon. Speaker there is no single favour or a single benefit Members of the County Assembly have benefitted through the County Assembly Service Board...

*(Applause)*

And if there is show me one...

*(Applause)*

Hon. Speaker even loans today up to date we are yet to receive our loans and we were supposed to be given Kshs 5Million now the rumuors in the air is that we will be given...

*(Interruption)*

**The Deputy Speaker** (Hon. Mwalimu): Hon. Samba do not go outside what has been asked.

**Hon. Samba:** Hon. Speaker I am just bitter because the interests of the Honourables are not catered for, if we are fronting for our interests it is selfishness, is it? We are being called names so it is better for the Members of the County Service Board after this sitting they should go and enquire, they should bring us a conclusive, convincing clear report on what Hon. Members have requested for that is my prayer. Thank you Hon. Speaker.

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

**Hon. Mwende:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika naona siku za hizi punde Kaunti ya Mombasa itakuwa kamera zote za runinga zitakuwa zaangalia kule; vyenye tunaongea wakati tukifungua ofisi zetu za Wodi hatukupewa pesa ya *deposit* eti ningesema saa hii nakalia *deposit* na zile ni nyumba za watu za biashara.

Mheshimiwa Spika tukiangalia saa hii tuko tarehe 20 nyumba zafaa kulipwa kufikia tarehe tano ziwe zishalipwa, nitahudumia wananchi wangu vipi? Kama nimefungua ofisi! Mheshimiwa Spika vyenye tunaongea saa hii ofisi ya Kipevu imefungwa kwa hivyo hakuna huduma saa hii wananchi wa Kipevu watafaidika nayo na ni uzembe wa watu wetu ambao wako hapa na hawafuatilii maslahi ya Waheshimiwa...

(Applause)

Nasimama hapa na machungu mengi sana Mheshimiwa Spika kwa sababu sitaki kuwekwa kwa rekodi ya *rubber stamp*; nataka nihudumie wananchi wangu kwa uadilifu vile inavyotakikana. Kwa hivyo maneno ya kuambiwa pesa hakuna sijui zilikuwaje basi hatungekuwa na hizo ofisi kuanzia siku ya kwanza; Mheshimiwa Spika nina machungu mengi, kwa sababu County Assembly Service Board wangekuja waeleze Waheshimiwa ni nini ambayo imetokezea ndio tuweze kueleza wenye nyumba wetu.

Hivyo basi kufikia hapo Mheshimiwa Spika naona uzembe katika County Assembly Service Board na tukiendelea hivi itakuwa vibaya, hivi tunaongea kamera zote ziko katika Bunge la Kaunti ya Mombasa, ziko katika Wodi ya Kipevu hivyo basi hili suala lifuatiliwe haraka iwezekanavyo.

**The Deputy Speaker** (Hon. Mwalimu): Okay thank you. Order! Order! Hon. Maimuna Order! Hon. Members I think the Members have been clear enough, they need as per what Hon. Samba said; they need a conclusive, convenient clear report. Hon. Maimuna you are out of order am on the floor and try to control your emotions this is a House of business lets follow the procedures.

As I said earlier you have already communicated to the House but Hon. Members have asked you to go back to the Service Board and bring back a clear convincing report so it is just a matter of you to accept whatever that you have said but you have to go back to the Service Board and bring back a report and how you are going to tackle the issue of Ward rent in the coming future and that is clear.

Hon. Lucy this is an Assembly so I will not entertain what you are trying to bring to this Honourable House. Yes Clerk?



**The Majority Chief Whip** (Hon. Kitula): Point of order Mr. Speaker.

**The Deputy Speaker** (Hon. Mwalimu): What is your Point of Order?

**The Majority Chief Whip** (Hon. Kitula): Chini ya *Section 12 of the County Government Act* (7) (f) ningependa Jumba hili liweze kufahamu Mheshimiwa Spika si ruhusa kuweza kusoma...

**The Deputy Speaker** (Hon. Mwalimu): Proceed.

**The Majority Chief Whip** (Hon. Kitula): *The County Assembly Service Board is responsible for performing other functions necessary for the well being of the Members and staff of the County Assembly.* Mheshimiwa Spika sisi tuko na wawakilishi wawili katika Bodi ya Bunge la Kaunti, County Assembly Service Board ambaye mmoja wapo ni Mheshimiwa Maimuna na Mheshimiwa Amur wao wako pale kuweza kutetea haki zetu sisi kama MCAs katika Nyumba hii sio mtu mwingine yeyote.

Kwa hivyo inashangaza sana kuona japokuwa hukutoa nafasi kuweza kumuuliza Mheshimiwa Faith kwamba tusitishane, hatutishani Mheshimiwa Spika tungependa kufahamishana kwamba Mheshimiwa Maimuna na Mheshimiwa Amur wao ni watetezi wetu kama Wabunge katika Bunge la Mombasa sasa sisi twataka taarifa kabambe ya kutosha...

*(Applause)*

Kutoka kwao hasa ikiwa leo hatamwambia Mheshimiwa Faith anamtisha nani atatupatia sisi majibu Mheshimiwa Spika. Kwa hivyo hapa hatutishani tunataka tupate taarifa ambayo itaweza kutupatia sisi majibu kamili kwa wafanyi kazi wetu, sasa nani atatupatia sisi majibu kamili manake hatuna uwezo wa kuingia katika mikutano ya Bodi? Japokuwa watu wa kutupatia sisi taarifa ni Mheshimiwa Amur na Mheshimiwa Maimuna lau wangukuwa hawako hapa tungewasubiri ili watupatie majibu kamili, ukiangalia majibu kamili twaweza kupatiwa pesa tumesubiri tushaandika barua pesa tunasubiri, tutaambia wananchi wetu hivyo.

Mheshimiwa Mwenyekiti tunataka mtu ambaye ni mtetezi wetu anayetutetea maslahi yetu katika Nyumba hii Mheshimiwa Mwenyekiti lakini tunapelekana katika hali hii hatuendi sawa lazima ukweli tuweze kuambiana tutendeni haki wafanyi kazi wetu na haki zetu sisi wenyewe Mheshimiwa Mwenyekiti. Ahsante sana.

*(Applause)*

**The Deputy Speaker** (Hon. Mwalimu): Thank you for the information, you have informed the House that one of the mandates of the County Assembly Service Board and I think you were clear enough so it is upon the Service Board to come clear on this on how they are going to tackle this issue in the near future so in a weeks' time we will need the response from the Service Board.

Members of the Service Board have to sit and deliberate on this issue that is why have given a weeks' time if it were not for that I could have just said we needed a response by tomorrow but because they have to sit as a Committee then a weeks' time is enough for them.

Yes Clerk?

**ADJOURNMENT**

Hon. Members the House stands adjourned until today at 2:30p.m.

The House rose at 9:41a.m.