

**MOMBASA COUNTY ASSEMBLY
HANSARD REPORT**

Thursday, 9th November, 2017

The House met at 2:52p.m.

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

PRAYERS

Mr. Speaker (Hon. Khatri): Members you may be seated, yes Clerk?

(Silence)

Hon. Members, I have communication which I take this opportunity to welcome you to this special sitting of the County Assembly. As you are all aware, on the 19th October 2017, we started a short recess which is due to end on 13th November, 2017. We will then commence our normal sittings on Tuesday, 14th November, 2017. Before we proceeded for the short recess, His Excellency the Governor, Hon. Hassan Ali Joho had officially communicated the nomination of 7 CEC Members vide letter dated 22nd September, 2017. I made the communication on the 18th October, 2017 during the 16th sitting to this Hon. Assembly. There was also an official communication of nomination of County Attorney vide a letter dated 14th October, 2017.

Hon. Members, I did commit the notifications to the Committee on Appointments/Rules and Procedures and Committee on Justice and Legal Affairs on the 18th October 2017. The Committees embarked on vetting exercise as required by law. I can report to this County Assembly that the vetting exercise was successfully completed. Due to the statutory timelines of 21 days within which the County Assembly must finalize with the nominees, it was necessary for a special sitting to be convened today.

In accordance with Standing Order 26 of the Standing Orders, today's special sitting is duly convened as it was published in the Kenya Gazette dated the 8th November, vide gazette notice number 10942. I hereby proceed to read the gazette notice.

(Mr. Speaker (Hon. Khatri) read the gazette notice)

Standing Order 26(4) specifies that on the day of the special sitting, the business specified in the notice shall be the only business before the County Assembly. We will therefore only transact business in relation to adoption of Motions on Reports of the 7 nominees for the CEC positions and County Attorney.

Hon. Members, thank you for availing yourself today to transact this important and urgent business that will see the County effectively deliver services to its residents. Thank you. Yes Clerk?

PAPERS

Yes Hon. Aran?

Hon. Oindo: Thank you Mr. Speaker Sir. Mr. Speaker Sir pursuant to Standing order 44 I would love to bring a Notice of Motion to this Hon. House in regards to people's Assembly be formed to discuss and determine the affairs of the County and recommend a pathway towards for the achievement of the promise, aspirations...

(Interruption)

Mr. Speaker (Hon. Khatri): Hon. Aran I think you are out of order.

Hon. Oindo: Objectives rights and freedom as provided by the Constitution of Kenya 2010.

Mr. Speaker (Hon. Khatri): Hon. Aran I think you are out of order, if you read properly Order number 26 subsection 4 you will find and I just read it so I think you are out of order, you

know the procedure of bringing a Motion to the House so you should follow the right procedure. Yes Hon. Bwire.

Hon. Bwire: Thank you Mr. Speaker I just want to second what the Hon. Member Aran has just said; what he is raising is a matter of urgency, even though the law restricts that we should not discuss anything out of the agenda but Mr. Speaker it's a matter of urgency. We had a directive from the party leader; the people's President the right Hon. Prime Minister Raila Amolo Odinga and it was confirmed that the co-Principals of Nasa Coalition just some few days that we the NASA affiliated Counties we should pass this Motion, the people's Assembly so that we give the people chance to discuss the problems. Mr. Speaker the Government we have today is not addressing the people's issues and that's why we have gone out of way. Mr. Speaker I need your attention please....

(Interruption)

Mr. Speaker (Hon. Khatri): Hon. Bwire please again I think I just told you, you guys are Hon. Members you know very well what are the procedures when you want to bring a Motion to the House, you know so you should follow the procedures Hon. Bwire this is not the right procedure you know. I agree with what you are saying but you should follow the right procedure Members and I just read for you just now Standing order number 26 subsection 4 can I read for you again? Let me read for you again I think all of you Members have the Standing order; if you look at Standing order 26 subsection 4 its saying very clear;

(Mr. Speaker (Hon. Khatri) read the Standing Order)

Whenever the County Assembly meets for a Special sitting under paragraph 1, the Speaker shall specify the Business to be transacted on the day or days appointed and the Business so specified shall be the only Business before the County Assembly during the Special sitting, following which the County Assembly shall stand adjourned until the day appointed at the County Assembly calendar. So Members I know what you are trying to say and I can feel what you guys are trying to say but please let's use the right procedure Hon. Members. Yes Hon. Amur?

Hon. Amur: Mr. Speaker Thank you since it's a burning issue the directive that you have given is just to guide the Member so that next week he can bring that Motion maybe he wanted your acceptance so that he can bring next week when we are resuming maybe he needs guidance so that this House can accept his intention of bringing the Motion next week, that is the idea Mr. Speaker.

Mr. Speaker (Hon. Khatri): Thank you Hon. Amur the matter of me accepting or not accepting there is nothing which am going to say that am accepting or not, there are always procedures to follow and I think if we follow the proper procedures why would someone reject something important like that, just follow the proper procedures and then we implement that....

(Applause)

Thank you, Hon. Member's. Yes Hon. Bwire again.

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker I have..., as I have stated earlier the issue is very urgent and through your own wisdom am now appealing to this House we adjourn for five minutes we follow the procedure, let us suspend any Business that we had earlier and discuss people's Assembly today. Thank you, Mr. Speaker.

(Applause)

Mr. Speaker (Hon. Khatri): Thank you for that wise thinking but for now I think I have stated very clearly in my communication that even whatever we are doing is important so for now we are going to continue with what we are supposed to do thank you. Yes Clerk?

PAPERS

Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker Sir I wish to lay on the Table of the County Assembly today 9th October, 2017 the following Papers; *Report of appointment Committee on vetting Mr. Speaker.*

1. Report on vetting of Mr. Tawfiq Balala –Nominee for the position of CEC Member Transport.

2. Report on vetting of Mr. Kevin Munyoki Kyalo - Nominee for the position of CEC Member Youth, Gender and Sports and Cultural Affairs.

3. Report on vetting of Dr. Godfrey Nyongesa Nato – Nominee for the position of CEC Member Environment, Waste Management and Energy.

4. Report on vetting of Mr. Edward Dzilla Nyale – Nominee for the position of CEC Member Lands, Planning and Housing.

5. Report on vetting of Ms. Hazel Koitaba – Nominee for the position of CEC Member Health.

6. Report on Vetting of Ms. Fatma Awale - Nominee for the position of CEC Member Water, Sanitation and Natural Resources.

7. Report on Vetting of Ms. Maryam Abdillahi - Nominee for the position of CEC Member Finance and Economy Planning.

Thank you Mr. Speaker.

(Hon. Mohamed Hatimy laid the Papers)

Mr. Speaker (Hon. Khatri): Thank you Hon. Hatimy. Yes Clerk?

PAPER

Yes Hon. Amriya? Yes Hon. Amriya the Chairperson Committee on Justice and Legal Affairs.

Hon. (Ms.) Amriya Juma: Thank you Mr. Speaker, and with the leave of the County Assembly I wish to lay the Paper on this date Thursday 9th November, 2017; Report of vetting of Mr. Joseph M Mtalaki, Nominee for the position of County Attorney.

Mr. Speaker (Hon. Khatri): Thank you. Yes Clerk?

MOTION

Yes Hon. Hatimy would you please move the Motion?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I request my fellow Member to read the report to move the Motion. Thank you.

Hon. Amur: Thank you Mr. Speaker on behalf of Committee on Appointments/House Rules and Procedures I would like to table a Motion that this County Assembly adopts the Report on Vetting of Mr. Tawfiq Balala –Nominee for the position of CEC Member Transport, Infrastructure and Public Works laid on the table on 9th November, 2017, by Hon. Mohamed Hatimy on behalf of Vice Chair, Hon. Hamisi Mwidani Mr. Speaker. Thank you, Mr. Speaker. Mr. Speaker I request my colleague Hon. Kibwana Swaleh to second before I read the Report Mr. Speaker Sir.

Hon. Kibwana Swaleh: Thank you I do support, I do second.

(Hon. Amur read the vetting report)

Mr. Speaker sir, report on the Nominee for County Executive Committee Member of Transport, Infrastructure and Public works. The Committee consists of the following Members Mr. Speaker sir.

MEMBERS:

1. Hon. Aharub Ebrahim Khatri - Chairperson/Mr. Speaker
2. Hon. Hamisi Mwidani - Vice Chairperson/Leader of Majority
3. Hon. Murfad Amur - Member
4. Hon. Fadhili Mwalimu - Member
5. Hon. Kibwana Swaleh - Member
6. Hon. Mohamed Hatimy - Member
7. Hon. (Ms.) Amriya Juma - Member

COMMITTEE STAFF MEMBERS

- Ms. Dorothy Auma - Director Legislative Procedural and Committee Services
Mr. Abdallah Khamis - Senior Committee Assistant
Ms. Salma Maro - Principal Hansard Editor

Mr. Speaker Sir the Committee met and vetted Hon. Tawfiq Balala, Mr. Speaker sir.
As provided for in Standing Order 185(4) the mandate of the Committee in this regard is to consider, for approval by the County Assembly, appointments under Articles 179(2) (Members of County Executive Committees).

1.0 Introduction

Mr. Speaker Sir, and the Hon. Members of the County Assembly, it is with great pleasure to present the report on the vetting of Nominee for the position of County Executive Committee Member – Transport, Infrastructure and Public Works, Mr. Tawfiq Balala. Mr. Speaker Sir, pursuant to Section 35 of the County Governments Act, His Excellency the Governor nominated Mr. Tawfiq Balala for the position of County Executive Member for Transport, Infrastructure and Public Works in the County government of Mombasa vide a letter addressed to the County Assembly Clerk dated 22nd September, 2017 reference number Msa CG/APP/CECM/1/117.

Mr. Speaker Sir, the notification of nomination was communicated to the Assembly by Hon Speaker on the 18th October, 2017 at 2:30p.m. during the 16th Sitting. The Speaker then committed the notification from His Excellency the Governor to the Committee on Appointments for approval hearing in accordance with section 7(1) of the Public Appointments (County Assemblies Approval) Act 2017 and Standing Orders 42 (2).

Mr. Speaker Sir, in accordance with section 7(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 42(3), the Committee through a press advertisement appearing on Thursday 25th October, 2017 in the Star and Standard Newspapers, the Nominee and the public were informed of the approval hearing and the public was invited to send written memoranda to the Clerk on the suitability of the nominee.

(Interruption)

Mr. Speaker (Hon. Khatri): Yes Hon.?

Hon. Mwamwiri: Mr. Speaker Sir there is a Hon. Member who is chewing.

Mr. Speaker (Hon. Khatri): Thank you Hon. Mwamwiri can you just tell me under which Standing order is that, if you don't mind.

Hon. Mwamwiri: General Standing Order.

Mr. Speaker (Hon. Khatri): Sorry?

(Laughter)

Hon. Mwamwiri: General Standing Order.

Mr. Speaker (Hon. Khatri): What general Standing order? You know when you stand you have to tell me under which Standing order. Thank you, yes Hon. Amur.

(Hon. Amur resumed to read the report)

Thank you Mr. Speaker, in accordance with section seven, Mr. Speaker Sir, in accordance with section 7(2) of the Public Appointments (County Assemblies Approval) Act 2017 and Standing Order 42(3), the Committee through a press advertisement appearing on Thursday 25th October, 2017 in the Star and Standard Newspapers, the Nominee and the public were informed of the approval hearing and the public was invited to send written memoranda to the Clerk on the suitability of the Nominee.

Mr. Speaker sir, the vetting exercise was conducted by the Committee on Thursday 2nd November, 2017 from 9:00a.m at Royal Court Hotel. Mr. Speaker Sir, let me now present the Committee on Appointment report for consideration by the House.

2.0 Observations and Findings

Mr. Speaker sir, the observations and the findings are as follows:

- 2.1 The advertisement which appeared in the aforementioned print media required that any member of the public to submit memoranda on the suitability or otherwise of the Nominee for position of CEC Transport, Infrastructure and Public Works. No memoranda was received by the Clerk for submission to the Committee.
- 2.2 The Nominee Mr. Tawfiq Salim Mohamed Balala, has exemplary educational achievements. He holds a Bachelors of Science from the United States International University. He thus meets the educational threshold as provided in section 35(3) b of the County Government Act. He presented the following certificates/testimonials to the Committee:

Educational Background:

Bsc. (International Business Administration)	United States Intern. Univ., Nairobi
	2009
1.	Diploma (Sales and Marketing)
	KMTC 1993
2.	Braeburn High School
	1986
3.	Upper Hill Sec. School
	1985
4.	Kilimani Primary School
	1977
5.	Mombasa Primary School
	1978
6.	Kilimani Primary School
	1977

Other Courses:

1. Strategic Management and Strategic Planning
2. Drafting of Performance Contract
3. Board Functions
- 2.3 The Nominee has wide knowledge and experience of transport and infrastructure as he has held the portfolio and has exhibited exemplary performance. In his tenure, he has been able to oversee the construction of 50km of roads, installation of 4,000 street lights, building of storm water drainage within the CBD to alleviate flooding during rainy seasons, Cabro paving at Jomo Kenyatta Public Beach amongst other achievements.
- 2.4 The Nominee confirmed that he has not been adversely mentioned in matters of corruption and hence he meets the requirements of Chapter six of the Constitution. He presented a certificate from the Ethics and Anti-Corruption Commission. Other relevant documents submitted are Mr. Speaker;

- Identity Card
- Curriculum Vitae/Personal credentials/Academic certificates
- Compliance Certificate from Kenya Revenue Authority (KRA)
- Clearance Certificate from the Higher Education Loans Board (HELB)
- Certificate of Good Conduct from Criminal Investigation Department (CID)

3.0 Conclusion

The Committee conducted the vetting exercise and was satisfied with the knowledge, experience and capacity of Mr. Tawfiq Salim Mohamed Balala, to handle the position of County Executive Member for Transport, Infrastructure and Public Works in the County government of Mombasa and therefore suitable for appointment to the position. The Committee held a meeting on the 8th November, 2017 and adopted this report.

4.0 Recommendations

Mr. Speaker sir, that this report containing the Committee's observations, findings, conclusions and recommendations on the vetting of Tawfiq Salim Mohamed Balala, Nominee for the position of County Executive Member for Transport, Infrastructure and Public Works in the County government of Mombasa be adopted by this Honorable Assembly.

Mr. Speaker Sir, I beg to move that the Hon. Members of this Assembly do adopt this report. Thank you Mr. Speaker sir.

(Hon. Amur tabled)

Mr. Speaker (Hon. Khatri): Thank you Hon. Amur, Hon. Members I now propose the question, the Motion on adoption of report on the vetting of CEC Transport, Infrastructure and Public Works Nominee Mr. Tawfiq Mohamed Balala be debated?

(Question proposed and agreed to)

...yes Hon. Hatimy.

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I think Balala this is not his first time to be in the docket so I think without any problem I support, thank you.

Mr. Speaker (Hon. Khatri): Thank you. Yes Hon. Member Aran, anything to contribute on that.

Hon. Oindo: Mr. Speaker sir I would also want to second that because Mr. Balala with the vast knowledge he has and having served for the past five years I know this Honorable House knows him well and believes in him and we know he will take the docket that is to be given to another level, so Mr. Speaker sir I do second and support the report.

Mr. Speaker (Hon. Khatri): Thank you. Yes Hon. Abrari.

Hon. Abrari: I support because I know Mr. Balala has been in this field for a very long time and I know him personally and I have worked with him personally and I support him.

Mr. Speaker (Hon. Khatri): Thank you Hon. Abrari. Honorable Members I now call upon the mover who is Hon. Amur to reply.

Hon. Amur: Thank you Mr. Speaker sir. Mr. Speaker sir as the Honorable Members have clearly stated when he came in Mr. Balala this County had only about maybe ten kilometers of roads that were done but in his tenure we have seen over 50 kilometers of road has been done, Cabro paving of the feeder roads has been done. Mr. Speaker all those originated from his vision so I believe if he's given another chance to serve this County Mr. Speaker this County will be heading somewhere to international stadiums maybe. I want to thank Members for contributing and supporting the Committee for adopting the report so that he can officially be sworn in and that Mombasa can start working again thank you, Mr. Speaker.

Mr. Speaker (Hon. Khatri): Thank you Hon. Amur, I now put the question that this house adopts the report on the vetting of CEC Transport; Infrastructure and Public Works Nominee Mr. Tawfiq Mohamed Balala is debated...

(Question put and agreed)

Yes Clerk.

MOTION

Yes again Hon. Amur.

Hon. Amur: Mr. Speaker sir again I want to move a Motion for the purpose of reporting back to the County Assembly on the vetting of one Kevin Munyoki Kyalo as a Member of Youth, Gender, Sports and Cultural Affairs. Mr. Speaker sir, I ask my brother Hon. Hatimy to second Mr. Speaker.

(Hon. Mohamed Hatimy bowed)

Hon. Amur: Mr. Speaker sir I want to start by saying that Members should not get tired of hearing my voice because some of the Committee Members have travelled on other issue to Nairobi so some of the Members who are back maybe to read two or three reports so that we can clear them. So Mr. Speaker again I have been given the privilege to read the report on behalf of the Committee for the Nominee Member Mr. Kevin Munyoki Kyalo.

Mr. Speaker sir I mentioned in the earlier report as provided for in Standing Order 185(4) the mandate of the Committee in this regard is to consider, for approval by the County Assembly, appointments under Articles 179(2) (Members of County Executive Committees).

1.0 Introduction

Mr. Speaker Sir, and the Hon. Members of the County Assembly, it is with great pleasure to present the report on the vetting of Nominee for the position of County Executive Committee Member – Youth, Sports, Gender and Cultural Affairs, Mr. Kevin Munyoki Kyalo.

Pursuant to Section 35 of the County Governments Act, His Excellency the Governor nominated Mr. Kevin Munyoki Kyalo for the position of County Executive Member for Youth, Sports, Gender and Cultural Affairs in the County government Mombasa vide a letter addressed to the County Assembly Clerk dated 22nd September, 2017 reference number Msa CG/APP/CECM/1/117.

Mr. Speaker Sir, the notification of nomination was communicated to the Assembly by Hon. Speaker on the 18th October, 2017 at 2:30p.m. during the 16th Sitting. The Speaker then committed the notification from His Excellency the Governor to the Committee on Appointments for approval hearing in accordance with section 7(1) of the Public Appointments (County Assemblies Approval) Act 2017 and Standing Orders 42 (2).

Mr. Speaker Sir, in accordance with section 7(2) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 42(3), the Committee through a press advertisement appearing on Thursday 25th October, 2017 in the Star and Standard Newspapers, the Nominee and the public were informed of the approval hearing and the public was invited to send written memoranda to the Clerk on the suitability of the nominee.

Mr. Speaker Sir, the vetting exercise was conducted by the Committee on Thursday 2nd November, 2017 from 10:00a.m at Royal Court Hotel.

Mr. Speaker Sir, let me now present the Committee on Appointment report for consideration by the House.

2.0 Observations and Findings

Mr. Speaker sir, the observations and the findings are as follows:

2.5 The advertisement which appeared in the aforementioned print media required that any member of the public to submit memoranda on the suitability or otherwise of the Nominee for position of CEC Youth, Sports, Gender and Cultural Affairs. No memoranda were received by the Clerk for submission to the Committee.

2.6 The Nominee Mr. Kevin Munyoki Kyalo, has exemplary educational achievements. He holds a Bachelor of Arts Degree (Economics) from Kenyatta University, a Master's degree in Economics (Finance) from Kenyatta University and is currently pursuing PHD in Economics at the Kenyatta University. He thus meets the educational threshold which as provided in section 35(3) b of the County Governments Act. He presented the following certificates/testimonials to the Committee:

2.0 Observations and Findings

Mr. Speaker sir, the observations and the findings are as follows:

2.1 The advertisement which appeared in the aforementioned print media required that any member of the public to submit memoranda on the suitability or otherwise of the Nominee for position of CEC Youth, Sports, Gender and Cultural Affairs. No memoranda were received by the Clerk for submission to the Committee.

2.2 The Nominee Mr. Kevin Munyoki Kyalo, has exemplary educational achievements. He holds a Bachelor of Arts Degree (Economics) from Kenyatta University, a Masters degree in Economics (Finance) from Kenyatta University, and is currently pursuing PHD in Economics at the Kenyatta University. He thus meets the educational threshold which as provided in section 35(3) b of the County Governments Act. He presented the following certificates/testimonials to the Committee;

2.3 The nominee has knowledge of Youth, Gender and Sports as Economics crosscuts all fields. His focus is on human development which involves empowering people. He has been a Researcher, Lecturer and Chief of Staff at the Office of the Governor, Mombasa County Government where he has exhibited exemplary performance and was able to sharpen his interpersonal Skills. He is committed to ensure that the Youth, Women and Persons with Disability access 30 percent of all procurements as required by law and where possible, link them to institutions which can provide them with capital. He will achieve this by creating a data base of the groups to as to be able to timely identify opportunities as they arise and link this category of persons. If successful, he assured the Committee that he will ensure that revolving Fund for the youth is realized.

2.4 The Nominee confirmed that he has not been adversely mentioned in matters of corruption and hence he meets the requirements of Chapter six of the Constitution. He presented a certificate from the Ethics and Anticorruption Commission. Other relevant documents submitted are;

- Identity Card
- Curriculum Vitae/ Personal credentials/ academic certificates
- Compliance Certificate from Kenya Revenue Authority (KRA)
- Clearance Certificate from the Higher Education Loans Board (HELB)
- Certificate of Good Conduct from Criminal Investigation Department (CID)

3.0 Conclusion

The Committee conducted the vetting exercise and was satisfied with the knowledge, experience and capacity of Mr. Kevin Munyoki to handle the position of County Executive Member for Youth, Sports, Gender and Cultural Affairs in the County government of Mombasa.

He is therefore suitable for appointment to the position. The Committee held a meeting on the 8th November, 2017 and adopted this report.

4.0 Recommendations

That this report containing the Committee's observations, findings, conclusions and recommendations on the vetting of Kevin Munyoki Kyalo, Nominee for the position of County Executive Member for Youth, Sports, Gender and Cultural Affairs in the County government of Mombasa be adopted by this Honorable Assembly.

Mr. Speaker Sir, I beg to move that the Honorable Members of this Assembly do adopt this report.

Mr. Speaker (Hon. Khatri): Thank you Hon. Murfad I now propose the question that the Motion on adoption of report on the vetting of CEC Youth, Gender, Sports and Cultural Affairs nominee Mr. Kelvin Munyoki Kyalo be debated?

(Question proposed and agreed to)

....Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I think we all know Mr. Kyalo, he is a person who I am sure that he will not let down our Government or people of Mombasa. So I do hereby support and I request Members or all Members to support Mr. Kyalo so that we can give him a chance to serve this County a second time. Thank you Mr. Speaker.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Kitula.

Chief Whip (Hon. Kitula): Ahsante sana Mheshimiwa Spika kwanza ningependa kuweza kuweka sauti yangu katika Bunge hili iweze kunukuliwa kwamba Kelvin Munyoki Kyalo kusema kweli ameweza kuhudumu katika ofisi ya Gavana kuhudumu kwa wafanyi kazi na vile vile mimi nikihudumu katika idara ya mawasiliano katika afisi ya Gavana niliweza kumjua Mr. Kelvin Munyoki Kyalo akiwa ni mkakamavu na kusema kweli ni kijana kwa hio katika kitengo hichi cha masuala ya vijana, michezo, jinsia na masuala ya utamaduni kusema kweli Bwana Kelvin Munyoki Kyalo imeweza kumfaa katika kazi hii. Na vile vile katika ofisi ya Gavana alikuwa anaweza kuhudumia watu pasi kuwabagua umri wao, pasi kuwabagua kama ni walemavu au unyonge au wasiojiweza.

Kwa hio kulingana na mimi na ninavyomjua Bwana Kelvin Munyoki Kyalo kusema kweli idara hii imemfaa kabisa na ni wajibu wetu kuweza kumpatia fursa hii ili tuweze kuangalia kama kweli ataweza kutimiza kulingana na ruwaza ya 2035. Ahsante sana Mheshimiwa Spika naunga mkono kuteuliwa kwake.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Ramla.

Hon. Ramla Said: Mheshimiwa Spika mimi naunga mkono kuhusu Bwana Kelvin Kyalo, binafsi nishafanya kazi naye kwa mambo ya walemavu na ni mtu ambaye anahamu na kazi yake, ana bidii na natumai akipewa nafasi atafanya kazi nzuri. Ahsante.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Aran.

Hon. Oindo: Mr. Speaker Sir as a youth Representative of Mombasa County also the Chairman Youth, Gender, Sport and cultural affairs, I have worked with one Mr. Kelvin and I want to thank the Committee and also I want to thank our Excellency Hon. Hassan Ali Joho for nominating Mr. Kelvin. I know with the zeal Kelvin has he is going to move mountains and I promise you Members especially the Committee of Youth, Gender, Sports and Cultural Affairs we are going to enjoy working with Mr. Kelvin because is one person who is ready to listen. So I urge this Hon. House please let's support Kelvin so that we can move much higher. Thank you Mr. Speaker Sir.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Mwaka.

Hon. (Ms.) Mwaka Bakari: Ahsante Bwana Spika mimi kama Mheshimiwa mama Mwaka napenda kumpongeza Mheshimiwa Gavana wetu Hassan Ali Joho kumpa nafasi hii Kelvin Kyalo kuendesha huu wadhifa wa vijana, jinsia na michezo, ni kijana yeye na mimi kama Mheshimiwa mama Mwaka ni mama. Naomba nafasi hii tumpatie aweze kutusaidia vijana na kina mama. Ahsante.

Mr. Speaker (Hon. Khatri): Thank you, Yes Hon. Fatma.

Hon. (Ms.) Fatuma Swaleh: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika kwanza nashukuru kwa kuweza kunipa fursa hii. Mimi pia vile vile naunga mkono kwa kuweza kuteuliwa Bwana Kyalo. Mheshimiwa Spika ningeomba kuzungumza mambo mawili tu kwa ufupi; kwanza kabisa Mheshimiwa Spika tunamuangalia huyu Kyalo ni mtu wa aina gani? Mheshimiwa Spika kama sijakosea Kyalo ni mkaazi wa Mombasa, la pili Mheshimiwa Spika kwa wale ambao wanafikira zao potofu na chafu; kwanza ningependa kumpongeza Mheshimiwa Gavana kuweza kumchagua Kyalo kwa sababu kuna tetesi kwamba kulitokezea maneno kwamba watu wengine wanasema kwamba kama aliyezungumza juzi kama sijakosea Mwashetani yeye atabakia kuwa Mwashetani tu kwamba Gavana alisema kwamba watu wanataka Jimbo lao. Kwa hio nataka kusema kwamba Kyalo ni mkaazi wa Mombasa na vile vile pia Gavana ameona kwamba Mombasa si ya wale ambao wanavaa mabuibui pekee yake, mtu yeyote hata kama ni mbara, yeye bora awe yuwaishi Mombasa ni mtu wa Mombasa.

Kwa hio Kyalo ni kijana mdogo na hii idara Mheshimiwa Spika inamfaa sana, mimi nina hakika mia fil mia Bwana Kyalo ataweza kuhudumia vijana vizuri na vile vile ataweza kuhudumia na kina mama vizuri. Mheshimiwa Spika nafikiri Kyalo ameweza kufanya kazi katika Jimbo letu la Mombasa na akiwa na heshima ya hali ya juu. Kando ya hayo Mheshimiwa Spika Bwana Kyalo alikuwa ni mtu wa tajriba ya hali ya juu vile vile ni mtu ambaye hana dharau. Kwa hio Mheshimiwa Spika mimi sina tashwishi ndani ya moyo wangu kwamba Mheshimiwa Kyalo hii idara inamfaa sana. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you, Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Mheshimiwa Spika ahsante nasimama chini ya Kanuni za Bunge nambari 78 (2a)...

(Interruption)

Mr. Speaker (Hon. Khatri): Sorry Standing order number 78?

Hon. Mohamed Hatimy: 2(a), kwa sababu tayari Mheshimiwa Spika nilikuwa nishazungumza kwa hio nilikuwa naomba ruhusa yako uniruhusu nizungumze mara ya pili ili kuna taarifa moja tu nataka kupeana kwenye Nyumba hii ili sote tupate kujua juu ya huyu Mheshimiwa tunayemuongelea.

Mr. Speaker (Hon. Khatri): Yes.

Hon. Mohamed Hatimy: Mheshimiwa Spika nataka kusema huyu amepatiwa idara ya vijana na pia tulipokuwa tunamkagua tuliona katika stakabadhi zake kuwa yeye Kyalo alikuwa amezaliwa 1987 tarehe yake ya kuzaliwa. Kwa hio yuko mahali sawa kabisa, Mheshimiwa Spika yuko pahala ambapo panamfaa kabisa, yeye kuwa ni kijana na hii idara ya vijana amepatiwa, nina imani kuwa ataweza kuipeleka hii Wizara kwa njia ile inayotakikana. Kwa hio Mheshimiwa Spika naomba tena waheshimiwa tukubaliane kupitisha Kyalo ili apate kuhudumia Kaunti yetu ya Mombasa. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you Hon. Members I now call upon the mover of the Motion Hon. Amur to reply.

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Hon. Amur: Thank you Mr. Speaker. Mr. Speaker the mood from the floor you have seen this Assembly has got many youths and they are in support of Mr. Kyalo. Mr. Speaker not only that I want to emphasise the issue of that His Excellency the Governor of Mombasa and His Excellency of Kilifi these two Governors bear in mind that in the constitution of their Executive Members they included young people of age within the bracket of youths. Mr. Speaker It is only Mombasa and Kilifi so far that has accommodated according to the constitution, so I want to thank the Hon. Members for seeing that His Excellency the Governor has given the docket to the proper person who is within the bracket of youth and the youth now it is upon them to go and meet him and make him work as a youth. Thank you, Mr. Speaker.

Mr. Speaker (Hon. Khatri): Thank you Hon. Amur, I now put the question that this House adopt the report on vetting of CEC youth, Gender, Sports and Cultural Affairs Nominee Mr. Kelvin Munyoki Kyalo.

(Question put and agreed to)

...Yes Clerk?

MOTION

Yes Hon. Amur again it's you?

Hon. Amur: Thank you Mr. Speaker Sir again, Mr. Speaker Sir I want to thank my Committee for having given me a good opportunity to present the report to the House. Mr. Speaker Sir, again I want to move the Motion in regards to this County Assembly to adopt the report on the vetting of Mr. Geoffrey Nyongesa Nato, Nominee for County Executive Member of Environment, Waste Management and Energy Mr. Speaker. Mr. Speaker sir I call upon my colleague Hon. Amriya to second Mr. Speaker. Thank you.

Hon. (Ms.) Amriya Juma: Thank you Mr. Speaker, I second it.

Mr. Speaker (Hon. Khatri): Thank you Hon. Amriya. Hon. Members, yes Hon. Amur?

Hon. Amur: Thank you Mr. Speaker again, Mr. Speaker Sir I want to start by saying the Committee has given me the privilege of tabling these three reports, I want to thank them for the confidence they have for me.

Mr. Speaker sir the mandates of the Committee on Appointment, Rules and Procedures was appointed by the County Assembly to handle and oversee matters of appointment of the County Executive Committee Members and the House rules and procedures.

Mr. Speaker Sir I want to go through the Members of the Committee again for the purpose of recording by the Hansard Mr. Speaker.

Mr. Speaker Sir the Chair is Hon. Aharub Ebrahim Khatri, Vice Chair Hon. Hamisi Musa Mwidani, Hon. Amriya Boy Member, Hon. Fadhili Mwalimu Member, Hon. Kibwana Swaleh Member, Hon. Mohamed Hatimy Member and Hon. Amur that is myself, those are the Members of the Committee.

Mr. Speaker Sir the Committee staff also were led by Mr. Salim Juma, County Assembly Clerk, Dorothy Auma Director Legislative, Procedure and Committee Services, Salma Maro Principal Hansard Editor, Kassim Umeya Principal Sergeant-At-Arms, Abdallah Khamis Senior Clerk Assistant Mr. Speaker Sir.

Mr. Speaker Sir the report has three contents:- First is introduction, two observation and findings recommendation and lastly Mr. Speaker the minutes of the proceedings of the Committee meeting that was held on 8th November, 2017. Mr. Speaker Sir and Hon. Members of the County Assembly it is with great pleasure again to table the report on vetting of Mr. Geoffrey

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Nyongesa Nato, His Excellency the Governor's Nominee for the position of the County Executive Member for Environment, Waste Management and Energy in our County Government of Mombasa. Mr. Speaker Sir the Nominee was nominated by His Excellency the Governor writing his letter to the Hon. Speaker dated 22nd September, 2017; write with Ref. Mombasa CG/APP/CECM/1/117...

1. Introduction

Mr. Speaker Sir and Hon. Members of the County Assembly, it is with great pleasure to table the report on the vetting of Mr. Godfrey Nyongesa Nato, the His Excellency the Governor's Nominee for the position of County Executive Member for Environment, Waste Management and Energy in our County Government of Mombasa.

The Nominee was nominated by His Excellency, the Governor vide his letter to Hon. Mr. Speaker dated 22nd September 2017 vide Ref. Msa CG/APP/CECM/1/117.

Pursuant to section 7(1) of the Public Appointments (County Assemblies Approval) Act, 2017, section 42 (2) of the County Governments Act, 2012(Revised 2016) and Standing Orders 42 and 185(4), the nomination stood committed to the Committee on Appointments/Rules and Procedures of this Honorable County assembly.

Through a press advertisement appearing in *The Standard* and *The Star* Newspaper on Wednesday, 25th October 2017 and the County Assembly website, the Nominee and the public were informed of the vetting and the public was invited to send written memoranda on the suitability or otherwise of the Nominee. The Nominee had already been informed of the matter a few days earlier.

The vetting exercise was conducted by the Committee on Thursday, 2nd November, 2017 from 11:00 a.m at the Royal Court Hotel, Mombasa.

This report provides the findings and recommendations on the suitability for appointment to the position of the Nominee for consideration by this August House and approval of the same. Mr. Speaker Sir and Hon. Members of the County Assembly let me now present the Committee on Appointment's report for consideration by the house.

2. Observations and Findings

- 2.1 The Committee on Appointments is mandated under Standing orders 42(2) and 185(4) to hold approval hearings and make recommendations to the County Assembly for appointment of Members to the County Executive Committee.
- 2.2 The Committee did not receive any adverse reports, presentations or complaints for or against the appointment of Mr. Godfrey Nyongesa Nato for the position of County Executive Member for Environment, Waste Management and Energy in the County Government of Mombasa.
- 2.3 The Nominee being vetted answered all written and oral questions that were asked by the Committee satisfactorily. These questions include those provide for in the First Schedule of the Public Appointments (County Assemblies) Approval Act, 2017.
- 2.4 The Committee asked the Nominee on meaning and his understanding of integrity and was able to satisfactorily expound on the same and that he had never been adversely mentioned in matters of corruption.

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- 2.5 The Committee was impressed by the Nominee's educational achievements and wide experience serving in various senior positions in the public and private sector.
- 2.6 Mr. Godfrey Nyongesa Nato (Born on 13th November, 1975), the Nominee for the position presented the following certificates/testimonials to the Committee:

Educational Background:

7.	Bsc (Natural Resource Management)	
	Egerton University	2000
8.	MSc (Natural Resource	
	Management)	
	Egerton University	2002
9.	PhD in Sociology	Pwani
	University	2017

Other Courses/Certificates:

4. Training of Trainers in Competency Based Education and Training (WOGECT, 2016)
5. Community Based Adaptation to Climate Change (KWSTI, Naivasha 2010)
6. Project and Financial Management (TITC, Japan, 2009)
7. Participatory Rural Appraisal (Egerton University, 2001)
8. Gender Analysis, Planning and Development, 1999

Public Offices Held:

9. April, 2016 to date – Ag. Dean, School of Humanities and Social Sciences, Technical University of Mombasa.
 10. August, 2012 to May, 2015 – Chairman, Department of Social Sciences, Technical University of Mombasa.
 11. January, 2012 to date – Assistant Lecturer, Technical University of Mombasa.
 12. November, 2003 to September, 2004 – Research Assistant, Kenya Anti-Corruption Commission
- 2.7 That 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) and (3) of the County Governments Act, 2012 and Standing Orders 42 and 185(4), the Committee at its meeting held on 8th November, 2017 at the Mombasa County Assembly Buildings at 10:00 a.m resolved to recommend that the County Assembly approves the appointment by His Excellency the Governor of Mr. Godfrey Nyongesa Nato, to the position of County Executive Member for Environment, Waste Management and Energy in the County Government of Mombasa.
3. Conclusions
- 3.1 The Committee conducted the vetting exercise as per the law and was satisfied with the credentials, experience and capacity of Godfrey Nyongesa Nato, Nominee for the position of County Executive Member for Environment, Waste Management and Energy in the County Government of Mombasa and therefore recommended him for appointment to the position.

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4. Recommendations

4.1 Mr. Speaker Sir, I beg to move that the Hon. Members of this Assembly do adopt this report.

Signed:

Hon. Aharub Ebrahim Khatri

Chairman – Committee on Appointments/Rules and Procedures

Dated this Wednesday, 8th of November, 2017

Mr. Speaker (Hon. Khatri): Hon. Members I now propose the question that the Motion on adoption of the report for the CEC Environment, Waste Management, Energy Nominee Dr. Geoffrey Nyongesa Nato to be debated.

(Question proposed and agreed to)

Yes Hon. Amriya, anything to contribute.

Hon. (Ms.) Amriya Juma: Thank you Mr. Speaker, I wish to make my contribution on the approval of Mr. Geoffrey Nato to the department of Environment, Waste Management, Energy. Mr. Speaker it is common knowledge that Mr. Nato is relatively new to most of the Members in this Assembly however having said that I happen to be privileged to be one of the Members of the Appointments Committee and I would like to submit to this floor that I was very impressed by the educational background of Mr. Nato. As you have heard Hon. Amur mentioned that he has a Bachelor's degree in Natural Resources Management and a Masters degree on the same from Egerton and further a PHD in Sociology; that is in tandem with section 35 of the County Government Act. Apart from that Mr. Speaker I am happy to report that Mr. Nato has excellent interpersonal skills, I think it is based on the fact that he has done a PHD in Sociology, just from the first meeting with the Nominee I could tell that he is a very ambitious man and we realize from the Governor's speech that environment and energy was one of the agenda for transformative agenda that will be undertaken so that we realize the Mombasa vision 2035. So it is my humble opinion that Mr. Nato is fit for the position and I wish to applaud the Governor for the selection of Mr. Nato. Thank you so much Mr. Speaker.

Mr. Speaker (Hon. Khatri): Thank you Hon. Amriya.

Hon. (Ms.) Amriya Juma: And sorry Mr. Speaker I would like to appreciate that the right to environment is one of the fundamental rights in Article 43 in the Bill of Rights. Thank you.

Mr. Speaker (Hon. Khatri): Thank you. Yes Hon. Junior.

Hon. Kyaka: Ahsante Bwana Spika mimi ngingependa kuunga mkono Bwana Nyongesa, atatutua matatizo mengi ya takataka na jamaa tumesikia elimu yake inaonyesha anaweza kutusaidia katika mambo ya mazingira, hilo ni jambo ambalo linatufurahisha sana na Kamati iliomhoji ilisema ni mtu ambaye anaweza kufanya hii kazi, mimi naomba kuunga mkono. Ahsante.

Mr. Speaker (Hon. Khatri): Thank you. Yes Hon. Mwamwiri?

Hon. Mwamwiri: Ahsante Mheshimiwa Spika kwa fursa hii binafsi ngingependa kumpongeza Bwana Nato kwa kukubali wadhifa huu tukizingatia kwenye Kaunti ya Mombasa kama kuna kitengo chenye changamoto zaidi ni kitengo ambacho Bwana Nato binafsi ameitikia kuchukua dhamana; usimamizi wa maswala ya taka, mazingira na maswala ya nguvu za umeme. Kwa hio tuna imani kwa kukubali kwake ya kwamba yuko tayari kukabiliana na changamoto hizo kwa sababu ninavyo amini mimi binafsi nilivyo shughuli isiyo na changamoto siwezi

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isongea, kwa hio yeye kuchukua dhamana na kukubali changamoto ni kwamba anaweza pasi kuzingatia na tajriba yake na masomo kukubali tu kuchukua nafasi hiyo ni swala muhimu na binafsi na Waheshimiwa wengine naomba tumuunge mkono. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you Honorable. Hon. Mary?

Hon. (Ms.) Wafula: Nikiweza kuongezea sauti yangu, mwanzo ningependa kumshukuru Gavana wetu mpendwa Ali Hassan Joho kwa kuweza kuzingatia lile swala la utangamano wa kitaifa maana ameweza kuchagua katika uchaguzi wake kuhusisha makabila yote ambayo yako katika taifa letu la Kenya, kwa hilo ninampongeza. La pili tayari Bwana Nato ni mazuri matamu yameongelewa kumhusu; kama vile masomo yake na hata pia umri wake maana jambo la taka linataka mtu umri wake umesonga kidogo kama huu wa Bwana Nato licha ya tajriba yake kwa hio mimi ninaridhika ya kwamba ataifanya hii kazi kwa uadilifu. Kwa hayo machache, ahsante.

Mr. Speaker (Hon. Khatri): Thank you Hon. yes Shebe?

Hon. Shebe Salim: Ahsante sana Bwana Spika naona maumbile yangu ya twiga yananisaliti kuweza kujipinda hapa. Mheshimiwa Spika kwanza nichukue fursa hii kumshukuru Mungu, pili napenda kusema undugu ni wa kufaana sio wa kufanana. Napenda kuwashukuru Waheshimiwa wenzangu wote waliosimama na mimi kwa msiba ulionipata takriban juma moja lililopita, ahsanteni mumenitia imani na nawaombea Mungu *In shaa Allah*. Mheshimiwa Spika sina budi kuunga mkono kuteuliwa kwa Bwana Nyongesa kama Waziri wa mazingira; hivi viatu kwa hakika ni vikubwa mithili ya viatu vya Maswahaba, vile kwa sababu jukumu la taka na mazingira Kaunti ya Mombasa ni nyeti sana. Mimi nikizungumza kama Mwenyekiti wa Kamati ya mazingira, swala za stakabadhi za masomo tunaona Bwana Nyongesa yuko sawa, kwa hio mimi sina budi kumpatia fursa na nina imani kuwa nitafanya na yeye kazi tuweze kushirikiana kuweza kusafisha mji wetu kwa sababu changamoto za mazingira ni nyingi. Kwa hio mimi naunga mkono kuchaguliwa kwake na nina imani itakuwa si ofisini peke yake itakuwa awe tayari kuvaa gumboots na *gloves* kuingia mashinani kuweza kusafisha mji wetu. Ahsante sana Mheshimiwa Spika naunga mkono kuteuliwa kwake.

Mr. Speaker (Hon. Khatri): Yes thank you. Yes Oyugi Omondi.

Hon. Omondi: Thank you Mr. Speaker. I am very pleased that you have used that name for the first time, I would also like to contribute as far as this Motion is concerned and I have been listening keenly to my fellow Members as they contribute towards this Motion and I want to give my full support for the appointment of Mr. Geoffrey Nyongesa Nato in that particular position of Environment, waste management and energy. I want to rely on the following indicators; one I want to rely on education, you know very well that in our country education is one of the indicators which tests the ability, the knowledge, skills and even the knowhow of an individual and once the education body is satisfied with Mr. Nato then who are we to oppose that he is qualified for that position.

Number two, I want also to ratify his appointment by his Excellency the Governor based on the Governor himself. The Governor himself having now taken through this County for the second time we saw him the first term the way he did the contribution he made and the way he moved this County a great deal, he is the same Governor who has appointed this individual to that position, so we don't have doubt about that. Number three i want to also applaud to have appointed the same individual this position, being a representative of Airport Ward Changamwe sub County that is where all waste is dumped in the County and i know very well this individual will do us best to remove the wastes that are scattered all over in our Wards, my Ward particularly. Otherwise finally it is the constitutional mandate and even the obligation of this

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House to ensure that we debate and we pass or we refuse the appointment from executive. As an individual, as my constitutional mandate i do ratify and agree that those individuals can do us good in that particular sector, thank you very much.

Mr. Speaker (Hon. Khatri): Thank you Hon. Omondi, the famous *Bomoa*, yes Hon. Murfad.

Hon. Amur: Thank you Mr. Speaker i want to confirm to this House that with a background of Mr. Nyongesa of Bachelors of Science, Masters in Science, PHD in Sociology we are blessed with a person who knows waste management issues and we hope that if appointed today and sworn in by his Excellency the Governor then the issue of waste problem will be something of hearsay in Mombasa. I want to confirm to this House His Excellency the Governor this time in choosing all the nominees of departmental heads he considered people with vast experience and education background, for that I want to ask the Hon. Members to adopt this Report so that we can send back a Report with his Excellency the Governor so that they can be sworn in as quickly as possible so that they can take offices and Mombasa can move forward, thank you.

Mr. Speaker (Hon. Khatri): Than you Hon. Amur. Hon. Members anyone who wants to contribute on this? Hon. Members I now call upon the mover Hon. Amur to reply.

Hon. Amur: Mr. Speaker all the papers have been laid in the Assembly.

Mr. Speaker (Hon. Khatri): Now i put the question that this House adopts the Report on vetting of CEC Environment, waste management and energy nominee Dr. Geoffrey Nyongesa Natto...

(Question put and agreed to)

Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Thank you Mr. Speaker, for the convenience of this House, i stand here to seek leave under Standing order 37(2) to change the sequence of the proceedings to move to the following Motion that this House adopts the Report of Appointments Committee on vetting laid on the table of the House on 9th October, 2017, vetting of Edward Nzila Nyale, Hazel Koitaba, Fatma Awale, Mariam Abdillahi and Mtalaki Mwashimba. Thank you, Mr. Speaker.

Mr. Speaker (Hon. Khatri): Yes Hon. Amur are you seconding?

Hon. Amur: I second Hon. Hatimy since each and every Member has the Report with him they have gone through so for us to go through again from a to z, so I second it.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Hatimy you can go ahead.

Hon. Mohamed Hatimy: Mheshimiwa Spika nafikiri sheria inaturuhusu kwa sababu Ripoti kila mtu yuko nazo na kama tunavyojua kuwa sasa imefika saa kumi na robo naomba Nyumba hii na Wanachama wakubaliane na mimi sheria inaturuhusu kubadilisha *sequence* ya mfumo tunaenda nao tupitisha hawa waliobaki wote kwa mara moja, ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you Hon. Members i now propose a question that the Motion by Hon. Mohamed Hatimy to debate and adopt the vetting of Reports of nominees of the County Executive Committees tabled in this House today 9th November, 2017 be debated in the same term as moved.

(Question proposed and agreed to)

Yes Hon. Hatimy.

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Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika kwa kunipatia nafasi hii na kukubali niiweke hoja hii, naomba Wanachama waniunge mkono kupitisha hii hoja ili tuweze kwenda kuangalia mambo mengine. Kama unavyojua wale wanaotoka Changamwe wana shida kubwa sana ya kufika Changamwe na pia Mheshimiwa Spika ilikuwa Wanachama wamepitia hizi Ripoti na wanazo vile vile na sidhani kama kuna mtu yoyote amepinga kwenye wale tulioweza kuwasoma na kwa hio kwa hawa wengine waliobaki itaenda vile vile kwa hio naomba turuhusu tupitishaye haya majina na tuendelee mbele, ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Oyugi.

Hon. Omondi: Thank you Mr. Speaker i stand firmly to support the Motion by Hon. Hatimy, this House has been privileged to have almost all the Members who are academic gurus and these Reports that you have been given we have gone through extensively and we have understood what is in, it will be a waste of time for us to be repeating again since we already know what is in the Report so...

(Interruption)

Hon. Amur: (Off Mic).

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Oyugi you can withdraw that statement saying wasting of time.

Hon. Omondi: Okay i withdraw, that is not what i meant actually i just wanted to emphasize on the issue of trying to shorten, what i was saying is that we need to take the shortest time to be able to deliver the best thing you can take a very long time but at the end of it all you deliver, actually it is not the best so i want to say that am supporting the Motion that we do agree at once that this particular Motion is good for us so that we can move ahead, thank you.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Faith.

Hon. (Ms.) Boniface: Thank you Mr. Speaker for this opportunity, i beg to support the Motion except the one for Edward Nyale because according to his education background and the experience I have not seen anywhere concerning the docket which he has been appointed for; that is Lands, Planning and Housing. In his education he has Bachelor of Education, CPA that is accounts, and according to the work experience there is nowhere talking about anything about lands and housing so i support the remaining there but i oppose the one for Edward Nzila Nyale.

Mr. Speaker (Hon. Khatri): Hon. Faith I think the Motion is very clear saying to pass all of them, so you cannot support the other three; its either you support all of them or you don't support because the Motion is very clear and if you look at Standing order 103 the Speaker or Chairperson of Committees after having called attention to the conduct of a Member who persist in irrelevance or tedious reputation of either the Members on argument or the argument used by other Members in debate after having first warned him or had directed the Members discontinue his or her speech so it's either you support this debate all of it or you don't.

Hon. Amur: Mr. Speaker with all due respect my Hon. colleague if she had an issue she could have brought it to the Committee when the vetting was taking place but at this stage it is not acceptable because ample time was given to Members and public to raise queries and issues of nominees not at this juncture, if there was any then she could have submitted in written or oral document to the Committee subjecting the nominee but not at this stage. Thank you Mr. Speaker, even if we go at voting then the best way will be voting, thank you Mr. Speaker. **Hon. Speaker:**

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Nyiro.

Hon. Mwaega: Thank you Mr. Speaker i just want to bring to attention to the Hon. Member of the just discussed and approved appointment of the Members of Transport if you go

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through his educational background he is a business administrator, a sales and a marketer he is not an engineer and he is heading the infrastructure and public works so you are biased. I think she is being biased, am sorry to use that word because we have just vetted and approved a Member who is going to head infrastructure and public works and is not an engineer he is just a business administrator and a sales and marketing so i think we should be realistic in discussing such issue.

Hon. Amur: Mr. Speaker we cannot discuss what has already been passed in this House.

Mr. Speaker (Hon. Khatri): But he is not discussing Hon. Amur he is just referring to that, there is no discussion he is just referring to that.

Hon. Amur: Iam only informing this House that we have already passed the Nominees and we cannot discuss them.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Amriya.

Hon. (Ms.) Amriya Juma: I wish to rise first on a point of order, on 104 that a conduct will be grossly disorder if a Member concerned deliberately gives false information to the County Assembly. Why am I saying this is that pursuant to section 35 of the County Government Act the qualifications of a County Executive Officer are in black and white so Members let us be conversant with our laws because i can really tell that we have not looked into our law as particularly this one about the appointment of County Executive Members...

(Question proposed and agreed to)

Mr. Speaker (Hon. Khatri): Thank you, yes Hon Amriya?

Hon. (Ms.) Amriya Juma:Members please let us be conversant with our laws because I can really tell we have not looked at our laws; particularly this one that deals with the appointment of County Executive Members. It's clear that in section 35 (b) that a person may be appointed as a Member of the County Executive Committee if that person has knowledge one, experience and distinguished career in the field relevant to the portfolio of the department to which the position is appointed. So on a point that has been raised by Hon. Faith I think she's in order because she only concentrated on education but the law is clear that you don't only look at the education but there are matters that are important for the Committee on this appointment, you look at the experience portfolio, career development all these matters have a role that they have played on consideration of this above matter.

Mr. Speaker (Hon. Khatri): Yes Hon. Hatimy.

Hon. Mohamed Hatimy: I think Mr. Speaker the Motion is very clear we either support the Motion or reject it. We are not here to discuss about anybody, it's either the Motion goes through or we forget about it, we go one by one so I think everybody has a right to ask anything but I have tabled the Motion and I request again; I request the Members to go ahead and pass this Motion because it is already 4:20p.m. Thank you.

Mr. Speaker (Hon. Khatri): Thank you yes Hon. Members. Yes Hon. Naliaka, Milka sorry.

Hon. (Ms.) Ngare: Thank you Mr. Speaker I think I will need to come to your office more often and keep greeting you so that you get used to my name, this is the second time you are referring to me as Hon. Naliaka and am not amused..

Mr. Speaker (Hon. Khatri): Thank you Hon. Milka Moree Ngare.

Hon. (Ms.) Ngare: Moraa.

Mr. Speaker (Hon. Khatri): Moraa, okay thank you.

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Hon. (Ms.) Ngare: Yes thank you so much I stand here to support the Motion raised by our able Chairman Hon. Hatimy that due to time constraints and also because we have all the literature and the Members have also gone through the vetting and the vetting Committee which took these nominees through, it is a Committee that we believe in, it is a Committee that has the mandate because they are able to carry out the vetting exercise we know that they did their work thoroughly and we know that the nominees which were brought before us are people of the task for all the fields that they have nominated for. And we know that the Governor also goes through a stringent process in nominating persons for various dockets so we do not want to continue going back on issues that have already been decided. So I am here to support the Motion that we pass all the four that are remaining and we allow the lady MCAs who have a match at Tononoka today netball as we are headed to Machakos and compete and bring a trophy. Thank you Mr. Speaker Sir.

(Applause)

Mr. Speaker (Hon. Khatri): Yes Hon. Ali Shomari.

Hon. Shomari: *Assalam Aleikum* mimi ningependa kumpongeza Mwenyekiti wetu Mheshimiwa Hatimy kutokana na hawa Mawaziri wote ni watu ambao walikuwa wakifanya kazi sio wapya ati wanaingia sasa ni Mawaziri ambao walikuwa katika nyanja zao na walikuwa wanaziendeleza vizuri. Kwa hio mimi namuunga mkono Bwana Hatimy. Shukran.

Mr. Speaker (Hon. Khatri): Yes Hon. Mwamwiri, yes Hon. Bwire.

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker I agree with Hon. Hatimy that just because of time we just have this Motion discussed and we engage in some other business but Mr. Speaker I want some clarification from your Chair that in the process you want to approve all the Motion at once because of time and somewhere along the line you come across something that is not adding up how do you go about it? Like what Hon. Member has just raised and it has been confirmed by Hon. Amriya that in terms of the education, the experiences and all that and I think that is what Hon. Member is raising. Mr. Speaker we just have to be informed that in the process how do you go about it? But today I just want to agree with Hon. Hatimy that because of time we have the Motion be approved. Thank you just give us some clarification so that next time we don't collide. Thank you.

Mr. Speaker (Hon. Khatri): Thank you Hon. Bwire the clarification is very clear is you Hon. Members either you pass this Motion or you don't pass it and we go one by one so I don't know which clarification you want. So it's either you want to pass it all of them, if you don't want to pass it all of them we go one by one then when it reaches whereby you don't feel that person then we can go voting. Yes Hon. Thoya?

Hon. Thoya: Thank you Mr. Speaker I think I need to appreciate the Chairman Hon. Hatimy who we have observed time and as much as we are observing the same time we are eating the same time this is very (??). I would advise the Speaker it is high time you put the question the majority will support it and the nays will attain because I don't think that when he discussed about time then we take the same time that the able Hon. Ladies are going for netball, the other footballers are going there so Hon. Speaker put the question we support or we don't support it simple as that. Thank you.

Mr. Speaker (Hon. Khatri): Thank you so we continue with the debate, yes Hon. Prischillah?

Hon. (Ms.) Mumba: Thank you Mr. Speaker I think I had stood up more than six times then I started questioning myself is it because of the outfit that am not seen or what?

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(Laughter)

...but I thank God finally Mr. Speaker has noticed that am in. Thank you Mr. Speaker again I stand here to strongly support this Motion for the position of the remaining of the County Executive Committee Members (CECs) and I would like also to tell my fellow Hon. Members that this should not be an issue going front and backward. I think we should know that we have by now to understand the procedure of the House, when something has been passed to be in discussion then we need to discuss so that we can pass the Motion all together and Hon. Hatimy clearly sought leave for the four nominees who are the remaining that we discuss them and the Motion passed that we discuss them at once. I stand here to discuss the remaining CECs especially I would like to put my most input in the CEC of Water, Sanitation and Natural Resources as a Chair of the Committee of Water and Sanitation I also strongly support and believe that Hon. Fatma Awale is a well known lady who has worked in that docket also clearly and she is not new in that docket. We also know how she has been tirelessly performed her duties for Water, Sanitation and Natural Resources and also Hon. Hazel Koitaba has been our Finance Minister here, another CEC who has performed so well in that docket of Finance. So I think it is just a switch of the docket but she is a performer so all the remaining of the CECs are people that we know very well who have worked in this County, who are performers. The only thing we need to do is to pass the Motion so that they continue with their mandate and complete these, all scenario we should not go forward and backward and yet the Motion is already passed that we discuss the remaining CECs, so I strongly support and Mr. Speaker I think due to time constraints I think we need to pass this Motion then we move to the next agenda. Thank you.

Mr. Speaker (Hon. Khatri): Thank you yes Hon. Nzai.

Hon. Nzai: Thank you Mr. Speaker for giving me this chance also to air my views, I stand to support the Motion brought by Hon. Hatimy and I would also wish to add value to the appointment of Mr. Nzila. The Governor was so brave and wise to have chosen Mr. Nzila to head the Lands docket.

(Applause)

...this is because Mr. Nzila is an indigenous CEC and stands to better know the boundaries of this County and he will be in the position to solve all lands problems. So I do support the Governor's appointment and the same time I support Hon. Hatimy so that we can pass this Motion as quick as possible.

(Applause)

Mr. Speaker (Hon. Khatri): Thank you Hon. Members I now put the question that the Motion by Hon. Mohamed Hatimy to debate and adopt the vetting report of nominees of the County Executive Committee dockets tabled in this House today 9th November, 2017 be approved.

(Question put and agreed to)

(Applause)

...so then, Members pursuant to Standing Order 37 (2) I now put the question that this House adopt all the reports for vetting of the various County Executive Committee Members as tabled in this House today 9th November, 2017 as appearing in the Order paper.

(Question put and agreed to)

...Yes Clerk?

ADJOURNMENT

Hon. Members this House stands adjourned until Tuesday 14th November, 2017 at 2:30p.m. Thank you.

The House rose at 4.33p.m.