

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**

**THE HANSARD**

**Monday, 13<sup>th</sup> June, 2016**

*The House met at the County Assembly Chambers, Malindi Town, at 2.30 p.m.*

*[The Speaker (Hon. Kahindi) in the Chair]*

**PRAYERS**

**PAPER LAID**

**REPORT ON LAND BILLS AND ACTS**

**The Speaker** (Hon. Kahindi): Chairperson Lands and Housing?

*(Hon. Dele was absent)*

*(Paper not laid)*

**Clerk-at- the -Table:** Committee on Energy.

**The Speaker** (Hon. Kahindi): Proceed hon. Nzaro.

**REPORT ON THE HIGH MAST INSTALLATION PROJECT FOR THE FINANCIAL YEAR  
2013/2014**

**Hon. Nzaro:** Thank you Mr. Speaker. I wish to lay the Report on behalf of the Chairperson for Energy, the Report of the sectoral Committee on Energy on high mast installation project implemented for the financial year 2013 /2014. Thank you Mr. Speaker.

*(Hon. Nzaro laid the Report on the Table)*

**STATEMENTS**

**STATUS OF ADOPTED MOTIONS AND REPORTS FROM 21<sup>st</sup> MARCH, 2016 TO 23<sup>rd</sup>  
MARCH, 2016**

**Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker. I would like to take this opportunity to read this response before the House. The response is from the County Public

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Service Board and it reads as follows: “Reference; County Assembly Statements, Adopted Motions and Reports from 21<sup>st</sup> March, 2016 to 23<sup>rd</sup> March, 2016. Reference is made to your letter, reference CAK/ ADM/32/VOL.1/21 dated 24<sup>th</sup> March 2016 on the above matter.

The Board responds to the Committee recommendations as follows:

1. All previous censuses for employees had classified all the nine tribes as Mijikenda. We have requested the Executive to carry out an internal census of all employees to come up with the classification as requested. All newly employed are classified with their sub-tribes as an on-going exercise.
2. The Board has developed thirteen (13) policy documents including the ones on employee safety, ethics and governance. These documents have been reviewed by the stakeholders and will be tabled before the cabinet after editing.
3. Inclusivity in the distribution of employment opportunities is an ongoing concern with progress advised through the yearly Report of the Board activities.
4. The Board notes that sensitizing students to take medical courses is a collective responsibility starting with policy formulation to implementation. Specific policy guidelines should be enacted by the County Assembly to guide the process to enable students pursue medical courses. The Board will play the role as part of its mandate.”

Thank you, Mr. Speaker.

#### SOLID WATER MANAGEMENT IMPLEMENTATION AND REQUIREMENTS REPORT

Mr. Speaker, the following is the Board response from the reference; Solid water management implementation and requirement Report;

“This is in reference to the County Assembly Report dated 26<sup>th</sup> April 2016, Reference No. CAK/ADM/3/VOL.8/54 on solid waste management challenges affecting Mtwapa and Mariakani town. The challenges and recommendations sighted in the Report have been looked into with the aim of improving solid waste management in the County.

Attached please find the Report on implementation and requirements of the resolution on Solid Waste Management as suggested by Members of the Sectoral Committee on Environment, Natural Resources and Solid Waste Management, for your action in the budgetary allocation.”

I think Mr. Speaker, the table is attached.

“On vehicle maintenance and repair, the Department has set aside funds for maintenance and repair of trucks, tractors, tuk tuks, taka bikes, handcarts and motorcycles.

For the purpose of capacity building to community on sustainable waste management and practicing the 3Rs (Reduce consumption, Re- Use and Recycling) in their daily lives, the Department is set to engage the community on education and awareness creation of programmes in two episodes per township, the target group being youth and women.

To ensure casuals payment is done on time, the Department has set Ksh 70.2 million for payments to be done on time, to purchase more vehicles, engage enough casuals, buy land for dumping sites and carrying out sufficient community sensitization but the budgetary allocation for the Department is not sufficient given that the total allocation for Solid Waste Management in 2016/2017 is Ksh.178, 784,060. We therefore request that this sector be allocated more funds so as to ensure effective and suitable solid waste management in the County.

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On enforcement, the sector has no legislation in place since the Kilifi County Environmental Regulation and Control Act, 2016 draft is yet to be passed by the County. This will empower the officers to enforce environmental regulations in the County. Attached find logical frame work of the same.”

**The Speaker** (Hon. Kahindi): Are you done Hon. Mwingo?

**The Leader of Majority** (Hon. Mwingo): I think Mr. Speaker each and every Member has the attached document. So I think...

**The Speaker** (Hon. Kahindi): Hon. Teddy Mwambire.

**Hon. Mwambire:** Thank you very much Mr. Speaker. I am happy that the Leader of Majority has tabled the Report on the environmental situation in this County especially Mariakani; they have touched on Mariakani, Malindi and Mtwapa.

Mr. Speaker, although we are talking about sustainability of this programme, we still have a lot of challenges because in most times we have been moving around seeing trucks carrying waste without even closing them thereby distributing it around the roads in other towns. Severally, I have even called the County Executive Member concerning the same. So, I think the Leader of Majority should go back and get more clarity on how best they can handle the current trucks that they have and how best they can handle the trash that they are collecting instead of seeking for more funds without clear elaboration.

Mr. Speaker, although in Malindi at the moment we can see there is some kind of improvement and it is somehow clean, there are still a lot of things which do not even require money but requires a lot of dedication. We also need to know who are engaged to undertake the removal of this trash because without doing that, we will be pushing a lot of money in those dockets and a lot of money will just go for nothing like what is happening at the moment. I believe the problem is not the money allocated but even management of that docket needs to be enhanced. Thank you, Mr. Speaker.

**The Speaker** (Hon. Kahindi): So, hon. Teddy Mwambire, what clarifications are you then seeking from the Leader of Majority?

**Hon. Mwambire:** Mr. Speaker, the clarification is that we want to see... because they have talked of money, and if you look at the schedule you look at the number of trucks and tuk tuks which are involved in removing the trash, my concern is how they are utilizing the current vehicles or the current equipment that we are having in this County. I have been calling the County Executive Member for environment because I normally meet some trucks carrying trash especially in Mtwapa where they are not covered and in this process they end up littering most of those roads.

Mr. Speaker, because I have personally encountered this, I think there is need to harmonize the whole situation instead of seeking for more funds without proper management of the current resources that we have. Thank you, Mr. Speaker.

**The Speaker** (Hon. Kahindi): Hon. Leader of Majority, I think you need to clarify whether garbage trucks as claimed to be are actually garbage trucks because that is what I am getting from hon. Teddy Mwambire. Hon. (Dr.) Chitibwi looks like he has gone to...

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker. To my knowledge according to the information I am getting is that in this County we do not have enough trucks and according to what the Deputy Speaker has said, all this is happening because we do not have enough money in this Department and that is why we need more money to purchase all that is

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needed. However, I will seek more information from the relevant Department so that I can actually know exactly what is required. Thank you Mr. Speaker.

**The Speaker** (Hon. Kahindi): Yes hon. (Ms.) Mbeyu. You know what you are doing... you are pressing the mic and then you press it again so... Okay, press once please. Yes hon. Hassan proceed.

**Hon. Hassan:** Asante Mheshimiwa Spika kwa kunipatia nafasi hii. Mimi pia naomba niwekwe sawa kwa haya maelezo aliyotoa huyu ndugu Kiongozi wa Wengi. Kile ambacho nakifahamu Mheshimiwa Spika ni kwamba kuna magari maalum ambayo sasa hivi yako bandarini ya uzoaji wa takataka na mambo mengine. Sasa ninachoshangaa ni hii bajeti twaongeza ya kununua hivi vitu na kulingana na Ripoti ni kwamba haya magari yataenda kwa kitengo chengine cha ujenzi. Sasa sijaelewa hapo kama hizi pesa zikiwekwa pale zitakuwa zinafanya kazi gani na yale malori yakitoka yatafanya kazi ipi? Asante.

**The Speaker** (Hon. Kahindi): Yes hon. (Ms.) Mbeyu.

**Hon. (Ms.) Mbeyu:** Thank you, Mr. Speaker. My concern is about the logistic frame work. I was going through...

**The Speaker** (Hon. Kahindi): Take a seat hon. (Ms.) Mbeyu. Hon. (Dr.) Chitibwi, you have made an intervention, do you have a Point of Order?

**Hon. (Dr.) Chitibwi:** Mr. Speaker, it was not a Point of Order. I wanted to contribute not intervene.

**The Speaker** (Hon. Kahindi): Ok, please press the microphone; do not press intervention because from my records you wanted to raise a Point of Order.

**Hon. (Dr.) Chitibwi:** Okay, may I continue?

**The Speaker** (Hon. Kahindi): No you may not continue. You need to learn the rules of the game. Hon. (Ms.) Mbeyu proceed.

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker, Sir. As I was going through this document as the Leader of Majority has put across, in the logistic logical frame work of the same Report I am reading through, I am seeing an issue of vehicle hire which has an amount of almost Ksh.11.2 million, then there is hire of shovel... I think these vehicles which can be found, maintained or bought instead of hiring at a high cost at the expense of Kilifi tax payer's money. Thank you.

**The Speaker** (Hon. Kahindi): Yes hon. (Dr.) Mzungu Chitibwi.

**Hon. (Dr.) Chitibwi:** Mr. Speaker, Sir, I wish to comment on the attached schedule. To me it appears as if it was not made with seriousness to answer the question that was sent; somebody just cooked figures to appear as if he is working on it and we may not have the time to discuss it fully here but I would request that the Committee concerned analyses this document so that they can come up with a report.

Here you can see that they are talking of occasional workers, and then they are talking of casual labourers; all that is money that is expected. They are talking of buying reflecting jackets...

*(Hon. Hassan stood on a Point of Order)*

**The Speaker** (Hon. Kahindi): Yes, what is your Point of Order?

**Hon. Hassan:** Thank you Mr. Speaker, Sir. I thought I was to get the response from the Leader of Majority before we continue?

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*(Loud consultations)*

**The Speaker** (Hon. Kahindi): Order! Order! Hon. Hassan, you have raised a Point of Order from your system?

**Hon. Hassan:** Yes, Sir.

**The Speaker** (Hon. Kahindi): ...and of course hon. Leader of Majority will get time to respond.

**Hon. Hassan:** Okay.

**The Speaker** (Hon. Kahindi): It is Statement hour, so hon. Leader of Majority will get time to respond. Let him analyze and then respond to you and if not possible, then we can give another direction.

**Hon. Hassan:** I am sorry Sir.

**The Speaker** (Hon. Kahindi): Thank you. Yes, hon. (Dr.) Chitibwi...

**Hon. (Dr.) Chitibwi:** ...is this technology ready?

*(Laughter)*

Mr. Speaker it will take us time to get used to this...

*(Laughter)*

So, my request was, I believe the Committee can look at this document much more closely because to me it appears as if they are joking with the Assembly. It is so unrealistic; it is being suggested that a lot of money to go into areas which we believe are going to be productive. Why hire a shovel for seven million shillings when we can buy one for less for small things like that? I believe the Leader of Majority needs to go back and get a more realist report on this. Thank you Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Yes hon. Japhet Nzaro.

**Hon. Nzaro:** Thank you Mr. Speaker, I concur with hon. Member for Mwarakaya (Dr.) Mzungu Chitibwi. The sentiments he is giving are very valid.

Mr. Speaker, if you look at the amount which the Department seeks to spend in the year 2016/2017, it is about; Ksh. 178,784,060 but if you look at the details which they have shown on how these monies will be spent, the total figure you are getting there is about Ksh. 151,642,860. So, there is a discrepancy on how these monies will be spent and these are issues which will need to be addressed by the Leader of Majority because the document which I have been given is not handling it Mr. Speaker. Thank you.

**The Speaker** (Hon. Kahindi): Thank you. Yes hon. Mramba.

*(Hon. Mramba spoke off record)*

Hon. Mramba you need to speak on record.

**Hon. Mramba:** Asante sana Mheshimiwa Spika, kwa kunipa nafasi hii ili niweze kuchangia Hoja iliyoko mbele yetu. Kwa kweli, hii idara ya Mazingira tungependa iboreshwe

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zaidi lakini kuna mambo ambayo kabla haijaboreshwa ni sharti tuweze kuyarekebisha kabla hatujaendelea mbele.

Bw Spika, ni jambo la kushangaza kwamba afisa mmoja wa mazingira hapa Malindi anaweza kuajiri watu zaidi ya thelathini kila wiki kutoka Ganze akiwaleta hapa Malindi. Ni jambo la kushangaza kwamba hawa vibarua anaowaajiri hawaajiri kupitia kwa ...

**The Speaker** (Hon. Kahindi): Hon. Mramba you need to be seeking clarification from the Report. Okay, if there is anything to the Report which is not clear to you then you seek other clarifications so that the Leader of Majority will be able to make a response. If not now then in the future so you can...

**Hon. Mramba:** Asante sana Bw Spika. Nikichangia Ripoti ambayo iko mbele yetu ni kwamba tungependa hata kuipunguza zaidi badala ya kuongeza. Tuweze kuipunguza kwa sababu kuna ulegevu unaoendelea baina ya haya magari yetu tunayonunua na pesa nyingi zinazotumika; si kwa ile mipango inayopangiliwa. Tutapanga vizuri hapa kwamba tuongeze pesa tununue magari pesa zile zitatumika kwa mipango mingine hazitaweza kwenda pale tunapohitaji. Kwa hivyo Bw Spika, naomba kupinga na tuikataeni hii Bajeti tuliyoletewa.

**The Speaker** (Hon. Kahindi): Hon. Leader of Majority, I think you have heard the sentiments of the Members. Hon. Members, we are not addressing issues of the Budget but we are only addressing a response which has been brought and a very normal procedure is that if you find anything in that Report which is not proper, then you seek further clarification from the Leader of Majority. If the Leader of Majority has an answer as of now, he can give it and I have given him time to listen so that he can make a response. Should you in the event feel that you have no response to make right now, you can and the Law allows inviting the Departmental head to come and explain on what issues have transpired.

So it is not the issue of refusing the Budget or accepting it. In fact, we are dealing with a response which has come from the Executive as to whether we agree with it or not then we need to inform the Leader of Majority so that he can bring further clarification on the same. Yes, proceed hon. Mwingo.

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker. I will need more time to seek for realistic information from the relevant Department.

**The Speaker** (Hon. Kahindi): Okay, hon. Mwingo I will give you...

*(Hon. Mwambire stood on a Point of Order)*

**Hon. Mwambire:** I am standing on a Point of Order Mr. Speaker. Is it in order for the Leader of Majority to inform Members that he will seek time without him being specific because this is very crucial information which we need to get including the figures that hon. Nzaro has shared? I think he should be specific on time so that we can know by this time we will get this information because we dearly need it Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Hon. Mwingo, will seven days be sufficient for you to bring back a report?

**The Leader of Majority** (Hon. Mwingo): Yes, Mr. Speaker, Sir, seven days is sufficient.

**The Speaker** (Hon. Kahindi): Okay thank you very much. Okay, one thing I am noticing about the system is that you need to give it time for it to rotate and do its magic but anyway we are faring on well...

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*(Laughter)*

Hon. (Dr.) Chitibwi you need to get used to this, I know it is very digital and...

*(Laughter)*

Okay let us move to the next subject.

*(Clerk-at-the Table consulted with the Speaker)*

You see the Clerk does not even have a card. How do you go about it? I am not seeing your request. Ooh Okay. I am wondering why hon. (Ms.) Chihanga would want to... okay.

**Clerk-at-the-Table:** Mr. Speaker, there is still a response to a Statement sought by hon. Cosmas Foleni on the issue of resource mapping from the Leader of Majority and there is also a Statement by hon. Nzaro.

#### STATUS OF THE KILIFI COUNTY RESOURCE MAPPING

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker. What I understand is that it was said the Report would be served to the Members via their respective emails.

**The Speaker** (Hon. Kahindi): Why?

**The Leader of Majority** (Hon. Mwingo): I think hon. Foleni was given the hard copy.

**The Speaker** (Hon. Kahindi): Hon. Foleni, can you confirm that you received the hard copy of the Report because I am also informed that it is very bulky?

**Hon. Foleni:** Asante sana Mheshimiwa Spika. Nataka kuwatambulisha kwamba nilipata hiyo nakala na kwa heshima Mheshimiwa Spika, nakala yenyewe ni kubwa. Mimi mwenyewe ambaye nilitafuta haya maelezo bado naendelea kuipitia. Hivyo basi, ningomba Mheshimiwa Spika nipate muda nitaridhika na Ripoti hii.

**The Speaker** (Hon. Kahindi): Okay, so maybe we can take your response next week when we are having responses.

**Hon. Foleni:** Ndio Mheshimiwa Spika.

**The Speaker** (Hon. Kahindi): Thank you very much. Yes hon. Kenga you are raising on a point...

**Hon. Kenga:** Thank you very much. Mr. Speaker, I wanted to know from...and maybe you give us guidance on the same issue. The Statement that was sought by hon. Foleni, although it comes from an individual Member may have raised interest from amongst Members of this hon. House. Therefore, the issue of the Leader of Majority saying that it is going to be sent through the emails, I thought it is supposed to be brought officially to the House so that we also have it so that if there are issues we can also have an opportunity just like hon. Foleni is going through the Report, and air whatever concerns that we have and they can also be addressed. That was my concern. Thank you very much.

**The Speaker** (Hon. Kahindi): Okay I will give a response to that. The Report is 500 pages and hon. Foleni himself saw it. The Office of the Clerk actually managed to print that one

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copy. Logistically, it would have been a nightmare to have 500 copies printed to 53 Members of the County Assembly, but since the County Assembly of Kilifi procured laptops and gave them to Members, it is also presumed that those laptops can now be used.

The whole idea was that they will be sent through email and compact disks (CDs) will be burned so that each Member will be given a copy of the CD. I mean, we will waste a lot of paper if we make 500 pages times 50, ...you know... So to be fair, because the hon. Member is the one who had requested for the statement, let him have the opportunity to get a hard copy but for the rest of the Members, the same will be sent on your emails and then CDs will also be produced so that you can be given. A CD costs 5 shillings only which is cheaper than doing 500 copies for 60 or there about Members; that is going to be very costly and time consuming. So, I think let us give time to hon. Foleni, I know he is a good reader, but that Report is voluminous so we will need you to give us a response whether you are satisfied and then I am sure by that time also, Members will have been availed with their own copies for personal use.

Hon. Hassan you have something to say?

**Hon. Hassan:** Yes Mr. Speaker Sir. I am still hanging concerning that Report. You mean that it cannot be summarized so that instead of 500 pages it can be 100 pages? Thank you.

**The Speaker** (Hon. Kahindi): Hon. Hassan, we are not the authors of the document so we cannot summarize what does not belong to us. Before we got those many interjections, you know Members are having fun because I know... hon. Kenga is very busy talking to hon. (Ms.) Arafa and he has made an intervention and at the same time he wants to talk.

So, on the issue of the Statement sought by hon. Foleni, I think it is all clear and hon. Hassan we cannot summarize it because the information has not come from us; it is from the Executive. So we need to get it as it has been received.

Next Order by hon. Nzaro.

## REQUEST FOR STATEMENTS

### LACK OF SERVICE DELIVERY AT KACHORORONI DISPENSARY

**Hon: Nzaro:** Thank you Mr. Speaker. I rise to seek a Statement from the Department of Health through the Chairperson of the Sectoral Committee on Health Services in Kachororoni Dispensary;

1. Whether he is aware that Kachororoni dispensary in Ganze ward was opened a month ago and no medical services have been offered to residents to date?
2. Whether it was prudent to have only one medical officer posted there to serve in the whole facility? It is a challenge to access medical services when the officer is engaged on other official duties e. g seminars and vaccination exercise.
3. When is the Department posting more staff to serve at the facility?

Thank you, Mr. Speaker.

### MEASURES SET TO DEAL WITH THE LOOMING DROUGHT IN SOME PARTS OF THE COUNTY

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I also rise to seek a Statement from the Department of Disaster Management through the Leader of Majority;

1. Whether the Executive is aware of a looming drought expected due to failure of the long rains?
2. The steps the County is taking to mitigate the effects of such drought e.g. famine, deaths to be experienced in some parts of the County e.g. Ganze and Magarini sub-counties.
3. When relief food will be sent to these areas.

**The Speaker** (Hon. Kahindi): Thank you hon. Nzaro.

## BILLS

### *Second Reading*

#### THE KILIFI COUNTY EARLY CHILDHOOD EDUCATION BILL, 2016

**Hon. Nzaro:** Mr. Speaker I beg to move that The Kilifi County Early Childhood Education Bill, 2016 be now read a Second Time.

*(Hon. Kenga stood at his place to second)*

*(Question proposed)*

*(Question put and agreed to)*

*(The Bill was read a Second Time and committed to a Committee of the whole House at a later date)*

**The Speaker** (Hon. Kahindi): Next!

**Hon. Nzaro:** Thank you Mr. Speaker...

**The Speaker** (Hon. Kahindi): Wait just a minute hon. Nzaro; let us hear from the Clerk...

### *Second Reading*

#### THE KILIFI COUNTY CHILDCARE BILL, 2016

**Hon. Nzaro:** Mr. Speaker I beg to move that The Kilifi County Childcare Bill, 2016 be now read a Second Time.

*(Hon. Kenga stood at his place to second)*

*(Question proposed)*

*(Question put and agreed to)*

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*(The Bill was read a Second Time and committed to a Committee of the whole House at a later date)*

**The Speaker** (Hon. Kahindi): Thank you hon. Japhet Nzaro.

### **ADJOURNMENT**

Hon. Members in the absence of any other Business in the Order Paper, I move to adjourn this House until tomorrow. Thank you very much.

**The House rose at 3:23 p.m.**

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