



REPUBLIC OF KENYA

COUNTY ASSEMBLY OF KILIFI

SECOND ASSEMBLY –THIRD SESSION

THE HANSARD

Wednesday, 23rd October 2019

*The House met at the County Assembly Chamber,
Malindi Town, at 2:30 p.m.*

[The Deputy Speaker (Hon. Kenga) in the Chair]

PRAYERS

NOTICE OF MOTION

ESTABLISHMENT OF NGOMENI AND KIBOKONI SAND HARVESTERS COOPERATIVE SOCIETIES

The Deputy Speaker (Hon. Kenga): Member for Gongoni.

Hon. Kiraga: Thank you so much Mr. Speaker. I wish to move the following Notice of Motion:-

AWARE THAT, the Constitution of Kenya, 2010 in the Fourth Schedule Part 2, 7(e), mandates the County Governments with the functions and powers of cooperative societies.

AWARE THAT, sand harvesting in Ngomeni and Kibokoni in Magarini Sub-Countries is one of the main sources of revenue to the County.

CONCERNED THAT, there exists no cooperate society for the sand harvesters in both Ngomeni and Kibokoni thus making the residents of both places prone to exploitation, low bargaining power to buyers, child labour abuse, and other health risks due to abandonment of quarries.

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NOTING THAT, cooperative societies will bring so many benefits to the residents of Ngomeni and Kibokoni including but not limited to higher bargaining power to buyers, financial benefits to members in form of dividends every year end, rehabilitation programmes of the land after sand harvesting, economic empowerment and capacity building...

(Hon. (Ms.) Messo stood on a Point of Order)

Hon. (Ms.) Meso: Thank you Mr. Speaker Sir. We have too much echo behind us; can you do something about it? Thank you so much.

Hon. Kiraga: Thank you so much. This honourable Assembly urges the County Executive Committee Member in charge of Trade, Tourism and Cooperatives to initiate measures for establishment, registration and empowerment of both Ngomeni and Kibokoni sand harvesters cooperative societies for enhanced...

(Hon. Mwamtsi stood on a Point of Order)

Hon. Mwamtsi: Mr. Speaker, the page where the hon. Member is speaking is not clear in my copy so I cannot follow.

Hon. Kiraga: Thank you. This honourable Assembly urges the County Executive Committee Member in charge of Trade, Tourism and Cooperatives to initiate measures for establishment, registration and empowerment of both Ngomeni and Kibokoni sand harvester's cooperative societies for enhanced revenues for the county and improved livelihoods of the residents of Ngomeni and Kibokoni in Magarini Sub-County.

Thank you so much.

STATEMENTS

ORDER OF BUSINESS FOR THE WEEK COMMENCING 28TH OCTOBER, 2019

Hon. Mwambire: Thank you Mr. Speaker Sir. Pursuant to the Provisions of Standing Order 41 (2) (a), I wish to present and lay on the table of this House the statements regarding the Business for the week commencing on 28th October, 2019 as follows:-

On Monday 2.30 p.m. 28th October 2019 we have (A), Communication from the Chair; Gazettement of the Notice of appointment of the Kilifi County Microfinance (*Mbegu*) Fund Board Members. (B), Papers; physical and land use plans for Marereni trading centre, Kikambala Trading centre, Tezo Trading centre, Kaloleni Trading centre, Shariani Trading centre, Gongoni Trading centre, Msabaha Trading centre, Mkwajuni Trading centre and Chumani Trading centre, which will be laid down by the Leader of Majority.

Statements; (1) Statement sought by Hon. Maitha Masha from the Department of Roads, Transport and Public Works. (2), Statement sought by Hon. Maitha Masha from the Department of Water, Environment and Natural Resources. (3), Statement sought by Hon. Daniel Chai Chiriba from the Department of Roads, Transport and Public Works. (4), Statement sought by Hon. Stanley Kenga Karisa from the Department of Education and ICT.

On Tuesday 29th October 2019 at 9.30 a.m., will have; (1), Statement sought by Hon. Stanley Kenga Karisa from the Department of Education and ICT. (2) Statement sought by Hon. Stanley Kenga Karisa from the Department of Education and ICT. (3) Statement sought by Hon.

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Pascal Thuva Jacob from the Department of Health Services. (4) Statement sought by Hon. Peter Ziro from the Department of Health Services.

On Tuesday 29, October 2019, 2.30 p.m. we have (1), Statement sought by Hon. Peter Ziro from the Department of Health Services. (2) Response to a Statement sought by Hon. Benson Kazungu Chengo from the Department of Water, Environment, Natural Resources, Forestry and Solid Waste Management (Chairperson; Water, Environment, Natural Resources Committee). (3) Response to a Statement sought by Hon. Benson Kazungu Chengo from the Department of Water, Environment, Natural Resources, Forestry and Solid Waste Management. (Chairperson; Water, Environment, Natural Resources Committee).

Wednesday, 30th October, 2019 at 2.30 p.m., we have (A), Motion on Establishment of Ngomeni and Kibokoni Sand Harvesters Cooperatives (Hon. Albert Kiraga). (B), Bills; The Kilifi County Citizen Participation and Civic Education Bill, 2019.

Thank you.

STALLED CONSTRUCTION OF GANZE MARKET

Hon. Baya: Mr., Speaker Sir, allow me to read a Response to a Statement sought by Hon. Benson Kazungu Chengo;

Whether the County Executive Committee Member (CECM) in charge of the Department of Trade, Tourism and Cooperative Development is aware that the construction of Ganze market, a project of financial year 2015/2016 has stalled for a period of five years now and people are doing business on the roadside and open areas which is not conducive in harsh weather conditions?

If yes, what measures is the CECM taking to ensure the project is completed and handed over to the community.

In Response to the CECM through the County Secretary, County Government of Kilifi, Ref: County Assembly Statement- Ganze Market. Following the County Assembly request for a Statement regarding the construction of Ganze Market, dated 28th August 2019, Reference No.: CAK/DPT/TRD/5/VOL.1/19, herein is a Statement summarizing the sequence of events from the financial year 2015/2016 to date. Also attached are copies of supporting documents.

First, on 14th April 2016, project financial year 2015/2016 the project was awarded on 14th April 2016.

Secondly, 15th June, 2016, handing over of the market site to the contractor on the same date, foundation, trenches and column bases were excavated but not to satisfaction.

On 21st October 2016, a warning letter was issued for stoppage of work. On 7th of November 2016, the contractor was served with a default notice for failure to resume work. On 14th November, 2016 the contractor resumed work but failed to respond to default notice. On 14th December, 2016 the contractor casted the strip foundation as required; he also proceeded with the sub-structure walling.

On 30th of January, 2017, the hardcore was laid but it was sub-standard. The site is evacuated and lacked consistency. On 2nd March 2017, work termination draft was given. On 15th May, 2017, a letter of appraisal was given to the contractor to continue with the new timelines.

On 27th May 2019, the first certificate was issued for payment of Kshs3, 013,108. On 6th September 2019, a letter indicating the resumption of the contractor for completion of the project was received starting on the 10th September, 2019 hoping to complete the project by 15th October, 2019. Thank you Mr. Speaker, Sir, that was the Response from the CECM for Trade.

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Hon. Chengo: Asante mheshimiwa Spika. Sikubaliani kwa sababu inaonekana kwamba hakuelewa. Alipoulizwa *Statement* alienda akatoa *statements* lakini hakujibu hilo swali. Nilikuwa nataka nijue yeye kama Waziri ni hatua gani ambazo anachukua kwa hili soko lakini yeye ametoa *statements* kutoka ilipoanza mpaka sasa kumaanisha hakuelewa *statement* niliyokuwa nimeuliza kwamba yeye kama Waziri ni hatua gani ambazo anachukua ili hili soko likamilike ili liweze kutumika? Watu wengi wanafanya biashara zao nje na hata juzi kulikuwa na ajali ambapo kuna mtoto alipata ajali hapo barabarani.

Lengine ni kwamba hata kama kuliandikwa barua ya kusimamisha hii kazi, halafu baadaye akarudishwa tena yule ambaye hawezi, na hapa anasema kwamba ilikuwa ikifika tarehe 15 mwezi huu soko litakuwa *handed over* na mpaka sasa hakuna lolote. Sasa ni kwamba Waziri hajafanya ile kazi yake na ndio maana sikubaliani naye. Asante mheshimiwa Spika.

Hon. Kiraga: Thank you Mr. Speaker. I will also agree with hon. Benson Chengo. The CECM did not address the prayer of the Statement which is “what measures is the CECM taking to ensure the project is completed and handed over to the community?” What we are seeing here is not even a Response and I agree with the Member that these are stages of the project.

We do not know if this literature is also correct because we were also expecting attachments of the same e.g. the issue of warning letters so that this Assembly could also be reading something which we are sure took place. I don’t know whether the CECM knew whatever she was responding to. This is yet another Response we are receiving from the very learned people from the Executive. We needed a Response as to why. If the contractor had some challenges, then we should also have been told so that this Assembly can now take a stand on the same. This is a Response that we should not accept as a House. Thank you.

(The Deputy Speaker spoke off-record)

The Deputy Speaker (Hon. Kenga): ...make sure you engage the CECM in change of the Department and the Member of Ganze Ward must also be taken on board during the exercise so that you also able to get his views on the same. Thank you.

COMMUNICATIONS FROM THE CHAIR

THE HON. SPEAKER’S ABSENCE

There are some Communications I would like to make. One; the Speaker is not present today. He is in Mombasa attending to a court case in one of the issues regarding a Member of this honourable Assembly.

LIAISON COMMITTEE MEETING

Again, all the Members of the Liaison Committee should remain behind immediately after this plenary sitting. There is a meeting that we are supposed to have.

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SECOND READING OF THE KILIFI COUNTY
CITIZEN PARTICIPATION AND CIVIC EDUCATION BILL, 2019

Lastly, when the Member for Bamba was taking us through the programme for the week, the last bit on 30th October 2019, Wednesday at 2.30 p.m.; the Kilifi County Citizen Participation and Civic Education Bill 2019 is going for the Second Reading. So Members, please take note of that.

ADJOURNMENT

In the absence of any other business, this House stands adjourned until Monday of next week. Thank you.

The House rose at 2:54 p.m.