



**REPUBLIC OF KENYA**

**COUNTY ASSEMBLY OF KILIFI**

**SECOND ASSEMBLY – FOURTH SESSION**

**THE HANSARD**

**SPECIAL SITTING**

**Monday, 21<sup>st</sup> December 2020**

*The House met at the County Assembly Chamber,  
Malindi Town, at 9.30 a.m.*

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

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

SPECIAL SITTING GAZETTE NOTICE NO. 10908

**The Deputy Speaker** (Hon. Kenga): Hon. Members, pursuant to Gazette Notice No. 10908, the Special Sitting vide the County Governments Act No. 17 of 2012, the County Assembly of Kilifi Standing Orders for this Special Sitting of the County Assembly.

That pursuant to Standing Order No. 26 (1) (4) of the Kilifi County Assembly Standing Orders, it is notified for the information Members of County Assembly (MCAs) of Kilifi and the general Republic that the Assembly shall have a Special Sitting on Monday, 21<sup>st</sup> December 2020 as from 9.30 a.m., at the County Assembly Chamber, County assembly of Kilifi premises situated behind Immigration House in Malindi Town.

The main Business to be transacted shall be Tabling of the Kilifi County Supplementary Appropriation Programme Based Report for the period ending 30<sup>th</sup> June 2021 and deliberations

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

of the Kilifi County Supplementary Appropriation Bill, 2020; dated the 17<sup>th</sup> day of December 2020 by the Speaker of the County Assembly of Kilifi hon. Kadhua Jimmy Kahindi. Thank you.

## PAPERS

REPORT OF THE SELECT COMMITTEE ON COUNTY BUDGET AND APPROPRIATIONS ON THE KILIFI COUNTY SUPPLEMENTARY BUDGET ESTIMATES (NO. 1) FOR THE FINANCIAL YEAR 2020 /2021

**Hon. Kiraga:** Thank you Mr. Speaker. I wish to Table the Report of the Select Committee on County Budget and Appropriations on the consideration of the Kilifi County Supplementary Budget estimates (No. 1) for the financial year 2020 /2021.

*(Hon. Kiraga laid the Paper on the Table)*

## NOTICE OF MOTION

ADOPTION OF THE REPORT ON THE KILIFI COUNTY SUPPLEMENTARY BUDGET ESTIMATES (NO. 1) FOR THE FINANCIAL YEAR 2020 /2021

**Hon. Kiraga:** Thank you. I wish to table the following Notice of Motion:-

THAT, this House adopts the Report of the Select Committee on County Budget and Appropriations on the consideration of The Kilifi County Supplementary Budget Estimates (No. 1) for the financial year 2020/2021 laid on the Table of this House on 21<sup>st</sup> December 2020. Thank you.

## MOTION

ADOPTION OF THE REPORT ON THE KILIFI COUNTY SUPPLEMENTARY BUDGET ESTIMATES (NO. 1) FOR THE FINANCIAL YEAR 2020 /2021

Thank you, Mr. Speaker. I would wish to move the following Motion:-

THAT, this House adopts the Report of the Select Committee on County Budget and Appropriations on the consideration of The Kilifi County Supplementary Budget Estimates (No. 1) for the financial year 2020/2021 laid on the Table of this House on 21<sup>st</sup> December 2020.

Mr. Speaker, before I give this to my Seconder, I wish to submit the following. The first Supplementary Budget came as a result of some cuts from our budget; you will realize that from the equitable share that this House approved and the changes that were made by the Senate after considering the revenue sharing formula, this County had to lose about Kshs 158 million. If you look at what we approved as un-spent county revenue, it was around Kshs 1.3 billion. Out of that money, around Kshs 738, 342, 218 million had been used by the time we were approving the budget as un-spent county revenue fund, Mr. Speaker. What we were left with was around Kshs 629 million. Generally, this Supplementary Budget has got a deficit of Kshs 896.5 million.

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

The Committee therefore embarked on doing some savings from this Supplementary Budget at least to reinstate some various issues and one of these issues is the Ward Development Fund. As you understand, some of the deductions emanated from the Ward Development Programmes for the financial year 2020/2021. The Committee has a task to reinstate all the Ward Development Fund projects to a tune of around Kshs 52.5 million, Mr. Speaker.

Another issue that we had to look into was the issues of COVID-19 centres to a tune of around Kshs 46 million, Mr. Speaker. We all know the COVID-19 centres came as an emergency to this county and there were some contractors who went to the ground, did their work with their own money and they have not been paid to date. The County Government of Kilifi was waiting for a grant of Kshs 150 million from the National Government of which this grant has not reached the county and that is why the Committee in its own wisdom found it fit to do some savings and allocate Kshs 46 million to that programme.

The Department of Education also made some submission to the Committee concerning the re-opening of schools on 4<sup>th</sup> January, 2021. This allocation is meant to capacity-build the caregivers and the VTC (Vocational Training Centres) instructors so that they can correctly handle the pupils.

Generally, the loss of the Kshs 896.5 million is a hectic issue to this County because there is no money for projects but at least we managed. The core issue here is the Ward Development Fund Programmes for this financial year. Some of the Departments made deductions on their programmes wholly and some partially but thank God the Committee reinstated all these programmes. Without moving further, may I call upon hon. Chai Chiriba to second me. Thank you so much hon. Speaker.

*(Hon. Chiriba seconded)*

*(Question proposed)*

**The Deputy Speaker** (Hon. Kenga): Hon. Chiriba from Jilore Ward, kindly make your request.

**Hon. Chiriba:** Thank you Mr. Speaker for giving me this opportunity and also the Chairperson of the Budget Committee for choosing me as his Secunder. In my submission, I stand to second the adoption of the Supplementary Budget Estimates. The Chairperson made it clear that we have no other reason not to have this Supplementary Budget because when we made our main budget we had our estimates which we got communication of cutting down the funds.

It is true that we could fully implement our budget as planned. The Chairperson mentioned the Ward Development Programmes. Mr. Speaker, the Ward Development Programme is key in our County because it acts as the only equalization fund. The various programmes from the executive normally do not touch every ward, so whenever the ward programmes are altered, it becomes a live wound and that is why it took the wisdom of the Committee to make sure that all the Ward Development Programmes are reinstated.

We also have the isolation centres; when the Health Department pointed out that some programmes have been done and yet there were no allocations, it is very evident that contractors did go to the ground without the funding. So the Committee was wise enough to make sure the contractors are fully considered.

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

The other issue is that schools are re-opening. This declaration is whether COVID-19 tragedy is gone or not; it is a directive that schools reopen. Those who will be going to school are our children, I know you are also a parent and that is why we had to provide for a budget which is going to facilitate various instructors to be equipped on how to handle our children. I pray that Members will join hands and make sure we pass this Supplementary Budget so that the programmes that are enshrined therein be implemented. Thank you, Mr. Speaker.

**The Deputy Speaker** (Hon. Kenga): Thank you for your contribution. The Member for Sokoni Ward, hon. Peru.

**Hon. Peru:** Thank you Mr. Speaker. First of all, I want to congratulate the Budget Committee headed by our able Chairperson hon. Kiraga, the Clerks to the Budget Committee because it took seven days for the Supplementary Budget to be ready for this House including last Saturday and yesterday Sunday. Like what hon. Chiriba and the Chairperson presented, we were working on a budget which was under-funded due to what happened at the Senate and we lost more than Kshs 150 million which translate to projects failing to be implemented.

Two, we have issues like the COVID-19 and the National Government made it clear that by fourth of January, schools have to be opened because our children cannot stay at home forever. There is need for training to be done to our caregivers and teachers in VCTs. It is the responsibility of the National Government to take care of primary schools and above which they are doing and what was left were our county mandates which are ECDs (Early Childhood Development Centres) and Vocational Training Centres (VTCs). The request came in for a budget of around Kshs 17 million for their training and we made the provisions to have it in the Supplementary Budget.

There is another issue of COVID-19 under the Department of Health which has been raised and it is clear to all of us on isolation centres. When COVID-19 came we did not have isolation centres in Kilifi County and money had to be spent to build these isolation centres. We were expected to get money from the National Treasury to a tune of around Kshs 150 million specifically for COVID -9 but the money never came. The contractors needed to be paid so the Department saw it fit that we allocate around Kshs 47 million to go and take care of the COVID isolation centres.

Most importantly, as my fellow Member hon. Chiriba put it, the Ward Development Fund (WDF) in our county is more of an equalization fund because it is clear that projects from the executive cannot be channeled to all the wards but with the WDF we are assured of at least projects worth Kshs 25 million every financial year. So when we see the budget being amended and ward development projects are slashed, it is the responsibility of this Committee to make sure the money is reinstated and that is why I began to applaud the work of the Committee which I am part of and say thank you for a job well done. Now it is the responsibility of this House to make sure the Supplementary Budget sails through and Kilifi gets to have a budget which is on and running. Thank you all and have a merry Christmas.

**The Deputy Speaker** (Hon. Kenga): Thank you. Hon. (Ms.) Maneno.

**Hon. (Ms.) Maneno:** Thank you Mr. Speaker, Sir. I also stand to support the adoption of the Report of the Budget and Appropriations Committee on consideration of the Kilifi County Supplementary Budget estimates for the financial year 2020/2021.

Mr. Speaker, let me congratulate my fellow Committee Members on Budget. Despite the fears of the COVID-19 pandemic, they went ahead and sat for seven days for this Report Mr. Speaker, Sir.

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

I do not have much to say because hon. Chiriba, Peru and the Chairman have put the record straight. Therefore Mr. Speaker, Sir, I support the adoption of this Report. Thank you.

**Hon. (Ms.) Koki:** Thank you Mr. Speaker. May I first take this opportunity to thank the Budget Committee for they sat for seven days including a Sunday; Sundays are for families but the Committee sat to make sure that this Report is ready. I also want to say that the Committee did a really good job to make sure that we have a Supplementary Budget because when you go to the executive, nothing is moving. Anything that you ask you are told we are waiting for the Supplementary Budget. That means service delivery to the people of Kilifi has been put on hold because of this Supplementary Budget.

Again, I want to thank the Committee which I am part of for making sure that all the Ward Development projects have been reinstated. This is a good sign; the *mwananchi* at the *mashinani* level will feel the development of this county. We need to pass this Report so that this budget can be put in place and service delivery for the people of Kilifi can go on without any hindrance.

Lastly, I would want to take this opportunity on behalf of myself and that of my family to wish each one of you a merry Christmas and happy new year. Thank you.

**Hon. Pascal:** Thank you Mr. Speaker for this opportunity. I will not run away from the contributions made by the many Members that as a Committee, the central point was ensuring that the WDF was reinstated. This was affected by cuts and this was necessitated by the fact that Senate in its own wisdom contributed a cut that affected Kilifi County. The allocation that was meant for Kilifi was drastically cut and therefore there was need for the executive to remove some projects so that they would balance the budget.

This Committee ensured that all the ward Development projects were reinstated and this is because just like Members have said, development in the county has not been even and that is why the Committee in its wisdom found it appropriate to ensure that the Ward Development projects were reinstated and ready for implementation.

The other biting issue is about the ECD caregivers whom the Committee found necessary to ensure that there are funds allocated for training and facilitating those who will take care of our children. The COVID menace has really bitten hard and as a government, we need to be very ready to equip our people to ensure that they are able to handle any emergency cases now that the schools are opening.

When you look deep into these budget proposals, there are schemes that came in as new projects like the land adjudication schemes that were proposed by the executive. That is to say that we are now ready as a government to ensure that we are buying land for our people because landlessness has been a problem for Kilifians and the County Government came up with new schemes to ensure that land is given across the county so that our people could get some land.

Finally, there are projects that had been proposed by the executive that were removed from the budget cycle. The Committee found it necessary to keep them as a first charge so that when money is available in the next Supplementary Budget, they are reinstated. I want to say we are careful not only for the Ward Development projects but projects from the executive too. When money is readily available, we are able to take care of those projects from the executive that were removed. Therefore, Mr. Speaker, I kindly call upon Members to remove the fear and have the courage that the Budget Committee is equally able and we support the adoption of this Report for the progress of the entire Kilifi County. Thank you Mr. Speaker, Sir.

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

**Hon. Mramba:** Asante sana Bw. Spika. Nasimama kupongeza kazi iliyofanywa na Kamati ya Bajeti hususani Mwenyekiti wa Kamati hiyo ambaye ni mjumbe wa Wadi ya Gongoni na kwa sasa yuko kwenye kinyang'anyiro cha kugombea ubunge ili awakilishe wale wakaaji wa Magarini. Nataka kusema hicho kiti kimpendeza na inaonekana ameonyesha ishara kwamba anakiweza. Hivyo basi, ninaomba watu wa Magarini wampigie kura ili aenda Bunge la Kitaifa kufanya ...

*(Hon. Mwathethe stood in his place)*

**Hon. Mwathethe:** Mheshimiwa Spika, hiki kikao kilikuwa kianze saa tatu na nusu asubuhi. Katika kuchelewachelewa sasa tumefika saa sita tukielekea saa saba. Mada iliyo mbele yetu ni mada ya bajeti. Naona kama dakika ishirini zimepita mheshimiwa wa Kakuyuni anatuambia habari za uchaguzi wa Magarini ambao hatujajua kwa kweli mheshimiwa Kiraga anataka ubunge Magarini ama ni namna gani. Tunaona kama anatomia wakati wetu bure. Ningeomba ushauri ikiwezekana umshauri aendelee tu na mada tuliyo nayo mbele yetu. Halafu akitoka nje huko mangweni anaweza kupiga kampeni za Magarini. Asante.

**Hon. Mramba:** Mheshimiwa Spika, kusema kwamba nikienda mangweni nami ninavyojua ni mzee wa kanisa.

*(Laughter)*

Naomba aniombe msamaha kisha aondoe maneno yale; itaonekana vipi kwa watu wangu?

*(Hon. Mwathethe spoke off record)*

**Hon. Mramba** Asante sana. Mheshimiwa Spika, sikuongea kwa ubaya lakini kweli ni kwamba Mheshimiwa Kiraga kazi anaiweza na Mungu akitujalia aende Bunge la Kitaifa anaweza kwenda kuwa Mwenyekiti wa Bajeti pia kule.

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

**Hon. Pascal:** Hon. Speaker, I think matters of religion are very grave and we need to be cautious when referring to matters religion. The hon. Member has said that he is a church elder not a village elder.

*(Laughter)*

I want him to substantiate because looking at his attire, he is a Muslim now or a Christian endowed in Muslim attire? I think that is not proper. Can you please give us direction on that? Thank you.

**Hon. Mramba:** Mheshimiwa Spika, naona sijavunja sheria yoyote hata ukiangalia *Leader of Majority* pia anaitwa Adamson Kadenge Mwathethe na ni *reverend* na amevaa nguo zile. Haya ni mavazi

*(Hon. Mwathethe spoke off record)*

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

*(Laughter)*

**The Deputy Speaker** (Hon. Kenga): The Leader of Majority is claiming to be a Muslim; he is professing the Islamic faith now. So he has made it public that he is a Muslim. So please do not refer to him as a Christian; he is not.

**Hon. Mramba:** Ni sawa Mheshimiwa Spika. Mimi ni mzee wa kanisa na kanisa langu ni Madunguni Baptist Church. Pastor wangu ni George Katana Kafuti. Na yeyote ambaye ana shaka anaweza kwenda kuuliza ama anaweza Google Madunguni Baptist Church ataona mzee wa kanisa ni Nixon Mramba.

Naomba kumaliza kwa kushukuru sana Kamati ya Bajeti maana ukiona kwamba Kamati hata Jumapili imekaa ni kuonyesha kwamba wamejitolea. Na hata pastor Mheshimiwa Daniel Chai Chiriba ambaye wengine wanasema pengine alianguka lakini mimi nathibitisha kwamba hajaanguka ingawaje siku ile kwa sababu ilikuwa ni muhimu, aliwacha kwenda kanisa ili ahudhuri vika vya Bajeti. Hivyo basi, ninaomba kuunga mkono. Lililokuwa limetuvunja moyo Bw. Spika ni kwamba miradi ya wadi ilikuwa imetolewa lakini Kamati hii ikafanya juhudi zote kuhakikisha miradi ya wadi ya Adu, Kakuyuni na kote kwengine imerudishwa pale pale. Hivyo basi, naomba tuwashukuru sana na tuzidi kuwaomba Mwenyezi Mungu awalinde na waendele na kazi hii.

*(Question put and agreed to)*

### PROCEDURAL MOTION

#### REDUCTION OF PUBLICATION PERIOD OF THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2020

**Hon. Mwathethe:** Thank you Mr. Speaker. I would wish to move a Procedural Motion for the reduction of the publication period:-

THAT, notwithstanding the provision of Standing Order No. 116 of the Kilifi County Assembly Standing Orders, I move that this House reduces the publication period of the Kilifi County Supplementary Appropriation Bill, 2020 from seven days to five days.

I am calling on hon. (Ms.) Nuzla to second.

*(Hon. (Ms.) Nuzla seconded)*

*(Question proposed)*

**Hon. (Ms.) Nuzla:** Asante Mheshimiwa Spika kwa kunipatia nafasi hii. Tukiangalia huu ni mwezi wa Disemba na tunaelekea siku za sherehe. Afisi nyengine zitafungwa na wananchi wa Kilifi wanahitaji utendakazi na mambo mengine mengi. Naomba waheshimiwa tushirikiane kwa umoja bila kupoteza mda tupitishie hili jambo baadala ya kuchukua mda mrefu wa siku saba tupunguze ziwe siku tano ndio wananchi wa Kilifi wapate huduma kwa wakati. Naomba tuunge mkono hili jambo na kuhakikisha kila kitu kimekuwa sawa kwa mda mfupi. Asante Mheshimiwa Spika.

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

**The Deputy Speaker** (Hon. Kenga): Thank you very much. That was the Deputy Majority whip.

*(Question put and agreed to)*

**BILL**

*First Reading*

THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2020

*(Order for First Reading read-Read the First Time and Ordered to be referred to the relevant Departmental Committee)*

**BILL**

*Second Reading*

THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2020

**Hon. Kiraga:** Thank you so much Mr. Speaker. Pursuant to Standing Order No. 121, I wish to move that the Kilifi County Supplementary Appropriation Bill, 2020 be now read a Second Time. You will realize that most services in our County have stalled as what hon. (Ms.) Koki had alluded and it is very true and most of these services are waiting our approval so it is very paramount for us to straight away go to the Second Reading of this Bill and without much ado, may I call upon hon. Pascal to second. Thank you.

*(Hon. Pascal seconded)*

*(Question proposed)*

**Hon. Pascal:** Thank you Mr. Speaker. Just as the Members of the Budget Committee have put it, we are now time barred. We need this budget to be passed as quickly as possible so that we can get down to business.

Service delivery as said is actually grounded and it is waiting for this document to pass so that we can move. Therefore, I call upon Members and any partner to join hands to make sure that this budget passes for our own people. Thank you very much Mr. Speaker.

*(Question put and agreed to)*

**COMMITTEE OF THE WHOLE HOUSE**

*(Order for committee read)*

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

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

## IN THE COMMITTEE

*[The temporary Chairperson (Hon. Mumba) took the chair]*

## THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2020

**The Temporary Chairperson** (Hon. Mumba): Hon. Members, welcome to the Committee of the Whole House. We want to consider the Kilifi County Supplementary Appropriation Bill, 2020.

The rules are relaxed. I now call upon the clerk to take us through. Thank you.

*(Clause 3 agreed to)*

*(Clause 4 agreed to)*

*(The First Schedule agreed to)*

*(Clause 2 agreed to)*

*(Clause 1 agreed to)*

*(The Long Title agreed to)*

*(The Short Title agreed to)*

Thank you, hon. Members. We have come to the end of the Committee of the Whole House. I now call the Mover to submit.

**Hon. Kiraga:** Thank you so much Chairperson. I beg to move that the Committee do Report to the House its consideration of the Kilifi County Supplementary Appropriation Bill, 2020 and its approval thereof without amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*(The Deputy Speaker (Hon. Kenga) in the Chair)*

**REPORTS AND THIRD READING**

## THE KILIFI COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2020

**Hon. Mumba:** Hon. Speaker, I beg to report that the Committee of the Whole House has considered the Kilifi County Supplementary Appropriation Bill, 2020 and approved the same without amendments. Thank you.

**The Deputy Speaker** (Hon. Kenga): Thank you, Mover.

**Hon. Kiraga:** Thank you Mr. Speaker. I beg to move that the House do agree with the Committee in the said report. I call upon hon. Chiriba to second.

*(Hon. Chiriba seconded)*

*(Question proposed)*

**Hon. Chiriba:** Thank you Mr. Speaker. In very few words given that it is reported to you that the Bill is without amendment, it is evident as the faces can read that every Member wants this to be implemented as soon as possible; that is why it has found the favour of this honourable House. So I stand in support. Thank you.

*(Question put and agreed to)*

**Hon. Kiraga:** Thank you hon. Speaker, I beg to move that the Kilifi County Supplementary Appropriation Bill, 2020 be now read the Third Time. I call upon hon Pascal to second.

*(Hon. Pascal seconded)*

*(Question proposed)*

**Hon. Pascal:** Thank you Mr. Speaker. The Third Reading of this Bill will culminate into its passage. We want to see contractors paid, we want to see County Government officials being paid and that cannot happen if this business we are conducting here is not confirmed. Therefore, I kindly appeal that the Bill is read a Third Time. Thank you very much.

*(Question put and agreed to)*

*(The Bill was accordingly read the Third Time and Passed)*

**ADJOURNMENT**

**The Deputy Speaker** (Hon. Kenga): Thank you very much hon. Members. There being no other business on the Order Paper, this House stands adjourned. Thank you.

**The House rose at 10.40 a.m.**

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*