



**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**  
**THIRD ASSEMBLY-THIRD SESSION**

**THE HANSARD**

**Tuesday, 3<sup>rd</sup> December 2024**

*The House met at the County Assembly Chamber,  
Malindi Town, at 9:30 a.m.*

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

**PRAYER**

**COMMUNICATION FROM THE CHAIR**

**VISITING DELEGATION FROM MOMBASA COUNTY ASSEMBLY**

**The Speaker** (Hon. Mwambire): Hon Members, we have visitors from the County Assembly of Mombasa. They had a request for an exchange programme between the County Assembly of Mombasa and the County Assembly of Kilifi. They have come to appreciate several issues from us.

I now beg to read what we have here. “The County Assembly of Mombasa is keen in fostering inter-county collaborations and knowledge sharing between our respective assemblies. In this regard, we wish to request for an exchange programme with the County Assembly of Kilifi to enhance both capacities of our members and staff and promote the sharing of best practices in legislative work and more so on procedures, Committee work and oversight functions.”

That’s what our colleagues from Mombasa want from us and we have them in the Speaker’s Gallery. I beg to read out their names and you will recognize them as per our parliamentary traditions. We have: -

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- |                                     |                                   |
|-------------------------------------|-----------------------------------|
| 1. Hon. Hamida Nuru                 | : MCA (Member of County Assembly) |
| 2. Deputy Clerk                     | : Christine Udunda                |
| 3. Deputy Director Hansard          | : Emily Sialo                     |
| 4. Deputy Director Library services | : Samira Kazeza                   |
| 5. Accountant                       | : Maven Atieno                    |
| 6. Administrative Officer           | : Fatuma Muhidin                  |
| 7. ICT Officer                      | : Ramla Said                      |
| 8. Clerical Officer                 | : Micheal Mnyapara                |
| 9. Commissioner                     | : Abdul Kadir Mohammed            |
| 10. Commissioner                    | : Peter Ndzinga                   |
| 11. Head Messenger                  | : Mary Kaburia                    |
| 12. Head Messenger                  | : Wahid Abdulla                   |
| 13. Welfare Manager                 | : Warida Safe                     |

Those are our colleagues from Mombasa. On behalf of the County Assembly of Kilifi, I take this opportunity to welcome you and feel comfortable. Hon. Deputy Speaker, please welcome our colleagues.

**The Deputy Speaker** (Hon. Kombo): Asante, Bw. Spika, kwa fursa hii ya kukaribisha wageni kutoka Kaunti ya Mombasa. Karibuni Kilifi mjisikie mko nyumbani. Kilifi ni mahali ambapo watu wana ustarabu mwingi na mioyo mikujufu ya kupenda kukaribisha wageni. Pia, Kilifi ni mahali ambapo pana shughuli nyingi za kitalii kwa hivyo munapomaliza shuhuli za kikazi za matembezi basi mjisikie huru kuangalia maandhari ambayo Kilifi Kaunti iko nayo. Tuko na hoteli nzuri kushinda zinazopatikana Mombasa tuko na *products* tofauti tofauti, kama vile *Vasco da Gama pillar*, tuko na mdomo wa mto Sabaki ambao una mwaga maji yake kilomita chache kutoka hapa. Tuko na maandhari mengi kama misitu na pia *products* nyingi za kitalii na pia baada ya Bunge tutakuwa na wakati mzuri wa kutangamana ili tuwe tutabadilishana mawazo na pia kuzidi kuendeleza utangamano wetu. Kwa majina naitwa Naftali Kombo, Naibu wa Spika katika Bunge hili.

**Hon. (Ms.) Koki:** Asante sana, Spika, kwa nafasi hii kukaribisha wageni wetu katika hili Bunge. Nachukua nafasi hii kwa niaba ya *Majority Leader* nikiwa mdogo wake mimi naitwa Martha Koki nikiwakilisha watu wa Mariakani, Kaloleni *Constituency*. Kuongezea tu yale Naibu wa Spika aliyozungumza kuanzia kesho tutakuwa na kongamano kubwa la kimataifa *International Investment Conference* pale Vipingo kuanzia kesho hadi Ijumaa tunawakaribisha ili mpate kujua Kilifi iko na mambo gani.

**Hon. (Ms.) Mariam:** Asante sana, Bw. Spika. Nami pia niungane na wenzangu kuchukua fursa hii kuwakaribisha wageni wetu kutoka Kaunti 001. Sisi ni majirani na mimi ni *nominated* MCA natoka *Sub-County* ya Rabai. Karibuni sana Kilifi. Wenzangu wamesema mengi na kuna mambo mengi Kilifi ambayo mnaweza kusoma.

**Hon. Zia:** Asante sana kwa nafasi hii. Kwa jina naitwa Samson Zia Kahindi, mwakilishi wa Wadi ya Adu. Karibuni sana Adu. Ninatoka katika ile sehemu inaitwa Shakahola, kama mlikuwa munajiuliza Shakahola ni wapi, Shakahola iko Kilifi, Adu, Magarini *Constituency*. Nachukua fursa hii ya kuwatakia kila la heri kwa ule muda wote ambao mtakuwa hapa Kilifi hasa hapa Malindi. Kama mmekosa mahali kwa kulala, tutawaonyesha mahali maana sisi ndio wenye mji hapa. Ukifika sehemu ile ya Marafa kuna mapango makubwa yanaitwa *Hell's Kitchen* ukifika hapo utakuwa sawa. Katika sehemu ile yetu ambayo tunaishi kule upande wa Magarini hapa Kilifi,

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mananasi utayapata kwa wingi sana kwa sababu sisi ndio tunaoyakuza. Licha ya yale matatizo ambayo pengine watu sifa mbaya wanazitoa kusema kwamba sijui Shakahola ni mbaya lakini Shakahola ni kuzuri; ndio ambako kunatoka watu ambao wako *handsome*. Ninawakaribisha mjiskie huru nikiungana na Deputy Leader of Majority kusema kwamba kuanzia kesho mpaka *Friday* tutakuwa na lile kongamano kubwa ambapo nyinyi pia mje mjionee kwamba Kilifi ni mji wa kutamanika; ni mji ambao tunakaribisha kila mmoja ambaye ataanza kuanzisha mambo ya biashara ama vitu fulani fulani ambavyo atakuwa anavipendelea. Mungu awabariki sana, tuko na Gavana mchapakazi na tuko na MCAs ambao wako *steady* ili kufanya kazi na mtu yeyote yule ambaye yuko ndani ya hii Kaunti.

**The Speaker** (Hon. Mwambire): Sasa ndugu zetu kutoka Mombasa wamesikia kutoka majirani wa Mombasa, wakaskia kutoka kwa jirani ya Tana River ambaye amesema kuhusu Shakahola. Wacha nimpatie sehemu nyengine pia ambako huwa wanasikia kuna changamoto nyingi za maisha. Yule wa Ganze, mheshimiwa Ngirani.

**Hon. Ngirani:** Thank you, Mr. Speaker. Ganze has no problems. All the problems were sorted. We are good. I also want to take this opportunity to welcome you all, the delegates from Mombasa County. From the delegates, I have a member that I have known for quite some time, Christine, she is a very good friend of my cousin sister, who is the Legal Director of this County Assembly, Patience Pili Kingi. I want to welcome you all, and two facts that the delegation from Mombasa should always bear in mind is you should know that the water you consume in Mombasa originates from Kilifi County.

Again, the city that is next to Mombasa, that is now a Municipality, Mtwapa is not in Mombasa County. It is in Kilifi County. So, I welcome you all. Feel free in everything that you are going to do with your idea of benchmarking. Thank you.

**The Speaker** (Hon. Mwambire): Maybe you can get also an opportunity to hear from the eldest Member in terms of age, who is a member, and an MCA who has a record of being a Member of National Assembly and now an MCA from Jaribuni. Hon. Shehe, please.

**Hon. Shehe:** Asante, Bw. Spika. Tunawakaribisha wale ndugu zetu kutoka Mombasa. Kwa jina naitwa mheshimiwa Peter Safari Shehe nikiwa wenu wa karibu wa Gavana wenu Abdulswamad ambaye tulikuwa sote 11<sup>th</sup> *Parliament* pamoja na Gavana wetu hapa Kilifi. Sote tulikuwa katika 11<sup>th</sup> *Parliament* kule *National Assembly*. Tuko hapa kuwakilisha jamii zetu. Mimi nikizungumza natoka Jaribuni, ni sehemu ambayo imeunganisha Mombasa kwa maji ya kutoka Langobaya. Yale maji yote ya kutoka Mzima yanatiririka kutoka juu lakini yale ambayo yanatoka huku upande wa kwetu yanapita na kwangu.

Nikiyafunga nyinyi hamna maji lakini sisi si wachoyo. Tunawakaribisha kwa moyo mkunjufu tukiwaonyesha kwamba wale wafanyikazi walioko Mombasa wengi wanatoka huku Kilifi na tuna uhakika kwa ushirikiano mwema ule ambao mmeona afadhali mje mtutembelee Spika wetu akiwa kinara ambaye alikuwa lile Bunge lililotoka kule juu najua tunafanya kitu cha aina gani. Kwa hivyo, hapa ni nyumba ya sheria kama vile mnajua na tunajua kwamba mkaribishwe mjue kwamba wenzetu wanafanya hivi na sisi pia tunawakaribisha hata kongamano la Vipingo. Mkifika kule waambieni wenzenu mpitie hapo muone vile ambavyo tunaweza kuidhinisha mambo ya biashara kwa pamoja. Langu ni kidogo na kuwakaribisha kwa moyo mkunjufu. Asanteni.

**The Speaker** (Hon. Mwambire): Okay, that is all. Thank you very much, Members for your welcoming remarks for our neighbours and close friends because most of the people in the entire republic fail to differentiate where is Kilifi and where is Mombasa because when they come

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from Nairobi, for instance, when they reach somewhere like Mazaras, they think that they are in Mombasa while they are in Kilifi County. Some even when they are in Mariakani, they think Mariakani is in Mombasa. So, I think we are the only people who know the difference but even when they are in Mombasa, they spend the night in Mtwapa, and they claim that they are in Mombasa. For us, when we are within Mtwapa, we spend the night in Mombasa and claim to be in Kilifi. So, we are the same people. Yes, hon. Ngirani.

## STATEMENTS

### TITANIUM EXPLOITATION AT MOI SAND QUARRIES IN SABAKI WARD

**Hon. Ngirani:** Thank you, Mr. Speaker. I want to read two statements. As the Chair for Water, Environment, Forests, Natural Resources and Solid Waste Management, there is a Response that was sought by hon. Rose Baraka, representative of Sabaki Ward. The Response was about the mineral that is titanium exploitation at Moi Sand Quarries in Sabaki Ward by unnamed Chinese company. Our Response goes like this: - The Department states the following on the issue raised; that is number one, mineral titanium exploitation at Moi Sand Quarries in Sabaki Ward by an unnamed Chinese company. The Department of Water, Environment and Natural Resources is actively involved in the sustainability, exploitation of natural resources and exploitation of natural resources and monitors the environmental impacts of quarrying and all mine operations. We also work with other authorities like the National Environmental Management Authority, that is NEMA, in enforcing several environmental laws to ensure environmental compliance.

We are aware of the mineral; on the issue where the Department is maybe aware or not about the mineral exploitation at Moi bridge, the answer is no. We are not aware. The licensing of mineral rights for either exploration or mining is the responsibility of the Ministry of Mining. Otherwise, they are obligated to notify the county of any application of mineral rights within the county. As a county, neither have we given any consent to any company to exploit minerals in the said area nor have we received any communication from the Ministry of Mining of any company interested in mineral rights of the area.

From the cadastral portal at the Ministry of Mining, there is only an application for mineral rights of which through a gazette notice, the county will be notified to give her comments. The Department will liaise with the area MCA of Sabaki and follow up on the concerns. There is the attached cadastral copy in the next page. That is the map portal whereby the member maybe can go through. That is the figure above is the cadastral portal for the application status of a mining company interested in the exploitation of Titanium Minerals in Malindi. Note that the license has not been issued. Thank you, Mr. Speaker.

**The Speaker** (Hon.Mwambire): Yes, hon. (Ms.) Rose, are you content with the Response?

**Hon. (Ms.) Rose:** *Thank you, Mr. Speaker.* Hili swala nalipinga kwa sababu unajua katika Wadi yote lazima kama kunaingia watu ama kunaingia lolote mpaka mheshimiwa wa hiyo Wadi ajulishwe. Asipojulishwa kuna ile shida ya wananchi wataleta maneno halafu baadaye itakuwa balaa. Mimi hilo swala nalipinga na kama litaendelea itabidi Idara ya Mazingira na Kamati yetu ya Bunge pamoja na mimi tuketi tuongee tuelewane twende huko nyanjani, tuwe na *public participation* kwa wananchi wajulishwe hili swala. Ningeomba tukae mwanzo kwa ajili ya swala hili. Asante sana, mheshimiwa Spika.

**The Speaker** (Hon.Mwambire): Any Member with a comment on the same? Hon. Shehe.

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**Hon. Shehe:** Thank you, Mr. Speaker, Sir. I wish to congratulate a very candid reply from our member whose reply has really touched me because we had the same issues in my ward. Unfortunately, there was never any participation from the civic education department, and they have had problems. I wish you step on that one and even as we are coming a bit late but consequently, I think we are closing all the quarries in Jaribuni from January. On that particular move that you are taking, it is best that you strike it right from the word go before you continue with the process that will bring a lot of chaos. Thank you, Mr. Speaker.

**The Speaker** (Hon.Mwambire): Hon. Kubo.

**Hon. Brown:** Samahani, Bw. Spika, natumia kadi ya mheshimiwa Kubo kwa sababu yangu haifanyi kazi. Nilitoa hii taarifa wiki iliyopita lakini haijashughulikiwa. Asante kwa fursa hii na ningependa kuwakaribisha wageni wetu ambao wamekuja kwa niaba ya kutathmini mambo ambayo tunayafanya. Karibuni sana. Mimi ni mheshimiwa Brown Safari, mheshimiwa Wadi ya Mtepeni. Ni jirani mwenza wa Shimo la Tewa ambako kunajulikana sana kama Mtwapa. Nashukuru kwa sababu tuko kwa manispaa kwa hivi karibuni tena.

Kusema kweli, haya majibu yamenifurahisha na tungependa kusema kweli kuna tatizo kubwa ambalo huwa linatokea kwa saa hii. Mimi ni mmoja wapo kule Wadi ya Mtepeni. Kampuni nyingi zinakuja pasipo kujulishwa. Watu wanaleta kampuni hawafanyi hamasisho kwa wananchi. Unaona kampuni inajengwa ila hujui kwajengwa nini na wala wanataka kufanyi nini. Ni lazima tuhakikishe tunajua wananchi na ikiwa watu watakuwa wanakuja kufanya biashara ambayo hiyo ni kampuni kubwa, hujui anatengeneza nini ama madhara kwa jamii pasipo wasia wa wananchi. Tunataka kutekeleza mambo kama ya uwiano, kushirikiana kufanya kazi na kuridhiana maana ni faida kwa mwananchi na pia kwa mwekezaji. Mimi nasema hilo alilozungumza mheshimiwa Rose ni vyema aweze kusikizwa na pia tuwe na mkondo mwafaka wa kuthibitisha madai kama hayo. Asante sana mheshimiwa Spika.

**Hon. Kea:** Thank you very much, Mr. Speaker, Sir, for this opportunity. I got confused along the way when the Response was being read by hon. Ngirani and how the hon. Member had sought that Statement. Anyway, what I am saying is that the Department of Water, Environment and Natural Resources is not aware of what is happening in Sabaki Ward. Since the hon. Member sought the Statement, I do not know what measures have been taken. I agree with what my fellow hon. Members have stated that we cannot live in a county whereby things are happening, and we are not aware.

It is very paramount for the ward representatives to be informed of what is happening in our area because, on the other hand, it is the creation of job opportunities for our people but on the other hand it is harmful to our people. If the people concerned are not informed of what will be happening, then we are sitting on a temple that is going to explode and kill almost all of us. I know Sabaki Ward very well and the hon. Member is my neighbour, next door neighbor, and whatever is happening is not right at all. We kindly ask as a House...

**The Speaker** (Hon.Mwambire): Hon. Kea, are you not from Kibarani Ward because...

**Hon. Kea:** I am from Kibarani but I do some investments in Sabaki also.

**The Speaker** (Hon.Mwambire): It is good that you have clarified because you said you are a next-door neighbour to her, and we know very well that you come from the other side. Just proceed.

**Hon. Kea:** Mr. Speaker, I stand in solidarity with the other Members of this County Assembly to join hands with her in whatever is happening at that site and should stop until we get to know if the company handling that business followed the right procedure to get a license and if

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not, what are they doing? As much as we want investors, in fact we are holding one of the best and biggest investment conferences, but people should not take advantage of us because we are peaceful people, and we like investors, and they cannot just come in our county and just do what they want. Thank you very much and I stand in support.

**Hon. Emmanuel:** Thank you, Mr. Speaker, for giving me this opportunity. I concur with the hon. Members who have been on the Floor especially the Member representing Sabaki Ward. It is in my opinion that we all know we love our environment and the area specifically in question as we speak here, hon. Speaker, when I am going home to my ward, it is on my right and when I come to the Assembly, it is on my left. It has been my worry too for a long time because I remember that area, I think it was the pinpoint during the builder of the bridge but then that project stopped. Most recently, it has now come up again.

The hon. Member representing Sabaki has raised this issue. My big worry is that the Department is not aware of what is happening there. There are no measures that have been taken to see what is happening there. I am not aware if there was any survey that was done and I am not aware or if the House is aware there was any request from the investors who have been mentioned here and if not, then I think we are in a very serious dilemma which I believe the hon. member from Sabaki has suggested that there is a need for immediate investigations because otherwise we may be living or seeing a lot of resources from our area diminishing without our awareness which could help our county and our people.

So, hon. Speaker, I would urge that the Department consents to take specific measures on the same and I strongly advise that the House should also set up a committee to investigate this because it's something that we really must understand and the House should know what is happening around there, otherwise we are in problems.

So, thank you, hon. speaker. I strongly agree with the hon. member that there should be the committee of environment and the hon. member and, if need be, a committee should be set up in this House so that this House can follow up step by step on everything that is happening there. Thank you so much.

**Hon. (Ms.) Koki:** Thank you, Mr. Speaker, for giving me this opportunity. I also stand in solidarity with hon. Rose Baraka from Sabaki. Mr. Speaker, as you know, we are the people who have direct contact with *mwananchi* (people) on the ground and I want to understand that hon. Rose, before bringing this Statement to the Floor of the House, is because of the questions that she has been asked by the people who sent her here.

Mr. Speaker, it is also unfortunate if the Department of Natural Resources would say that they are not aware that there is an investor on the ground. It is upon them to investigate and if at all there is an investor who has started working in Sabaki to follow the due process of them being there and one of them is to have public participation with the people of Sabaki to just know what exactly is going on. So, I want to support hon. Rose Baraka for not accepting the Response that has come to the floor of the House and we expect if at all there is an investor in Sabaki, this investor has the opportunity actually to attend the International Investment Conference tomorrow so that they can sign an MOU (Memorandum of Understanding) between the County Government and them in the presence of the area MCA.

So, I stand to support hon. Rose in not accepting the Response that has come from the Department. Thank you.

**Hon. Juma:** Asante, Bw. Spika, kwa kunipa nafasi na mimi kuisitiza mambo yaliyoko mbele yetu. Kwa manufaa ya wageni naitwa Juma Chengo na mimi ni MCA wa Mnarani lakini

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nimezaliwa kijiji cha Takaungu. Ninaungana na mambo ambayo yamezungumzwa na Mheshimiwa Rose kwa sababu ni mambo ambayo juma lililopita yalinifika. Kuna barabara kule kwetu ya kutoka maeneo ya Kibaoni kwenda Kayanda na Maweni. Nilipigiwa simu na vijana nikaambiwa kuwa kuna barabara inawekwa *murram*. Je, wajua? Nikasema sina ufahamu.

Vijana wakazuia maana ile *murram* ni ya kuteleza kwa sababu ni vijana wa boda boda wanaelewa. Nilijaribu kufanya utaratibu unaostahili nikampigia Waziri husika wakasema hawana ufahamu. Pia, nilipigia mashirika yasio ya kiserikali kama kuna kazi wanafanya huko lakini ikawa sio wao. Bahati nzuri nikapata namba ya huyo mwanakandarasi na nikamuuliza mbona hujulishi jamii na sheria ziko wazi. Nilimjulisha asitishwe hadi watakapokubaliana na wananchi ndio aendelee.

Baada ya hapo nilipata simu nyingi za lawama. Mara wakatoka hapo wakaenda kuanza kuweka katika barabara nyingine bila kufuata sheria pia vijana huko wakanijulisha. Haya ni mambo ya kuvunjana mioyo sisi kama wajumbe kitu kitakachowekwa kule nyanjani sisi ndio tuko karibu na wananchi na maswali yatakuja kwetu. Hivi juzi tu hizo barabara zilikuwa zimewekwa *murram* na serikali ya Kaunti. Naomba Bunge hili tuweke mkazo kama kuna miradi yoyote inafanywa, lazima jamii ihusishwe. Asante, Bw. Spika.

**Hon. Hinzano:** Asante, Bw. Spika, kwa nafasi hii. Kwa faida ya wageni kwa majina naitwa Morris Hinzano, MCA Wadi ya Kakuyuni. Nimechaguliwa kwa chama cha UDA (*United Democratic Alliance*) lakini niko hapa Bungeni kwa ajili ya maswala ya watu wa Kilifi. Kusema kweli, aliuliza swali ambalo lilikuwa lijibiwe kwa ufasaha na kwa njia ya kumridhisha. Hii hali imekuwa ikiendelea watu wanajibu watakavyo. Wote hao walikuja tukawapitisha hapa na wakaidhinishwa na Gavana akaweka sainsi kuwa watumikie wananchi lakini majibu wanayotoa katika Bunge hili ni majibu yasiyoridhisha kabisa. Katika maswali ambayo tunauliza kati ya kumi, moja ndio linaweza jibiwa saa hii mengine wanajibu watakavyo. Nasema hivyo kwa sababu maafisa wa idara hii walishindwa kwenda Sabaki kufanya uchunguzi kama huyu mwekezaji yuko na aneendelea mpaka wanaamua kujibu tu maswali kama ambaye wako mbali na hapa sabaki.

Mheshimiwa Rose anasema kwamba uchimbaji unaendelea bila wananchi kujulishwa. Wao wanasema hata hawajui kuna mwekezaji hapo na akifika mwekezaji kama yupo wataweza kuwaambia wananchi waweze kufahamu. Ni mambo ambayo yanashangaza. Kwani mheshimiwa Rose ambaye anawaongoza hao wananchi hajui kinachoendelea pale? Ni shida gani ambayo inafanya mpaka waziri na maafisa hawawezi kufika hapo na kuthibitisha kwamba huyu mwekezaji yupo kweli ama hayuko? Mpaka wanatuletea majibu haya ambayo hayana kichwa wala miguu.

Mheshimiwa Spika, ni aibu sana na ni madharau kwa Bunge hili. Ni jukumu letu kusimama kidete kwa sababu kila mtu ana majukumu yake na ni lazima majukumu hayo yatekelezwe. Ndiposa tuna uwezo na mamlaka ya kuwaita na kuweza kufika hapa na watuelezee kama wanatujibu kwa makaratasi kwa vile wanaandika tu haraka haraka na kutuma makarani wao watujibu watakavyo. Wao waje watujibu sisi wenyewe ili tujue huyu ni yule tuliweza kumpitisha wakati ule akiwa anatafuta hii nafasi ama amegeuka? Kwa sababu wamebadilika kiasi ya kwamba hawaaminiki tena sasa. Akiingia hapo kama tunamhoji hapa anakuwa malaika kwa unyenyekevu, mnyonge, lakini akishaingia tu yeye ndio anakuwa sasa ni kama amebeba bunduki na maguruneti kutaka kulipua na kufanya vile anataka katika Bunge hili.

Mheshimiwa Spika, ni aibu kubwa sana na inastahili tuweze kuchukua hatua ili kuhakikisha kwamba sio mheshimiwa Rose tu bali kuna wengi pia wanaumia kama Jaribuni vile

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ambavyo mheshimiwa Shehe ameongea hapa. Ni lazima tusimame kidete kama waheshimiwa na sisi ndio tunaishi na hawa wananchi.

Shida kubwa ambayo nimeigundua ni kwamba hata jambo likafanywa na kiongozi mwengine katika sisi ambao tulichaguliwa ambao ni MCAs, Mbunge, *Women Representative*, Gavana, Senata Na Raisi lakini inamlalia MCA kwa sababu yeye ndiye anaishi na wananchi na kama kuna shida imetokea amepelika kwa wizara husika aweze kupata jibu la kuridhisha na mtu analeta majibu hapa atakavyo. Si vizuri na naungana na mheshimiwa Rose pia mimi siwezi kukubaliana na majibu haya maanake leo ni yeye na kesho ni mimi. Asante.

**The Speaker** (Hon. Mwambire): Yes, hon. Ngirani, do you have any additional information?

**Hon. Ngirani:** Thank you, Mr. Speaker. I want to acknowledge the fact that it is wrong for any project to be done in a community without involving the residents. However, we also have a problem, and we must acknowledge Schedule Four of our Constitution of the devolved functions of the National Government to the County Governments. We have a problem, especially in my committee which touches on the natural resources and environment whereby, mining is squarely a function that was not devolved to the county governments and so everything is done by the National Government concerning mining in any part of this country. We have been having this problem. There is the titanium going on in Sabaki, there is another one in Sokoke, there is Jaribuni, we go there as a committee but again, at the end of the day, mining is being done by the National Government. Everything. We are in the Environment Committee but things touching on the environment are being done by NEMA and NEMA is squarely under the National Government, and these are the things we normally do there. We do a lot of things, reports, but at the end of the day, they do not see the light of day. I want to acknowledge that there should be harmony, good working environment between the National Government and the County Government, but again, the devolved functions are the ones strangling the evolution of our counties.

There was a problem in Rabai the other day; we were there sometimes back on the issue of Athi-River mining. We could not solve that because everything; the NEMA license, the mining license, the prospecting license, is being issued by the National Government. So, the county has very little to do with mining in our country. Therefore, as the Chair, Mr. Speaker, I wish to call upon the departmental heads, led by the Chief Officer in charge of Environment, so that we can sit, visit the site, and see the best way forward on how we are going to solve the issue of Sabaki. Thank you, Mr. Speaker.

**The Speaker** (Hon. Mwambire): Hon. (Ms.) Rose has proposed that the Committee should accord her an opportunity to ventilate on these issues and hon. Ngrani is informing the House that the mandate is not within the county, but I direct that, let the Committee, sit with the CECM (County Executive Committee Member) and see whether you can intervene in a number of issues, because they are not just the issues she questioned about mining, but even the environmental impact needs to be looked at. So let the Committee initiate a meeting and invite hon. (Ms.) Rose so that we can conclude the issues and bring the Report to the Assembly.

Hon. Kombo, you are to have a Statement, yes.

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## DELAYED PROVISION OF MODERN TOOLS AND EQUIPMENT FOR RURUMA VTC

**The Deputy Speaker** (Hon. Kombo): Thank you, your honour. I have a Statement to the CECM for Education and ICT through the Chairperson, Education Committee. This is about the provision of modern tools and equipment for Ruruma VTC (Vocational Training Centre).

Whether the CECM in charge of Education and Information Communication Technology, that is ICT, is aware of the one million Kenya shillings allocation by the County Assembly for purchasing modern tools and equipment for Ruruma Vocational Training Centre in the Financial Years 2022-2023.

Whether the CECM is further aware that the tools and equipment were never delivered to the institution as had been intended.

If yes, why was the project not implemented as planned? And two, what measures are being taken to ensure the tools and equipment are procured and delivered to the institution? Thank you.

**The Speaker** (Hon. Mwambire): Very well. The Chair should bring the Response immediately when we come back from recess. It should be a comprehensive one. The second week of February, that is. That is a good time because we have almost two months. The next one is hon. Shehe. I can see you have two, so just read both.

## STATUS OF HEALTH SERVICES IN JARIBUNI WARD

**Hon. Shehe:** Thank you, hon. Speaker. I have two reports to read. I am glad that the Chairman who is also addressed to have a copy is in the House. This is a Statement on the health status of health services in Jaribuni Ward. The Statement to the County Executive Committee Member (CECM) in charge of the Department of Health and Sanitation Services through the Chairperson, Health Services Committee.

That, whether the CECM in charge of the Department of Health Services is aware of the dispensaries in Jaribuni Ward in terms of infrastructure and staffing.

Whether the CECM in charge of the Department of Health Services is aware that the construction of Makonjeni, Mariani, and Matolani Dispensaries in Jaribuni Ward was budgeted for as ward development programmes in the Financial Year 2023/2024, approved budget at the cost of Kshs5,000,000 each.

Whether the CECM in charge of the Department of Health Services and Sanitation is also aware that the construction of the Makonjeni-Mariani-Matolani Dispensaries has not yet started and there is no explanation to date to the County Assembly.

Whether the CECM in charge of Health is also aware the construction of Viambani-Migumo- Miri Dispensaries has stalled and that there are no public toilets at Jaribuni and Mbudzi Dispensaries.

Whether the CECM in charge of Health Services is aware that the Community Health promoters in Jaribuni Ward have no transport facilities to undertake their responsibilities and if yes, what measures has the Department taken to put in place to address the issues raised above?

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## STATUS OF JARIBUNI WARD DEVELOPMENT PROJECTS IN THE FINANCIAL YEAR 2023/2024

Mr. Speaker, Sir, I have another Statement for the CECM if you allow me, I will continue through the Chairperson, Education Committee about Karemboni ECD (Early Childhood Development) and Muroka and Mtepeni ECD Centres in Jaribuni Ward.

Whether the CECM in charge of the Department of Education and ICT is aware that the proposed construction of (No.2) classroom and (No.1) two-door toilets at Karemboni ECD in Muroka and Mtepeni ECD in Jaribuni Ward was budgeted for as ward development programmes in 2023/2024 approved budget for five million Kenya shillings each and whether the CECM in charge of the Department of Education and ICT is also aware that only one classroom was constructed in Muroka and Mtepeni at a cost of four million Kenya shillings instead of five million Kenya Shillings and it is not even complete.

Whether the CECM in charge of the Department of Education and ICT is also aware that the toilets at Karemboni ECD in Muroka and Mtepeni have not been constructed centrally to the approved County Assembly budget estimates and if yes, what detailed explanations does the CECM in charge of Education and ICT concerning the charges in the Jaribuni Ward Development Projects in the financial year 2023/2024 and what measures he is putting to address the issues raised above? Mr. Speaker, I do not know if I can add a little sentence to the Statement that was written here.

*(The hon. Speaker spoke off record)*

Thank you. There is a tendency from our Executive Members to take things very lightly. The work that has been assigned through the Assembly is not taken seriously because if we have an Assembly budget and they assume it is for the Executive and they take other people who give them these tenders, the tenders are not even done at all. If you go to ask them, they give you a very funny explanation. As we are speaking, 2023 is a while ago. They took all the Kshs5,000,000 for the ward and pretended it was for the Executive. Nothing has been done to date. Now people are wondering what is happening. Thank you very much, Mr. Speaker. I just wanted to raise concerns, but I would like to get a very detailed explanation. Thank you.

**The Speaker** (Hon. Mwambire): Okay, that is well recorded. Let the Chairpersons of the Health and Education Committees work on this through the CEC Members and come up with a Response on the first week of February when we will be coming back.

Yes, hon. Ngirani, I see you have a Response to a Statement.

## STALLED CONSTRUCTION OF BEMWAMBA DAM IN RURUMA WARD

**Hon. Ngirani:** Yes, Mr. Speaker, I have a Response as the Chairperson, Water Committee, and it is about the stalled Bemwamba Dam in Ruruma Ward. I will read the Statement and then give a few observations about it.

The Department is aware of the project as a department. The Project as per the Department is not steadily done and it is in the excavation stage. The contractor has not completed the project, and it is still ongoing. The period is six months and is expected to be completed by the 5<sup>th</sup> of October 2024. We are following up on the project as a department with the contractor and pushing for its completion. The payment for the same project is not yet done.

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Mr. Speaker, this Response has been taken over by time because the Statement was received on 17<sup>th</sup> July 2024 by the Department of Water. It was written on 8<sup>th</sup> July 2024. It landed on the desk of the County Secretary (CS) on 27<sup>th</sup> August 2024. Again, it was forwarded by the same CS on 30<sup>th</sup> August 2024. It landed back as a Response on 20<sup>th</sup> November 2024. The completion date that the Department has stated was on 5<sup>th</sup> October 2024. It was way back before we received the Response on 20<sup>th</sup> November 2024. Maybe it is upon the hon. Member who sought the Statement to clarify whether the completion date was supposed to be the 5<sup>th</sup> of October 2024. How is the project going then maybe from there if the status is still the same, as a committee we take it up. Do a site visit and do a Report and we engage the CECM as to why they lied to this House. Thank you, Mr. Speaker.

**The Speaker** (Hon.Mwambire): Hon. Kombo.

**The Deputy Speaker** (Hon. Kombo): Bw. Spika, acha nitumie lugha ambayo wale watu wa Ruruma wanaweza kuelewa kwa urahisi kuhusiana na majibu ambayo Waziri ameyaleta hapa Bunge. Kulingana na Mwenyekiti wa Kamati alivyoeleza ni kwamba katika tarehe ambazo zimenakiliwa hapa, tayari zina utata na zinaleta alama ya kuuliza kuhusiana na jibu hili. Vile alivyojieleza haviambatani na vile hali ilivyo. Tarehe ziko tofauti na hapa ameeleza kufikia tarehe tano mwezi wa Oktoba ambapo ungekuwa mradi huu umeisha. Nieleze Bunge hili kwamba mwanakandarasi aliondoka *site* mwezi wa tano. Hajarudi mpaka leo. Tarehe tano Oktoba mpaka leo ni zaidi ya miezi mitano iliyopita. Ikiwa Waziri alikuwa analeta majibu hapa ambayo yalipokelewa taraha ishirini Novemba, basi tunashindwa kuelewa kama Waziri anaelewa kile anachokifanya ama haelewi.

Kufikia sasa, hakuna kitu ambacho kimefanyika na kwa siku mbili tatu hivi, Ruruma kulikuwa kunanyesha na hata sasa kunanyesha na ile sehemu ambayo walikuwa wanachimba sasa imejaa maji. Kwa hivyo, hili jibu ambalo limetoka kwao halitoshelezi ama halinifurahishi. Asante, Bw. Spika.

**The Speaker** (Hon.Mwambire): Hon. Koki.

**Hon. (Ms.) Koki:** Thank you, Mr. Speaker, for giving me this opportunity again. I am just wondering how long this House has received these responses. Mr. Speaker, to be honest, enough is enough. I was going through the Response; it is like we came here to play; we are not representing the people because we are the people who face this outcry first-hand, not the Executive or anybody else. With such a Response what will *Mheshimiwa* tell his people? To be honest, this Response was made on the 8<sup>th</sup> of July 2024, and the Statement was responded on the 17<sup>th</sup> of July 2024. This Response was received at the Assembly on 20<sup>th</sup> November 2024 four months later, so for four months what has *Mheshimiwa* been responding to the people of Ruruma?

Mr. Speaker, I think something is not right somewhere; the completion date was the 5<sup>th</sup> of October, and the hon. Member has said still nothing has been done until now. Mr. Speaker, *kuna watu lazima tuanguke nao!*

**The Speaker** (Hon.Mwambire): Hon. Mariam.

**Hon. (Ms.) Mariam:** Asante sana, Bw. Spika, kwa fursa hii. Nataka pia niungane na wenzangu kuhusiana na haya majibu. Kufikia sasa, haya majibu yote yanayokuja kwa hili Bunge, Bw. Spika, na ni maswala ambayo tunayazungumzia kila mara.

Mheshimiwa wa Ruruma ukikumbuka juzi ulikuwa umeketi kwa kiti cha Bw. Spika na nikakuuliza utuambie ikiwa majibu yanakuja na hayaridhishi kuna mbinu gani tunaweza kufanya maana tumeona ni maswala yanaendelea na hayaridhishi kila mtu kwa hili Bunge.

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Tukizungumzia mradi ambao... kwa sababu mimi nimetoka Kambe Ribe na Ruruma ni Wadi jirani ambayo mimi binafsi huwa natembea Wadi hii sana. Ni kweli huo mradi uliachwa kuanzia huo mwezi na *contractor* alitoka mpaka sasa. Waziri katika kujibu kwake alikuwa amehakikisha kwamba huo mradi kufikia mwezi wa kumi utakuwa umekamilika.

Bw. Spika, huo si mradi wa kwanza katika Wadi hiyo; kuna miradi mingi katika Wadi tofauti. Kitu ambacho kiko nafikiri kila mtu anakubaliana kuwa kuna maswala ambayo yanajibiwa lakini hayaridhishi kila mtu na kama hayaturidhishi, je, kuna mbinu nyengine ya kufanya? Ndio tujue tunafanya nini maana imekuwa wazungu husema, '*too much*'.

Kila atakayeuliza swali hapati jibu la maana na pia kitu chengine katika haya majibu kulingana na hiyo tarehe unaona *Response* ilijibiwa halafu ikawa miezi minne ndio ikatufikia sisi. Imaanisha kuna shida katika ofisi fulani maana kama Waziri alijibu kwa nini haikufika ule wakati Waziri alijibu? Maanake ingefika wakati ule, *then* tungeangalia kufikia sasa alipojibu mpaka mwezi wa kumi lakini hata hayo majibu yenyewe nayo yalikuja kuchelewa. Kuna mambo ambayo Bw. Spika hayaeleweki. Wewe kama mwakilishi mara nyengine unajiuliza haya maneno yanafanywa hivi kwa nini.

Bw. Spika, wajua sisi tuko na *mandate* kubwa sana. Waheshimiwa wenzangu pale tumefikia hawa watu wanaona hatujacheza *part* yetu vizuri. Mimi nina hakika ikiwa tutachukua hili jukumu kulingana na Katiba na tuhakikishe kuna watu tumewapeleka na njia ya Kikatiba na tusimame imara huu mchezo utaisha. Mimi nafikiri Bw. Spika kazi iko kwetu na lazima tuungane kwa pamoja tuhakikishe kuwa kwa sababu haya ni maswala ya maendeleo ya mwananchi wa Kilifi. Na sisi kama tumetumwa hapa kuja hakikisha kuwa haya maendeleo yanatendeka na upande mwengine hayatendeki basi hatuna haja tuwe katika Bunge hili. Asante, Bw. Spika.

**The Speaker** (Hon. Mwambire): Hon. Brown.

**Hon. Brown:** Asante sana, Bw. Spika, kwa kunipa fursa hii tena ya kupeana jawabu langu la majibu ambayo yametolewa. Mimi sina marefu nikidhani sisi sote hapa ni wasomi. Ndani ya hapa Bunge tumeenda shule na hata wale tumewaajiri pia wameenda shule. Wakati mtu akiulizwa swali mimi najua kuna njia tatu za uwajibikaji. Njia ya kwanza kawaida kama umeulizwa swali na unalifahamu, jibu kwa haraka na silo jibu ambalo limepatikana bali liwe ni jibu la uhakika na linaridhisha kila mmoja. Na ikiwa unaona jibu unatetesi nalo na huna jawabu la kutosha, unasema kwamba ngojea kidogo nitakujibu na kama huna jibu kabisa mwambie uta *research* halafu baada ya hapo niwaletee.

Nafikiri hiyo ndiyo njia ambayo tungekuwa tunapata majibu ambayo yanastahili. Ni kinaya kuona kwamba majibu yalipeanwa, yamejibiwa na kuna mahali fulani kuna mtu hafanyi kazi vizuri. Hii siyo sawa kuotana vidole vya lawama hapa na pale. Kazi yetu kama Bunge ni kutunga sheria, kuajibika na kuweka yale ambayo hayafai, kuyakemea na kuyaweka yale ambayo hayako sawa.

Si kwamba tunanyosheana vidole kulaumiana bali tunanyosheana vidole kwa sababu tunataka kurekebisha ili kazi iwe safi na ya kuonekana kama jengo letu tukufu la Bunge hapa. Utasikia hisia kama ambavyo *Deputy Majority Leader* wetu anasema watu hawa tutaanguka nao. Hatupendi kufikia mahali pale. Tungependa kama kutakuwa na baraza fulani ambalo lithakikisha kuwa kila mmoja atafanya kazi yake na kuwajibika. Bw. Spika, Bunge hili lina upevu wa kuelewa mambo ambayo yanastahili kuelekea. Kwa hivyo, nafikiri ni muelekeo wako, Bw. Spika, uweze kutuelekeza tutafanyaje? Shukrani.

**The Speaker** (Hon. Mwambire): Members, I think this is a very straight forward matter so let the Committee convene a meeting with the CECM and the concerned Member (Hon. Kombo)

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and come up with a comprehensive Report to the Assembly on what you are going to find out on the engagement. I do not think this is a Response that we should dwell much on. It has a lot of contradictions when you read it and you will even be shocked at how it ended up staying that long without ...because the date the CECM claims to have responded and when it came to the Assembly, you cannot imagine. Let the Chairperson convene the meeting and find out so that we can get a comprehensive Report.

## MOTIONS

### ADOPTION OF THE REPORT ON THE CONSIDERATION OF THE REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF THE KILIFI-MARIAKANI SEWERAGE COMPANY (KIMAWASCO) LIMITED FOR THE FINANCIAL YEAR ENDING 30<sup>TH</sup> JUNE 2022

**The Speaker** (Hon. Mwambire): Yes, who is moving the Motion? Are you the one moving the Motion?

**Hon. Mohamed:** Thank you, Mr. Speaker. I stand to move a Motion: -

THAT, this House adopts the Report of the Select Committee of County Public Investment and Accounts Committee on the consideration of Reports of the Auditor General on the financial statements of the Kilifi-Mariakani Water and Sewerage Company, (KIMAWASCO) Ltd. for the financial year ending 30<sup>th</sup> June 2022, laid on the table on Monday, 18<sup>th</sup> November 2024.

Mr. Speaker, before I call hon. Biryia to second the Motion, I wish to take this opportunity to inform the House that the Report from the Auditor General on KIMAWASCO for this financial year was qualified and the Committee observed the following and made recommendations.

One, that it was the Committee's considered position that close to 80% of the queries that were raised by the Auditor General on this Report were issues that could have been sorted out or resolved by the concerned company if they had been well-coordinated and worked closely with the auditors. So, the Committee noted that there was laxity on issues which were raised by the Auditor General. They did not cooperate well with the Auditor General during their work at the company. So, the Committee recommends that the Accounting Officer should take stern measures to ensure that respective officers always act on time when dealing with the Auditor General or else he will be held personally responsible for the actions of his juniors.

I also wish to inform this House that there were a few issues or matters that were noted and I'll pick a few which came across and it was noted by the Committee as a serious concern. One of the queries that the Auditor General had raised was regarding Kshs15 million which were unidentified debtors. The Kshs15,237,445 was a balance which was not supported, and they could not be explained.

So, on this, the Committee observed that the Accounting Officer submitted that in the audit period of the years 2009 and 2010, there had been no figure of other debtors reported in the financial statement but in the Audit Report of 2011 there had been a figure of Kshs17 million of other debtors reported in the financial statement. By then only a figure of Kshs5.5 million had been disputed by the Auditor General as it had no supporting documents. A figure of Kshs15 million for other debtors was not supported.

So, in this, the management, the CECM for Finance and the Committee thought it wise that the management or the CECM for Finance institute a forensic audit because the company's

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management is requesting or they were suggesting to write off the balance and because the Committee sought to get a clear way of it before they do that they do the write-off, the Committee recommended that the CECM Finance set out a forensic audit by an external auditor on the expenditure amounting to Kshs15,237,455 and a report to be submitted to this County Assembly within 90 days after the adoption of this Report.

Again, the Committee noted that there have been unexplained costs of water works by the Coast Water Development Authority. As we all know, KIMAWASCO is a company that gets water from Coast Water but there has been an unexplained cost of water works development by the company. We have engaged with the company and the company has been telling us as the committee that they have been engaging the Coast Water Development Authority though they have not been getting sufficient responses.

Hence this query has been coming up in almost every financial year that the Auditor General goes to their offices. So this Committee found that because the company has been engaging the Coast Water Development Authority and the Coast Water has not been giving sufficient answers to clear the query and we as the County Government cannot directly engage Coast Water Development Authority then it is in the best wisdom of the Committee that we recommend this matter is forwarded to the Public Accounts Investment Committee for a thorough interrogation of the management of the Coast Water Development agents on undue delays in the transfer of both assets and liabilities to the water service providers so that at least we can get because if we do a letter to the Coast Water Development Authority which our clerks notified us as a Committee they said they have done it several times but the Coast Water Development Authority says that it is not in their mandate to deal with us.

So, the Committee recommends that this query be forwarded to the Senate PIC/PAC Committee so that it can help sort out this. So, generally, there are issues in this Statement, but we are happy as a committee to report here that the Auditor General did not raise any financial misappropriation in this Statement and the issues which were raised more so are weaknesses in financial reporting and accounting standards which have been addressed. Some of them have been addressed and others are prior matters and issues which have been coming up. Otherwise, in future, the few issues which we noted as a Committee which needed a comprehensive investigation, and recommendations are the ones that I have read out to the House and by that, I wish to call upon hon. Birya to second the Motion.

**Hon. Birya:** Thank you, Mr. Speaker. I rise to second the Motion and as the Vice-Chair has reported that most of the issues in this Report were addressed and as a committee, we recommended that the accounting officer ensures that he takes prompt action on the Auditor General's management letter to avoid unnecessary queries in these reports. So, I wish to congratulate the Committee led by hon. Thaura Mweni and I rise to second.

*(Question proposed)*

**The Speaker** (Hon. Mwambire): Any member who wishes to comment on the same? You wish to comment on the same, hon. Ngirani?

**Hon. Ngirani:** Again, Mr. Speaker, thank you. MAWASCO is squarely under my committee, and it has been having several problems in dealing with the water issues of this county. Most of these problems are internally caused by the various tasks that we have that have stayed

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there for quite some time now, doing all the *panya* routes of embezzlements and so many of the projects for KIMAWASCO are stalled, repairs are not well done because of such stuff.

The junior staff, Mr. Speaker, said that this Report has indicated that they are not cooperating well while they did cooperate well with the Auditor General. I think Mr. Speaker, they exist. They are still there. We might be having a new Chief Officer, but those small juniors that did not cooperate with the Auditor General to give full information so that this House can understand exactly what is eating KIMAWASCO. Mr. Speaker, I think that recommendation was very light for them.

We are supposed to end this issue of water shortages within our county and if it is being caused by someone who is still sitting in the office, he should give an elaborate report or vacate the office, Mr. Speaker. We need competitive staff that are ready to work and solve the problems that are being faced by the Kilifi people.

Also, I recommend, rather, I want to congratulate the PIC/PAC for the good job and their recommendation on the PIC/PAC Senate to take up the issue of Coast Water. I think it should be sped up by maybe the Implementation Committee or the relevant committee so that we see this problem also has been solved once and for all. Also, the loss of the Kshs15 million, Mr. Speaker, the same thing. People know where this money is, and the staff are still there sitting in the office. As a committee, personally, I will take charge of knowing these junior staff that messed up with the Auditor General and maybe you can also do a good report to this House on the same recommendation to these staff. Thank you, Mr. Speaker.

**Hon. (Ms.) Koki:** Asante sana, mheshimiwa Spika. Nasema kuwa kama kweli kunayo shida basi ni lazima itatuliwe. Mimi nikiwa nawakilisha watu wa Mariakani kumekuwa na changamoto nyingi sana kuhusu maji. Hivi tunavyozungumza hapa niliandika barua kwa *National Drought Management Authority* na nikizungumza hapa niko na *boozers* zinasambaza maji Mariakani. Kama kweli Mariakani kunaweza kuwa na uhaba wa maji, je Bamba ama Ganze? Tukiwa tuko maeneo ambayo tunasema kidogo ni ya *town*. Kwa hivyo, kama ni shida ambayo inasababishwa na mtu, tujue ni nani na kama ni shida ambayo inahitajika kutatulika tujue ni vipi itatulikwa ili maji yaweze kusambaa kwa wananchi wetu.

Maji ni uhai na mimi nataka kumshukuru yule *manager* ambaye tuko naye kule Mariakani. Anajaribu kujizatiti sana ili kuhakikisha kuwa maji yanasambazwa lakini bado shida ya maji imekimu. Kwa hivyo, ni vizuri KIMAWASCO ikae na *department* wapate kujua hizi shida ziko wapi na kama ni shida zinasababishwa na kuzembea kikazi, watu wafutwe waende nyumbani na kama ni shida ambazo zinatakikana kutatulika upande wa KIMAWASCO ama *department* ya maji basi iweze kufanyika hivyo.

Mimi hata naogopa maana tunaenda katika wakati wa likizo ya sikukuu na shida ya maji. Yaani kama yale mawe ningekuwa naweza kuyajengea gorofa sasa hivi ningekuwa nimejenga gorofa kwa sababu ya shida ya maji ambayo watu wangu wa Mariakani wanaipitia. Kwa hivyo ni jambo ambalo tunatakiwa kulipatia kipao mbele na kuhakikisha kuwa watu hawasumbuki na kina mama hawatembezi.

Juzi niliona mama amebeba mtoto mgongoni na mtungi anaenda akitafuta maji. Si wakati huu, Bw. Spika. Shida tunaweza kosa kuimaliza lakini tunaweza kuipunguza. Hata mwananchi anapojua nitapata maji siku mbili na ya tatu sitapata atajipanga na yale kidogo ambayo atakuwa anapata. Kwa hivyo, tutafute shida kamili iko wapi na ukiangalia hivi nikiwa nimesimama hapa nawakilisha watu wa Mariakani lakini hii shida haikuwa Mariakani peke yake na nataka watu wangu wa Mariakani wapate kujua kuwa shida haiko Mariakani peke yake. Sehemu nyingi ziko

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na shida ya maji. Kwa hivyo tuweze kupata suluhu ya maji ili watu wetu waweze kufaidika na maji ambayo ni kitu muhimu sana ambacho binadamu anafaa kukipata kwa wingi. Nitasimama kidete kuhakikisha shida ya maji ya Mariakani hata kama hatutaimaliza tutaweza kuipunguza. Kwa hivyo, *Department* yetu ya *Water* na watu wetu wa KIMAWASCO washikane wapate kujua hii shida iko wapi na waweze kuimaliza. Asante.

**The Speaker** (Hon. Mwambire): Acha tusikie kutoka kwa yule mheshimiwa anayetoka kule maji yanakotoka, mheshimiwa Jambo.

**Hon. Jambo:** Asante, mheshimiwa Spika. Nashukuru Kamati kwa kujizatiti na kuweza kujua kinachosibu katika kampuni ya KIMAWASCO. Mimi nikiwa mjumbe wa Jilore, mahali mabomba ya maji yanatokea. Katika kampuni ya KIMAWASCO na kampuni ya MAWASCO (*Malindi Water and Sewerage Company Limited*) zote zimezaliwa katika bomba moja. Maji yanapozalishwa yanazalishwa katika kampuni moja badala ya mda hatua kidogo ndio mahali zinagawanywa sehemu mbili; ukielekea sehemu ya Malindi ndio tunaita MAWASCO na ikielekea sehemu ya Kilifi ndio tunaita KIMAWASCO lakini KIMAWASCO tumekuwa na tatizo. Hili tatizo limefanya si wakaaji tu wa nje ya Jilore, hata wakaazi wa Jilore pia wanateseka.

Itakuaje kwamba utapata hata swala la *rates* lenyewe, zile ada wanazolipishwa, utapata kampuni ya MAWASCO iko chini na kampuni ya KIMAWASCO iko juu. Utapata hata ni hamsini(50), hapa ni tisaini(90) ya yanazalishwa katika kampuni moja. Kwa hivyo, si maswala ya fedha shilingi milioni 15 hazijulikani ziko wapi, hilo ni dogo. Wananchi wanalia; hiyo ni fulushi peke yake. Je, wale wanaohudumiwa wanaotaka kwamba maji ni kiu na ndio mafuta ya mwanadamu, hawezi fanya swala lolote lazima apate maji. Na ikiwa wanateseka kutaendaje?

Kwa hivyo, kama ni swala la kwamba Ripoti iko sahihi, nimewaunga mkono kwa uzuri, lakini kama kuna swala lengine tungechukua kama *County Government* hatuwezi ni kwamba Seneti ndio waweze kuingilia, basi lingefanywa kwa uharaka sana, ikiwezekana hata sisi katika *Implementation Committee* nafikiri mwenyekiti wangu itabidi tukae kidete tuone kwamba linatekelezwa kwa haraka ili watu wa Kilifi waweze kusaidika.

Haya si maswala ya kwamba tuyachekelee tu kama *County Government*; ni maswala ya kwamba mbali na nje ya Wadi ya Jilore, Wadi ya Sokoke na zile wadi nyengine ziko mpaka kufikia Mombasa wanategemea pale kwa kampuni ya KIMAWASCO ndio waweze kusambaziwa. Kwa hivyo, kuna hitaji kwamba kama *County Government* tukae kidete kama waheshimiwa tuone ya kwamba tunasaidiana na serikali kuu ama wale watu wa Seneti tuone kwamba tatizo hili linafika mwisho. Asante, Bw. Spika.

**Hon. Ziro:** Asante sana, mheshimiwa Spika. Kwanza kabisa, ningetaka nipongeze kamati kwa kazi njema ambayo walifanya kuileta hii Ripoti na kuweza kuonyesha ile hali halisi ya hii kampuni ya KIMAWASCO na MAWASCO.

Mheshimiwa Spika, mimi nitakubaliana nao ikiwa kuna shilingi milioni kumi na mbili ambazo hazijulikani ziko wapi, kule Mwanamwinga ni sehemu mojawapo ambayo imekuwa na shida ya maji kwa muda mrefu sana. Kuna mabomba ya maji ambayo yanapitia kutoka sehemu ya Ganze. Cha kushangaza ni kwamba pale kuna *pump station* maji yako lakini watu wa KIMAWASCO wanayauzia pale pale kwa tangi.

Mimi naona ni fedha nyingi zilikuwa zikipotea na wananchi wa Mwanamwinga wamekuwa wakiteseka kwa maovu labda hawa watu walikuwa hawajakuwa wakifuatilia hususan haya maji jinsi yanavyosambazwa kwa mwananchi wa Kilifi. Kwa hivyo, nawapongeza na pia nataka niwakaribishe Mwanamwinga ili ule uovu ambao uko pale muweze kuuchunguza.

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Yale maji ambayo yanauzwa hapo na hayasambazwi kwa wakaazi wa Mwanamwinga, tujue lile tatizo liko namna gani.

Kuna siku niliweza kutokea ghafla pale kwa ile *pump station* na kisingizio ni kwamba pump zilihharibika lakini kile kilichoharibika si huwa kinatengenezwa? Huo ni uzembe ambao unaendelea pale na Kamati asanteni kwa Ripoti hii. Zidini kufanya kazi yenu ili kwamba huu uchafu ambao unaendelea uzidi kujulikana na tuweze kupata suluhu ambayo itasaidia watu wa Kilifi. Asanteni.

**Hon. Brown:** Asante, Bw. Spika, kwa fursa hii ambayo ni ya kipekee kwa swala hili la maji. Mwanadamu anategemea sana maji kwa afya nzuri. Ni kigezo kikubwa sana katika mwanadamu na ni haki yake. Ningependa kupeana kongole kwa wale waheshimiwa waliokaa na kuleta hii Ripoti ambayo tumeipata kwa saa hii na ningewapa pongezi kwa kazi safi tuliyosikia hapa. Ningependa kuchangia kwa mada hii kwa njia tatu.

Njia ya kwanza tukizungumzia hii kampuni ya KIMAWASCO. Kaunti yetu inapoteza fedha ambazo wangukuwa wanazipata. Wengi wanatumia maji ya visima na wengine wanachimba mpaka maji yanakuwa maji safi na sina haja ya maji ya kampuni ya KIMAWASCO. Hii ni kwa sababu gani? Nashukuru Mungu niliweka mifereji kama mitatu katika sehemu zangu za biashara na pia kwangu nyumbani.

Katika sehemu za biashara nilikuwa sipati maji na ile sehemu nikafunga na mita tukazipeana lakini cha kustaajabisha ni kwamba bado nilikuwa napata bili ya maji. Ilikuwa imekaa zaidi ya miezi sita na bado naletewa bili ya maji. Katika hali za kuangalia zile *rates* natakikana kampuni hii iweze kukaa ili tusipoteze fedha wala kugandamiza mwananchi wa kawaida ambaye analipa pesa. Kwa kusaidia kampuni yetu hii lazima kuwe na ule uwajibikaji wa kuona kwamba, kama kutakuwa na miundo msingi mizuri wa kuweza kutenga pesa na mwananchi afaidike na hao pia waweze kupata.

Jambo lengine ningependa kulijibu katika upande huu, mimi kwa upande wangu, nashukuru Mungu kwa sababu nimepata fursa ya kupata wadhamini wengi wa kunichimbia visima hata vyengine ni vya *solar* katika wadi yangu. Ningelipenda kumshukuru Mstahiki Gavana kwa sababu kusema ukweli, sijui kama sehemu nyengine mshapata yale mabomba makubwa ambayo yamewekwa yaweze kuleta maji. Kuna mradi mkubwa ambao umewekwa pale kwa upande wetu ambao ni wa shilingi milioni mia moja sabini na tisa ili iweze kusambaza maji katika sehemu zote za manispa na upande wa *Kilifi-South*. Nasisistiza lazima Bunge hili tuangalie ni vipi maji yanasambazwa katika sehemu zetu na ni wapi kumelalia sana na ni wapi kumeinuliwa sana ili kila mtu aweze kupata usawa katika ushuru huu ambao tunakusanya kwa jimbo letu la Kilifi. Kwa hayo machache, ningependa kushukuru kwa nafasi hii.

**The Speaker** (Hon. Mwambire): Hon. Members, I know there are several of you who wish to make your contributions on the same but allow me to call the mover of the Motion to respond because we are also observing time.

*(Question, that the Mover of the Motion be called upon to reply, put and agreed to)*

**Hon. Mohamed:** Thank you, Mr. Speaker. I wish to take this opportunity to thank all hon. Members who have supported the Motion, and I wish to promise the House that as a committee, we will always be doing our work and ensure that all these questions that the Auditor has been giving to these companies are all well sorted. Let us make sure that our company's financial statements are reflected in the true aspects of it. So, for that, Mr. Speaker, I say thank you so much.

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*(Question put and agreed to)*

ADOPTION OF THE REPORT ON THE CONSIDERATION OF REPORTS OF THE AUDITOR GENERAL ON FINANCIAL STATEMENTS OF MALINDI WATER AND SEWERAGE COMPANY (MAWASCO) LTD FOR THE FINANCIAL YEAR ENDING 30TH JUNE 2022

**Hon. Mohamed:** Thank you, Mr. Speaker. Again, I stand before the House to move a Motion: -

THAT, this House adopts the Report of the Select Committee on County Public Investments and Accounts Committee on the consideration of Reports of the Auditor General on Financial Statements of Malindi Water and Sewerage Company (MAWASCO) Ltd. for the financial year ending 30<sup>th</sup> June 2022 laid on the Table of this House on Monday, 18<sup>th</sup> November 2024.

Mr. Speaker, before I call upon hon. Biryia to second the Motion, I wish to take through the House on the performance of the management team on the Audit process. That, the Committee noted with concern the poor performance of the management team, particularly that they were failing to respond to management letters from the office of the Auditor General, poor response to the audit queries, late submission of responses to the Auditor General and failure to act on an earlier recommendation by the Public Investments and Accounts Committee.

Hon. Speaker, close to 60% of the audit queries in this Report could have been resolved by way of cooperating between the accounting officer and the Audit Committee. The Committee had to invite the accounting officers and submit what the Auditor General had requested more so the supporting documents. So, the Committee noted that the accounting officer should have acted on these queries before the committee. The committee recommended that most of the time the officers in these companies cooperate with auditors and ensure that they answer most of the queries that auditors are raising at their offices so that we avoid having such queries coming to the Committee. The Committee also recommends that the Accounting Officers should take stern measures to ensure that the respective officers always act on time when dealing with the Auditor General or else they will be personally responsible for the actions of their juniors and the Accounting Officers.

We noted with concern that there were other unresolved prior accounting matters that have been coming up in the Malindi Water and Sewage Company (MAWASCO). The Committee observed that over the last two years, MAWASCO has had several accounting matters that have remained unresolved for long. This is addressing the handing over of assets from the Coast Water Services Board in the form of unconfirmed liabilities, trade, other payables and lack of agreement for the non-current balance of bulk water and license fees worth Kshs1,218,112,028, some of which had been carried forward and accumulated over the years without clearance.

The situation has been of great concern to the Committee as the up-to-date shortage of the long outstanding balances in the Government might have been defrauded. Despite the recommendation that all Accounting Officers take necessary actions to solve the outstanding matters, no marked progress has been recorded. It is the Committee's considered position that the financial statement did not give a true reflection of the liability owned, therefore a reconciliation of all liabilities between MAWASCO and Coast Water Services Board was critical in view of the foregoing.

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In addition, it is also the Committee's consideration for the decision that if a proper transition took place, there would not have been undue delays in the transfer of both assets and liabilities to the water service providers. The Committee therefore recommends that this matter be forwarded to the Senate Public Accounts Committee for thorough interrogations into the management of the Coast Water Works Development Agency on undue delays in the transfer of both assets and liabilities to the service provider of MAWASCO.

Mr. Speaker, these companies are Kilifi-Mariakani Water and Sewage Company (KIMAWASCO), and Malindi Water and Sewage Company (MAWASCO) and particularly MAWASCO as we take on now. They are all from the devolved function of the Coast Water Development Authority and in this, we are seeing that there have been issues that have been coming up from the handing over that came from the Coast Water Development Agency which have not been sorted for several years.

It has been a concern to the Committee of which the management reports that they have done their level best but still they have not been getting sufficient responses. That is why it was in the best wisdom of the Committee that we engage the Senate so that the Coast Water Development Agency can also be queried from that end since we cannot directly deal with them. For the moment, I wish to call upon hon. Biryia to second the Motion. Thank you.

**Hon. Biryia:** Thank you, Mr. Speaker. I rise to second the Motion. Thank you.

*(Question proposed)*

**The Speaker** (Hon. Mwambire): Hon. Kombe (Changawa).

**Hon. Changawa:** Asante, Mheshimiwa Spika. Nasimama kuunga mkono Hoja ambayo iko mbele yetu. Nataka niseme ya kwamba MAWASCO ni kampuni ambayo inanipea mimi maji hapa na katika kampuni hizi mbili ambazo zinapeana maji Kilifi, naona MAWASCO kiasi haijatajwa na shida za mapeni. Ni *issues* tu ndogo ndogo ambazo ni wazikalie na wazipangie tu vizuri ili kusiwe na shida sana. Kwa hivyo, nimesimama kuunga mkono Ripoti hii ya Kamati. Asante sana.

**The Speaker** (Hon. Mwambire): Members, allow me to call upon the Mover to respond.

**Hon. Mohamed:** Thank you, Mr. Speaker. I wish to take this opportunity to thank all Members who have stood by the Committee and supported the Motion. Thank you, Mr. Speaker.

*(Question put and agreed to)*

## **MOTION FOR ADJOURNMENT UNDER STANDING ORDER 28**

### **ADJOURNMENT TO ATTEND THE KILIFI COUNTY INVESTMENT CONFERENCE**

**Hon. (Ms.) Koki:** Thank you, Mr. Speaker. I stand to move a Motion for Adjournment: -

THAT, pursuant to the provisions of Standing Order 28, this County Assembly do now adjourn its Plenary Sitting from Tuesday, 3<sup>rd</sup> December 2024 afternoon and Wednesday, 4<sup>th</sup> December 2024 to allow the Members to attend the Kilifi County Investment Conference which starts tomorrow Wednesday, 4<sup>th</sup> December 2024 to Thursday, 6<sup>th</sup> December 2024 at Vipingo Ridge.

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Before I call upon hon. Ziro to second the Motion, Mr. Speaker, allow me to welcome the public and the people of Kilifi at large to this conference because it is one of its kind. We are going to have even the President in attendance on Friday, 5<sup>th</sup> December 2024 and on Saturday, 6<sup>th</sup> December 2024 we are going to have the Right hon. Raila Amolo Odinga, my father. He is also going to be at this conference with many other dignitaries and investors.

**The Speaker** (Hon. Mwambire): Hon. (Ms.) Koki you could have put it this way, who is also the African Union Commission (AUC) candidate.

**Hon. (Ms.) Koki:** The winner. Thank you, Mr. Speaker, for that. We are going to expect a lot of dignitaries, investors and the people of Kilifi to attend this one of its kind of conference which is coming to Kilifi. The theme of this conference is “Accelerating economic growth through partnerships”. We expect a lot of signings of Memorandums of Understanding (MOUs) with partners. This is a conference that no one should miss attending. I call upon hon. Ziro to second the Motion.

**Hon Ziro:** I second, hon. Speaker.

*(Question proposed)*

**Hon. (Ms.) Koki:** Thank you, Mr. Speaker. I see the mood is ready. Hon. Members are ready to attend this conference because I am sure they will also be able to interact with various investors and they can pull investors in their various wards, so put the Question, Mr. Speaker, so we can go and iron our suits ready for the conference. Thank you.

*(Question put and agreed to)*

## ADJOURNMENT

### ADJOURNMENT FOR LONG RECESS

**The Speaker** (Hon. Mwambire): Hon. Members, having adopted that Motion, allow me now to give you this short and precise information on the way forward.

THAT, pursuant to the provisions of Standing Order 25(3) relating to the Calendar of the County Assembly and the resolution of the House on Monday, 12<sup>th</sup> February 2024, the Speaker notifies that upon the rise of the House at the appointed time, regular sittings will resume on Monday, 10<sup>th</sup> February 2025 at 2:30 p.m. However, if there is any issue as per our Standing Orders that require us to come for a Plenary, then it will be a Special Sitting and it will be gazetted.

The House stands adjourned until further notice.

The House rose at 11:25 a.m.

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