



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

THE HANSARD

Wednesday, 20th November 2024

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

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

PRAYER

QUORUM

QUORUM CALL AT COMMENCEMENT OF SITTING

The Deputy Speaker (Hon. Kombo): Madam Clerk, do we have a quorum?

The Clerk at-the-Table: No, there is no quorum, Mr. Speaker, Sir.

The Deputy Speaker (Hon. Kombo): I order the Bell to be rung.

(The Quorum Bell was rung for ten minutes)

The Deputy Speaker (Hon. Kombo): Madam Clerk, do we have a quorum now?

The Clerk at-the-Table: Yes, there is a quorum, Mr. Speaker, Sir.

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PAPER LAID

REPORT OF SECTORAL COMMITTEE ON LANDS, PHYSICAL PLANNING AND URBAN DEVELOPMENT ON THE VETTING OF NOMINEES FOR THE POSITION OF MEMBERS OF THE BOARD FOR MARIAKANI, MTWAPA AND WATAMU MUNICIPALITIES

Hon. Ray: Thank you, Mr. Speaker, for giving me this opportunity. Today being Wednesday, 20th November 2024, I beg to lay the following Paper on the Table: -

The Report of the Sectoral Committee on Lands, Physical Planning and Urban Development on the vetting of nominees for the position of members of the Board for Mariakani, Mtwapa and Watamu Municipalities. Thank you, Mr. Speaker, Sir.

(Hon. Ray laid the document on the Table)

NOTICE OF MOTION

ADOPTION OF THE REPORT ON THE VETTING OF NOMINEES FOR THE POSITION OF MEMBERS OF THE BOARD FOR MARIAKANI, MTWAPA AND WATAMU MUNICIPALITIES

Hon. Ray: Thank you, Mr. Speaker, Sir. Once again, I would like to give notice of Motion for the following Motion: -

THAT, this House adopts the Report of the Sectoral Committee on Lands, Physical Planning and Urban Development on the vetting of nominees for the position of members of the Board for Mariakani, Mtwapa and Watamu Municipalities laid on the Table on Wednesday, 20th November 2024.

Thank you, Mr. Speaker.

STATEMENTS

DISBURSEMENT OF DANIDA GRANTS TO DISPENSARIES

The Deputy Speaker (Hon. Kombo): Next is a Response to a Statement sought by hon. Benson Ngirani. Is hon. Ngirani in the House? In his absence, then we forward this matter back to the House Business Committee for reallocation of time.

(Statement deferred)

MOTIONS

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

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The Deputy Speaker (Hon. Kombo): The Motion on the adoption of the Report on the Select Committee on Public Investments and Accounts Committee, I understand the Chairperson is hon. Thaura and he is not in, so, again in his absence, we forward this matter back to the House Business Committee.

(Motion deferred)

ADOPTION OF REPORT ON THE VETTING OF NOMINEES FOR THE POSITION OF MEMBERS OF THE BOARD FOR MARIAKANI, MTWAPA AND WATAMU MUNICIPALITIES

Hon. Ray: Thank you, Mr. Speaker, Sir. I beg to move the following Motion: -

THAT, this House adopts the Report of the Sectoral Committee on Lands, Physical Planning and Urban Development on the vetting of nominees for the position of Members of the Board for Mariakani, Mtwapa and Watamu Municipalities laid on the Table on Wednesday, 20th November 2024.

Before I call hon. Grace to second this Motion, I would like to inform the House that the County Assembly of Kilifi received from the Office of the County Secretary, the nomination of Mariakani, Mtwapa and Watamu Municipalities board for the position of board members in charge of the municipalities. The nominations were committed to the Sectoral Committee on Lands, Physical Planning and Urban Development during the plenary sitting on Monday, 30th September 2024 for vetting.

Pursuant to Section 13 of the Urban Areas and Cities Act, 2011 and Standing Order 43 of the County Assembly Standing Orders, the nominee of the Mariakani, Mtwapa and Watamu Municipalities was invited to appear before the Sectoral Committee on Lands, Physical Planning and Urban Development for vetting and approval. Also, the Committee proceeded to compile a Report from 13th to 15th November 2024, and these were the findings. At the end of the vetting process, the Committee made the following recommendations, having considered the suitability, capacity and integrity of the nominees and pursuant to the Public Appointments Act that is the County Assembly Approval Act, 2017 and Urban Areas and Cities Act, 2011. The Committee recommended that for the nominations and subsequent appointment of the board members of Mariakani, Mtwapa and Watamu Municipalities as shown in the table below.

So, I will read through the names of the nominees here; Paul Mumo Kithu, Sammy Kavutso Akilimali, Bebora George Bakar, Claudia Mueni, Letty Ndawa Charo, Edith Wambui and Dr. Mohammed Collo Walo. Those are nominees for Mariakani and were approved with the exception Edith Wambui who was rejected because she was not able to articulate her issues properly.

So, I will read the names of Mtwapa Municipality that is; Hazel Nyamoki Katana, Hassan Mubarak Ojura, Joseph BM Chilumoh, Charles Kazungu Nyoka, John Mumba, Barka Ali Mohammed, Mohammed Omar Sheikh.

The last list comes from Watamu Municipality beginning with Deche Kashero, Anderson Nyundo Thoya, Barke Hamisi Muhammed, Pauline Daniel Munga, Anderson Kitsao Chome, Michael Kaingu Katana. They were all approved. I would like hon. (Ms.) Grace to second this Motion. Thank you, Mr. Speaker.

Hon. (Ms.) Grace: Thank you, Mr. Speaker. I stand to second this Motion.

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(Question proposed)

Hon. (Ms.) Koki: Thank you, Mr. Speaker, for giving me this opportunity to debate on this Motion. First of all, let me take this time to congratulate the Committee on the job well done because they had a lot of work to do on the vetting of three municipality board members and also doing the Report. I have gone through the Report, and I have noted a few things that this Report has errors that need to be corrected before being uploaded on our gadgets. For example, I am seeing Mr. Philip Githu Mumo; he is Paul Githu Mumo and not Philip. When you come to Bebora George Bakar, I see the date of birth as 25th September 1992. So, there are a lot of typos, but I want to appreciate the job well done.

I have a question as the MCA (Member of County Assembly) of Mariakani Municipality; I can see one of the board members who came for vetting was not approved. I have read the findings and I would like to be furnished with more information from the Committee on why one Edith was not approved so that I can be able even to communicate back home to the people of Mariakani why this nominee was not approved and yet the Chamber of Commerce brought her name to the Department for her to be considered as one of the board members. Otherwise, I take this opportunity to congratulate the Committee on the job well done but I would like to know what happened to the member that was not approved. Thank you.

The Deputy Speaker (Hon. Kombo): I am not seeing any request because our systems are down, so a member can raise his or her hand so that I can give him or her a chance. Yes, hon. Leader of Majority.

The Leader of Majority (Hon. Ibrahim): Asante, Bw. Spika, kwa kunipatia nafasi hii. Nami nimesimama kuunga mikono Ripoti hii. Tukumbuke ya kwamba, Bw. Spika, hili Bunge tulipitisha *Town Manager* wa Mariakani, Mtwapa na Watamu. Bunge hili la tatu litakuwa kwenye kumbukumbu kwa kupitisha manispaa hizo tatu ambao ilikuwa ni kazi ngumu sana wakajitahidi mpaka ikafanyika.

Bw. Spika, saa hii *board members* wamekamilika na Kamati imetuletea Ripoti yao. Langu ni kusema kwamba ninashukuru sana Kamati imefanya kazi ya bidii ikiongozwa na Mwenyekiti na wanakamati. Kitu muhimu, Bw. Spika, nikupitisha majina haya ili manispaa zetu mpya ziweze kuhudumu.

Changamoto ambayo inatukumba katika jimbo letu bado *target* yetu ya ukusanyaji ushuru bado iko chini. Tukizipatia hizi manispaa nguvu, tutaweza kukusanya ushuru na tutalenga kile kiwango ambacho tumekadiria. Kwa hivyo, nashukuru kupata fusra hii na Mungu atubariki sisi sote.

Hon. Brown: Asante sana, Bw. Spika, kwa nafasi hii ili kujadili Ripoti ambayo iko mbele yetu juu ya mapendekezo ya majina ambayo ni Kamati itakayowajibikia maswala ya manispaa. Kusema kweli, kwanza nipongeze Serikali yetu ya Kaunti ikiongozwa na Mstahiki Gavana pamoja na Naibu wake Flora Mbesta na pia Bunge letu hili kwa sababu ya kuja katika uwiano na mawazo mazuri ya kuleta maendeleo ndani ya Kilifi.

Kusema kweli, manispaa hizi zilikuwa ni kama ndoto lakini katika mawazo haya ni ya kuboresha uchumi na kuongeza ajira za kazi ambazo zitatokea katika jimbo letu. Kwa hivyo, kupitisha kwetu haya majina siku ya leo ni kuomba kwamba hawa ambao wamechaguliwa waweze kuwa waadilifu maana hili ni jambo tunaliangalia kwa kina sana. Watu hawa tunaomba waweze kushirikiana si kwa viongozi peke yao lakini hata kwa wananchi pia ili tuweze kujua ni

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kitu gani kitaleta faida ndani ya Kilifi yetu. Tunataka kuona Kilifi yetu imeinuka upande wa biashara, ajira na hata maendeleo kwa jumla.

Naamini ya kwamba kazi hizi ambayo tumezianza zitaonekana na ninatoa pongezi kwa Kamati kwa kupiga msasa hawa walioomba kazi. Ni pongeze pia Bunge kwa kuunga mkono majina haya ili kazi iweze kuanza rasmi. Ninawaomba kazi njema ndani ya Kilifi yetu. Asante.

The Leader of Minority (Hon. Mumba): Mr. Speaker, I want to thank you for handing over the microphone to me and for this opportunity. Let me also rise to concur with my fellow Members as we are here to approve this Motion today. Let me start by thanking the Almighty God for giving us this opportunity and for the wisdom that he granted the Committee to go through this process. They went through the vetting process which I know is a very tedious and demanding task.

Again, the Committee retreated to do a Report which is before us today. Indeed, it is a Report that I have gone through and let me commend the Committee for having time and coming up with this good Report before this House.

Mr. Speaker, the Committee is led by the Chairperson, Ray Katana ‘Dogo’, as we know him from back home. I know he is a very competent person, and he is leading this Committee in the right direction. It is evident by the Reports that we receive before this House. Let me acknowledge that as the Third Assembly, we did a very noble and good job for this county by coming up with these three municipalities; by doing that we are hastening the development process by ensuring that our towns get municipalities and all the mandates that municipality holds will eventually be overturned and become development to these towns.

In other words, Mr. Speaker, the towns will grow very fast and that tells you our Kilifi will be growing soon by making sure these municipalities are functional. So, by approving the board members, we are giving them the necessary tools for these municipalities to be functional. So, today I stand here to ensure that whatever we started continues for us now to achieve what we wanted to achieve from the municipalities, Mr. Speaker.

Looking at Watamu, it is a town that is coming up very fast and has been handed over as a municipality; it will boost the development agenda there. If you talk of Mtwapa, Mr. Speaker, many people confuse it with Mombasa and whoever talks about Mtwapa refers to Mtwapa as a town in Mombasa. It is because of how fast it is growing. So, handing it over as a municipality, again is a major boost. Mariakani, as you all know, goes along the highway, although it goes all the way to Rabai, and we know how busy that place is.

Again, Mr. Speaker, it is a major boost handing it over as a municipality to the people of Kilifi and today I unanimously join my colleagues to make sure that these board members are given full mandates for these municipalities to be functional. What I want to insist on and put more focus on, Mr. Speaker, is now for the Department of Lands to make sure that these municipalities are functional. We do not want municipalities that will be micromanaged by the Department.

All functions that should be involved with the municipalities, Mr. Speaker, after making sure these municipalities are functional, they should be, the word is ‘should’, Mr. Speaker, be handed over to municipalities so the municipalities can run these functions without any interference. By doing so, we will be doing justice to the people of Kilifi and with those few remarks, Mr. Speaker, I support the adoption of this Report. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Kombo): Thank you, hon. Tom (Mumba). Next is hon. Meso.

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Hon. (Ms.) Meso: Thank you, Mr. Speaker, Sir, for giving me this chance. I also support the Motion but unfortunately, I do not have the Report, but I am with my colleagues. First, there is a request from our Deputy Leader of the Majority about one member who has been rejected. I think they should do more investigation to find out the reason why they rejected her.

If it is something that they can clarify, I think it should be corrected, and the lady should also be included in the list. I do not know what really happened because I do not have the Report with me and then I congratulate our Governor. This is history; three municipalities at a go. This is wonderful and I also congratulate the Lands Committee. It was so hectic; the vetting was just too much for them and they were moving from one place to another. I think it even took them more than one week to clear the vetting.

So, I congratulate the Chairperson plus the Members, but the thing is, we are going to have the municipalities, but I just pray that the board should not disappoint us. We need something that will be very good, very clean. We need clean towns because this is a development.

So far as at now we have four municipalities, we have: Malindi, Watamu. Watamu and Malindi are just neighbours, Mariakani and Mtwapa. Mtwapa has really dropped but now since it will be a municipality, I think it will continue with the 24-hour economy. I can remember when we went to Nakuru as the Legal and Devolution Committees. One of the *Waziris* of Nakuru, when they heard that *Mheshimiwa* Tete comes from Mtwapa, he told him, oh, the 24-hour economy.

I think *Mheshimiwa* Tete you would have to inform him that it is coming back to 24-hour economy, and we hope the board members will work. It should not be just for the sake of getting a job. They must work so that they can make our Governor very proud of the four municipalities.

So, I support but the thing is Mr. Speaker, I think everyone in this House, we do not have the Report. So, debating it is quite difficult but the few we have heard from the Members; that one we can debate about it. But Clerk, think about it because the network is so poor, very poor.

The Deputy Speaker (Hon. Kombo): There is a Point of Information.

Hon. (Ms.) Koki: I just want to tell the honourable Member who is on the Floor...

The Deputy Speaker (Hon. Kombo): First, we must ask whether she is ready for the information that you would like to pass on. Hon. Meso, are you ready to be informed?

Hon. Meso: Actually, I cannot see the reason why she wants to inform me unless I support the Motion, I do not know if it is bad for her or what because I am supporting the Motion. So, I do not want to be informed.

The Deputy Speaker (Hon. Kombo): Okay, so hon. Koki, take back your seat. So, okay continue hon. Meso.

Hon. Meso: So, I support the Motion and thank you so much.

The Deputy Speaker (Hon. Kombo): Hon. Shehe.

Hon. Shehe: Asante sana, mheshimiwa Spika, kwa kupata nafasi hii wakati huu ambao tumepata Ripoti kutoka kwa Kamati yetu ambayo Kamati ya Ardhi imefanya maajabu ya kutupatia watu ambao ni wafanyikazi watenda kazi. Majina tuliyoyasikia wengine tukiwa tunawafahamu nina uhakika kwamba hii kazi itatendeka. Ni jukumu letu ndugu zangu waheshimiwa na, mheshimiwa Spika, nakwambia wakati kitu chochote kinaanza kina ugumu wake. Hawa mabwana wamepewa madaraka aidha ni watenda kazi, aidha hawana mapengo fulani ambayo Kamati iliona itupatie mwelekeo.

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Tunawapongeza kwa kusema kwamba tuwapatie nafasi ya kufanya kazi wale waliochaguliwa maanake watu wengine wataanza na lawama fulani na hizi ni manuspaa zilizo ni mpya ambazo zinataka usaidizi na usaidizi wetu kama *oversight* kidogo hapa na pale sisi tunao uwezo wa kusema tunawakaribisha na wafanye kazi bila uwoga wowote. Tuangalie kama wanataka usaidizi. Kamati ile ambayo imewapitisha sisi tuko na imani kwamba imefanya kazi nzuri na hata kama kutakuwa na matatizo ambayo yatatokeza hapa na pale, mtu hazaliwi siku moja akawa anatembea na kufanya kila kitu. Kwa hivyo, mimi ni kuwapongeza na kuwaambia wale waliochaguliwa, kongole na waendeleo kufanya kazi tutasikia tu kadri tunavyokwenda. Mimi ni kuwapongeza na kuwaunga mkono. Asante.

The Deputy Speaker (Hon. Kombo): Mheshimiwa Tete.

Hon. Tete: Asante, mheshimiwa Spika, kwa nafasi hii. Naiona kuwa ya maana sana katika siku hii ya leo. Napenda kuchukuwa nafasi hii kusema ya kwamba manispaa hizi tatu ni juhudi za waheshimiwa ambao tuko nao ndani ya Bunge hili kwa kuitikia na kuliunga mkono wazo ambalo lililetwa katika Bunge hii na likaidhinishwa na likafanyiwa kazi. Mpaka leo, mimi nikiwa mkaazi wa Shimo la Tewa, Mtwapa, naweza kuseme kwamba Mtwapa imezaliwa upya. Ninapolifikiria jambo hili pia ninataka kuwa na macho ya mbali kidogo sababu kuidhinisha *nonimees* si mara ya kwanza katika Kamati ambazo tuko nazo na kupitisha walioteuliwa kutufanyia kazi.

Mheshimiwa Spika, haswa kwa manispaa ambayo ina jina la Mtwapa mahali ambapo mimi ninatoka, imekuwa na utata mwingi sana. Tukirudi kule mashinani, wakaazi wa Shimo la Tewa na Mtwapa kwa jumla wamekuwa na lawama wakisema kwamba wengine hawajatoka maeneo yale na wako katika mapendekezo ya kwamba wawe katika bodi.

Kwa mtazamo, nilikuwa nimebeba malalamshi kwamba labda ina ukweli fulani lakini baadaye nilipofuatiliza na kupewa mtiririko wa ufahamu nikapata ya kwamba mheshimiwa Gavana ana nafasi zake za kuhesabu ambapo anaweza kuchukua mtu ambaye anamuona ana uwezo wa kufanyia Kilifi kazi na nikafahamu hilo na tukakubaliana.

Mheshimiwa Spika, mji wa Mtwapa ulijengeka kitambo sana na hata ukiangalia hadhi ya wakaazi wa pale, mijengo na maendeleo ambayo yako pale kuanzia mwanzo, mazingira ambayo tuko nayo pale yalitosheliza kitambo sana maeneo yale kugeuzwa jina kuitwa manispaa. Waliokuwa wakilalamika walikuwa wanasema ya kwamba wengine ni wageni na wameingia kwa bodi hawajulikani wametoka wapi lakini nawahakikishia ya kwamba wale ambao wako pale wote ni wakaazi wa Mtwapa. Zaidi ya yote, ni ombi langu baada ya mji ule kuzaliwa na kupewa jina kubwa walipewa zile nafasi za utendaji kazi wasizoe manispaa yoyote kuifanya kwamba ni njia ya kukalia viti na wakose kutumikia wananchi.

Bw. Spika, hili ni ombi maalum. Mtwapa ina matatizo mengi mojawapo ikiwa ni mambo ya mataa, usalama, *drainage system* na upungufu wa ajira. Ni kweli wako watu ambao wametoka miji mingine na wamekuja kupata nafasi pale na hiyo ni Katiba inaruhusu. Usafi tunauhitaji mahali pale iwe kipao mbele ili ufanane na mji ulivyo.

Pili, tunataka ushuru ambao ulikuwa unakusanywa kupitia kwa Gatuzi letu la Kilifi kwa Idara ya utoza ushuru; mambo haya yote ambayo yalikuwa hayajapewa mamlaka kwa manispaa. Ombi langu na ningependa kuisitiza kama sharti ushuru ukusanywe na kazi ambazo zimelenga manispaa wapewe uwezo na mamlaka ya kufanya kazi bila kuhangaishwa. Iwapo itafanyika hivyo, nina imani mabadiliko ya kuonekana kwamba haya malengo tuliyoyafanya yana mwelekeo itajidhihirisha.

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Ningependa pia niseme hivi ninapoenda kumaliza. Miji yote ambayo imepewa hadhi ya kuwa manispaa ukumbuke ya kwamba bado kuitwa manispaa ni sehemu ya Gatuzi la Kilifi. Watakaotakikana kuajiriwa tutaomba tupewe nafasi za kutosha kama sisi ambao tulipewa manispaa hizi halafu maeneo mengine ambayo ni sehemu ya Kilifi pia wakumbukwe. Waliopata nafasi kuwa katika bodi wasiingize ubinafsi wala ukoo na ukabila watakapopata nafasi hii ya kutumikia wana Kilifi. Nataka kusema matunda haya ni matunda ya wana Kilifi na kila mwana Kilifi anastahili kujivunia pasipo ubaguzi wa rangi wala kabila. Kwa hayo mengi, ningependa kushukuru Kamati ya Ardhi kwa ile kazi njema waliyoifanya nikiwa mmoja wao kutoka hatua ya kwanza hadi mwisho pamoja na Bunge hii kwa kuiunga mkono. Asante.

(Question, that the Mover be now called upon to reply, put and agreed to)

Hon. Ray: Thank you, Mr. Speaker, for giving me this opportunity. I would like to thank the Members who are present today and to those who have just debated. Allow me also to thank my fellow Committee Members for their maximum cooperation during the vetting process. Lastly, I urge the House to pass the Motion the way it is so that those various municipalities can be able to function and provide service to people. Thank you.

(Question put and agreed to)

ADJOURNMENT

The Deputy Speaker (Hon. Kombo): Hon. Members, we have exhausted the Business for today and this House is adjourned until Monday at 2:30 p.m.

The House rose at 3:10 p.m.

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