

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

SPECIAL SITTING

Wednesday, 13th December, 2017

*(Convened via Kenya Gazette Notice
No. 12097 of 8th December, 2017)*

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

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

PRAYERS

MOTION

ADOPTION OF THE FIRST REPORT OF THE COUNTY ASSEMBLY SERVICES BOARD
ON THE NOMINATION OF TWO MEMBERS OF THE BOARD

The Speaker (Hon. Kahindi): Hon. Matsaki proceed.

The Leader of Minority (Hon. Matsaki): Mr. Speaker, Sir, I beg to move that this hon. House adopts the First Report of the County Assembly Service Board on the nomination of the Members of the Board laid on the Table of this hon. House on Wednesday, 6th December, 2017. I call upon hon. Kiraga to second.

(Hon. Kiraga seconded)

(Question proposed)

The Speaker (Hon. Kahindi): Now Members on this other side and this line, the line where hon. Kiraga is sitting, I think something has happened you have gone off line so if you want to speak in the mean time just raise your hand. The IT guys there I hope you're looking at it since we have lost connection. Okay the line is back.

Hon. Kiraga: Thank you so much Mr. Speaker. I wish to demonstrate my support on the adoption of this Report. Mr. Speaker, if you look at these two nominees they have at least been able to go by the required legal document.

The legal documents I am referring to is the Constitution of Kenya 2010, the Leadership and Integrity Act, the County Governments Act, the County Assembly Services Act, 2017 and

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the Public Appointment Act; this is County Assembly Services Act, 2017. Mr. Speaker, looking at the criteria which was used by the vetting board as pertaining the citizenship, the Academic qualifications, employment record, years of experience, professional affiliations, potential conflict of interest, knowledge of the relevant subject, overall suitability, tax compliance, integrity and others I think the two nominees i.e. Madam Doris Kache Kavuku and Mr. Kombe John Harold have demonstrated that as far as these document are concerned they are very clean. I have no otherwise but to support the adoption of this report.

If you look at the wealth of knowledge they are going to give to this County Assembly as per the mandate which is stipulated in the County Assembly Board, I think they are the right people to perform such mandate. So, I believe if we give them an opportunity they can take this Assembly to another step. Mr. Speaker, Sir, I therefore stand and urge Members when contributing we support the adoption of these two nominees. Thank you very much Mr. Speaker.

Hon. Thaura: Mr. Speaker, I am really sorry that I do not happen to know these two nominees, which is unfortunate and again I am troubled that these two nominees are coming from the same Sub-County. Regardless of whether they performed well in the interviews but I am made to understand if there is somebody else who did well I do not object the names of these people but I think some considerations should have been made.

So I do not object but I think as a House we can make a better stand. Thank you, Mr. Speaker.

The Speaker (Hon. Kahindi): So are you therefore in support or not?

Hon. Thaura: I do not support the adoption of the Report.

The Speaker (Hon. Kahindi): Yes, hon. Ziro, proceed.

Hon. Ziro: Thank you Mr. Speaker. I am of the opinion that and I also I do not know very well these two nominees and I am made to understand that they are come from the same Sub-County although I have no objection but I think we should consider giving other people a chance also in different sub-counties because it will look very much unfair to the people of Kilifi...

(Hon. Kiraga stood on a Point of Order)

Hon. Kiraga: Thank you so much Mr. Speaker, Sir. We need some clarification because if these two nominees went through the required qualifications and somebody is here telling the House that they come from the same sub-county, can he expound if it is a mistake that people from the same sub-county cannot be employed in this county just because they come from the sub-county? Can he expound further so that we can all be in the same boat as he is?

The Speaker (Hon. Kahindi): Actually, let me just make a clarification that the Board did not nominate; it interviewed. There is a difference between nomination and interviewing. Interview you can do it on anyone from anywhere. There are very many members of staff here who come from Kaloleni sub-county. This one should be taken separately. I tend to think Members are confusing it with the nominated CEC Members. When you look at the document properly, there as an actual interview and marks awarded; so the Board did not nominate. I have seen a document here that says nomination of two members. These are not nominated. They are people who have been interviewed for appointment. These are two different things. Yes proceed hon. Ziro.

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Hon. Ziro: Mr. Speaker, I am not disputing what hon. Kiraga is saying but what I mean is if we take two people from the same sub-county that means we are not being fair to the people of Kilifi County. We are not supposed to give power in the same sub-county. Power should be distributed in the whole county. The people from Magarini and Malindi also need that power; so giving it to one sub-county, even if they qualified we also have other people who qualify in other sub counties, why don't we give them a chance? Was the committee not fair in the way they conducted their interviews? I think something there that needs to be rectified. Thank you.

The Speaker (Hon. Kahindi): Unfortunately again the Speaker sits as the Chairperson of the Board. I wish I could turn to the other side and explain myself but ...yes hon. Elina

The Hon. Member for Magarini Ward (Hon. (Ms.) Elina Stephen Mbaru): Asante sana mheshimiwa Spika. Nami nimesimama kuunga mkono. Kama alivyozungumza mheshimiwa mwenzangu kwamba yuapinga kwa sababu hawa watu wametoka katika eneo moja; hiki kiti kilitangazwa kwenye gazeti na kila mtu alikuwa anaweza kutuma maombi na waliotuma maombi ni wale wa Kaloleni na walioshinda ni wale wa Kaloleni na bado ni wa Kilifi.

Tunataka watu wetu wasome; wakisoma wapate nafasi nzuri na wakalie nafasi nzuri nzuri. Kwa nini tuseme ni wa Kaloleni na wa Magarini? Wa Magarini hakutuma maombi na kama angetuma maombi tugesema acha hii nafasi moja iende Magarini na moja iende mahali pengine lakini si kiti cha kupeana. Inategemea mtu alivyosoma na stakabadhi zake. Walioshinda ni hao wawili na wote wametoka Kaloleni, tufanye nini? Tukachukue mtu ambaye ako na Diploma tuache mtu wa degree? Hiyo haitawezekana.

Kwa hivyo mimi naunga mkono kabisa na hawa watu tukiwapata maana bila hiyo Board; maslahi yetu yote ya hili bunge ni hiyo Board. Kwa hivyo tunachagua watu ambao wamehitimu; ni watu wazima na wanajua msalahi ya bunge ni nini. Kwa hivyo mimi naunga mkono kwa dhati majina ya walioletwa hapa bungeni.

The Speaker (Hon. Kahindi): Yes hon. Hassan.

Hon. Hassan: Asante sana mheshimiwa Spika. Mimi pia vile vile nimesimama kuunga mkono hii Hoja. Bado naomba tu nimkumbushe ndugu yangu mheshimiwa Ziro kwamba hata Magarini, Adu walimchagua Gavana Kingi na wakamchagua Michael Kingi, kwa hivyo tusilite Hoja eti ya kwamba hawa watu wanatoka sehemu gani. Kama Mheshimiwa Elina alivyozungumza kwamba lilikuwa swala huru la watu watume maombi na kama wewe hukutuma maombi pengine huhitimu, kumbe ulikuwa tu upewe kazi nyumbani? Hilo ni swala ambalo haliwezekani. Nawaomba waheshimiwa, tukienda katika misingi hiyo, hili bunge tutaligawanya tena vibaya. Nimesimama kuunga mkono kwa nguvu zangu zote na naomba na nyinyi wengine sote tuunge mkono tusipoteze mda hapa. Asante.

The Speaker (Hon. Kahindi): Yes hon. (Ms.) Martha Koki.

Hon. (Ms.) Koki: Mr. Speaker, Sir, I stand to support this Motion. I personally know one of the candidates; Doris Kache Kavuku. I am a former student of Moi Girls Kadzozzo where before her retirement she was the principal. She was not my principal because I had already left when she came to Moi Girls Kadzozzo but since I have projects going on in that school I have interacted with her. She is a lady of integrity, educated and knows what she wants. So, I stand to support this. Personally I do not know Kombe John but as you have said Mr. Speaker, these are people who applied, came for interviews and scored.

I would want to differ with hon. Ziro but hon. Elina said that these are the people who applied, they come from the same sub-county and they qualified. I would like to echo the sentiments of *mheshimiwa*; he said even our Governor and his brother were elected. If we go in

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that line we are not going to move forward. I support this and I think we should not waste time; we should pass it and move on as an assembly.

The Speaker (Hon. Kahindi): Hon. Renson (Kambi).

The Hon. Member for Marafa Ward (Hon. Renson Kambi Karisa): Asante mheshimiwa Spika. Nasimama kuunga mkono. Huu ni wakati wa mabadiliko na usipobadilika mabadiliko yatakubadilisha. Acha ya kwamba wanatoka katika eneo bunge moja, hata kama ni mtu na bibi yake ama mtu na babake na wamehitimu kusaidia wananchi wa hapa Kilifi, ni sharti waweze kuchaguliwa wahudumie Kilifi. Hatuangalii undugu wala wanatoka wapi; tunaangalia huduma kwa mwananchi ili kuhakikisha ya kwamba wananchi wanahudumiwa vizuri.

Kwa hivyo mimi napongeza ile kamati iliyochukua jukumu na kuchunguza stakabadhi za hawa ambao walikuwa na kutoa orodha kulingana na kuhitimu kwao. Kamati hiyo ilikuwa na jukumu kubwa la kuangalia nani ambaye anaweza na nani hawezi. Kwa hivyo mimi naunga mkono. Ningeomba ikiwezekana mheshimiwa Spika uulizwe swali, tupitische hawa watu waweze kufanya kazi. Asante sana.

The Nominated Member (Hon. (Ms.) Mary Anzazi Maneno): Asante sana Bw. Spika. Nimesimama kuunga mkono Mjadala huu. Mimi binafsi ninamjua Doris Kache Kavuku. Amekuwa mwalimu wangu mkuu Kombeni Girls na ni mama ambaye ana sikio la kusikiza. Ni mama ambaye saa hii tukimpatia hii nafasi, hili bunge litasonga mbele. Kwa hivyo ninaomba bunge hili la pili la Kaunti ya Kilifi tupitische hawa ambao wamechaguliwa; Doris Kache Kavuku na Kombe John Harold. Asante.

The Speaker (Hon. Kahindi): Thank you. When you press mic don't touch that thing again unless you don't want to speak because you keep coming on and off. Proceed hon. Mbura.

Hon. Kadenge: Asante Bw. Spika. Nasimama kuunga mkono majina ya wale walioweza kuibuka washindi. Nataka niseme hivi; hii orodha hata ikarudiwa hatuwezi kuridhika sote na hii Kamati ambayo ilikuwa inasimamia watu walikuwa kumi na tano wa walifanyiwa mahojiano na wameorodheshwa vizuri sana. Pengine tuwe hatuna imani na hiyo *Committee on Appointments* basi tunaweza kuanza kuleta mambo mengi ambayo yataleta ukabila. Sote ni wamoja na yule ambaye amepita anatakikana apewe chake na kwa hivyo mimi naunga mkono hawa wawili ijapo kuwa huyu John Kombe Harold simfahamu vizuri lakini Dorris Kache amekuwa mwalimu wa msichana wangu na nina mfahamu kama mama mchapa kazi. Alikuwa St. John's na namjua vizuri sana na sina shida na yeye. Asante Mheshimiwa Spika.

The Hon. Member for Dabaso Ward (Hon. Emmanuel Kombe Changawa): Asante Mheshimiwa Spika. Mimi naunga mkono uteuzi wa wawili hawa. Hata hivyo nataka kuwaambia Wabunge wenzangu ya kwamba ni wakati wa kuelimisha watu wetu. Kama tangazo limetoka na limewekwa wazi ya kwamba tuhimize watu wetu kufanya maombi ili kuona wanachaguliwa. Tunaposema ya kwamba tunaangalia huyu ni wa Kaloleni, huyu ni Kilifi Kaskazini hapo tutakuwa tunapotea. Kwa saa hii nasema ni nafasi yetu ya kuelimisha watu wetu na naomba ya kwamba tukubaliane na haya ambayo yako saa hii. Asanteni.

The Speaker (Hon. Kahindi): Thank you.

Hon. Mwambire: Asante sana Mheshimiwa Spika. Mimi nami nimesimama kuunga mkono hoja hii japo niko na tetesi huyu Madam Dorris Kavuku tunamfahamu lakini John Harold hatumfahamu. Nataka kupongeza Kamati iliyoshughulika kutathmini utenda kazi wao na kuwaleta mbele ya baraza. Mimi naunga mkono na kuomba kwamba watakapopita wote waletwe katika hili Bunge ili tuweze kufahamiana na tuwapatie pia mambo yetu. Asanteni.

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The Speaker (Hon. Kahindi): Actually, these are Members of the County Assembly Service Board who will be approving most of the things so their offices will be actually here; so do not worry you will meet them. You wanted to meet them in chamber? Ok, thank you. Yes hon. (Ms.) Nuzla.

The Nominated Member (Hon. (Ms.) Shaibu Nuzla Abu): Asante Mheshimiwa Spika. Nami nimesimama kuunga mkono hawa walioteuliwa. Wajua Serikali kuu na ile ya Kaunti tunapitia mambo mazito kama hii Ripoti kutengenezwa imechukua siku tatu mpaka ikakamilika, je nauliza Wabunge wenzangu mko tayari tukachukue wiki tatu kutengeneza Ripoti nyengine? Kwa hivyo wananchi wanaumia zaidi kushinda sisi Waheshimiwa. Nawaomba kama tunavyosema Dorris Kache anajulikana sana na huyu Kombe atajulikana baada ya sisi kumpitisha na tutamjua zaidi na zaidi. Asanteni.

Hon. Omar: Asante Bw. Spika. Langu kuu ni kushukuru hii Kamati kwa busara katika hali ya uchaguzi. Wote hawa mimi siwajui lakini naheshimu uamuzi uliotoka hapa kulingana na mlivyowakadiria bila shaka mlikuwa na umakini kuwachunguza hawa. Katika Kaunti hii sisi twalaani vibaya ukabila au dini au sehemu mtu anayotoka. Kwa hivyo ningependa tuwe na kauli moja ya kutoweka huyu anatoka wapi kwa manufaa ya wananchi na Kilifi Kaunti kwa ujumla. Asante.

The Speaker (Hon. Kahindi): Thank you. Hon. Matsaki, do you wish to make any submission?

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

Hon. Matsaki: Mr. Speaker, Sir, I want to take this opportunity to congratulate the Members who have supported his Motion. Secondly, I want to tell them that when we came here we did not know Samson Kahindi Iha. He came from Sokoke in Ganze Sub- County but because of his qualifications that time, we took him as a Board Member after being interviewed by Kilifi County Assembly Service Board. I am sure it will be very difficult for us to know everybody and since we have chosen John Kombe Harold, this man has been our Executive Member for Finance in Kilifi County. So he is a man who is straight forward and in fact we need him here so that at least he can help this County Assembly to achieve more.

I say thank you for those Members who have supported and even for those who have not supported; it is their democratic right. As an Assembly we should stand firm so that we can get people who can take a step ahead and I am sure if this Assembly especially when the Speaker puts the question, am sure most of the Members will support these two nominees. Thank you very much.

The Speaker (Hon. Kahindi): Hon. Members, a Motion has been tabled by the Leader of Minority on a Report of the Nomination of the two Members of the Service Board and the same has been deliberated.

(Question put and agreed to)

(Applause)

COMMUNICATION FROM THE CHAIR

CONVENING OF SPECIAL SITTING OF THE COUNTY ASSEMBLY

The Speaker (Hon. Kahindi): Hon. Members, I want to bring to your attention that this session was held pursuant to a Gazette Notice No. 12097. I will read it:-

PURSUANT to Standing Order No. 26 of the Kilifi County Assembly Standing Orders, it is notified for the information of the Members of the County Assembly of Kilifi and the general public that there shall be a Special Sitting of the County Assembly to be held on Wednesday, 13th December, 2017, at the County Assembly Chamber, County Assembly Buildings, Malindi, at 2:30.p.m.

The Business to be transacted shall be the approval of the two Members representing the public in the Kilifi County Assembly Service Board pursuant to section 12 (3) (d) of the County Governments Act, 2012. Dated the 7th December, 2017. Jimmy Kahindi Kadhua, Speaker, County Assembly of Kilifi.

ADJOURNMENT

Hon. Members, we are on recess and therefore this House is adjourned until further notice. Thank you.

The House rose at 3:21 p.m.

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