



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Tuesday, 15th April, 2025

Third Assembly – Fourth Session
ELEVENTH SITTING

*[The County Assembly met at 10:57a.m at the County Assembly Buildings]
[The Temporary Speaker (Hon. Frankline Makanga) in the Chair]*

PRAYERS

The Temporary Speaker (Hon. Makanga): Let us take our seats, Honourable Members.

PETITIONS

HALT THE CONVERSION OF MARIMANI LEVEL 4 HOSPITAL INTO A REHABILITATION CENTER

Thank you, Honourable Members. The County Assembly have received a petition to halt the conversion of Marimani Level 4 Hospital into a rehabilitation center. The said petition, dated 28th March, 2025 was received in the Assembly on 28th March, 2025. The petition is by Mwakirunge Ward Citizen Forum CBO, duly signed by the petitioners and I read;

Reference petition to halt the conversion of Marimani Level 4 Hospital into a rehabilitation center. We, the undersigned residents of Mwakirunge Ward, Mombasa County, strongly object to the County government of Mombasa's decision to convert Marimani Level 4 Hospital into a rehabilitation center. This move disregards the will of the people and threatens access to essential health care services. We draw the Committee's attention to the following concerns;

1) That Article 43(1a) of the Constitution of Kenya, 2010 guarantees every person the right to the highest standard of health, including access to health care services converting the hospital into a rehabilitation center will severely limit the community's ability to access timely and quality medical care. That Article 174(C) of the Constitution underscores public participation as a key principle of devolution. The decision to repurpose the hospital disregards the views of the community, undermining their right to be involved in governance matters affecting their health.

2) That Section 115 of the County Government Act, 2012 requires public participation in County planning processes. However, the reported community feedback on this matter was manipulated, contradicting the genuine concerns raised by residents.

- 3) *That Section 20 of the Health Act, 2017 stipulates that Counties must implement and deliver health care services in line with national health policies and standards. The repurposing of the hospital contradicts this mandate and deprives Mwakirunge residents of their fundamental right to accessible health care.*
- 4) *That the present Marimani dispensary originally meant for a small population is now overwhelmed with patients, with no operational Level 4 facility. Many residents are forced to seek medical attention in neighbouring Kilifi County causing undue strain and inconvenience.*
- 5) *That the land on which Marimani Level 4 Hospital was constructed was donated by the community for the specific purpose of establishing a health care facility, not a rehabilitation center. The decision to change its use disregards this original intent and violates the trust of the people.*

Our demands:

1. *Immediate halt to the conversion of Marimani Level 4 Hospital into a rehabilitation center.*
2. *Urgent operationalization of the hospital to serve health care needs of Mwakirunge residents.*
3. *Genuine public engagement to ensure community voices are heard in all future decisions regarding health care services in the area.*
4. *We call upon the County government to prioritize the health and well-being of Mwakirunge residents by ensuring that Marimani Level 4 Hospital remains a fully functional health care facility. Sincerely, the Petitioners.*

Thank you. Honourable Members, Pursuant to Standing Order 201(1) and (2) this petitions stands committed to the Committee on Health, who shall in not more than 60 calendar days, respond by ways of a Report to the Petitioners and laid on the Table of the County Assembly. Yes Clerk?

PAPER

REPORT ON DRAFT LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN FOR KIKAMBALA, KISIMANI KWA NDEGWA, KIDUNGUNI, KIBUNDANI AND BASRA INFORMAL SETTLEMENTS 2024/2034

Yes, Honourable Ahmed Khamis, Vice Chairperson Committee on Lands, Urban Planning and Housing please lay the Paper.

Hon. Ahmed Khamis: Thank you, Mr. Speaker I stand to lay the Paper.

[Paper laid]

The Temporary Speaker (Hon. Makanga): Yes, Clerk?

MOTION

ADOPTION OF REPORT ON THE MOMBASA COUNTY DISASTER PREPAREDNESS AND EMERGENCY MANAGEMENT (AMENDMENT) BILL, 2024

Yes, Honourable Mwaka Mulundonda, please move the Motion?

Hon. Mwaka Bakari: Thank you Mr. Speaker. Mr. Speaker Sir, I beg to move the following Motion;

THAT, this House adopts the Report of the Committee on Transport and Infrastructure on Mombasa County Disaster Preparedness and Emergency (Amendment) Bill, 2024.

Thank you.

The Temporary Speaker (Hon. Makanga): Seconder?

Hon. Mwaka Bakari: Honourable Ogutu.

Hon. Ogutu: I second.

The Temporary Speaker (Hon. Makanga): Okay Honourable Members. I now propose the question that the Motion by Honourable Mwaka Mulundonda on, Adoption of Report on the Mombasa County Disaster Preparedness and Emergency Management (Amendment) Bill, 2024 be considered by this Honourable House in the same terms as moved.

[Question proposed and agreed to]

Yes, Honourable Mwaka Mulundonda, Deputy Chairperson Committee on Transport and Infrastructure, please make your contributions to the Motion.

Hon. Mwaka Bakari: Ahsante Mheshimiwa Spika. Mheshimiwa Spika hii Hoja yetu tumeileta ni kwa sababu ya manufaa ya watu wetu wa Mombasa na ripoti hii tumeikamilisha tukiwa sote katika Kamati ya Uchukuzi na kwa niaba ya Kamati ya Uchukuzi tumekaa chini na Makarani wetu, tukaweza kuweka ripoti hii kwa manufaa yetu ya wananchi wa Mombasa kwa sababu ya *emergency* ripoti kama hizo za *disaster* ni hatari kama sasa hivi kunakuja mvua na kukija mvua lazima kutakuwa na mafuriko ambayo kwamba tumejitayarisha kuweza kuzuia mafuriko hayo. Ahsante sana Mheshimiwa Spika, naomba wale ambao wako katika Kamati ya Uchukuzi nao waweze kuchangia.

The Temporary Speaker (Hon. Makanga): Yes, Honourable Benard Ogutu?

Hon. Ogutu: Ahsante sana Mheshimiwa Spika, kwanza kabisa nichukue nafasi hii kupongeza Kamati ya Uchukuzi wakiongozwa na Mwenyekiti Hassan Ulher pia nipongeze wale makarani wali *play role* kubwa sana kuhakikisha hii ripoti imeweza kupatikana. Mheshimiwa Spika, pia nishukuru afisi yako na ile ya Karani kwa kuweza kuhakikisha kwamba tumepata nafasi hii ya kuenda kukalia hii ripoti. Mheshimiwa Spika ripoti hii imeletwa kwa sababu ya kufanya mambo ya *disaster* yawe rahisi, kwa hiyo tunaomba Waheshimiwa waweze kuiunga mkono ili tuweze kuhudumia watu wetu kwa haraka pia tukizingatia kwamba mvua zimeanza na inatakikana tuwe tumeweka mipango kabambe ya kuhakikisha kwamba tumeshughulikia na majanga kikamilifu. Ahsante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): Okay thank you. Yes, Honourable Joshua Ong'au Member of the Committee and Member for Jomvu Kuu Ward.

Hon. Ong'au: Thank you Mr. Speaker. I also join my other Committee Members in appreciating the good work that was done by the Committee and indeed this Bill is for the betterment of the people of Mombasa. Thank you.

The Temporary Speaker (Hon. Makanga): Yes, Honourable Allen Katana, Member for Shanzu Ward.

Hon. Katana: Thank you, Mr. Speaker for this opportunity and Mr. Speaker allow me to say because it is the best practice and it is a trend for any Member to stand and support. Then I am as well following the suit by saying I stand to support the Motion. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Okay, thank you Honourable Allen Katana. Yes, Honourable Juma Manuari?

Hon. Juma Manuari: Ahsante Mheshimiwa Mwenyekiti nichukue nafasi hii kwanza kumshukuru Mwenyezi Mungu kwa siku ya leo na kwa kuwa siku ya leo ndio siku tumelifungua hili Bunge letu rasmi na ni lazima tumrudishie shukrani kwa sababu ninavyoona sijapata taarifa ya hata Mheshimiwa mmoja tulimzika ama pengine yuko kwenye matatizo; sote tuko hai Alhamdulillah....

[Applause]

Na tumefika kwa hivyo hakuna budi kumshukuru Mwenyezi Mungu sana na pia nimpee pongezi dada yetu Mheshimiwa Hawa kwa kutuletea mtoto mwengine baada ya miaka miwili ya uongozi, ashakua na watoto wawili na tunamuomba Mungu baada ya miaka mitano angalau awe ametupa watoto zaidi kwa faida ya vizazi vinavyokuja. Ndugu yangu Mheshimiwa Spika nichukue nafasi hii kuipa pongezi Kamati yetu ya masuala ya Uchukuzi...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Manuari, are you the father of the children?

Hon. Juma Manuari: Hapana Mheshimiwa Spika...

[Interruption]

The Temporary Speaker (Hon. Makanga): So why are you...

[Interruption]

Hon. Juma Manuari: Lakini nafurahi, wajua Mwenyezi Mungu anakwambia kwenye jema lipe jema lake na vile vile tumeumbwa ili tujaze ulimwengu, wengine wetu kama Mheshimiwa Allen Katana na miaka 40 na ana watoto 3...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Juma Manuari, we are concerned about how committed you are with the timelines that is why we are asking whether you are responsible for the...

[Interruption]

Hon. Juma Manuari: Mimi ni mjomba...

[Applause]

The Temporary Speaker (Hon. Makanga): Thank you. Please proceed and make your contribution.

Hon. Juma Manuari: Mheshimiwa Spika ahsante sana nichukue nafasi hii kuiunga mkono Kamati yetu ya Uchukuzi kwa yale yote waliyoyaleta kwa niaba ya wana Mombasa; ni jukumu letu hivi sasa kusimama kama wana Mombasa wakati wa matatizo kama haya ambayo yako hapa ili tuhakikishe Mombasa yetu inasonga mbele. Nimpe pongezi Mwenyekiti wetu na msaidizi wake mama yetu, Mheshimiwa Mwaka na leo *Mashallah* ameshika kipaza sauti akaizungumza ripoti hii. Kwa ufupi niwape pongezi sana wana Kamati wote; kwa hayo mengi machache Mungu awe nasi. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): Thank you. Yes, Honourable Fatuma Mote Swaleh?

Hon. Fatuma Swaleh: Ahsante sana Mheshimiwa Spika kwa kuweza kunipa fursa hii, kwanza kabisa namshukuru Mwenyezi Mungu Muumba mbingu na ardhi pasi na kizuizi. Mheshimiwa Spika kabla sijaenda kuchangia, wakati tulipokuwa likizo kulikuwa na mambo kadha wa kadha tulikuwa na maafa ya nyumba ambayo iliyoweza kuporomoka, kukawa na maafa ya kijana ambaye aliweza kufinikwa na lile jumba. Mheshimiwa Spika ilikuwa ni huzuni kwa sababu kwanza kabisa ukiangalia lile jumba liliweza kuathiri mwenyewe mwenye nyumba na wakaazi wa Mombasa. Kwa jumla kama vile tulivyopewa ilani kwamba watu wa huku wasivuke huku basi ukumbuke Mheshimiwa Spika ilituathiri pahali pakubwa hususan mimi watu wangu wa Kadzandani ambao washazoea kuja mjini kuweza kutafuta ruzuku ama riziki. Mheshimiwa Spika kitendo kilicho fanyika ni cha kuhuzunisha, lakini vile vile namshukuru Mheshimiwa Gavana kusema kwamba ameweza kusimamisha baadhi ya watu kazi lakini mimi ni Muislamu huwa nikitawadha huwa naanza mkono ndio nimalizie miguu. Lakini cha kusikitisha Mheshimiwa Spika kulianzwa miguu halafu mikono haijamalizika na nafikiri mwanielewa nikisema hivyo kwa sababu huwa katika nyumba huwa mwenye kichwa huwa ni baba halafu mwisho anamalizikia mama. Kwa hivyo mtoto akiharibika ndani ya nyumba ni wewe baba kwanza huwa ni muovu kisha baadae iende kwa mama Mheshimiwa Spika. Mheshimiwa Spika nampongeza dadangu Mheshimiwa Mwaka na Kamati yake kwa kuweza kuleta ripoti hii ambayo imegusia mambo ya maafa, na vile vile Kamati ambayo ni husika iangalie hili suala kwa kina ama sisi Waheshimiwa ambao tuko hapa ndani sote; maana yake Mheshimiwa Spika kuna baadhi ya majumba mengine pia hayako sawa na kuna wafanyi kazi ambao wameandikwa ama kuna Waziri mhusika wa hicho kitengo Mheshimiwa Spika, Mheshimiwa...

[Interruption]

The Temporary Speaker (Hon. Makanga): Proceed.

Hon. Fatuma Swaleh: Ahsante Mheshimiwa Spika, mwenye duku duku anaweza kusema Mheshimiwa Spika na mimi nikamjibu ...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Fatuma Swaleh, please make your contribution to the Motion on the floor, please ignore the side shows...

[Interruption]

Hon. Fatma Swaleh: Mheshimiwa Spika naomba...

[Interruption]

The Temporary Speaker (Hon. Makanga): You are protected please proceed and make your contribution.

Hon. Fatma Swaleh: Ahsante Mheshimiwa Spika, Mheshimiwa Spika sina mengi ila nampongeza dadangu Mheshimiwa Mwaka na Kamati yake ahsante sana.

[Applause]

The Temporary Speaker (Hon. Makanga): Thank you. Honourable Samuel Mwaura?

Hon. Mwaura: Ahsante sana Mheshimiwa Spika kwa kuniona na kunipa fursa nichangie kwa Hoja hii ambayo ni muhimu katika Bunge letu na katika Jimbo letu la Mombasa. Kwanza kabisa nimpongeze Mwenyezi Mungu ambaye ametupatia nafasi na wakati mzuri kwa likizo fupi tuliyokuwa nayo na pia kwa kutuwezesha kuwa katika kikao hiki. Pili, niweze kupongeza Kamati inayohusika na masuala ya Uchukuzi katika Bunge letu, kwa sababu ya Hoja hii ambayo wameileta...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Manuari, please consult in low tone, Honourable Manuari and Honourable Allen Katana. Please proceed Honourable Mwaura.

Hon. Mwaura: Ahsante Mheshimiwa Spika. Nasema ya kwamba ninashukuru pia Kamati ya Uchukuzi kwa ajili ya Hoja hii ambayo wameileta mbele ya Bunge letu kwa ajili ya kuhakikisha wameondoa zile ambazo tunaita kwa kimombo *bureaucracies* katika masuala ya dharura katika Mji wetu wa Mombasa ili kuhakikisha ya kwamba dharura inashughulikiwa kwa dharura. Mheshimiwa Spika unaposikia kwamba kuna masuala ya majanga ni masuala yanahitaji kushughulikiwa kwa dharura sana na wakati mwingine kukiwa kunahitaji mipangilio mingi ili mambo hayo yaweze kutekelezwa na fedha ziweze kupatikana kwa ajili ya kushughulikia mambo hayo Mheshimiwa Spika huenda dharura hizo zikachelewa kushughulikiwa. Kwa hivyo Mheshimiwa Spika naunga Hoja hii mkono na napongeza tena Kamati ya Uchukuzi iliyohusika na kutengeza Hoja hii. Ahsante.

The Temporary Speaker (Hon. Makanga): Thank you Honourable Mwaura. Honourable Prischillah Mumba please make your contribution?

The Majority Party Chief Whip (Hon. Mumba): Ahsante Mheshimiwa Spika nasimama hapa pia kuunga mkono kwa maana hata mimi ni mmoja wa Kamati hii ya barabara na miundo misingi. Kwa hivyo ninashukuru Kamati kwa jumla na Mwenyekiti na Naibu wake kwa juhudi zao kuweza kuhakikisha ripoti hii imekuja kwa wakati na imeletwa Bungeni ili kuweza kupitishwa. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): Thank you so much. Yes, Honourable Mwaka? Wait first Honourable Leila Nyache you have something to say? Okay please proceed and do so.

Hon. Nyache: Ahsante sana Mheshimiwa Spika na mimi kuniona mwisho mwisho na nashukuru kwa hii nafasi nimesimama kuunga mkono Hoja hii ama ripoti iliyokuja na Mheshimiwa Mwaka ambaye ni Naibu wa Kamati ya Uchukuzi.

Mheshimiwa Spika namshukuru Mwenyezi Mungu kwa siku ya leo, pili nashukuru Kamati nzima wakiongozwa na Mwenyekiti wao ambaye ni Hassan Mohammed na Naibu wake ambaye ni Mheshimiwa Mwaka dada yetu. Nawapongeza sana kwa hii Hoja kwa sababu huu ni wakati wa mvua kama vile mnavyojua Viongozi wote kukinyesha mahali basi pakifurika nyinyi ndio mtakao fuatwa, hawataangalia hii mvua labda imeletwa na Mwenyezi Mungu la! Mtafuatwa nyinyi viongozi muambiwe kumefurika, sijui nyumba imeporomoka, sijui kumefanywa aje na hao wenyewe wamekwenda wakajenga kwenye njia za maji lakini yote hayo hatuwezi kuyaangalia sisi kama Viongozi tutaangalia vile ya kusaidia watu wetu. Kwa hivyo mimi natoa pongezi kwa sababu wengi wetu hapa tunatoka kwenye mitaa ya mafuriko. Kwanza kwangu Kipevu kuna sehemu ya sisi kwa sisi, pale Swaleh Nguru pamoja na hapa Kisumu ndogo na Nuru kuna mahali kunafurika na Akamba. Kwa hivyo hii ripoti vile wamejipanga mimi nawapongeza, najua itaweza kusaidia watu wetu wa Mombasa na itaweza kuleta natija katika wakati huu ambapo mvua zinaanza. Ahsante sana Mheshimiwa Spika nimesimama na mimi kuunga mkono.

The Temporary Speaker (Hon. Makanga): Thank you so much. Yes, Honourable Mwaka Mulundonda please reply to the Motion.

[Interruption]

Hon. Mwaka Bakari: Nilinde hapa kidogo Mheshimiwa.

The Temporary Speaker (Hon. Makanga): You are protected Honourable Mbaya?

Hon. Mwaka Bakari: Ahsante sana Mheshimiwa Spika kwa niaba ya Waheshimiwa wenza napenda kushukuru sana kwa kuweza kujali neno hili la ripoti yetu na kwa kuwa hili janga ni janga letu sote Mombasa na kila mahali tunajua hiyo *season* ya mvua ikija kila mahali pataguswa. Nashukuru sana kwa kuweza kuchangia Hoja hii. Pili, nataka kusema kwamba tuweze kuipitisha Hoja hii kwa moyo mkunjufu na tukijua kwamba hili janga ni janga letu na matatizo yatakapokuja ni yetu kwa hivyo ninaomba kwa niaba ya Waheshimiwa wenza sote tuweze kuipitisha hii ripoti. Ahsante sana.

[Applause]

The Temporary Speaker (Hon. Makanga): Honourable Members, I now put the question that the Motion by Honourable Mwaka Mulundonda on Adoption of Report on the Mombasa County Disaster Preparedness and Emergency Management (Amendment) Bill, 2024 be Adopted by this Honourable House in the same terms as moved.

[Question put and agreed to]

[Applause]

Yes, Clerk?

ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday 15th April, 2025 at 2:30p.m. Thank you.

The House rose at 11:28a.m.