



**COUNTY ASSEMBLY OF MOMBASA  
THE HANSARD**

Tuesday, 15<sup>th</sup> April, 2025

Third Assembly – Fourth Session  
TWELFTH SITTING

*[The County Assembly met at 2:38p.m at the County Assembly Buildings]  
[The Temporary Speaker (Hon. Abdirahman Abdikadir) in the Chair]*

**PRAYERS**

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): You may be seated...

*[Consultations]*

I do not wish to ring the quorum bell, but perhaps the Chief Whip can ask Members to come in, I am sure we have quorum...

*[Loud Consultations]*

Members! Members Order! the House is in session. Please be reminded the House is in session. I think we can proceed. Yes, Clerk?

**PAPER**

REPORT ON THE COUNTY ASSEMBLY'S CONSIDERATION TO THE RESERVATIONS OF HIS EXCELLENCY  
THE GOVERNOR TO THE MOMBASA COUNTY WARD EQUITABLE DEVELOPMENT BILL, 2024

Yes, Honourable Athman Rama Mwamwiri on behalf of the Chairperson Honourable Kibwana Swaleh, please lay Paper.

**The Leader of Majority Party** (Hon. Mwamwiri): Thank you Mr. Speaker. Mr. Speaker, I wish to lay Paper report on the County Assembly's consideration to the reservation of His Excellency the Governor on the Mombasa County Ward Equitable Bill, 2024.

*[Paper laid]*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes Clerk?

NOTICE OF MOTION

Yes, again Honourable Athman Rama Mwamwiri please give the notice of Motion.

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**NOTICES OF MOTION**

ADOPTION OF REPORT ON THE COUNTY ASSEMBLY'S CONSIDERATION TO THE RESERVATIONS OF HIS EXCELLENCY THE GOVERNOR TO THE MOMBASA COUNTY WARD EQUITABLE DEVELOPMENT BILL, 2024

**The Leader of Majority Party** (Hon. Mwamwiri): Thank you Mr. Speaker. Mr. Speaker, I beg to give Notice to the following Motion;

*THAT, this County Assembly adopts the Report on the County Assembly's consideration to the reservation of His Excellency the Governor to the Mombasa County Ward Equitable Development Bill, 2024 laid on the Table on Tuesday, 15<sup>th</sup> April, 2025 during the 12<sup>th</sup> Sitting.*

Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes, Clerk?

NOTICE OF MOTION

Is Honourable Ahmed Khamis present? Is there any Member directed by Honourable Ahmed Khamis to issue this particular Notice of Motion?

*[Silence]*

Is it a Notice, the Committee on Lands? Any Member, do you have a Motion today? Oh, a Notice of Motion, you are standing in for Honourable Ahmed Khamis?

**Hon. Juma Mwalimu:** Ndio. Ahsante Mheshimiwa Spika, nimesimama hapa kwa sababu ya Mheshimiwa Ahmed Khamis kusoma ilani ya hoja.

ADOPTION OF REPORT ON DRAFT LOCAL PHYSICAL AND LAND USE DEVELOPMENT PLAN FOR KIKAMBALA, KISIMANI KWA NDEGWA, KINDUNGUNI, KIBUNDANI AND BASRA INFORMAL SETTLEMENTS 2024, L2034

Mr. Speaker Sir, I beg to give the Notice of the following Motion;

*THAT, this Assembly adopts the Report on the draft local, physical, and land use development plan for Kikambala, Kisimani, Kwa Ndegwa, Kidunguni, Kibundani and Basra informal settlements 2024-2034 laid on the Table on Tuesday, 15<sup>th</sup> April, 2025 during the 11<sup>th</sup> Sitting.*

Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes Clerk:

SECOND READING

THE MOMBASA COUNTY DISASTER PREPAREDNESS AND EMERGENCY MANAGEMENT (AMENDMENT) BILL, 2024

Is Honourable Hassan Mohammed in the vicinity? The Vice-Chair of the Committee? Any Member of the Committee? Yes, Honourable Bernard Ogutu, are you a Member of the Committee?

**Hon. Ogutu:** Thank you Mr. Speaker, I beg to move the following Motion.

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*That the Mombasa County Disaster Preparedness and Emergency Management Amendment Bill, 2024 be now read the second time.*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): You are moving a Motion Honourable Ogutu.

**Hon. Ogutu:** Okay, thank you Chair, for that correction.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): You are right.

**Hon. Ogutu:** I am very right but...

*[Interruption]*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Who is your Seconder?

**Hon. Ogutu:** Yeah, I wanted to do so Mr. Speaker but you are confusing me. Honourable Allen Katana to second.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Is he a Member of the Committee? He is a Member of this Honourable House and Mr. Speaker this Bill is not for the Committee...

*[Interruption]*

I think you have...

*[Interruption]*

**Hon. Ogutu:** This Bill is for the entire County Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Order!

*[Applause]*

**Hon. Ogutu:** Okay Chair, as per your direction...

*[Interruption]*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): I have not directed you to do anything, Honourable Ogutu! I do not know why you are in a state of confusion; perhaps Honourable Katana you have been assigned to second this Motion, a Motion that you well understand, please do that?

**Hon. Katana:** Mr. Speaker, thank you for this opportunity despite the fact that I am not a Member of this Committee but the Honourable Member who has suggested that I second is my brother-in-law so I stand to support and second. Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Members, be guided we are not just supporting or rejecting Motions based on the relation that we have but nonetheless I think that is well noted. I now propose the question that the Motion by Honourable Bernard Ogutu on behalf of the Honourable Hassan Mohammed on the Mombasa County Disaster Preparedness and Emergency Management (Amendment) Bill, 2024 to be read as a Second time be considered by this Honourable House in the same terms as moved.

*[Question proposed and agreed to]*

Yes, Honourable Bernard Ogutu the Mover of the Motion please make your contribution to the Motion?

**Hon. Ogutu:** Ahsante Bwana Spika. Mheshimiwa Spika, hii *Bill* ni muhimu sana kwetu na tukizingatia kwamba mvua ziko karibu na ni watu wetu ndio watakao umia. Kwa hivyo naomba tuweze kuipitisha kwa haraka ili watu wetu waweze kusaidika. Ahsante Mheshimiwa Spika.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes, the Seconder of the Motion Honourable Katana?

**Hon. Katana:** Mheshimiwa Spika naona huwa mara nyingi ukiwa kwa Kiti hicho huwa unafurahia sana kuchangia na shida yako ukisimama unapenda kupinga mambo niliyochangia mimi lakini leo Mheshimiwa Spika nakungoja. Nataka kusema hivi kumekuwa na changamoto katika utenda kazi wa Idara hii yetu kunapotokea hasa wakati wa majanga yanapotokea na nataka kuamini kupitia mapendekezo ya mabadiliko haya ni kwamba yatarahisisha kwa sana utenda kazi wa Idara au kitengo hiki na hivyo basi Mheshimiwa Spika kuwapa watu wetu huduma inayostahili. Ahsante.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Thank you very much. Any Member who wishes to contribute before I put the question?

*[Silence]*

Honourable Members, I now put the question that the Motion by Honourable Hassan Mohammed, the Chairperson Committee on Transport and Infrastructure on the Mombasa County Disaster Preparedness and Emergency Management (Amendment) Bill, 2024, to be read as a second time, be approved by this Honourable House in the same terms as moved.

*[Question put and agreed to]*

The Motion by Honourable Hassan Mohammed, Chairperson Committee on Transport and Infrastructure on the Mombasa County Disaster Preparedness and Emergency Management (Amendment) Bill, 2024 to be read a second time is adopted by the House. Yes, Clerk please read the Bill for the second time?

*[The Bill was read for the second time]*

Honourable Members, the Bill having been read a second time stands committed to the Committee of the whole County Assembly.

## COMMITTEE OF THE WHOLE HOUSE

### ORDER OF COMMITTEE READ

*[The serjeant at Arms lowered the Mace]*

### IN THE COMMITTEE

*[The Chairperson (Hon. Abdulrahman Abdikadir) in the Chair]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Yes, can I assure you what?

*[Hon. Madialo off microphone]*

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I will assure you that we are going to go through this Bill Clause by Clause.

*[Hon. Madialo off microphone]*

This is a Bill; you want me to read the title for you? The Members of the Committee are here in fact it is a Bill.

*[Consultations]*

Okay. Yes, please can you capture that? I cannot hear you?

*[Silence]*

Members of the Committee those who are here perhaps you can just raise your hand?

*[Consultations]*

Honourable Jacktone Madialo, this is a Bill that is why we have gone to the Second Reading.

*[Member off microphone]*

Yes, Honourable Prischillah, you are a Member of the Committee?

**The Majority Chief Whip** (Hon. Mumba): Yes.

**The Chairperson** (Hon. Abdirahman Abdikadir): It is a Bill, right?

*[Hon. Mumba nodded]*

It is a Bill, Members if we cooperate, we will not take more than ten minutes. Let us just concentrate on the material content of the Bill; other issues will be discussed later. Members let us concentrate; shall we? I want to believe each and everyone has a copy of the Bill. Members, do you want me to take a break? You want me to take a break so that you can go through it? Seems like most of you have not gone through it. Honourable Florence, I cannot hear you.

**Hon. Kachumbo:** We would like to take a break. Thank you.

**The Chairperson** (Hon. Abdirahman Abdikadir): Honourable Members, I am giving you three minutes to brainstorm so that we discuss this Bill. Three minutes, so will you all...

*[Consultations]*

Yes, Clerk? Serjeant-at-Arms please just, I want those doors to remain closed. Yes?

**Clerk:** Clause No. 2. Amendment of section 9 of No. 8 of 2017.

**The Chairperson** (Hon. Abdirahman Abdikadir): Members confirm, yes?

*[Hon. Ogutu off microphone]*

Honourable Ogutu, please use the microphone to address me.

**Hon. Ogutu:** Chair, thank you. Chair considering the mood of the House,

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Which mood?

**Hon. Ogutu:** You can read...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Which mood, be specific...

*[Interruption]*

**Hon. Ogutu:** If you cannot read the mood, Chair then I do not know but...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Let us be specific...

*[Interruption]*

**Hon. Ogutu:** Considering the mood, we can defer this Bill to another day maybe probably tomorrow it only takes 10 minutes to pass it, so...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Honourable Ogutu which mood are you talking about and which Standing Order are you using to defer this, Bill. A Bill that you proposed should be read for the second time, you know Honourable Members, yes Honourable just take your seat first and now you are allowed to speak.

**Hon. Fatma Swaleh:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika ikiwa Mheshimiwa Ogutu yuko katika Kamati ya Uchukuzi na bado ana malalamiko mimi sioni kama kuna Hoja ya hii *Bill* kuendelea na vile vile alivyokuambia uangalie Waheshimiwa hisia zao tafadhali kwa heshima na taadhima Mheshimiwa Spika haina haja tupelekane hivi na vile naomba na sisi pia utuangalie; kwa sababu Mheshimiwa mwenza hapa anatoka kwenye hii Kamati ni kana kwamba ana tashwishi fulani ama ana donge fulani Mheshimiwa Spika tuwape nafasi.

**The Chairperson** (Hon. Abdirahman Abdikadir): You know Honourable Fatuma you are a ranking Member; I was expecting that you could cite a Standing Order and just for your information Honourable Ogutu is the proposer of the Motion so I do not know where the change of heart is coming from?

**Hon. Madialo:** Honourable Speaker! Honourable Speaker! Honourable Speaker!

**The Chairperson** (Hon. Abdirahman Abdikadir): Yes...

*[Interruption]*

**Hon. Madialo:** Yes, indeed Honourable Ogutu...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Members! Members! Members!

**Hon. Madialo:** Honourable Ogutu is the Mover of this Motion and he so wants this Motion to pass; he is protecting this Motion...

*[Interruption]*

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**The Chairperson** (Hon. Abdirahman Abdikadir): From what?

**Hon. Madialo:** No, he wants to this Motion to pass. Reading the mood of the House, he is not sure whether this Bill is going to pass; so, until we assure kindly as he has requested, we can defer...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): You know there is no harm in a Bill not passing. The Bill might as well not pass. Yes, Honourable Katana, I am sure you have something to add on.

**Hon. Katana:** No.

**The Chairperson** (Hon. Abdirahman Abdikadir): It is okay. Yes, Honourable Frankline Makanga you seem worried. Is it the mood that they are talking about?

**Hon. Makanga:** I am just wondering that the Chair of the Committee of the Whole House is not ready to listen to the Honourable Members who are supposed to pass laws that are within the law...

*[Applause]*

We are not just here to pass the laws...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Please say that again?

**Hon. Makanga:** Yes, the Chair of the Committee of the Whole House seems to be pushy while the Members who are the authorized arm of the Government that is supposed to make laws that meet the threshold, a concern that they need time to go through this document; so why does not the Chair of the Committee of the Whole House listen to the Members who are held responsible ...

*[Applause]*

Who are head responsible, but not only the voters or the citizenry but even by the Constitution so the Members are not ready to, they really need more time to look into this document...

*[Applause]*

So, that when they pass a law, then it is not reverted back to them.

**The Chairperson** (Hon. Abdirahman Abdikadir): Thank you Honourable Frankline Makanga. Yes...

*[Interruption]*

**Hon. Makanga:** Please on behalf of the Honourable Members please give them time...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): just speak for yourself...

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*[Interruption]*

**Hon. Makanga:** ...So that we are able, of course I speak for myself and the many people who are listening to my voice. What I am saying is, we as a House we are ready to pass any law that meets the threshold and that would be of benefit of our people but can we have time to look into the document? We are the ones who are supposed to vote in this House...

*[Applause]*

So as such, I support the Mover of the Motion Honourable Bernard Ogutu who has sought more time...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Which Motion? Please take your seat, take your seat.

*[Interruption]*

**Hon. Makanga:** Honourable Bernard Ogutu is the one who has brought this Bill in this House and he has made a request to get more time so that they are able to going by the details. And that is what the law says...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Now take your seat.

**Hon. Makanga:** I take my seat?

**The Chairperson** (Hon. Abdirahman Abdikadir): Yes.

**Hon. Makanga:** I hope the Chair has heard me and it is now on record...

*[Interruption]*

**The Chairperson** (Hon. Abdirahman Abdikadir): It is okay, take your seat. Honourable Members this is not my Bill I just happen to be the Chairperson of this Committee, so it is completely out of order for Honourable Frankline Makanga to go on record to say that I am pushing this Bill that I do have some motives. I want to declare that I do not have any motives other than preside over this Sitting so Honourable Frankline Makanga please be advised I am not the one; I am not the proposer of this Motion. It was proposed, it was seconded and now we are here and all I am asking is Honourable to quote any Standing Order that is....

*[Consultations]*

...I cannot hear you; I cannot hear you, use the microphone, use the microphone please!

**Hon. Ogutu:** This is not the first time neither is it the last time where a Bill is being deferred for consensus building Mr. Speaker; we are here to serve our people. This is a very good Bill that we cannot allow...

*[Applause]*

Yes, Mr. Speaker, consider that.

**The Chairperson** (Hon. Abdirahman Abdikadir): Okay Honourable Members, you have the Standing Orders with you?

*[Consultations]*

Okay. Standing order 147 it says; *a Committee of the Whole House, a Committee of the Whole County Assembly may not adjourn its own sitting or the consideration of any matter to a future sitting. But the Chairperson may by motion be directed, not with the standing, that all matters referred to the Committee have not yet been considered. To report progress to the County Assembly and ask leave to sit again.*

*[Applause]*

So, you are agreeing with this? So, Honourable Members, yes? So, what we will do is I am directing to those who are of the opinion that we defer this Bill to stand up and move a Motion to report back to the County Assembly. Yes, maybe perhaps Honorable Prischillah Mumba? Yes?

**The Majority Party Chief Whip** (Hon. Mumba): Yes?

**The Chairperson** (Hon. Abdirahman Abdikadir): Are you, you are of the opinion that we defer this Motion?

**The Majority Party Chief Whip** (Hon. Mumba): Yes.

**The Chairperson** (Hon. Abdirahman Abdikadir): Yes, please Madialo is up, sorry Honourable Madialo?

**Hon. Madialo:** Thank you Mr. Chairman, truly considering the mood and the Members would want more time to familiarise themselves with this Bill and the amendments, I stand to request that this matter be deferred.

**The Chairperson** (Hon. Abdirahman Abdikadir): Move the Motion.

**Hon. Madialo:** I so move that this matter be deferred.

**The Chairperson** (Hon. Abdirahman Abdikadir): Seconder? You move so that this is deferred and the progress is reported back to the County Assembly.

**Hon. Kachumbo:** I stand to second.

*[Applause]*

**The Chairperson** (Hon. Abdirahman Abdikadir): Honourable Members, I now propose the question that, this Motion by Honourable Jacktone Madialo to report the progress to the County Assembly be adopted.

*[Question proposed and agreed to]*

*[Applause]*

Yes, before I put the question, any contribution? I proposed now, I am just waiting for contributions from the Members. From the opposer side?

**Hon. Katana:** Chairman off late we have been out sourcing for the outperforming Chairs of so many Committees. It is not a recommendation but I want to believe that this status that we are in now, it is because of the incompetence of this Committee. Next time I think it is high time that this Committee and the Leadership of its Chair get serious into House Business. Thank you.

**The Chairperson** (Hon. Abdirahman Abdikadir): I think that is well noted, Honourable Benard Ogutu...

*[Hon. Ogutu off microphone]*

You can use the microphone please we are not in the market.

**Hon. Ogutu:** Chair the position we are in, is not about the conduct of the Chair or the entire Committee. We are all aware that we are setting a precedence here, that we cannot allow to go like that. Thank you.

*[Applause]*

**The Chairperson** (Hon. Abdirahman Abdikadir): With those few remarks...

*[Off Microphone]*

We will get there so Honourable Members I now put the question, that the Motion by Honourable Madialo to report the progress back to County Assembly be adopted.

*[Question put and agreed to]*  
*[Applause]*

Honourable Members, before we report back just an observation. I can see that next time before we work on the amendment the copies of the original Bill be also available, so that Members are aware of what exactly are amended. With those few remarks we shall report back to the County Assembly. Thank you.

*[Applause]*

#### PLENARY RESUMED

*[The Serjeant-At-Arms raised the Mace to upper deck]*  
*[The Temporary Speaker (Hon. Abdirahman Abdikadir) in the Chair]*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Members, you may take your seat. Yes, Honourable Benard Ogutu please report back to the County Assembly to what transpired during the Committee of the Whole House.

**Hon. Ogutu:** Okay thank you. Mr. Speaker, I want to report that we had a very good discussion and Members unanimously agreed that, the Motion be deferred to the Committee of the House Business and to set a date for it in the future thank you.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Yes, Clerk? Before the Clerk, any other report? That is the only report that we have. Yes, Clerk?

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**MOTION****REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE MOMBASA COUNTY DISASTER  
PREPAREDNESS AND EMERGENCY MANAGEMENT (AMENDMENT) BILL, 2024**

The Report of the Committee of the Whole House in regards to this Bill. Yes, it is a Motion now. Yes, Bernard Ogutu?

**Hon. Ogutu:** Thank you Mr. Speaker, I want to move a Motion that the Bill be deferred.

*[Consultations]*

Chair, thank you for the guidance I now move that report that I gave, be deferred to a later date. Thank you, Mr. Speaker.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Seconder of the Motion?

**Hon. Ogutu:** Honourable Mbaya to second.

**Hon. Hamisi Mbaya:** Thank you Mr. Speaker Sir. I stand to second.

*[Applause]*

*[Hon. Ogutu off microphone]*

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Honourable Members, I propose the question, that the Report of the Committee of the Whole House be adopted.

*[Question proposed and agreed to]*

Any input Members? I am sure you have input yes Honourable Florence?

**Hon. Kachumbo:** Thank you Mr. Speaker for this opportunity I stand to support the Motion.

**The Temporary Speaker** (Hon. Abdirahman Abdikadir): Thank you. I am sure that is not the mood you were speaking, about nonetheless let us proceed. Honourable Members, I now put the question, that the Report of the Committee of the Whole House on the Mombasa County Disaster Preparedness and Emergency Management (Amendment) Bill be adopted.

*[Question put and agreed to]*

Yes, Clerk?

**ADJOURNMENT**

Honourable Members, this House stands adjourns until Wednesday 16<sup>th</sup> April, 2025 at 10:00 a.m. Thank you.

The House rose at 3:27p.m.