

**County Assembly of Mombasa**

**Motions Tracker – January and February 2017**

<b>No.</b>	<b>Subject</b>	<b>Notice of Motion</b>	<b>Proposer</b>	<b>Date Debated and Concluded</b>	<b>Remarks</b>
1.	<p><b>Ombi La Kujengwa Vyoo Vya Umma Maeneo Ya Hospitali Kuu Ya Pwani</b></p> <p>TUKIELEWA kuwa Hospitali Kuu ya Pwani ni hospitali ya Kaunti inayohudumia wakazi wa kaunti hii na kaunti nyenginezo.</p> <p>PIA TUKIELEWA kuwa eneo linalozunguka hospitali hiyo limevutia biashara nyingi na kwa hivyo kuna watu wengi sehemu hiyo.</p> <p>TUKIWA NA WASIWASI kuwa eneo hilo halina choo cha umma na kwa hivyo kuna hatari za kiafya kwa waliomo kwenye hospitali na maeneo yanayozunguka kwa kuwa kuna wanaotumia bustani la karibu yake kukidhi haja zao za kiasilia.</p> <p>Mheshimiwa Spika nalihimiza Bunge hili kupitisha azimio kuwa:</p> <p>Serikali ya Kaunti ijenge vyoo viwili vya umma katika maeneo ya Fayaz Bakery na Bustani la Hospitali ya Pwani.</p>	<p>Wednesday, 18<sup>th</sup> January, 2017 (003 sitting)</p>	<p>Hon. Zainab Said Ali (Nominated MCA)</p>	<p>Wednesday, 18<sup>th</sup> January, 2017 (004 sitting)</p>	<p>Adopted</p>
2.	<p><b>Procedural Motion</b></p> <p>Pursuant to Standing Order 27 on hours of meeting, the Assembly resolves to adjourn after the sitting to be held on Wednesday, 1<sup>st</sup> February, 2017 morning and conduct a sitting on Thursday, 2<sup>nd</sup> February, 2017 at 9.00 a.m. in order to transact business that would have taken place on Wednesday, 1<sup>st</sup> February, 2017 at 2.30 p.m.</p>		<p>Hon. Saad Faraj (MCA Tononoka Ward)</p>	<p>Tuesday, 31<sup>st</sup> January, 2017 (009 sitting)</p>	<p>Adopted</p>

3.	<p><b>Maintenance and Enforcement of Environmental Hygiene Within the County</b></p> <p>THAT AWARE THAT Part II of the Fourth Schedule of the Constitution, 2010 in 2(g) mandates the County Government of Mombasa to deal with refuse removal ,refuse dumps and solid waste;</p> <p>FURTHER AWARE THAT the County is also mandated to control air pollution, noise pollution and other public nuisances;</p> <p>NOTING THAT the County Executive in Article 183 is mandated to implement County Legislation , manage, and coordinate the functions of county administration and its departments amongst other functions;</p> <p>FURTHER NOTING THAT it requires the participation of both the county government and residents to ensure a clean environment hence a clean county;</p> <p>CONCERNED THAT the measures which have been put in place by the County Government in maintaining a clean environment have not borne much fruit due to lack of adequate participation on the part of the residents.</p> <p>I urge this Assembly to resolve that;</p> <p>Every business/property/Vehicular/motorised and non –motorised owners /Occupiers and or authorized agent;</p> <ul style="list-style-type: none"> <li>a) To ensure safe, clean and sanitary disposal of refuse;</li> <li>b) To ensure clean and well swept premises, courtyards, walkways and its environment are clean;</li> <li>c) To provide a dustbin/ litter bin conspicuously fixed with suitable handles , close fitting and water and fly proof lid attached to it;</li> <li>d) To ensure that garbage are disposed only in batteries , central bulk containers, collection sites, lorries or side loaders , transfer stations and garbage collection points;</li> </ul>	Thursday, 2 <sup>nd</sup> February, 2017 (012 sitting)	Hon. Mohamed Hatimy (Nominated MCA)	Wednesday, 8 <sup>th</sup> February, 2017 (014 sitting)	Adopted
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	<p>e) To ensure removal of any container, motorized and non motorized vehicles, and scrap object in front of their premises.</p> <p>Contravention of any of the above will result to penalty as per national and county legislation and by laws.</p>				
4.	<p><b>Adoption of the Report on the County Fiscal Strategy Paper</b></p> <p>That this House adopts the Report on the County Fiscal Strategy Paper-2017 laid on the Table on Thursday, 9<sup>th</sup> February, 2017.</p>	<p>Thursday, 9<sup>th</sup> February, 2017 (016 sitting)</p>	<p>Hon. Mohamed Hatimy (Chairman Committee on Finance, Budget and Appropriation)</p>	<p>Thursday, 9<sup>th</sup> February, 2017 (016 sitting)</p>	<p>Adopted with amendments</p>
5.	<p><b>Re-Allocation of County Government Budget for FY 2016/2017 for the Departments of Early Childhood Education, Children and Vocational Training and Department of Health Services</b></p> <p>THAT AWARE that the County Assembly passed the Appropriation Bill,2016 in June 2016 for the County Government's Budget for FY 2017/2018;</p> <p>FURTHER AWARE that section 135 of the Public Finance Management Act,2012 empowers the county government through the county assembly to reallocate funds in its budget through a supplementary budget;</p>	<p>Tuesday, 14<sup>th</sup> February, 2017 (017 sitting)</p>	<p>Hon. Mohamed Hatimy (Chairman Committee on Finance, Budget and Appropriation)</p>	<p>Tuesday, 14<sup>th</sup> February, 2017 (017 sitting)</p>	<p>Adopted</p>

	<p>CONCERNED that funds set aside for certain crucial public programmes have diminished or were under cast;</p> <p>I therefore urge this Assembly to RESOLVE that:</p> <ol style="list-style-type: none"> <li>1. The County Government be hereby authorized to prepare a Supplementary Budget for approval by the County Assembly to re-allocate funds for its programmes for fiscal year 2016/2017.</li> <li>2. The County Government be hereby authorized to appropriate a further Kshs. 200 million for utilization by the <b>Department of Early Childhood Education, Children and Vocational Training</b> and the amount be included in the Supplementary Appropriation Bill, 2017.</li> <li>3. The County Government be hereby authorized to appropriate Kshs.10 million being grant from the World Bank for Maternal and Child Health and the amount be included in the Supplementary Appropriation Bill,2017.</li> </ol>				
6.	<p><b>Compensation for Lost Months</b></p> <p>THAT AWARE that the First Assembly begin its sittings in March 2013.</p> <p>FURTHER AWARE that this house will soon be dissolved to pave way for the General Elections scheduled for 8<sup>th</sup> August, 2017.</p> <p>FURTHER AWARE that this house will soon be dissolved to pave way for the General Elections scheduled for 8<sup>th</sup> August, 2017.</p> <p>FURTHER AWARE that this house will soon be dissolved to pave way for the General Elections scheduled for 8<sup>th</sup> August, 2017.</p>	Wednesday, 15 <sup>th</sup> February, 2017 (018 sitting)	Hon. Jimmy Odari (MCA Changamwe Ward)	Wednesday, 15 <sup>th</sup> February, 2017 (018 sitting)	Adopted

	<p>CONCERNED that our term will be less than five years given the date of the next General Elections.</p> <p>I therefore urge this House to RESOLVE that:</p> <ol style="list-style-type: none"> <li>1. The Committee on Finance, Budget and Appropriation to factor in compensation of our lost eight months salary</li> <li>2. The County Treasury and County Executive Committee Member for Finance to ensure the said money is included in the 2016/2017 Annual Budget</li> </ol> <p>That payment of the above mentioned eight months' salary be effected before the lapse of our term in August.</p>				
7.	<p><b>Installation of Billboards on Entry Roads</b></p> <p>THAT AWARE that the county has several entry road gateways at Shika Adabu, Shimo la Tewa, Mwakirunge and Miritini.</p> <p>FURTHER AWARE that the existing banners welcoming visitors to the county are faint or in some cases do not exist;</p> <p>CONCERNED that visitors may not be aware or properly guided as to our county boundaries;</p> <p>I therefore urge this Assembly to RESOLVE that:</p> <p>The County Government to liaise with advertisers and well wishers to put up billboards on every entry points to welcome visitors and bid them farewell on entry and exist to and from the County.</p> <p><i>(Only Amendment of prayer to be moved and question to approve whole motion to be put)</i></p>	Wednesday, 15 <sup>th</sup> February, 2017 (018 sitting)	Hon. Mary Akinyi (Nominated MCA)	<p>Wednesday, 15<sup>th</sup> February, 2017 (018 sitting) Deferred for amendments</p> <p>Wednesday, 22<sup>nd</sup> February, 2017 (022 sitting)</p>	Adopted after amendments

<p>8.</p>	<p><b>Ruhusa kwa Watumishi wa Afya ya Jamii Kutibiwa Bila Malipo Katika Hospitali za Kaunti Ya Mombasa</b></p> <p>TUKIELEWA kuwa watumishi wa afya ya jamii ni kiungo muhimu katika jamii zetu na wanatoa mchango mkubwa katika kazi zao za kujitolea, itakuwa vyema kuwatunuku kwa njia moja au nyingine;</p> <p>PIA TUKIELEWA kuwa Hospitali za Kaunti zinawatoza ada za huduma za afya watumishi hawa wakienda kwa matibabu;</p> <p>TUKIZINGATIA KWA UMAKINI kuwa wanalipishwa ada hizi za hospitali ilhali wanajitolea kutoa usaidizi wa kimatibabu bila malipo;</p> <p>Mheshimiwa Spika nalihimiza bunge hili kupitisha azimio kuwa:</p> <p>Serikali Ya Kaunti waruhusu watumishi wa afya wa jamii watibiwe bila malipo katika hospitali zote za Serikali ya Kaunti.</p>	<p>Wednesday, 15<sup>th</sup> February, 2017 (019 sitting)</p>	<p>Hon. Fadhili Mwalimu (MCA Portreitz Ward)</p>	<p>Wednesday, 15<sup>th</sup> February, 2017 (019 sitting)</p>	<p>Notice of Motion Deferred for Amendments to be made in two weeks</p>
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9.	<p><b>Environmental Impact of Changamwe Highway</b></p> <p>THAT AWARE that the County Government is charged with the responsibility of controlling air pollution and other public nuisance under the Fourth Schedule Part 2 (3) in the Constitution of Kenya 2010;</p> <p>FURTHER AWARE that the ongoing Changamwe Highway Construction Project is vital for the development of Mombasa County and Kenya at large;</p> <p>CONCERNED that the ongoing road works at Changamwe are destroying the drainage system, affecting the water supply and above all, posing health risks due to the noxious dust;</p> <p>I therefore urge this County Assembly to RESOLVE that:</p> <p>The County Government in conjunction with the National Government to come up with proper mitigation measures to curb this menace in order to safe guard the health, safety and well being of the residents and passers-by.</p>	Tuesday, 21 <sup>st</sup> February, 2017 (021 sitting)	Hon. Jimmy Odari  (MCA, Changamwe Ward)	Wednesday, 22 <sup>nd</sup> February, 2017 (023 sitting)	Not Approved
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10.	<p><b>Inclusion of Proven Skills, Merit and Ability in the Schemes of Service and Considerations during Promotions</b></p> <p>THAT AWARE that certification is one of the requirements so far for appointment and promotion to various positions in the county government;</p> <p>FURTHER AWARE that there are serving officers especially from the defunct Mombasa Municipal Council with proven skills, experience, merit and ability who may not have the proper certification necessary for appointment and promotion to various positions of employment;</p> <p>CONCERNED that some of those appointed may have certification but lack the necessary skills, experience, ability and initiative to handle the jobs appointed to while those who do not have the paper qualifications but have proven skills, experience, merit and ability are disadvantaged or stagnate in lower positions;</p> <p>NOTING that a recent report by the Commission for Higher Education done under the direction by the Cabinet Secretary for Education shows that thousands of people who have unlawfully acquired degrees or were not competent or suitably qualified to be degree holders due to corruption, fraud and weaknesses in the awarding of degrees by universities;</p> <p>FURTHER NOTING that due to the above-mentioned investigation and report, paper qualifications cannot be relied as the sole criteria in appointment and promotion disregarding longevity of service, proven skills and merit as doing so</p>	Tuesday, 28 <sup>th</sup> February, 2017 (025 sitting)	Mohamed Hatimy  (Nominated MCA)	Tuesday, 28 <sup>th</sup> February, 2017 (025 sitting)	Approved
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<p>demotivate hard-working and experienced employees;</p> <p>I therefore urge the Assembly to RESOLVE that:</p> <ol style="list-style-type: none"><li data-bbox="279 345 1119 524">1. The County Public Service Board and County Assembly Service Board to prepare and approve their schemes of service to include proven skills, experience, merit and ability as alternatives to paper qualifications in promotions.</li><li data-bbox="279 613 1119 792">2. The County Public Service Board and County Assembly Service Board to consider for promotion serving officers with proven skills, experience, merit and ability of over three years after appraisal and vetting whenever vacancies arise.</li><li data-bbox="279 881 1119 995">3. The County Public Service Board and County Assembly Service Board to institute a training programme to enable all officers acquire necessary job skills and knowledge.</li><li data-bbox="279 1076 1119 1255">4. Any serving officers promoted to any position on the basis of proven skills, experience, merit and ability be required to acquire relevant certification from accredited or recognized institutions of learning within a period of five years or such other suitable and appropriate time.</li></ol>			
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12.	<b>Procedural Motion-Adoption of County Assembly Calendar 2017</b>	Wednesday, 1 <sup>st</sup> March, 2017 (027 sitting)	Hon. Hamisi Mwidani (Majority Leader)	Tuesday, 21 <sup>st</sup> March, 2017 (037 sitting)	Approved
13.	<b>Ombi La Kuipa Barabara ya Kisimani hadi Frere Town Kuitwa Sarah Nyamvula Ernest Road</b>  TUKIELEWA kuwa marehemu Sarah Nyamvula alikuwa mwakilishi mteule katika Kaunti hii na alikuwa Mwenyekiti wa kamati ya bunge hili inayoshughulikia maswala ya Vijana, Jinsia	Tuesday, 7 <sup>th</sup> March, 2017 (029 sitting)	Hon. Zainab Kithinzi	Tuesday, 14 <sup>th</sup> March, 2017 (033 sitting)	Approved

	<p>na Michezo;</p> <p>PIA TUKIELEWA alifahamika katika kazi zake za utetezi na uwakilishaji wa haki za wanawake Mombasa na taifa zima kwa jumla;</p> <p>TUKIWA NA WASIWASI kuwa kazi njema aliyoifanya marehemu Sarah Nyamvula Ernest huenda ikasahaulika iwapo hatutakuwa na ishara ya kumbukumbu;</p> <p>Mheshimiwa Spika nalihimiza bunge hili kuwa:</p> <p>Serikali ya kaunti iipe barabara ya Kisimani hadi Frere Town iliopo katika eneo Bunge la Nyali jina la Sarah Nyamvula Ernest Road kama ukumbusho na heshima kwa mheshimiwa mwenda zake.</p>				
14.	<p><b>Collection of Garbage at Night</b></p> <p><b>THAT AWARE THAT</b> under Part Two, 2 (g), of the Fourth Schedule of the Constitution of Kenya 2010, refuse removal, refuse dumps and solid waste disposal is a mandate of the County Government;</p> <p><b>FURTHER AWARE THAT</b> garbage within the County is collected during the day;</p> <p><b>CONCERNED THAT</b> the aforementioned not only causes traffic congestion but also air pollution including but not limited to foul smell and littering on the roads;</p> <p>I therefore urge this Assembly to <b>RESOLVE</b> that:</p> <p>The County Government to come up with measures for the</p>	Tuesday, 7 <sup>th</sup> March, 2017 (029 sitting)	Hon. Mary Akinyi (Nominated MCA)	Wednesday, 15 <sup>th</sup> March, 2017 (034 sitting)	Not Approved

	collection of garbage at night to stem the ever increasing garbage in the County.				
15.	<p><b>Removal of Street Families, Street Children, and Beggars Within the County</b></p> <p><b>THAT AWARE THAT</b> that the County Government is charged with the responsibility of controlling air pollution and other public nuisance under the Fourth Schedule Part 2 (3) of the Constitution of Kenya 2010;</p> <p><b>FURTHER AWARE THAT</b> street families, street children and beggars who mostly emanate from the neighbouring Counties are now becoming a nuisance to shoppers, tourists, and locals in commercial and residential areas by begging for food and money;</p> <p><b>NOTING THAT</b> the street families, street children, and beggars are mostly children who are between the ages of 10- 16 are in most instances school drop outs;</p> <p><b>FURTHER NOTING THAT</b> the presence of these street families, street children, and beggars within the County contravenes some of the local and international laws such Children Act (Kenya) Chapter 141, African Charter on the Rights and Welfare of the Child and UNHCR Convention on the Rights of the Child;</p> <p><b>CONCERNED THAT</b> despite valiant efforts by the County Government to address the issue of street families, street children, and beggars within the County, the problem keeps on recurring;</p>	Wednesday, 8 <sup>th</sup> March, 2017 (030 sitting)	Hon. Mohamed Hatimy  (Nominated MCA)		

	<p>I therefore urge this County Assembly to <b>RESOLVE</b> that:</p> <p>All street families, street children and beggars be removed from the streets and relocated to appropriate places</p> <p>The County Government work in tandem with other stakeholders that is either governmental or non-governmental in addressing the issue</p> <p>The County government to coordinate its measures in addressing the issue of street families, street children, and beggars with neighbouring Counties</p>				
16.					