

REPUBLIC OF KENYA

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Second Assembly - Second Session

(Second Assembly established by Proclamation - Legal Notice No.1 of 30.8.2017)

Tuesday, 13th February, 2018

OPENING OF A NEW SESSION

*The County Assembly met at one minute past Four o'clock
at County Assembly Building on Tuesday, 13th February, 2018, it being the first day of the
Second Session.*

ARRIVAL OF HIS EXCELLENCY THE GOVERNOR

*[His Excellency the Governor (Dr. Alfred Mutua) escorted by the Senator of Machakos County
(Hon. Boniface Kabaka) and the
Speaker (Hon. (Mrs.) Mwangangi) and accompanied by the Mace of the County Assembly
entered the Chamber at one minute past Four o'clock]*

[His Excellency the Governor (Dr. Alfred Mutua) took the Chair]

(The Mace of the County Assembly was placed on the Table)

PRAYERS

COMMUNICATION FROM THE CHAIR OPENING OF THE SECOND SESSION

Hon. Speaker: Your Excellency the Governor, Machakos County, the Senator Machakos County, the Deputy Governor, the Hon. Members of the County Assembly, ladies and gentlemen, Good afternoon and I welcome you all.

I am happy to welcome Your Excellency the Governor, the Senator and Hon. Members of the Second Assembly of Machakos County to this sitting of the second session of the Assembly. We have returned from the long recess and I stated it in another forum and we are energized to work. Under Standing Order 24(1), regular sessions of the assembly shall commence on the second Tuesday of February and that is why we are gathered here today for the commencement of the second session.

In addition, Standing Order 18(1) provides that the Governor shall address a special sitting of the Assembly once every year and address the Assembly at any other time thereafter. Pursuant to this provision, the Assembly leadership requested His Excellency the Governor to grace this first sitting of the second session of the Assembly and you noted it commenced with prayers earlier in the day.

Further, Standing Order 21(1), provides the Speaker may in consultation with the Leader of Majority party and Leader of Minority party, allow the Senator of the County or a visiting Governor or another dignitary to address the Assembly on such occasions as may be appropriate. Pursuant to this provision, the Assembly leadership invited the Senator for Machakos County to grace this session.

Hon. Members, your Excellency, Standing Order 20 (3) and 21(2) provides that when delivering an address to the Assembly, the Governor or the Senator shall be heard in silence and the address shall not be followed by any comment or question immediately. Hon. Members of this Assembly, you know we have reserved sessions when we will discuss such addresses as maybe made by the Governor and the Senator, if need be.

Before I invite His Excellency the Governor and Senator to address this Assembly, allow me to make some few comments;

Article 175(a) of the Constitution provides that County Government shall be based on democratic principles and separation of powers. In this regard, I urge all of us to nurture democracy in our County and to abide by the principle of separation of powers as we execute our constitutional and statutory mandate.

In addition, Article 176(1) of the Constitution provides there shall be a County Government for each County, consisting of the County Assembly and the County Executive. The two arms of the Government have their distinct but complimentary roles and these are outlined in Article 183 and Article 185 in the Constitution.

I call upon the County Assembly to discharge its constitutional and statutory mandate to the letter of the law and in so doing that is how the many people of this county who are needy and languishing in poverty will be served. In the same breath, I urge the county executive to play its role.

I further urge the Machakos leaders to believe in the motto of our county, and I have a difficult here because this is a House of English or Kiswahili and it is written in Kikamba and I will read it in Swahili; Kidole kimoja hakivunji chawa. Ni kuvunja ama ni kuua?

Hon. Members: Kuua.

Hon. Speaker: The judgement is yours. I ask that we forge a united front in ensuring development of our county. Article 174(d) of the constitution outlines one of the objects of devolution, this has been repeated time, and time again. And in the spirit of that article, the assembly has decided that it is going to take this assembly to the grassroot *Bunge Mashinani* so that the members who are in this assembly can be seen by the people who have brought them here doing the work that they sent them here to do.

(Applause)

It is the plan of the leadership of this House that this process is going to start as soon as possible in this second session. The rationale of *Bunge Mashinani* as I have indicated is to make

sure that the members of the public who cannot make it here, and you notice we have a very small plenary, are able to interact with the Assembly proceedings nearest to them. It is about access to justice.

As I conclude, I reiterate that a county and purposely as the County Assembly, we shall work together with the county executive as the family of Machakos county.

(Applause)

Towards this end, the Assembly leadership will be meeting His Excellency the Governor and his team on the 15th February, 2018 to discuss matters concerning the county.

(Applause)

This is a meeting that was set, I would say quite a number of weeks ago, and it would not be held earlier than Thursday because of commitments, which of course called the first attention of the executive and similar of the Assembly. Hon. Members, Your Excellency, it is now my pleasure and privilege to invite the Senator, Machakos County to make his address before I invite Your Excellency to do likewise. Hon. Senator Kabaka.

(Applause)

THE SENATOR'S ADDRESS

Hon. Senator: Good afternoon. I will be very brief. The Governor of Machakos County Dr. Alfred Mutua, the Hon. Speaker of the County Assembly Hon. Florence Mwangangi, the members of the second Assembly of Machakos, the Clerk and staff, I salute you all.

Today I join you in prayer and thanks giving as you begin your second session of the Second Assembly. As part of you and the larger Machakos County, I take cognizance of the happenings in the Country and the sorry state of our economy occasioned by the never ending electioneering mood.

It is my personal thinking and belief that such a situation shouldn't be allowed to continue forever. The dust must be allowed to settle especially now that there is a President in office, a Governor in office, a Senator in office and a County Assembly in Office ready to work.

Madam Speaker, we have had many petitions in the County and almost all are over. We need to continue working harmoniously and synergistically to ensure Machakos County records real progress both in physical development of her infrastructure and socially where her people can be rated the happiest and optimistic lot in the world.

Madam Speaker, in my second speech to this Assembly, you do recall that I did mention that I will champion the amendment of the Public Finance Management Act of 2012 to align it to the current Constitution and respect the separation of powers between the two arms of Government; that is the Legislature and the Executive.

(Applause)

It is worth noting that a hungry watchman cannot objectively oversight a strong fed executive. However, an arrangement where assemblies get their funds directly from the exchequer, there is need for discipline in use of public funds and the other oversight authorities in the country must also check the assemblies.

The oversight authorities include the Senate, the office of the Auditor General, the Commission of Revenue Allocation, the Controller of Budget, the EACC, the Director of Criminal Investigations, the public, civil society just to mention but a few.

Madam Speaker, as the Senator of Machakos County, I promise to support the Hon. Senator Kang'ata's motion in the offing in the senate the creation of Ward Development Fund (WDF) premised in the model of National Government Constituency Development Fund, locally known as CDF.

When this motion becomes law, members of the County Assembly shall be in a better position to interact more with the citizens that they represent and shall be in a position to shape the development agenda in their respective wards.

(Applause)

I am not only prepared to vote for the motion but also to positively debate on it to make it more relevant and friendly to the members of the County Assembly.

Madam Speaker, there are many times when war solves conflict. It was Winston Churchill of Britain who quoted and said, 'where war ends, diplomacy begins and where diplomacy ends war begins.'

(Applause)

In fact, it is said that when you want peace, prepare for war. Nevertheless, there are many of other times when peace is brought by dialogue. Quoting from the Holy Bible, from the book of Mathew chapter 18 verse 15; I quote the words of Jesus Christ, 'if your brother sins against you, go and tell him his fault between you and him alone. If he listens to you, you have gained your brother.'

I therefore, advocate that peaceful resolution to any conflict be given a first chance before resulting to other penultimate means.

Last but not least, Madam Speaker, I urge this Hon. House to discharge the duty of oversight in a very objective manner without bias and all malice and that the executive led by His Excellency the Governor of Machakos accept constructive criticism in a bid to improve service delivery in governance for the benefit of the people of Machakos.

Let us all be heroes not in the way we floor each other but by the way we manage our personal issues and conduct our distinct roles in the governance of Machakos County. Madam Speaker, I thank you and the Machakos leadership for finding it fit to organize this invitation for Machakos County Leadership in the opening of the second session of the Second Assembly and urge this spirit of consultation co-operation, respect and mutual understanding be felt down to the ward level and that the same be converted to tangible development whereby the citizens shall be redeemed from the yoke of poverty and hopelessness.

Thank you all, God bless Kenya, God bless Machakos County.

Hon. Speaker: Thank you, very much. You overstated my height. This is a little too low. Your Excellency, Hon. Members of this Assembly and guests permitted to be in the Assembly, allow me to welcome His Excellency the Governor Machakos County to give his address to this House.

(Applause)

THE GOVERNOR'S ADDRESS

His Excellency the Governor (Dr. Alfred Mutua): Asante. Madam Speaker, Hon. Members, ladies and gentlemen. Democracy has been shown to be the best governance system for the enhancement of the human race. Today, I stand here as a democratically-elected Governor of Machakos before democratically-elected and nominated members of Machakos County Assembly. The key words here are elected and nominated; this means I am here and you are here because the people of Machakos have decided it is we who they want to be doing what we are doing.

Madam Speaker, last time I was here, I enumerated the many programs that my government wishes to embark on for the benefit of our people as we do God's will. We are committed to that and I will not repeat many of the things that I said at that time. Today my speech is very short and I will only address three important issues; division of Machakos, the importance of working together and current state of Machakos and Kenya.

First Madam Speaker, Hon. Senator, Hon. Members thank the almighty God that in Machakos we have been able to show that it is possible to undertake rapid development that has made Machakos the most developed county in Kenya and the place to be. For example, just this last weekend Gor Mahia football club played an international match in Machakos Kenyatta Stadium, which currently is the only FIFA authorized stadium in Kenya.

(Applause)

We should ask ourselves; why the match was not played elsewhere in Kenya. Why in Machakos? The answer is clear; because my action-oriented Government had developed the stadium *Chap Chap*.

As we are all aware now, we are the only County Government which actually tarmacked highways; no other County Government has tarmacked highway roads. Machakos also has the highest number of tarmacked road projects either completed or ongoing, all initiated by my leadership.

Our household water program which targets to have tap water in all homes in Machakos has seen us dig more boreholes than all the other Counties in Kenya combined. Our hospitals, health centres and dispensaries have been rated the best public health facilities in Kenya. Indeed in Machakos we are blessed.

My vision for the people of Machakos is based on the premise that we can achieve remarkable development that lifts the standard of living of our people, generates wealth, and rolls back poverty. My plans are to initiate amazing and at times mind-boggling development projects that will create jobs and pour money into the pockets of our young men, women, mothers and fathers.

For example, we will soon be rolling out the New City project and this will be expanded to set-up new business parks and factories in every Constituency and in three years' time one or two new business parks or factories in every ward in Machakos County.

(Applause)

To achieve this great dream for Machakos, my Government will be undertaking massive infrastructural development. Because we do not have enough financial resources to match our vision, we will need to be smart and engage in partnerships. To this end, we will soon be bringing a motion and later a Bill for Private-Public-Partnership for debate and adoption by this respected House.

Madam Speaker, efficiency in service delivery is key for wananchi to realize their rights. I undertake to initiate public service programs and projects and put systems in place to support accelerated development and responsive service delivery. Machakos will, within a short while, be the most outstanding region in Africa.

Secondly, Madam Speaker, the spirit of working together for our people is critical if we are to gain the respect that we deserve. This is not a personal choice but the higher calling to serve God's people. The truth is that the relationship between the Executive and County Assembly has been strained. Today I request members that we join hands and work together. Let us forget the past and gang together for the sake of our people.

(Applause)

I am ready, as I have always been, to join hands with you because it is not about me or about you but about our people who elected us. I forgive some of you who have been engaging in what in the view of many are destructive politics and machinations and I request you to forgive me if I have wronged you.

(Applause)

We have an opportunity to show that our people can be different and that our community has the ability to cooperate for the common good. This County Assembly is made up of well-versed and intelligent men and women. I can even confidently say that our composition here and level is higher than most, if not all other Counties.

(Applause)

Let us then utilize this advantage to work together and we should not allow one or two of us who are bent on destructive politics to interfere with our Machakos agenda. Madam Speaker, Hon. Members, before I conclude, I wish to thank the Almighty God for my court victory last week. This was a victory for democracy.

(Applause)

I know there are some, maybe even in this House today, who are hoping that the court case would go against me but the truth and the democratic will of the people of Machakos have been upheld.

(Applause)

I am your Governor and you are my County Assembly. Hoping for somebody else to occupy my office is a futile exercise.

(Applause)

I am stuck with you and you are stuck with me. We are a family. I have my loyal Maendeleo Chap Chap party Members and other supportive members of other parties. I, however, want to say that, I will work with all other Members and will I spend time politely wooing most if not all of you, to join me into the future of Maendeleo Chap Chap.

(Applause)

Madam Speaker, non-ending political grumbling, which is a Third World and mostly African phenomenon, is slowing down the Kenyan economy and perpetuating poverty. The Kenyan people are tired of endless political games. They want development; roads, water, improved education; jobs, security and the things that matter.

The best politics are politics of development. That is why on August 8th last year, we were elected. Until the next general elections, let us concentrate on delivery of services and life changing development to our people.

Finally, Madam Speaker and Hon. Members, as a child of Machakos and a citizen of Kenya, I request for your support because in 2022, God-willing, I will vie and by His grace win, to be the fifth President of the Republic of Kenya.

(Applause)

The journey to State House has started and I humbly request all of you to spearhead it here at home. Thank you, God bless Machakos and God bless Kenya.

(Applause)

ADJOURNMENT

Hon. Speaker: Thank you, Your Excellency, the Governor, Machakos County. Hon. Members, at this point, the House adjourns to Wednesday, 14th February, 2018 at 10.00 a.m.

House rose at 4.26 p.m.