

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Tuesday, 13<sup>th</sup> October, 2020**

The House met at 10.47 a.m.

*[The Deputy Speaker (Hon. Museku) in the Chair]*

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

**ATTENDANCE OF DE-WHIPPED COMMITTEE MEMBERS IN VIRTUAL MEETINGS**

**Hon. Deputy Speaker:** I want to make an observation that the committee on selection met and made a report before this House whereby Members were moved from some committees to other committees within the committees and it has come to the attention of the office of the Speaker that there are Members who have been de-whipped from certain committees and are still attending those committees online in the virtual meetings.

Kindly note that if you have already been de-whipped from a committee and taken to a different committee, it is important you stick to the new committee where you have been placed because your attendance in the previous committees will lead to not being given paid the allowances for those specific committee sittings which you might, later on, bring out as complaints.

So, my advice is that, let all Hon. Members stick to the committees which they have been assigned by the committee on Selection and do not attend committees where you were previously and have been de-whipped unless you have been invited formally by the Chairs of those committees. Thank you very much.

**STATEMENT**

**BUSINESS FOR THE HOUSE FOR 27<sup>TH</sup> OCTOBER, 2020**

**Hon. Deputy Speaker:** Hon. Members, we have one Statement to be done by the Leader of majority Hon. Mark Muendo.

**Hon. Muendo:** Thank you, Hon. Speaker. Hon. Speaker, the House Business Committee met on Monday, 12<sup>th</sup> October, 2020 to ballot business for House as forwarded by Committees and Hon. Members pursuant to the provisions of the Standing Order 151(5). The Committee balloted business for 27<sup>th</sup> October, 2020 as follows:

Tuesday, 27<sup>th</sup> October, 2020

*Morning at 10.00 a.m.*

Report of Youth, Women, Sports and PWDs Committee on County Stadia Programme by Hon. Geoffrey Kamulu, Chairperson.

*Afternoon at 2.30 p.m.*

- a. Report of Transport and Public Works Committee on Construction of County Government Buildings by Hon. Daniel Mbevi, Chairperson.
- b. Motion by Hon. Mark Muendo, Majority Leader/MCA, Kinanie Ward, that pursuant to the approved Calendar of the County Assembly of Machakos for the Fourth Session, this Hon. House goes on a short recess from Wednesday, 28<sup>th</sup> October, 2020 to Monday, 9<sup>th</sup> November, 2020.

Thank you, Hon., Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. Mark Muendo Kimanthi.

### **MOTION**

#### **REPORT ON TOURISM, YOUTH, SPORTS AND CULTURE DEPARTMENTAL PERFORMANCE REPORT FOR 2019/2020**

**Hon. Deputy Speaker:** Hon. Members, we have one business to be transacted by the Hon. Betty Nzioki, Chairperson, Culture, Tourism and Social Welfare Committee.

**Hon. (Ms.) B. Nzioki:** Thank you, Mr. Speaker.

Hon. Speaker, that aware that the County Assembly's oversight function is one of the cornerstones of democracy;

Aware that oversight is a means for holding the County executive accountable for its actions and for ensuring that it implements policies in accordance with the laws and budget passed by the County Assembly.

Hon. Speaker, acknowledging that Article 183(3) of the Constitution of Kenya, 2010 provides that the County Executive Committee shall provide the County Assembly with full and regular reports on matters relating to the County;

Further aware that Article 185(3) states that the County Assembly while respecting the principle of separation of powers, may exercise oversight over the County Executive Committee and any other County Executive organs;

Hon. Speaker, cognizant of the fact that Standing Order 190(5)(b) mandates sectoral Committees to study the programme and policy objectives of the departments and the effectiveness of the implementation;

Aware that the Committee on Culture, Social Welfare and Tourism received the Departmental Report for the FY 2019/20 from the Department of Tourism, Youth, Sports and Culture;

Further aware that the Committee conducted site visits to ascertain the status of the projects indicated in the report, held meetings with the Chief Officer and compiled a report;

Hon. Speaker, I wish to move the motion that this Hon. House discusses and approves the Tourism, Youth, Sports and Culture Departmental Report for the FY 2019/2020.

I would request Hon. Irene Mbivya to second my motion. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Irene Mbivya.

**Hon. (Ms.) Mwende:** Thank you, Mr. Speaker. I wish to second the motion. Thank you.

**Hon. Deputy Speaker:** Thank you, Hon. Irene. Hon. Betty Nzioki you may read the report, please.

**Hon. (Ms.) B. Nzioki:** Thank you, Mr. Speaker.

#### *INTRODUCTION*

Hon. Speaker, Committees are an essential part of the legislative process. Assembly committees monitor on-going County Executive operations, identify issues suitable for legislative review, gather and evaluate information and recommend courses of action to the House. Almost all democratic legislatures depend on committees to conduct their business. Committees are small groups of legislators who are assigned, on either a temporary or a permanent basis, to examine matters more closely than could the full House.

Hon. Speaker, the County Assembly's oversight function is one of the cornerstones of democracy. Oversight is a means for holding the County executive accountable for its actions and for ensuring that it implements policies in accordance with the laws and budget passed by the County Assembly.

The robust monitoring of the executive by the Assembly committees' is an indicator of good governance. Besides the Assembly's legislative function, it is through oversight that this House can ensure a balance of power and assert its role as the defender of people's interests.

#### *MANDATE OF THE COMMITTEE*

Hon. Speaker, the Culture, Social Welfare and Tourism Committee is established under the Second Schedule of the Machakos County Assembly Standing Orders to deal with all matters related to cultural activities, public entertainment and public amenities, including betting, lotteries, casinos and other forms of gambling, racing, liquor licensing, cinemas, video shows and hiring, libraries, national heritage, museums and cultural activities and facilities and county parks, beaches and recreation facilities; control of drugs and pornography and tourism and social welfare.

Further, Hon. Speaker, Standing Order 190(5)(b) mandates sectoral Committees to study the programme and policy objectives of the departments and the effectiveness of the implementation.

#### *COMMITTEE COMPOSITION*

Hon. Speaker, the committee as currently constituted has thirteen Members as follows:

- |                          |   |                  |
|--------------------------|---|------------------|
| 1. Hon. Betty Nzisa      | - | Chairperson      |
| 2. Hon. Benedette Mueni  | - | Vice-Chairperson |
| 3. Hon. Francis Ngunga   | - | Member           |
| 4. Hon. Jeremiah Munguti |   | “                |
| 5. Hon. Alice Nzioka     |   | “                |
| 6. Hon. Joshua Muli      |   | “                |
| 7. Hon. Dominic Ndambuki |   | “                |
| 8. Hon. Thomas Mutinda   |   | “                |
| 9. Hon. Irene Mbivya     |   | “                |
| 10. Hon. Daniel Kiilu    |   | “                |
| 11. Hon. Justus Kiteng’u |   | “                |
| 12. Hon. Pauline Munguti |   | “                |
| 13. Hon. Stephen Mwanthi |   | “                |

### *LEGAL FRAMEWORK*

Hon. Speaker, Article 183(3) of the Constitution of Kenya, 2010 stipulates that the County Executive Committee shall provide the County Assembly with full and regular reports on matters relating to the County. Further Article 185(3) of the same constitution states that the County Assembly while respecting the principle of separation of powers, may exercise oversight over the County Executive Committee and any other County Executive Organs.

Hon. Speaker, based on the above provisions, the Chief Officer in charge of the Department of Tourism, Youth, Sports and Culture submitted the Departmental report for the FY 2019/2020 for consideration.

### *MATTER UNDER CONSIDERATION*

#### *OVERALL BUDGET FOR THE FY 2019/20*

Hon. Speaker, in the financial year 2019/20 the County Assembly approved the Department’s total budget of Ksh. 193,344,809 Comprising of Ksh. 109,906,265 as the recurrent budget and Ksh. 85,438,544 as the development budget. These amounts are based on the revision of the budget through the two Supplementary Budget Appropriation Bills with the latest being done on 22nd June, 2020. The breakdown per program is as follows:

#### **Recurrent Budget**

<b>S/NO</b>	<b>PROGRAMME</b>	<b>AMOUNT ALLOCATED FOR 2019/2020 (Ksh)</b>
P01	General Administration and Support Services	53, 159,381
P02	Heritage and Culture	5,120,000
P03	Liquor Management	678,430
P04	Tourism Development and Marketing	9,423,366
P05	Machawood	2,790,873
P06	County beautification	29,788,420

P07	Youth and Sports (Management and Development of Sports facilities)	8,945,795
	<b>TOTALS</b>	<b>109,906,265</b>

### Development Budget

S/NO	PROGRAMME	AMOUNT ALLOCATED FOR 2019/2020 (Ksh)
P03	Tourism Development and Marketing	4,520,306
P04	Management of recreational facilities	17,847,509
P05	Talent Management	8,000,004
P06	County Beautification	1,480,093
P07	Youth and Sports (Management and Development of Sports facilities)	53,590,632
	<b>TOTALS</b>	<b>85,438,544</b>

### DEPARTMENTAL REPORT FOR THE FY 2019/2020

Hon. Speaker, according to the status report presented by the Chief Officer, the department indicated that the Department had managed to undertake the following on Capital expenditure. Hon. Speaker, I would request you that you will allow me to skip the columns and go to page 9; so I request the Hon. Members to go through the columns.

S/NO	PROJECT NAME	LOCATION	COST OF PROJECT IN THE BUDGET	STATUS	ACTUAL AMOUNT PAID ON THE PROJECT (KSH)	PENDING IN KSH.
1.	Repair of benches	Machakos Peoples' Park	2,320,000	Completed	2,320,000	0.00
2.	Tourism Office renovation	Tourism headquarters	2,092,779	Completed	1,832,127	260,651.76

3.	Office renovations	Tourism headquarters	2,173,667.65	Completed	2,173,667.65	0.00
4.	Renovations (Landscaping works)	Machakos Peoples' Park	3,964,010	Completed	3,964,010	0.00
5.	Sound Proofing Works and installation of Studio Equipment	Machakos Peoples' Park	11,856,000	Ongoing	0.00	11,856,000
6.	Construction of a modern toilet	Tourism headquarters	3,350,480	Completed	0.00	3,350,480
7.	Construction of Mini Park	Machakos port	800,000	Completed	0.00	800,000
8.	Office renovations	Tourism headquarters	1,900,000	Completed	1,900,000	0.00
9.	Rest room renovation	Kithimani-Mwala Road	2,968,498	Completed	2,568,497	400,000

10.	Supply of Computers	Tourism Headquarters	2,005,740	Partially supplied	2,005,740	0.00
11.	Supply of Office furniture	Machakos Peoples' Park	2,522,750	Goods delivered	2,522,750	0.00
12.	Renovations	Machakos Peoples' Park	3,975,600	Completed	3,975,600	0.00

13.	Supply of grass cutter and lawnmowers	Machakos Kenyatta Stadium	476,000	Completed	476,000	0.00
14.	Construction of Stadium(2nd Certificate)	Ikombe ward	24,430,235	Ongoing	0.00	24,430,235
15.	Renovation of Toilet 2	Machakos Peoples' Park	3,735,084	Completed	3,735,084	0.00
16.	Signage Works	Along major highways in the County	3,960,000	Ongoing	0.00	3,960,000
17.	Construction of Gazebos	Machakos Peoples' Park, Tourism Office and Kithimani rest area	3,732,900	Completed	3,732,900	0.00
18.	Construction of Stadium(1st Certificate)	Kinyui Stadium in Matungulu west ward	19,794,223	Ongoing	19,794,223	0.00
19.	Renovation of Muindi Mbingu Monument	Machakos	3,216,952	Completed	3,216,952	0.00

20.	Renovation of Tourism Office	Tourism Headquarters	2,577,000	Completed	0.00	2,577,000
21.	Cabling	Machakos Peoples Park	3,199,439.25	Completed	0.00	3,199,439.25
22.	Signage and branding	Machakos Peoples Park	1,992,061	Completed	0.00	1,992,061
23.	Renovation of Toilet 2	Machakos Peoples Park	2,075,796	Ongoing	0.00	2,075,796
24.	Fencing	Machakos Peoples Park and Tourism Headquarter	1,565,562.60	Completed	0.00	1,565,562.60
25.	Advertising of stadia Construction	Masii Stadium	216,920	Completed	0.00	216,920
26.	Advertising of stadia Construction	Mavoko Stadium	177,494	Completed	0.00	177,494
27.	Advertising of stadia Construction	Masii Stadium	344,056	Completed	0.00	344,056
28.	Construction of Stadium	Masii Stadium	4,705,280	Ongoing	0.00	4,705,280
29.	Renovation of toilet 3	Machakos Peoples Park	1,945,320	Ongoing	0.00	1,945,320
30.	Drainage works	Masii Stadium	2,587,592	Completed	2,587,592	0.00



31.	Machawood studio Completion	Machakos Peoples Park	3,823,250	Ongoing	0.00	3,823,250
32.	Landscaping works	Along Major highways in the County	3,785,100	Ongoing	3,785,100	0.00
33.	Replacement of Carpet	Machakos Kenyatta Stadium	577,680	Completed	0.00	577,680
34.	Supply and delivery of sports and training Equipment	Machakos Kenyatta Stadium	1,978,148	Completed	0.00	1,978,148
35.	Supply of goalpost and nets	Machakos Kenyatta Stadium	107,520	Completed	107,520	0.00
36.	Supply of tools and protective gear	Tourism headquarters	2,596,998	Delivered	2,596,998	0.00
37.	Supply of ICT Items	Tourism headquarters	731,106	Delivered	731,106	0.00
38.	Installation of WIFI	Tourism Office and Machakos Peoples Park	3,729,259	Completed	0.00	3,729,259
39.	Supply of grass cutter	Machakos Peoples Park	1,295,000	Completed	1,295,000	0.00

40.	TOTALS	159,116,639.60	67,843,618.13	91,273,021.47
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**Hon. Deputy Speaker:** I think what you might need to do Hon. Member is to say, that this is the departmental report for the financial year, 2019/2020 and say that it has the projects. Just give the headings and go and read the total at the bottom.

**Hon. (Ms.) B. Nzioki:** Noted, Mr. Speaker.

#### *REPORT OF THE CONTROLLER OF BUDGET*

Hon. Speaker, the office of the Controller of budget is established under Article 228(4) of the Constitution of Kenya, 2010 as an independent office. The functions of the Controller of budgets shall be to oversee the implementation of the budgets of the national and county governments.

A report on the performance of the Department for the first nine months of the FY 2019/2020 was received from the controller of budget. This is in line with provisions of Article 228(6) of the Constitution of Kenya, 2010 which provides that ‘every four months, the Controller shall submit to each House of Parliament a report on the implementation of the budgets of the national and county governments.’

Hon. Speaker, this Committee also considered the report of the Controller of budgets and compared it with the Departmental performance for the FY 2019/2020. The report of the Controller of Budget is as follows;

#### Departmental Budget Performance by Department for the First Nine Months of FY 2019/20

Department	Budget Allocation (Ksh. Million)		Exchequer Issues (Ksh. Millions)		Expenditure (Ksh. Million)		Expenditure to Exchequer Issues (per cent)		Absorption rate (per cent)	
	Rec	Dev	Rec	Dev	Rec	Dev	Rec	Dev	Rec	Dev
Tourism, Sports and Culture	141.46	206.42	68.82	11.70	53.61	29.18	77.9	249.5	37.9	14.1

#### Budget Execution by Programmes and Sub-programmes in the First Nine Months of FY 2019/20

Programme	Sub-Programme	Approved Budget (Ksh)	Actual Payments (Ksh)	Variance (Ksh.)	Absorption (per cent)

General Administration and Support Services	Support Services	62,679,185	33,516,948	29,162,237	53.5
Heritage and Culture	Heritage and Culture Preservation	5,149,882	2,678,704	2,471,178	52.0
Liquor Management	Liquor Management	1,330,790	284,483	1,046,307	21.4
Tourism Development and Marketing	Tourism Development	18,370,405	80,000	18,290,405	0.4
County Image Directorate	County Beautification	74,790,873	27,421,089	47,369,784	36.7
Management and Development of Sports and Sports Facilities	Management of Sports	185,562,850	18,814,499	166,748,351	10.1
	Sub Total	<b>347,883,985</b>	<b>82,795,723</b>	<b>265,088,262</b>	<b>23.8</b>

### COMMITTEE FINDINGS

Hon. Speaker the Committee interrogated the above reports and found out the following:

1. So much works seems to have been done at the People's Park like repair of benches at Ksh. 2,320,000, Landscaping works at Ksh. 3,964,010, Installation of studio equipment at Ksh. 11,856,000, Supply of Office Furniture at Ksh. 2,522,750, Renovations at Ksh. 3,975,600 renovation of Toilet 2 at Ksh. 3,735,084, Construction of gazebos at Ksh. 3,732,900, Cabling at Ksh. 3,199,439.25, Signage and Branding at Ksh. 1,992,061, Renovation of Toilet 2 (Repeated) at Ksh. 2,075,796, Fencing at Ksh. 1,565,562, Renovation of Toilet 3 at Ksh. 1,945,320. This totals to Ksh. 42,884,522
2. The Department also spent a lot on the renovation of the Tourism Headquarters for construction of Modern toilet which cost Ksh. 3,350,480, Tourism Office renovation which cost Ksh. 2,092,779, Office Renovations at Ksh. 2,173,667, Renovation of Tourism Office at Ksh. 2,577,000, Fencing of Tourism Office at Ksh. 1,565,562.60, and installation of WIFI at Ksh. 3,729,259. This totals to Ksh. 15,488,747.

### Site Visits

Hon. Speaker, further the Committee conducted site visits to the main capital projects indicated in the report like the Machakos People's Park and the Studio. Hon. Speaker, it is worth noting that this Committee did not visit the stadiums since according to the second schedule of

the Machakos County Assembly Standing orders, matters of sports management are under the Youth, Women, Sports and PWDs Committee. The matter is under consideration and will be brought to this Hon. House the soonest by the same Committee.

The following were the findings of the site visits:

1. That the Peoples' Park has been on several cases vandalized and this has led to destruction of public property like the toilets, the water pump designated for the park and the restaurant. This has occasioned the continuous renovation works at the facility.
2. The Committee also found out toilet 2 and toilet 3 had been recently renovated but the contractors had not handed over the projects to the client and the toilets were closed. Visitors to the Peoples' Park were using toilets meant for the restaurant which were not adequate.
3. There was an error in reporting whereby double entry occurred on renovation of Toilet 2. The Committee confirmed that the restaurant was renovated at a cost of Ksh. 3,199,439.25 and Toilet 2 at a cost of Ksh. 2,075,796.00.
4. Installation of WIFI at the Peoples' Park had been done and was operational. Majority of the users were the youth and journalists who access the park from Thursday to Sunday every week.
5. That the studio mentioned in the report from the Chief Officer, Department of Culture, Youth, Sports and Tourism is not inside the Peoples' Park. As at the time of the visit, the Committee found out that it had been vandalized. Window grills had been stolen, doors, electric cables and the gypsum ceiling had been completely torn out. The perimeter was almost collapsing with the gate having being stolen. Renovations works on the building seemed to have started with minimal works done although the contractor was not on site.

#### *Discussion with Chief Officer*

Hon. Speaker, Article 195(1) of the Constitution of Kenya, 2010 stipulates that 'a County Assembly or any of its committees has power to summon any person to appear before it for the purpose of giving evidence or providing information.' Section 39(2) of the County Governments Act, 2012 states that 'a committee of the County Assembly may require member of the executive committee to— (a) Attend or appear before the committee; and (b) Answer any question relating to the member's responsibilities.'

Further, Section 18(1) of the County Assemblies Powers and Privileges Act, 2017 states that 'a County Assembly or its committees may invite or summon any person to appear before it for the purpose of giving evidence or providing any information, paper, book, record or document in the possession or under the control of that person and, in this respect, a County Assembly and its committees shall have the same powers as the High Court as specified under Article 195 of the Constitution.'

This Committee invited the Chief Officer, Department of Tourism, Youth, Sports and Culture for a meeting on 21st September, 2020. The invitation was through a letter Reference No. (MKSCA/PCS/CMM/TCS/VOL.2/30) dated 16th September, 2020. From the discussion with the Chief Officer, the Committee found out the following:

1. The Peoples' Park is six years old and most of the infrastructure is old and needed repair. Initially the Department relied on the Decentralized Units personnel to offer security at the Peoples' Park and since they do not work at night, the park was vandalized and property stolen. To mitigate that, the Department currently had

- engaged a private security firm to offer security during the day and night. On why Toilet 2 was being renovated twice, the Chief Officer submitted that it was an error and that the cost of Ksh. 3,199,439.00 was for renovation of the restaurant at the Park. Further, the bill of Quantities for all the works had been done by the Department of Public Works.
2. That the vandalism at the proposed studio was reported at Machakos Police on 20th December, 2018. The OB number is 63/20/12/2018, 1735hrs. According to the Chief Officer, no cause of action had been taken as at the time of this meeting.
  3. That the Department inherited the office from the National Government in 2013 which was old. The office required a lot of renovations to be habitable. The Department staff initially used washrooms in the Department of Agriculture hence the dire need of a modern toilet. The works done included fencing, Cabro works, Construction of a walkway from one office to another, major interior renovations and construction of walk way canopies. The works were done in phases hence the different entries and the bill of quantities were done by the Department of Public Works.

#### *Committee Observations*

Hon. Speaker, based on the reports, site visits, and discussion with the Chief Officer, the Committee observed the following:

1. That the absorption rate of funds for the Department on both recurrent and development was very low in the first 9 months (Recurrent was 37.9 per cent and Development was 14.1 per cent). The Programme on Tourism Development and Marketing had the lowest absorption rate of 0.4 per cent. This is a clear indication that the Department underperformed in implementation of the Budget for the FY 2019/20.
2. The Department's major capital expenditure is the Machakos Peoples' Park and all the works done were renovations at a cost of Ksh. 42, 884,522. Hon. Speaker, the Committee during the site visit it was noted that the park is exposed to theft and vandalism because during the night it is only manned by four security personnel from a private firm who are not enough. Recently the cases of theft had gone down compared to when security services used to be provided by officers from the Decentralized Units Department.
3. That the Chief Officer confirmed that various renovations have been done to the Tourism headquarters and according to the report on Departmental performance for the FY 2019/20 they cost Ksh. 15,488,747. The committee also noted that some of the renovation works had been done in previous Financial Years and hence pending bills.
4. Installation of WIFI at the Peoples' Park is a well thought investment but there is need to come up a strategy of sustaining the subscriptions of the WIFI.
5. That the Department ought to have committed on security first before investing on the studio. Hon. Speaker the current state of the vandalized studio is a clear indication that there was misappropriation of public funds.
6. That the Department has never made efforts to rehabilitate some of the well-known tourist attraction sites in the County like Macmillan Castle in Matungulu North Ward and Kyamwilu scenery in Mutituni/Ngelani Ward.

*Committee Recommendations*

Hon. Speaker, this Committee hereby makes the following recommendations:

1. That the Department should only budget for activities that can be accomplished in a Financial Year. Low absorption rate of budgets is eventually corrected through supplementary budgets and can at times be loopholes for misappropriation of funds. Further this Committee recommends that budget approvals for the FY 2021/22 be guided by an average absorption rate of budget for the previous three Financial years (FY 2018/19, FY 2019/20 and FY 2020/21)
2. That security personnel and security lights at the peoples' Park should be increased to a reasonable number considering the vast coverage of the park. Installation of more CCTV Cameras should be given a priority to leverage on the WIFI coverage.
3. The Department should submit a cost benefit analysis report on the investment done at the Peoples' Park since inception. This report should be submitted 60 days from the date of adoption of this Committee report.
4. That no further renovations should be directed to the Tourism Headquarters. The Department should instead commence Development projects which impact on the electorate like rehabilitation of neglected and potential tourist's attraction sites like Macmillan Castle in Matungulu North Ward and Kyamwilu scenery in Mutituni/Ngelani Ward.
5. The Department should come up with a strategy of sustaining the WIFI subscriptions at the Machakos Peoples' Park without affecting the allocations of other projects in the Department. The Committee proposes that the revenue generated at the peoples' park be used to pay such subscriptions. The Department can initiate this by drafting regulations to create a fund pursuant to the provisions of Section 116 of the Public Funds Management Act, 2012.
6. Article 201(d) of the Constitution of Kenya, 2010 states that 'public money shall be used in a prudent and responsible way.' The Chief Officer, Department of Tourism and Culture who is the accounting officer should be held responsible for the vandalized studio. Hon. Speaker, security measures should have been put in place before investing on the studio.

*Conclusion and acknowledgement*

Hon. Speaker, allow me to thank the Department of Tourism, Youth, Sports and Culture for submitting the Departmental performance report for the FY 2019/20 according to Article 183(3) of the Constitution of Kenya, 2010. I wish to appreciate the Committee Members for their dedication during site visits, committee sittings and compiling of this report.

Hon. Speaker, the Committee is also grateful to the Office of the Speaker and that of the Clerk to the County Assembly for the continuous and relentless support received as it discharged its oversight mandate. It is therefore my duty, on behalf of the Culture, Social Welfare and Tourism Committee, to table this report and recommend it to this Hon. House for consideration and adoption. Thank you, Hon. Speaker.

*(Applause)*

**Hon. Deputy Speaker:** Thank you, Hon. Betty Nzioki.

*(Question proposed)*

Hon. Members, you may discuss the report. Hon. Hellen Ndeti.

**Hon. (Ms.) Ndeti:** Thank you, Mr. Speaker. I stand to congratulate the culture and tourism committee for a very well and written report and only bring up one point that was read by the Chairperson. This point is about very low absorption rate of the budget that this department is given because we need to understand why they have a budget and they still cannot apply whatever money they are given to give services to our people. So, we need to scrutinize and find out why there is a low absorption rate and that is my concern. Thank you.

**Hon. Deputy Speaker:** Thank you. Hon. King'ori you may contribute.

**Hon. King'ori:** Thank you, Mr. Speaker. I think there is no quorum.

**Hon. Deputy Speaker:** Hon. King'ori, I say there is quorum and I can see there is quorum in the House. Sit down Hon. King'ori just resume to your seat, where you were seated, do not use a different seat. Hon. King'ori the House is proceeding as per normal, inside here I have 18 Members and I know two have just recently left and so I have a quorum. Hon. Justus Katumo.

**Hon. Katumo:** Thank you, Hon. Speaker for this opportunity that you have given to me. Hon. Speaker, I have been going through this good report and firstly, I want to thank the committee and the Chairperson for a well-detailed report concerning the departmental report for the year 2019/2020.

I only have one concern, that when you look at the expenditure that has been done especially in this department, much of what has been done there is a lot of renovation taking place. What is a renovation? You see you are not building a new house or a new structure and therefore the amount being quoted here raises a lot of issues.

For example, a word from page 5, office renovation number 3, you begin from number 2, tourism office renovation, Ksh, 2 million, go down there, office renovation number 3, completed Ksh. 2 million then there is renovation landscaping works Ksh. 4 million, just like that then you go to number 6, construction of a modern toilet Ksh. 3.3 million, office renovation number eight Ksh. 1.9 million and so on. Number 12, renovation Ksh. 3.9 million and so on and I think I want to stand by one of the recommendations that is number 3 of the committee's recommendation, that the Department should submit a cost-benefit and analysis report on the investment done at the People's Park since inception and this report should be brought to the House within the period given because we cannot continue just to pump money.

Actually, in the last budget, this House passed some budget for the ward for Ksh. 1.3 million and there were issues that Ksh. 1.3 million cannot be gotten; it is Ksh. 1.5 but you find a renovation of a toilet of a monument here Ksh. 3 million. I think this report if finds itself in the public domain, we might be in bad books because you can renovate a single monument for Ksh. 3 million but it is not possible to give a ward project Ksh. 3 million.

So, I think Speaker and Hon. Members, sometimes you have to be serious, even if you are not serious, appear to be seriously working with the public money. That is we must be prudent, accountable to make sure that.....so, when I look at this report, I want to say that maybe

these figures were just inserted, these figures were just being put there and I hope the committee made a visit to see that toilet be renovated for Ksh. 3 million.

Mr. Speaker, I think I am not alone in this and you have to be very careful with this kind of a report so that we do not fail in our mandate. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Okay. Hon. Mark Muendo.

**Hon. Muendo:** Thank you, Mr. Speaker. Let me also first congratulate the committee under the Chairmanship of Hon. Betty for the well-organized figures. What I mean by organized figures is when I look at this department, culture, social welfare and tourism and sports department then I compare with the report and the figures given, in fact, the title should not be what we have here; the title should be public works because most of the money is on renovations and construction.

Hon. Speaker, we do not live in space, we also visit other Counties and know what a certain department does not do. For example, in Makueni, they are now organizing their youth from the grassroots to tap their talent, those that can run, and those that can play football. In fact, these funds should be channeled to the youth, not to renovation or construction.

*(Applause)*

Hon. Speaker, as the Voice has said, Hon. Katumo, when you look at the figures on renovations there is a lot of exaggeration because all of us are mature and we have toilets in our homes. When you talk of Ksh. 3 million on renovation, not even construction, then it leaves a lot to be desired. Hon. Speaker, my point is that the Executive should scrap this department if this is the work that is being done.

*(Applause)*

We are also coming from areas like my area in Kinanie; I was expecting this department to be coordinating the youth in Kinanie for just buying them uniform which is cheaper than renovating a toilet worth Ksh. 3 million, buy sports uniforms, and do some grading for the small fields. You know you do not need to have this stadium; these young people can tap their talent on a leveled field which will cost less than Ksh. 200,000.

The other issue is culture, we are talking about People's Park which does not generate any single cent even if it generates, it is very minimal. We have Wamunyu where Kambas are known even in the world like in Germany, Europe that they know how to carve something looking like a man out of a tree.

*(Applause)*

It is their talent there is no other tribe in the world that can carve. I know some people who live in Germany, my cousin lives in Germany because of carving because white men do not understand how you can carve something out of a tree to look like a man because they use machines. So, they have imported a lot of artisans from our country. I was expecting this tourism to see a very big workshop well maintained and people facilitated to do those carvings in Wamunyu.



Today you find even *wazungus* stopping in Wamunyu. Why? Because they want to buy those carvings. Let me give you an example, sorry not to bore you Hon. Members because of mentioning Makueni, I come from Makueni and I normally go there. When you go along the Mombasa road, the town Hunter's Lounge, Kiboko you find a line of curios done by the county government of Makueni very modern people carving there and they are making a lot of money just simple structures which cannot cost more than this Ksh. 3 Million renovating a toilet. Kiboko town has about 20 shops with carvings outside, people carving and also people come to do the production of cinemas showing those guys doing the carvings.

So, Hon. Speaker, it beats logic when you see money always in the renovation, landscape, and also what you call beautification. I have seen a figure here, Machakos beautification, I wonder why we are putting all these figures here for beautification it is only between Mlolongo and here where we have a few flowers which are not watered and maybe Makutano at the junction there is no other beautification then you put Ksh. 25 million; when you give me Ksh. 24 million to do beautification I will do the whole county.

Members, let us be serious, let us do oversight, let us call a spade a spade. If in our wards we are lacking things to show on the ground about this department of tourism, culture, and sports, I do not whether other Hon. Members have but in Kinanie I am buying the small footballs for the youth to keep them busy I am trying to give them some slashers to clear their field when we have a whole department, then now when it comes here we say the report is good. Yes it is well written, congratulations Chairperson of that committee, it is well done but let me tell you these figures you have put there just to confuse you to show that the money has been consumed fully because you passed the budget.

Hon. Members and Speaker, let me say let us get involved, call a spade a spade, our young people who are in Machakos County, we are doing nothing as a County to promote their talent. We used to have the likes of Ndeti and Kivuva running and nowadays we do not have. It was better those days, so Hon. Members let us also put some conditions when we are in the budget like when we are giving out this money, for example, we say this should go to tourism, Wamunyu, we have a big curio shop there, this goes to every ward to have a small field, not a stadium and also the youth, this is the time they are being organized to participate in sports.

Makueni and Taveta are doing it but here today we are talking of defilement of spots and youth; you do not even need to mention sports and youth in this because this is like public works department. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Geoffrey Kamulu.

**Hon. Kamulu:** Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Hon. Members, I am hearing phones ringing. Let us not forget what the House rule is. I do not want to start confiscating peoples' phones so kindly let us put our phones on silent mode please. Proceed, Hon. Kamulu.

**Hon. Kamulu:** Thank you, Mr. Chairman, allow me first to thank the Chair and the committee of culture because of that good report which they have tabled in this House. Mr. Speaker, according to the previous contributor, it is in order that when we are budgeting we also consider youth in increasing the budget because in one way or the other the youth in this county have been overlooked. Mr. Speaker, I do not want to talk about the sports because next week I will be bringing the report on the youth in this House.

However, Mr. Speaker, my serious concern is on this term which has reflected on the report about vandalism. Mr. Speaker, we cannot invest so much money in our projects and leave them to be stolen, Mr. Speaker. When you listen to the report Mr. Speaker, on how that theft was done the best we had is about the OB. Imagine Mr. Speaker, this County Assembly premises the gate outside there where we have the policemen and security thieves come and go with the gate.

Mr. Speaker, I think somebody is joking with us as an Assembly because I do not think whether that is practical. We have also heard of some private security personnel who are in charge Mr. Speaker, who are inadequate, the people who were assessing them so that they can take over and care for our property Mr. Speaker. The person in charge is that private security team effective? We have not heard in the report the action which was taken to that private security people; were they suspended? Are they still working in that condition when they are unable to take care of our property?

So, Mr. Speaker, this one to me might be an inside job so that one needs a lot of investigation and those people who are concerned Mr. Speaker, actually they must be brought to book because they cannot just take it in the OB and up to now when the studio has been vandalized the way we have been told the security personnel in the whole county has just kept quiet and kept mum, Mr. Speaker, according to the report we have gotten. So Mr. Speaker, as a County we cannot just invest and when we invest all what we have done is just left there to be stolen anyhow and nobody is following it. So, Mr. Speaker, that one to me I do not think whether we have been given the right thing as far as that vandalism is concerned.

Secondly, Mr. Speaker, it is not in order that we be given figures on whatever has been done. Whatever should be done with our money should be reflecting in such a manner that they assist the community. It assists the people. We cannot just give monies for only renovations. Mr. Speaker, that department has got nothing else except to work on the buildings. That one needs a lot of focus because that one can be a channel of misusing our money. It can be a channel for misusing our money so when approvals of budgets are done, those who are concerned let us try and scrutinize and see what is relevant and what is assisting our people not to only renovate houses.

So, Mr. Speaker, my concern was that area where the stadium facilities were stolen so many things there, the major gate Mr. Speaker, they got inside and they stole the wires because I happened to be in that meeting. Mr. Speaker, that is not practical and we need a further report on the same and see where that property for this county went because it went somewhere and those who went with it might be known. That gate outside there *ichukuliewe* Mr. Speaker, and we are just accepting that it has been taken. That is not practical. Otherwise thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Hon. Angela Munyasya then Hon. Masesi.

**Hon. (Ms.) Munyasya:** Thank you, Hon. Speaker. First I want to applaud the entire committee for a well-written and presented report by the Chair Hon. Betty. My concern is one Hon. Speaker, it is the high time this Hon. House took some of these things more seriously than we are doing. Like the previous contributors have indicated it is not in order to have government funds being taken for granted and they are hard-earned contributions of tax payers.

When these funds come into the hands of the county, we expect it to be disbursed appropriately. Hon. Speaker, when we are told of renovations to the tune of Ksh. 3 million what are we renovating? How old is the structure being renovated? What is it that has been renovated because we have had several reports on renovations; something has been renovated and when

you actually go to the actual structure and ask what was replaced or what was not in order, you find it is a construction of maybe two years old. What is being renovated in a two-year-old structure?

Hon. Speaker, I think we need to get this report implemented and on top of it the officers in charge held accountable. On the stolen properties, were they reported to the police and if so what is the progress? We are a County Government and anything that is reported by the County Government is expected to be followed up in such a way the culprits are brought to book. When the County Government is involved in a theft and the County Government is not able to follow it up, what will the common *mwananchi* do if they go and report something it shows then it will never see the light of day? If the entire County Government can report and no action is taken!

So Hon. Speaker, it is my proposal that these people be held either directly accountable or the accounting officer is followed in such a way that we get to know the bottom of what has been stolen and how they have handled the theft. It should not be that when we come with a report and recommendation is when now when the accounting officer comes and says this is going to be followed up, this was...or this was an oversight, we overlooked this one. We should not take it so casually because these are government funds and they should be implemented.

Our youth have been at home they have not been in school and many of them are just idling doing nothing. There are no recreational centers. These are funds we could use to put up halls for recreation for our youth. Talent shows, our youth are struggling to showcase their talents. We have the *Mwalimu King'ang'is* in Nairobi. We have many *King'ang'is* within our county but they have no platform to showcase their talents and to showcase what they are capable of doing which could earn our youth some revenue because they have the talent but they have nobody to promote these talents.

These are the things we should be getting in such reports. This is what the County has done for our youth. This is what the County has done for our physically-challenged. This is what the county has done for the women. This is what the county has done ...we should not always be getting reports on complaints. We should have achievements and the reason we are in this Assembly and the reason we have the County Government is to have achievements for our County. So Hon. Speaker, I think we need to change tact and handle these cases differently. Thank you, Hon. Speaker.

**Hon. Deputy Speaker.** Thank you. Hon. Cosmus Masesi.

**Hon. Masesi:** Thank you, Mr. Speaker. Mr. Speaker, first allow me to appreciate the committee they have really given us a detailed report Mr. Speaker, and I am just imagining this is a report 2019/2020 and I have seen total expenditures coming to Ksh. 57 million Mr. Speaker. People's park alone took Ksh. 52.8 million Mr. Speaker; I am just trying to imagine if the committee was presented with the companies that did the procurement of these equipment to the studio. Mr. Speaker, you cannot tell me you procured equipment worth Ksh. 11.8 million and if we say we are going to do a site visit we find nothing is within the building.

Mr. Speaker, building a modern toilet worth Ksh. 3.7 million this is like four classrooms Mr. Speaker. Mr. Speaker, 2019/2020 as Hon. Members who are elected we only got monies from KRB and nothing else Mr. Speaker, was done in our wards in terms of development. Mr. Speaker, sometimes back when we used to engage the executive there was something going on within our wards when handshake came nothing is going on and as Hon. Members we are just quiet.

Today Mr. Speaker, we are on the fourth month of this year with no signs of development, we even are not aware as Hon. Members what we can spend towards development in our wards Mr. Speaker. Mr. Speaker, Ksh. 57 million just in a department of tourism and if you look at the headquarters of tourism they spent Ksh. 15 million. Mr. Speaker, what do we have? In our supplementary budget we were pushing for Ksh. 3 million but the executive said what is available is Ksh. 1.5 million; up to date Mr. Speaker, we have not even seen that Ksh. 1.5 million. I think Mr. Speaker, I want to echo the sentiments of my fellow Member who is Hon. Munyasya, and it is time we act. Where we are going 2021 we have seen early politics coming up issues to do with elections for 2022 what is on and ready for our wards.

Mr. Speaker, we need to agree as an Assembly that we are given, I am not very sure if the Governor is aware of these spending because if you look at departments like health committee, we were looking at the Covid-19 expenditures and we were told that renovations were done for Ksh. 14 million, no details just like that. Kinanie health center took Ksh. 14 million Mr. Speaker; we do not have details on what was spent, what was procured, the companies who supplied or did the renovation. Mr. Speaker, if a ward like mine is given this Ksh. 11 million which bought the studio equipment, at least we will have something to show on the ground, Mr. Speaker.

Mr. Speaker, we are aware there is a supplementary budget which is coming. Mr. Speaker, we are not just here to be stamping and passing money and we do not have anything to take to our people. This County Government has never organized a football match at our wards and we are talking of youth empowerment. Mr. Speaker, where is this money is going if we cannot buy balls and organized matches to our people; in fact, I am not sure if there is anything we have done as a County Government to empower the youth on the ground level. Mr. Speaker, we need to push let relevant organs, these persons must be brought to book. We need to see these companies, Mr. Speaker---

**Hon. Deputy Speaker:** Point of order Majority Leader?

**Hon. Muendo:** Thank you, Hon. Speaker. There is a Member in the House who is not well-dressed Hon. Speaker, with a hat in the House. That is terrible, Hon. Speaker.

**Hon. Deputy Speaker:** I do not know but I do believe that for the ladies, that is part of their dressing.

**Hon. Muendo:** That is part of the dress?

**Hon. Deputy Speaker:** That is part of the dress code.

*(Applause)*

Hon. Cosmus Masesi may proceed and conclude.

**Hon. Masesi:** Mr. Speaker, just to finalize, let relevant organs push the police and we need these persons in all...we are just brought these figures to rubber stamp that money was spent but the actual facts, these monies were not spend on these items we are being shown here. Mr. Speaker, how can a gate to your house be stolen? A gate, leave a lone the equipment within the house and where did the gate pass for it to be moved from that place to where it went. Mr.

Speaker, this is unacceptable and we need these people to be chased out of the offices and let them be subjected to a compulsory leave and they wait for action and investigations to take place. We need answers in the quickest time possible, Mr. Speaker.

Otherwise, Mr. Speaker, my final words are that we need to know Mr. Speaker, what is there for us in terms of development for this financial year; kindly let the leadership organize a meeting between us and the Governor for us to be told what we can spend. Mr. Speaker, we gave a budget of Ksh. 50 million in our main budget and up to now Mr. Speaker, I cannot tell what I am going to do in my ward, what will be done and we have so many things. Just for instance, in Matungulu sub-county our grader has been grounded for the last one year. We need Mr. Speaker, monies for development---

**Hon. Deputy Speaker:** Point of information from Minority Leader and remember Hon. Members look at the time so we need to conclude quickly. Hon. Kamitu.

**Hon. Kamitu:** Thank you, Hon. Speaker. My point of information is that everybody in this House is aware that ...my point of information to my neighbor Hon. Cosmus is that we are yet to talk about the Ksh. 50 million because this is a budget that was passed recently 2020/2021 financial year and everybody is aware about the stalemate that was happening in the Senate and so my point of information is that let us cross the bridge when we cross the bridge we shall be able to talk about what is on stake for us. Thank you.

**Hon. Deputy Speaker:** Point of information Majority Leader.

**Hon. Muendo:** Thank you, Hon. Speaker. Let me inform the Minority Leader in this House; when the budget is done, we should see procurement starting. Is there anything on the ground going on in procurement? We could have seen advertisement of our projects, we could have seen evaluation being done because the budget is there. Thank you, Hon. Speaker. That is misleading the House. This Hon. House will not rubber stamp any other budget, any other budget coming into this House without tendering being shown before we rubber stamp. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Thank you, Majority Leader. Hon. Cosmus, please conclude.

**Hon. Masesi:** Mr. Speaker, in our today's newspapers, we have seen some adverts and I want to inform our Minority Leader that Mr. Speaker, we need to plan as we wait for the money. We need projections for the Ksh. 50 million and we gave projects. We ought to be planning and doing procurement since we know the money is there. Mr. Speaker, today there is one advert that says we are looking for consultancy on airport building.

Mr. Speaker, within the newspaper advert today and you are telling us money is not coming, Mr. Speaker. Mr. Speaker, at the end of the year you find that all monies which were meant or this County Government still come so Mr. Speaker, I want to rest my case and let Hon. Members wake up. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Deputy Speaker:** Thank you, Hon. Cosmus Masesi. Hon. Johanna Munyao?

**Hon. Munyao:** Thank you, Mr. Speaker. I stand to appreciate the report from the committee on tourism, youth, sports and culture on performance of the department for that financial year 2019/2020. Mr. Speaker, the report indicates that there is an element of negligence in terms of maintenance of the existing projects which is also extending to other departments because as my fellow Hon. Members are stating, we cannot afford to witness such vandalism when we actually have provision for security and ensuring that whatever has cost us manhours and also public funds is well taken care of.

Mr. Speaker, we need to see value for money. We have seen money being allocated to projects which when on evaluation may not really tally from what the figures are showing. Mr. Speaker, we should be seeing a report here which is showing absorption rates not as low as we have witnessed and absorption rates which tally with the amount of work done. We should be seeing a report showing the efforts of the department engaging even other investors to supplement what the exchequer has been able to offer.

Mr. Speaker, we have potential in some of these facilities. We should run away from having facilities which are running for free. We are talking of lack of employment in the county or even in the country and we should be engaging seriously to see how we can be able to exploit the potential in some of these facilities. Look for business for these facilities and create employment for our youth.

Mr. Speaker, just to cite case we have a tourist site in my area Mutituni ward which is popularly known as Kyamwilu which draws people from all over the country to come and just experience the miracle there. The magnetic pull in that spot and around the same area we have the wonder rock which was discovered by one of the locals in the area. It should be a key area, a key spot which should have been exploited. The scenery is also very beautiful also for tourism and for your information we passed in the main budget it is stated that a certain amount of money had been allocated for that site; up to now nothing seems to have kicked off for that spot and we are now beginning another financial year.

We want to know what happens when we pass some of these things in this Assembly. So, Mr. Speaker, I want to end and insist that we want to see value for money. We want to see absorption rates which are running concurrently with the period. We want to see business being generated, wealth creation we want to see our youth being employed from such facilities. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Alex Kamitu.

**Hon. Kamitu:** Thank you very much, Hon. Speaker. Hon. Speaker, looking at this report, it is a well-documented report by the committee for tourism, youth, sports and culture department in regard to the performance report for the year 2019/2020. Mr. Speaker, my observations are very clear and as to the other Members because the figures here are well-documented and my point of standing Hon. Speaker, is to say that in addition to this report, I think there are some figures which are missing in regard to facilities that have been documented in regard to the cost of projects that were done and what we are missing here for comparison purposes Hon. Speaker, is that some of these projects that have been documented here are only talking about renovation.

My observation practically the report would have also included when these projects were initially constructed so that we may compare if there was any need for renovation between this

period to this period Hon. Speaker, because it is very important and having said that, I am really commending the committee they have done a well-documented job and they have shown we need projects that add value to our electorates and for that, mostly to the youth we should be encouraging them and using issues that are tapping the youth talent because you cannot have a nation without the youth. They are the future of this nation and Hon. Speaker, those are my observations.

The other thing, we should also compare because many documents regarding Peoples' Park are in this report, and we should be seeing figures about the Peoples' Park. How much is collected on daily basis because when it was completed, we expected to be collecting some revenue from it. So, in the report, we should be comparing what is being collected as revenue to the county.

It is also important because Rome was not build in one day and my comment on this report, there are some constructions of stadia coming up and after completion of these stadia for example Ikombe, Kinyui, Machakos; we expect a lot of talent to be nurtured in them. We should also engage our youth in a lot of activities.

We have reported a lot of renovations, we have reported unnecessary renovations, but we should also be reporting the positive part of this; that after this what will happen when the stadia are completed. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Hon. Moffat Maitha.

**Hon. Maitha:** Thank you, Hon. Speaker. I want to congratulate the committee through the Chair for having provided this House with a very important and good report.

Hon. Speaker, I want to talk about two issues; that of tourism that can bring revenue to this County government. We have tourist sites like the one which Hon. Munyao talked about. We also have Thui in Matungulu East, we have Macmillan House and Fourteen Falls in Matungulu North Ward. We also have Maima ma Mbiti in Matungulu West where people can go and see the hyena houses and they are still visible.

Hon. Speaker, when we renovate a toilet using Ksh. 3.4 Million, have we not exaggerated? Are the figures correct? That is why we are saying some figures which we are being given by the department are fictitious, Hon. Speaker.

This morning I saw an advertisement of a dual carriage way from Kyumbi to Machakos; how will that benefit the people of Matungulu West? The people of Matungulu West want boreholes, the want ECDE classes built. This House has never passed a budget for a dual carriageway. What I would request the Governor is to talk to the National Government for them to do that work because if the little money that we are getting for development is now diverted to those other works, will we get anything in our wards?

Hon. Speaker, the Governor is vying for presidency of this country; let the little we are getting be diverted in to our wards so that the people can say yes, the Governor has done marvelous things in our wards and by that the people will give him votes.

Hon. Speaker, let us not lie to ourselves when the Governor comes to ask for the presidency, even if you are in Chap Chap, he will not talk about you. He only needs his votes for presidency. Let us tell him the truth; *Bw. Gavana*, give us money, build our County. I think we have been too lenient for long, let us at least change for this year so that we can see some development taking place in our wards. Thank you, Hon. Speaker.

**Hon. Deputy Speaker:** Hon. Kisini.

**Hon. Kisini:** Thank you, Mr. Speaker. I want to thank the committee for the good report well-presented through the able Chair Hon. Betty. Before I comment, I first want to concur with our Majority Leader that at our wards, we are getting these problems, please buy us balls, uniforms, organize for repairs of our small stadiums and yet we come and find in this report that monies have been used to do certain works and we cannot see that in our wards.

The report is good, the figures are good but they do not match with what is seen on the ground. So we are requesting this figures be audited and whatever is on this report to match whatever is on the ground.

Mr. Speaker, we are concerned and if I heard well when the Chair was reading; that Peoples' Park which is modernly built and is six years old; buildings take a long time for them to be repaired. It used Ksh. 42 Million for repairs. Hon. Speaker, Ksh. 42 Million for repairs; that is money which can do a whole project! That is money which could have been used to do a perimeter for that Park whereby cases of vandalism and theft have been report in it many times.

Mr. Speaker, that is also another concern; the department of County Image had Ksh. 74 Million which was budgeted and whatever we have seen on image is only the flowers along Machakos to Kyumbi and to Mombasa road, a very small portion. Mr. Speaker, is that really a reality of Ksh. 74 Million? We also want these monies to be seen in our wards and this money to be spread to the other wards. In Athi River nothing has been seen and we have centres which can be recreated for our old people to be sitting and for people to have leisure when they are not busy.

Mr. Speaker, lastly, these recreational centres and if this money we are told would be used to construct and uplift those recreational centres like Ngelani, Macmillan and Wamunyu which has also been talked of; like Maima Ma Mbiti and so on we could be happy. So, Let us get value for our money Mr. Speaker and let us not sit down and see our money being misused. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you. Hon. Kieti.

**Hon. Kieti:** Thank you, Mr. Speaker, for giving me this opportunity. Mr. Speaker, if you allow me, I want to request that we be sincere when handling some matters because the one we are handling at the moment is very crucial and this is a matter that is cutting across all departments. We need to be sincere and say that the performance of our county on the ground is below our expectations and every department has performed dismally. In fact, these Hon. Members, most of them are very discouraged because of what is happening.

We are experiencing a lot of unnecessary transfers and unnecessary renovations when we expect to see new projects coming up and projects that take the attention of the common *mwananchi*. We all know that we have three basic needs and these basic needs are moreso the needs on the ground like water, roads, food security, health and these basic needs are not being addressed. You hear Ksh. 42 Million being used for renovation of the Peoples' Park. The people on the ground will never get time to go to the Park unless they have eaten.

Even if we renovate the toilets with how much money, unless somebody has taken some food he will never visit that toilet. Mr. Speaker, we need to be very sincere and address the



Executive when we get this chance and tell them the truth and we must fear God when we are working for the people of Machakos. There is always tomorrow.

I will never wish to come back to Machakos Assembly when my people have not been served and when we have no development on the ground. So the Executive, more so the Governor himself, we wish him well in his endeavour in search for votes all over the country but it is important he remembers that there are people who elected him, we have passed budgets in this Assembly and these budgets my wish and I hope it is the wish of most of the Members is that we need those budgets executed just the way we pass them because, every budget is attached and pegged on a given project which we wish to see on the ground.

So, as we support the report from the Department of Youth, led by the Chair, Hon. Betty, it is a pity that most of the projects that have been done is just money that has been misused if I may say so Mr. Speaker. Otherwise, I wish that all our budgets are implemented the way we pass them so that we see a better County. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Deputy Speaker:** Hon. Mbivya and Hon. King'ori one minute each and I mean one minute because I will cut you off because we do not have time now and Hon. Bernadette Mueni in the outside tent one minute

**Hon. (Ms.) Mwende:** Thank you, Mr. Speaker. I congratulate the Chairperson, Hon. Betty for the good report. I believe the core purpose of devolution is for the counties to generate their own income so with the amenities that we have within this county and it is very rich we must be able to generate our own income.

Secondly, on vandalism, it is a sorry state that we can have such a facility; very expensive and good but there is no security. The county government should come up with measures to ensure that there is security within Machakos Peoples' Park. Very soon we shall have other county buildings coming up because there are ongoing constructions; so without security how will they function. That must be put in place.

Lastly, Mr. Speaker I have a concern on our internet; we are not able to access our internet. So, I would wish to ask if we can be sorted. If the passwords have been changed we should be notified because we are not able to follow up on the proceedings. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. King'ori.

**Hon. King'ori:** Thank you, Mr. Speaker. I want to touch on how we are spending money which is not budgeted for; that is an illegal affair like what we have gotten in the report. It means that the department has used money which was not balloted for because what we were told by the Executive last time is that all the monies were used to pay pending bills. I think it is quite in order for this House to worry more on how those monies were spent. Even now if we can have projects which are being done without any budget, it means even the pending bills have so many questions to be asked.

I think it is the high time we tell our people what is right because we are in good terms with the Governor because of the handshake and we need to tell the public what the Governor is doing with this money. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you, Hon. King'ori. Hon. Mueni.

**Hon. (Ms.) Mueni:** Thank you, Mr. Speaker. Mine is to say that if all Members who are here can be clever enough you will know that that money is put there to be taken to the other side. So, you have one day instead of talking while here we go to the Peoples' Park and talk about something that you can see and you will not be talking the way you are now. Thank you, Mr. Speaker.

*(Laughter)*

**Hon. Deputy Speaker:** Thank you, Hon. Mueni. May I call the mover of the motion to respond? Hon. Betty.

**Hon. (Ms.) B. Nzioki:** Thank you, Mr. Speaker. First I want to thank this Hon. House for the sign of commitment to this report. Personally, I made a site visit with my committee to the Peoples' Park and what I saw there, even before God, is too unfair. When we went there, the studio is outside the Park, it is three kilometres from the Park. We found the gates vandalized, everything was stolen in the building and our question was, because the Chief Officer came there; who were doing this kind of job? The response he gave to us was the Inspectorate where the ones taking care of that building or else they were the ones who were guarding the Park and they came to realize that they are the same people who are trying to steal from the studio.

I want to say, and what my Vice Chair is saying Mr. Speaker, if you could visit that place, I want to tell you that is an inside job because how can you remove almost a full grill and then you say everything was stolen. Gypsum was removed and everything in that studio I can say it was removed or else they were claiming that it was stolen totaling to Ksh. 11 million and nothing is left there. The Chief Officer was saying they have again started to re-do the studio.

The other thing I observed in the Peoples' Park, we normally get some good monies because choirs from local churches go to shoot their videos there. I had a choir that in a day paid Ksh. 10,000 and you find that there are many meetings that are being held there. Does it mean that they are being held there for free? That is another question we are supposed to ask.

So I want to remind the Hon. Members that we have a role and a responsibility for us to serve the people of Machakos County. The far we have gone, our electorates do not know our role as MCAs and the role of the Executive; they are expecting us to do the role of implementation on the ground because they do not know whether the Governor is one with the responsibility to do the implementation.

There are some things which are happening within our county and within our departments and I want to repeat again, before God, it is too unfair. So, let us take up our task, let us play our role and Hon. Speaker, I normally say that where we cannot make it and if we know we are doing the right thing to our people because we took oath of office, the rest God shall do it for us. Thank you, Mr. Speaker.

**Hon. Deputy Speaker:** Thank you very much, Hon. Betty Nzisa, for that report.

*(Question put and agreed to)*

Hon. Members, I am going to give one comment before we finalize and the first one is that our duty as Hon. Members is of representation and oversight and these are two very key roles which we need to ensure we do.

I have seen Hon. Members agitating for meetings and other forms of internal meeting; there are two kinds of things, the kind which are within your control. Those ones you do not have to worry about because they are within your control. The things which is a matter of timing; those ones you do not have to worry about them, you know at the end of the day they will be done because they are within your control.

The things within Machakos County Assembly are within your control and sooner than later will happen and that one should not be your worry. What I would like meetings being held for are is for representation and oversight. We need to have meetings for people to say we have an Appropriation Bill in place of Ksh. 11 Billion so what has that Appropriation Bill done up to now. Those are the kind of meetings Hon. Members we need to be looking at. An Appropriation Act is in place and you do not need to pass any other Act whatsoever; you already have an Appropriation Act in place and the vote heads have money, all of them.

What has happened to the Appropriation Act before you start talking about a Supplementary Appropriation Bill? If nothing has happened to the Appropriation Act, what makes you think that something will happen to the Supplementary Appropriation Act? Remember, supplementary only adds or appropriates additional funds which have come after the Appropriation Bill. Are we only interested in looking at the appropriation money, the additional money which has come after the Appropriation Act or are we interested in looking at the full Act as you passed it.

I have heard Hon. Members talk about the roles, talk about people on the ground and what they will say. People on the ground do not know the separation of powers but they know one thing for sure; they know you are the ones who approve the budget. So, wherever you hide, they will still come back and say you are the ones who approved the funds and gave them to spend. Had you not approved those funds, had you demanded for action to be taken on the available Act?

Right now, for example, we have an Appropriation Act in place; you need to see what has been done with that Act before you start looking into supplementing it. Those are the key things which we need to be discussing and talking about.

On the youth, this committee and that department; Hon. Members have spoken very well here, we have not seen any money for supporting youth tournaments in the wards. For purchasing these small things like uniforms and playing shoes for our youth; we have not seen any money been put aside for levelling of fields where our children play but we are seeing Ksh. 60 to 100 million being put to construct huge stadia in specific areas while you can spend a quarter of that money and level every ward a field which can be utilized in that ward by students or our youth to play and explore their talent in.

On women groups, there is nothing which is happening on the ground but we are appropriating a lot of money for renovations so that needs to be looked at keenly.

Lastly, on the issue of internet in this House, I would like to request the secretariat; find out what is happening with it. As you all know we have gone paperless and no reports are printed, therefore if the WiFi is not working then we are going to have Members who cannot effectively participate in the debates because they cannot access their reports. Have it checked so that it can be repaired to ensure that Hon. Members participate effectively in these debates.

**ADJOURNMENT**

**Hon. Deputy Speaker:** With that Hon. Members, the House adjourns to resume on 13th October, 2020 at 2.30 p.m.

The House rose at 12.39 p.m.