

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 26th June, 2018

The House met at 10.32 a.m.

[The Speaker (Hon. (Mrs.) Mwangangi) in the Chair]

PRAYERS

Hon. Speaker: Good morning, Hon. Members. So, we start our sitting today. Mr. Clerk, proceed.

COMMUNICATION FROM THE CHAIR
MACHAKOS COUNTY ASSEMBLY STRATEGIC PLAN 2013-2018

Hon. Speaker: Hon. Members, under this Order, I have a communication and that is on the Machakos County Assembly Strategic Plan 2013-2018; this is the Strategic Plan for the Assembly and remember whatever projects you undertake as an Assembly must be reflected in a Strategic Plan.

The first County Assembly Strategic Plan for the period of 2013-2018 will be lapsing at the end of this financial year on 30th June, 2018. Hon. Members, the Assembly is in the process of preparing a second Machakos County Assembly Strategic Plan for the period 2018-2023.

The process has started with collection of data from all stakeholders and foremost is you, Members of the stakeholders and the Strategic Plan is tool that guide an organization to achieve the organizational goals and strategically position itself in the phase of emerging issues and trends.

Hon. Members, in this regard questionnaires have been issued to all Hon. Members; they are in your pigeon holes and they are seeking to collect information from you on the formation of the new Strategic Plan, it is about you giving your views and what you would want to go in the Strategic Plan and so, I ask you Members to spare sometime to go through the questionnaire and fill it so that it can help capture your vision and mission which is the vision and mission for this Assembly.

Hon. Members, the questionnaire should be filled in and returned to the Human Resource and Administration office of this Assembly by close of business on 27th June, 2018, so that they can be included in the other views that have already been collected and for your information, Hon. Members, there is going to be a consultative forum with the consultants who are doing the

strategic plan from the 5th to 7th July, 2018. So, I urge you Members to cooperate. Thank you.
Mr. Clerk, proceed

PAPERS LAID

REPORT ON ESTABLISHMENT OF MACHAKOS, MAVOKO AND KANGUNDO/TALA MUNICIPALITIES

Hon. Speaker: Hon. Members, under this order we have two businesses. The first one is by Hon. Kisini and the other one is by Hon. Dominic Ndambuki. Hon. Kisini.

Hon. Kisini: Madam Speaker, I wish to lay the following papers to the floor of the House today 26th June, 2018; the department of Environment, Energy, Land and natural resource on charters for establishment of Machakos, Mavoko and Kangundo/Tala municipalities in Machakos county. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kisini. Hon. Ndambuki.

MACHAKOS COUNTY BUDGET ESTIMATES FOR 2018-2019

Hon. Ndambuki: Madam Speaker, I beg to lay the following Paper to the floor of the House today, Tuesday, 26th June, 2018 which is the report of the Budget and Appropriation Committee on the Machakos County Budget Estimates for the financial year 2018-2019. Thank you.

Hon. Speaker: Thank you, Hon. Dominic Ndambuki. Mr. Clerk, proceed.

NOTICE OF MOTION

Hon. Speaker: Hon. Members, under this order we have two business and both of them are by Hon. Betty nzioki. Just a moment Hon. Members; I am already on another Order Paper. Hon. Kisini, that is Order No. 6; sorry about the mix up.

REPORT ON ESTABLISHMENT OF MACHAKOS, MAVOKO AND KANGUNDO/TALA MUNICIPALITIES

Hon. Kisini: Madam Speaker,

Madam Speaker, that aware that when the Constitution of Kenya 2010 was promulgated, County Councils, Municipal, Town and Urban Councils were phased out;

Further aware that pursuant to Section 9(1) of the Urban Areas and Cities Act No.13 of 2011, the County Governor may, on the resolution of the County Assembly, confer the status of a municipality on a town that meets the criteria set out in Section 9(3), by grant of a charter in the prescribed form;

Cognizant that the Kenya Urban Support Programme (KUSP) is an initiative of the National Government funded by the World Bank to assist the County Governments to develop capacities in human resource and infrastructure development and operations of municipalities;

Remembering that on 20th June, 2018, the Assembly of Machakos received a letter from H.E. the Governor forwarding a report on the process of conferment of Municipal Status to Mavoko, Machakos and Kangundo/Tala Townships;

Informed that the report was directed to the committee of Environment, Lands, Energy and Natural Resources for deliberation and compilation of a report for approval by the House;

Madam Speaker, I wish to give notice of motion that this Hon. House discusses and approves the report on Charters for establishment of Machakos, Mavoko and Kangundo/Tala Municipalities in Machakos County.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kisini. Mr. Clerk, please proceed.

STATEMENTS

BUSINESS FOR THE HOUSE FOR 26TH TO 27TH JUNE, 2018

Hon. Speaker: Hon. Members, under this order, as I indicated earlier, albeit at the wrong time, we have two business by Hon. Betty Nzioki; I appreciate that one of the business is not in the appendix for reason that it came this morning and because of the importance and urgency of the matter, I approved it. Hon. Betty will let you know Members, what the matter is about but she will start with the one that is already in the appendix. Hon. Betty.

Hon. (Ms.) B. Nzioki: Thank you, Madam Speaker. Statement of the House Business Committee; Hon. Speaker, I stand under Standing Order 41(2)(a) 'where during the statement hour, a Member of House Business Committee, designated by the committee for the purpose shall not for more than 10 minutes present and lay on the Table, a Statement informing the House on the business that is coming before the House. Hon. Speaker, the House Business Committee met on 25th June, 2018 and balloted for this week's business pursuant to the provision of the Standing Order 151 as follows:

Tuesday, 26th June, 2018 at 10 a.m.

Report of committee of Environment, Land, Energy and Natural resources on characters of establishment of Machakos, Mavoko, Kangundo/ Tala municipalities in Machakos County---

Hon. Speaker: Hon. Betty, let me correct you it is charters; for the record.

Hon. (Ms.) B. Nzioki: Thank you, Madam Speaker. Let me repeat it again.

Tuesday, 26th June, 2018

Morning at 10 a.m.

Report of committee of Environment, Land, Energy and Natural resources on characters of establishment of Machakos, Mavoko, Kangundo/ Tala municipalities in Machakos County

Afternoon at 2.30 p.m.

Report of the budget and appropriations committee on Machakos County Budget Estimates for the year 2018-2019 by the Chairperson of budget and appropriations committee.

The Machakos County Appropriations Bill 2018, First Reading with the leave of the House.

Wednesday, 27th June, 2018

Morning at 10 a.m.

Reading of the budget by the executive committee member for the finance, His Excellency Eng. Francis Maliti, the Deputy Governor.

Afternoon at 2.30 p.m.

The Machakos Appropriation Bill 2018, Second Reading by the chairperson of budget and appropriations committee with the leave of the House.

The Machakos Appropriation Bill 2018, Committee of the whole House, with the leave of the House.

The Machakos Appropriation Bill 2018, Third Reading by the chairperson of budget and appropriations committee with the leave of the House.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Betty. Hon. Members, you stand guided by that statement on the business of the House. Hon. Betty Nzioki please, proceed.

INSECURITY AT GROGAN AREA IN MACHAKOS TOWN

Hon. (Ms.) B. Nzioki: Thank you, Madam Speaker. Hon Speaker, two weeks ago, six nuns from Arusha, Tanzania who had visited the country and our county in particular were travelling from Machakos town towards Kitui town. Along Machakos-Kitui highway, on reaching on the Grogan area near Machakos Primary School, they were flagged down by mechanics who were standing along the way and told them that the vehicle was faulty.

I happened to be passing through that area and I came to their rescue as they were about to be conned. The mechanics shouted at me saying that, I will pay them because I have denied them their bread. This is a matter of insecurity which is a national government function under the Fourth Schedule of the constitution and the county government needs to work in collaboration with the national government.

Further, there have been a lot of cases of insecurity in the county. Hon. Speaker, pursuant to Standing Order 41(2) I wish to seek a statement on what measures the county government of Machakos had put in place to ensure that citizens and non-citizens are not subjected to conmanship and theft in Machakos town especially at the Grogan area noting that such acts were tainting the name of the county and further to ensure the county was secure. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Betty. Hon. Members, this is a Statement that is sought by the Member and is the one that I said was brought to me this morning and because of the importance of the matter of security to each of one of us, Members here, I admitted it.

As is the practice, a Statement usually seeks to elicit views of the Members; you ventilate on the matter as a way of looking forward as to what we need to do because it is a matter that needs to be addressed by this Assembly and as I am standing on my feet Hon. Members, we can have ventilation of the matter and there is an issue, I will address immediately after that. Hon. Kamitu

Hon. Kamitu: Thank you very much, Madam Speaker. In this case Madam Speaker, I sincerely congratulate Hon. Betty for having noticed and brought this issue to the attention of this Assembly and as a former Senior Assistant Commissioner of Police, sincerely, I have heard the statement and as I was seated I had some feelings that this is the time that the this Assembly should come up with a motion that we should collaborate and have partnership of other Government departments within Machakos and in this regard we have police officers.

We have the commander of the police officers in this county and for that matter, Madam Speaker, without even going further, this is a Statement that should be investigated and this House should also move to that area; as an Assembly, we should go to that area because procedurally, we cannot demonstrate but as an Assembly we have a concern whereby our electorate's security, because in any country where there is no peace, there is no development.

So, Madam Speaker, I stand to support and echo that statement made by Hon. Member, Betty. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kamitu. Hon. Nyanzi.

Hon. Nyanzi: Mimi nimefurahi sana kwa mheshimiwa Betty kwa kuleta hii motion. Mimi mwenyewe, four years ago, miaka nne zilizopita nilinunua gari mpya na nilipofika pale Grogan nilifanyiwa namna hii, kua mguu unafanya hivi, hivi, hivi sasa nikaonyesha pahali ya kusimamisha.

Watu waliingia uko ndani wakatoa hizo spares zangu zile mpya na wakanipa zingine na wakaniambi 'hizi ni mbaya kwa hivyo hii gari ingeanguka.' Nilitumia shilingi elfu 20 kununua hizo spares na baadaye nikakuja kugundua ni ukora ambayo yeye mheshimiwa ameona unafanywa na hawa watu na umefanywa kwa miaka mingi sana.

Hata wakati mwingine nikipita, na hii mpya, wengine, sijui hawakunijua wakaniambia hivi, hivi, hivi; kumbe walipionia wakakimbia wakapotelea hapo. Kwa hivyo, hii imekuja timely na ikiwa sasa imenda ikafanyikia watu wa Tanzania namna hiyo, na kuna watu wengi wamefanyiwa namna hivyo na ikiwa kuna hatua inaweza kufanywa ili hawa watu waondolewe hapa kwa town hii itakuwa mzuri.

Hata wale vijana ambao waliondolewa Kakase mnajua wanatumia mambo kama haya; mtu akitoka akisimimisha gari kando kidogo wanamuonyesha vile vitambulisho, wanaporwa pesa bure tu. Kwa hivyo hii kitu inapaswa iangaliwe kabisa na imeletwa wakati mzuri ambao sisi kama bunge tunaweza ondoa hii aibu.

Hon. Speaker: Thank you, Hon. Nyanzi. I am allowing only two minutes so if it is any comment make it in two minutes; kwa sababu hii ni Statement. Hon. Alice.

Hon. (Ms.) Nzioka: Asante, Mheshimiwa Spika. Nimesimama kuunga mkono hiyo taarifa ambayo yameletwa na mheshimiwa Betty. Ni wiki iliyopita Alhamisi, nilikuwa napita

kutoka Mlolongo naelekea nyumbani alafu vijana wawili wakanisimamisha sana nikafikiria, ni vijana walikuwa wanataka usaidizi kutoka kwangu.

Nikasimamisha gari kando alafu moja wao alikuwa nyuma ya gari, mwingine alikuwa karibu na driver ambaye alikuwa amenibeba. Kitambo tuongee nijue wanataka nini walikuwa wamedunga gurudumu la mbele ya gari. Sasa kuongea wakiuliza kama naweza beba moja wao nimbebe kumpeleka Masii, tayari gurudumu lilikuwa lishadungwa.

Nikashuka alafu kijana mmoja kutoka kando akaniambia, huyu kijana ambaye unaongea naye ni yeye amedunga ako na msumari; imekuwa ni tabia ya hao vijana na wametesa watu wengi sana. Kitambo wakikusimamisha, ukisimama wengine wamepora vitu ndani ya gari. Nauunga mheshimiwa Kamitu mkono kwamba, sisi kama bunge tutembe hapo ili tuone vile watu wetu tutawasadia. Kama imetufikia sisi na wale wengine hawana uwezo? Kwa hivyo, naunga sisi kama bunge tuchukue hatua. Asante.

Hon. Speaker: Thank you. Make it as brief as Hon. Alice. Hon. Ikusya.

Hon. Kaloki: Thank you, Madam Speaker. I want to thank the member, who brought up this idea; I think it was timely and long overdue. I am also a victim of same, it happened to me a few months ago and I think my recommendation is very simple. It is high time we move that garage from where it is to another suitable place for the mechanics.

(Applause)

It has become a common practice, like when I was driving towards the department of water in Machakos County, I was flagged down by some young boys in overall and I stopped and in less than two minutes because I had heard about the same before, I decided to comply so that I could see what was happening.

One of them had a jerrican which had I think used engine oil; he threw it under my car to dupe me to believing that my engine was leaking but as I tried to hold him to question him, lucky enough there were a few askaris who were patrolling the same area, I think they had heard some complaints from the members of public.

So, it is high time we one, relocate the garage from where it is currently. Secondly, we---

Hon. Speaker: Hon. Kaloki, are you going to relocate trouble from one area to another? Are you dealing with the problem if you are going just to relocate the garage to another place?

Hon. Kaloki: No. I wanted to finish my statement, Madam Speaker. We need to get hold of the person who is either the chairman of garage or the person responsible for that area to give us an audit of all the mechanics because I understand that most of the goons who are doing these kind of activities are not actually mechanics but they wear overalls to pretend that they are mechanics.

So, it is something that needs to be taken seriously, otherwise it is quite disturbing. Thank you.

Hon. Speaker: Thank you, Hon Kaloki. Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I support my Chair Hon. Betty for the statement and I ask the House and Mheshimiwa Kamitu to bring people of the Governor, we can have 10 five the other side and five the other side who are doing that because even if we go there, they will know and they will run they have taken *bhang*. You cannot control them and we give Mheshimiwa Betty security because she stays in this town and they will follow her because she is a woman.

So, Madam Speaker, I think we can take care of her and the people we give security of askaris there; the Governor can be told that because those are his people. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mueni. Hon. Kamulu.

Hon. Kamulu: Thank you, Madam Speaker. Madam Speaker, I happen to be one of the people affected by the same; sometimes back I never knew whether I would be a Member of Assembly. By then, in fact, within 10 minutes I had lost Ksh. 30,000 from those people. Actually, they pretended to be working on my car and actually they were removing parts just the way they did to Nyanzi. Madam Speaker, these are not mechanics---

Hon. Speaker: Nyanzi? Who is Nyanzi?

Hon. Kamulu: Hon. Nyanzi. Madam Speaker, I do not think those are mechanics that are designated there; those are conmen. I want us friends to make a visit in that area using one of us or several of us then we are behind; actually we do some drama there. You will see them doing exactly the way Hon. Betty has said.

The best thing to do is to do away with those people from that area. In fact, the money which they went with, Madam Speaker, it is pathetic. Let those people be removed from that area, be arrested and taken to court.

Hon. Speaker: Thank you, Hon Kamulu. Hon. Steve Mwanthi.

Hon. Mwanthi: Thank you, Madam Speaker. Madam Speaker, I want to support this Statement citing the fact that as we have already heard, almost all Members here have been conned by those people pretending to be mechanics.

So, it was the high time for the Assembly to collaborate or the County Government to collaborate with the security around here and make sure those guys or those people pretending to be mechanics are removed from that place. I understand another Member here was also conned but we tried to recover his money whereby he has not even got all that he had lost around Ksh. 50,000.

So, it is good we collaborate with the police to make sure those guys are not there. Thank you, Madam Speaker.

Hon. Speaker: Hon. Mulatya

Hon. Mulatya: Thank you, Madam Speaker. Madam Speaker, there are two things here and I support this statement. Madam Speaker, we are dealing with corruption. These people are conning people during daily light as if we do not have police in this county. Madam Speaker,

also the position that they are, even if we send policemen there, they will still do the same because police cannot stay there the whole day. So, they will have their time to do that.

I am standing to support Hon. Ikusya Kaloki who said relocating these garages from that position would be vital because we have a lot of government land where we can relocate them, where they are not along the highway. This highway is being used by foreigners, people from different counties use the same, Makueni and Kitui counties use the same and if these people continue staying there, it will still happen.

So, I am appealing to the county Government, if we can relocate this garage and also if we can put the police and the officers from county Government, we put them on their toes, because even by us Hon. Members going there; we do not have handcuffs, we do not have guns, there is nothing we are going to do them. So, the best thing is to relocate them and to put the security officer on check. Thank you, Madam Speaker.

Hon. Speaker: Hon. Musau.

Hon. Wambua: Thank you, Madam Speaker. The scene of that crime committed by those ‘mechanics’ happens to be just within my business there and I can attest to this House it is a very well-coordinated business of crime it is a business of around 28 to 30 guys milking more than Ksh. 200,000 daily. They have conned waheshimiwa, they have even coned even police officers; I have seen police officers come back for their money but my fear is this money is widely shared.

There are crackdowns of the police every now and then but the worry is by the time of the crime, those ‘mechanics’ disperse and the wrong people are arrested. So, as to approach this issue, Madam Speaker, I think it needs better coordination and more understanding of what is happening because the security guys those who come to arrest those guys at know one given time have I seen them arrest the correct guys and they are identifiable physically and by their names.

So, Madam Speaker, I urge this House as we tackle this matter let us reason about how this money is shared and if I can urge, let us use higher authorities; let us approach the higher authorities because people have suffered a lot there.

Many businesses there are even collapsing because many motorists are fearing having their cars repaired in that area and even the genuine mechanics are lacking work. Why? Because many people have come to the perception that that area is full of robbers so we have business closing, we have genuine mechanics lacking business, we have people being coned; it is a lot, Madam Speaker. Thank you so much, Madam Speaker

Hon. Speaker: Thank you, Hon. Members. I just want us to agree Hon. Members, I think it is in agreement; remember we are not even voting but it is in agreement that there is an issue we need to address and it is like even if allowed each one of you to say, maybe all of you or most of you will say that you also being victims. Can we agree that this matter we deal with it in the manner Hon. Musau has said in a structured manner and then we just cease the ventilation at this point because we have other business?

So, Hon. Members, with that having said that Hon. Cosmos I have already ruled that we are proceeding in a different manner from this point. The statement and the issues that are elicited by it is committed to the committee of devolution and intergovernmental relations to report to this House on the 17th July, 2018.

Let me give some guidance Hon. Members; security is not a devolved function it is a matter of the National Government but we cannot seat back and say it is not a devolved function. We have a lot to play in making the county secure and so there is need for collaboration now that you have started this, spearhead that collaboration through that committee and have the necessary meetings with the County Commissioner and her team have the necessary meetings with the executive and their team and also the members of this Assembly and the members of the public particularly those who are affected.

I attended a function in the is public participation during the budget processing in Mwala; where is Hon. Kisila. The members of the public there were expressing matters of security also in their area. They say they need to sleep with chicken to guard them and even dry beans when they have harvested, they are being collected from the farms.

It is a matter maybe members want to discuss; it is not just about Grogan area but generally about the county. Are we in agreement? So the committee on devolution and inter-governmental relations bring the report to his Hose on 17th July, 2018; it is an urgent and important matter. Mr. Clerk, proceed.

MOTION

REPORT ON ESTABLISHMENT OF MACHAKOS, MAVOKO AND KANGUNDO/TALA MUNICIPALITIES

Hon. Speaker: Hon. Members, under this Order, we have one business and it is by Hon. Robert Kisini.

Hon. Kisini:

Madam Speaker, that aware that when the constitution of Kenya 2010 was promulgated that county, municipal, town and urban councils were phased out; Further aware that section 9(1) of the Urban Areas and Cities Act No. 13 of 2011, the County Governor may, on the resolution of the County Assembly, confer the status of a municipality on a town, that means the criteria set out in Section 9(3) of the same Act by grant of a Charter in the prescribed form;

Hon. Mulatya: Point of Order, Madam Speaker. There is a Hon. Member in the House by the name Hon. Nziva and you had directed that she would be out of the plenary once she reports back and I can see she is the plenary.

Hon. Speaker: Yes, Hon. Members, that is a matter that I noted. if you remember when hon. Betty Nzioki was giving her statement, I talked of another business that I would address later. yes, it is your House and it must be respected but then again, I have it noted here and then I invited Hon. Kisini; it is not that I am allowing her not to serve the sentence but what I have decided is this that because she has already tasted today's business, she would sit but she is not going to sit in the next sitting for a whole day and that is tomorrow.

Hon. Nziva, you were not here when I passed the sentence against you; if you come to the House tomorrow, you would be inviting more trouble because you are supposed to stay away. Now, I am communicating to you that you are not going to sit tomorrow for the whole day. Thank you, Hon. Mulatya.

Hon. Kisini: Thank you, Hon. Speaker. I almost shrunk when but let me continue; I thought it was me---

Hon. Speaker: Hon. Kisini, it is unfortunate you were interrupted in your business; please continue.

Hon. Kisini:

Cognizant that the Kenya Urban Support Programme (KUSP) is an initiative of the National Government funded by the World Bank to assist the County Governments to develop capacities in human resource and infrastructure development and operations of municipalities;

Remembering that on 20th June, 2018, the Assembly of Machakos received a letter from His Excellency the Governor forwarding a report on the process of conferment of Municipal Status to Mavoko, Machakos and Kangundo/Tala Townships;

Informed that the report was directed to the committee of Environment, Lands, Energy and Natural Resources for deliberation and compilation of a report for approval by the House;

Madam Speaker, I wish to move motion that this Hon. House discusses and approves the report on Charters for establishment of Machakos, Mavoko and Kangundo/Tala Municipalities in Machakos County.

I would request Hon. Christine Koki to second the motion.

Hon. (Ms.) C. Koki: I second the motion. Thank you.

Hon. Speaker: Thank you, Hon. Koki. Hon. Kisini. Hon. Members, let us share the report on environment, land, energy and natural resources committee. The task is the report on charter for establishment of Machakos, Mavoko and Kangundo/ Tala municipalities in Machakos County.

There is the table of contents, list of acronyms, preamble, background, mandate of the committee, committee membership, meeting with the Chief Officer and the Secretariat, that is the department of lands and urban development, Machakos municipality, Mavoko municipality, Kangundo/Tala municipality, functions of municipalities, management of municipalities, committee observations, committee recommendations, conclusion and acknowledgement.

Then there is the proposed Machakos municipality, Kangundo/Tala municipality and then there are annexures of Machakos Municipal Charter, Mavoko Municipal Charter, Kangundo/Tala Municipal Charter.

The list of acronyms that is Kenya Urban Support Programme (KUSP) and Urban Development Grant (UDG).

Preamble

Madam Speaker, after the promulgation of Constitution of Kenya 2010, the then County Councils, Municipal, Town and Urban Councils were abolished and their functions taken over by County Government. The Urban Areas and Cities Act (2011) was enacted to provide for the classification, governance and management of urban areas and cities; to provide for the criteria

of establishing urban areas, to provide for the principle of governance and participation of residents in matters related to these entities.

Madam Speaker, pursuant to Section 9(1) of the Urban Areas and Cities Act No.13 of 2011, the County Governor may, on the resolution of the County Assembly, confer the status of a Municipality on a town that meets the criteria set out in Section 9(3) of the same Act, by grant of a charter in the prescribed form.

Madam Speaker, this report outlines the justification for the County Government of Machakos to establish three Municipalities that have been identified to benefit from a conditional grant under the Kenya Urban Support Programme (KUSP).

Background

Madam Speaker, on 20th June, 2018, the Clerk to County Assembly of Machakos received a letter from His Excellency the Governor Ref. MCG/OOG/MKSCA/07/18 dated 18th June, 2018 forwarding a report on the process of conferment of Municipal Status to Machakos, Mavoko, and Kangundo/Tala townships. The report was handed to the committee of Environment, Lands, Energy and Natural Resources for deliberation and compilation of a report for approval and subsequent adoption by the House before the 30th June, 2018.

In the letter His Excellency the Governor outlined that the three urban centers had been approved by KUSP based on 2009 census to benefit from Urban Development Grant under KUSP. This is an initiative of the National Government funded by the World Bank to assist the County Governments develop capacities in human resource and infrastructure development and operations of municipalities.

Madam Speaker, the committee was informed that, a proposal was tabled before the County Executive Committee to approve the establishment of municipalities in Machakos, Mavoko, and Kangundo/Tala as the urban areas. The three urban centres had met the statutory criteria for municipalities.

Further, the committee was informed that the County Executive Committee Member in charge of Urban Development had formed a secretariat to steer the implementation of the program.

Mandate of the Committee

Madam Speaker, the Committee on Environment, Lands, Energy and Natural resources is a sectorial Committee established under Standing Order 190 and the Second Schedule with specific mandates to all matters related to the implementation of specific national government policies on natural resources and environmental conservation, including soil and water conservation and forestry and control of air pollution, noise pollution, other public nuisances and outdoor advertising; land survey and mapping; boundaries and fencing; electricity and gas reticulation; energy regulation; water management systems in built up areas and water sanitation services.

Committee membership

Madam Speaker, the membership of the aforementioned committee is as follows:-

1. Hon. Robert Kisini - Chairperson
2. Hon. Christine Koki - V/Chairperson
3. Hon. Alex Kamitu - Member

4. Hon. Brian Kisila - “
5. Hon. Cosmas Kieti Muia “
6. Hon. Dominic Ndambuki “
7. Hon. George King’ori “
8. Hon. Hellen Ndeti “
9. Hon. Jacqueline Nziva “
10. Hon. Jane Nyawira “
11. Hon. Joseph Musau “
12. Hon. Mark Muendo “
13. Hon. Michael Mutiso “

Legal framework for establishment of municipality

Madam Speaker, Article 184 of the Constitution of Kenya provides for the basis under which the Urban Areas and Cities Act, 2011 was enacted. Specifically, this Article requires the Act to address the following matters:-

- Establish criteria for classifying areas as urban areas and cities;
- Establish the principles of governance and management of urban areas and cities;
- Provide for participation by residents in the governance of urban areas and cities.

Section 9(2) of the Urban Areas and Cities Act provides that the procedure set out under Section 8(1) to (4) shall apply with necessary modifications to the conferment of municipal status to a town except that the conferment shall be done by the County Governor.

Section 9(3) of the Urban Areas and Cities Act provides that a town is eligible for the conferment of municipal status under the Act if the town satisfies the following criteria:-

- a. Has a population of at least between 70,000 and 249,000 residents according to the final gazetted results of the last population census carried out by an institution authorized under any written law, preceding the grant;
- b. Has an integrated development plan in accordance with this Act;
- c. Has demonstrable revenue collection or revenue collection potential;
- d. Has demonstrable capacity to generate sufficient revenue to sustain its operations;
- e. Has the capacity to effectively and efficiently deliver essential services to its residents as provided in the First Schedule of the Urban Areas and Cities Act;
- f. Has institutionalized active participation by its residents in the management of its affairs;
- g. Has sufficient space for expansion;
- h. Has infrastructural facilities, including but not limited to, street lighting, markets and fire stations;
- i. Has a capacity for functional and effective waste disposal.

Madam Speaker, it is a requirement that any physical planning works being undertaken must be guided by all the existing laws and regulations including the Constitution of Kenya 2010, the Physical Planning Act Cap 286, the County Governments Act, No. 17 of 2012, the Urban Areas and Cities Act No. 13 of 2011 among others.

Meeting with the Chief Officer and the Secretariat, Department of lands and urban development

Madam Speaker, the Committee held two sittings with the Chief Officer in the department of Lands and Natural Resources where the committee was informed that, the Kenya Urban Support Program is a World Bank-funded project aimed at strengthening urban institutions to deliver infrastructural and service delivery to the targeted areas.

The project entails setting up of urban areas in counties in Kenya. The project focuses on all urban areas that qualify for conferment of Municipal or City status with the exception of Nairobi and Mombasa City Counties.

The programme will benefit 59 urban areas, 45 being county headquarters including Eldoret, Kisumu and Nakuru that qualify for conferment of cities status, and 14 that would by themselves qualify for the status of municipality.

In Machakos County, three municipalities have been qualified by the Kenya Urban Support Program to benefit from the funding on the basis of Kenya Population Census 2009. As a result the Government of Machakos County has already qualified for Ksh. 40,000,000 in 2018/2019 for establishment of the municipalities.

Thereafter the municipalities are eligible to receive Urban Development Grants (UDG) of Ksh. 1,018,320,500 in 2018/2019 for the next six years for the three municipalities. The Urban Development Grant shall be distributed to the Municipalities on the basis of the population size as shown as below:

MUNICIPALITY	POPULATION	UDG (Ksh.)
1. Machakos Municipality	150,467	303,557,400
2. Mavoko Municipality	135,571	273,505,700
3. Kangundo-Tala Municipality	218,722	441,257,400
Total		1,018,320,500

Machakos Municipality

Madam Speaker, the County Secretariat informed the committee that Machakos municipality is the administrative capital of Machakos County and covers an area of 307 Km². Due to its proximity to Nairobi City, that is 63 kilometers, it forms part of the Nairobi Metropolitan region.

The municipality is witnessing rapid growth with major road infrastructure, industrialization, real estate developments taking place within and in the suburbs. The municipality's population is 150,041 as per the 2009 Kenya population census report. Machakos municipality has Seven wards; Mchakos Central, Kiima Kimwe Muvuti, Mua, Kalama, Mumbuni North, Mutituni and Kola.

Further, the committee was informed that, according to Kenya's national urbanization and rural development policy, Machakos was designated along with other outlying municipalities Kangundo/Tala and Athi River, as an important service center according to the Nairobi Metropolitan Growth strategy.

According to this strategy, these municipalityships were officially encouraged to grow as separate municipalities distinct from Nairobi and local small-scale industries, possibly agro-based, to be located there so as to relieve housing and employment pressures on Nairobi.

Mavoko Municipality

Madam Speaker, Mavoko is an urban centre in Machakos County with an estimated area of 852 km². The centre is the administrative centre of Mavoko sub-county, and the industrial and commercial hub of Machakos County. Mavoko municipality has four wards; Mlolongo, Kinanie, Athi River and Muthwani. The population of the municipality is 137,211 according to the 2009 census and it is growing due to its proximity to the Kenyan capital city of Nairobi.

Mavoko municipality is 28Km from the City of Nairobi. The municipality enjoys the trickle-down effects of the City. It is considered a suburb of Nairobi with most middle income to low income residents residing in Mavoko municipality where they make daily commuting to Nairobi for work. The municipality is witnessing rapid growth with major road infrastructure and real estate developments taking place within and in the suburbs.

Mavoko forms part of the Nairobi Metropolitan Region and therefore has direct social and economic relations with Nairobi City as well as other urban centres like Kitengela. It is believed that these neighbouring centres will have a direct effect on the scale of social and economic facilities to be provided in the municipality.

Kangundo/Tala Municipality

Madam Speaker, Kangundo/Tala covers an estimated area of 336 Km² and is the main administrative centre of Matungulu and Kangundo sub-counties. The population of the Municipality is 218,522 as per the 2009 census.

The municipality is witnessing linear development with a lot of development occurring along the Nairobi-Kangundo highway and its environs. Infrastructure development is also expanding the municipality as witnessed by increased road network as well as electricity connectivity. Kangundo/Tala municipality has nine wards; Matungulu North, Matungulu East, Matungulu West, Kyeleni, Tala, Kangundo East, Kangundo Central, Kangundo North and Kangundo West.

The municipality is economically dependent on agricultural activities, with coffee farming being the main cash crop as well as dairy, horticulture and subsistence farming being practiced in the hinterland.

Functions of municipalities

Madam Speaker, the Secretariat informed the committee that the functions of the Municipalities will be as follows:

- a. Promotion, regulation and provision of refuse collection and solid waste management services;
- b. Maintenance of urban roads and associated infrastructure;
- c. Maintenance of storm drainage and flood controls;
- d. Maintenance of walkways and other non-motorized transport infrastructure;
- e. Maintenance of green spaces;
- f. Maintenance of street lighting;
- g. Maintenance and regulation of municipal markets and abattoirs;
- h. Maintenance of fire stations; provision of fire-fighting services;
- i. Emergency preparedness and disaster management;
- j. Maintenance of administrative offices;
- k. Any other functions as may be delegated by the County Executive Committee member in charge of Urban Development.

Management of the Municipalities

Madam Speaker, the management of the Municipalities shall be as provided under Section 12 of the Urban Areas and Cities Act, No 13 of 2011(Revised in 2016). Section 12 (1) provides that, the management of a city and municipality shall be vested in the county government and administered on its behalf by-

- a. A board constituted in accordance with section 13 or 14 of this Act;
- b. A manager appointed pursuant to Section 28;
- c. Such other staff or officers as the county public service may determine.

Madam Speaker, Section 12(2) of the same Act, provides that, the board of an area granted the status of a city or municipality under this Act shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of-

- a. Suing and being sued;
- b. Taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
- c. Borrowing money or making investments;
- d. Entering into contracts;
- e. Doing or performing all other acts or things for the proper performance of its functions in accordance with this Act or any other written law which may lawfully be done or performed by a body corporate.

Committee Observations

Madam Speaker, Machakos, Mavoko and Kangundo/Tala municipalities will benefit from the infrastructural investment that will be undertaken under the Kenya Urban Support Program.

Further, Madam Speaker, adequate urban infrastructure that comes with this project will attract more investments and especially in areas in line with the Big Four Agenda such as affordable decent housing, manufacturing, food security, and healthcare.

Other areas of interest will include slum rehabilitation, formulation of favorable land policies, and formulation of municipal policies, which will play a pivotal role in inclusive growth. Investment in social infrastructure will also play an important role in developing strong and inclusive communities that provide opportunities for social integration.

Madam Speaker, the proposed Machakos, Mavoko and Kangundo/Tala Municipalities qualify for conferment of municipal status having met the set out criteria as evidenced by:-

- a. Presence of a population threshold above 70,000, which is the minimum requirement for a municipality.
- b. Ongoing participatory process of preparation of an Urban Integrated Development Plan through the Nairobi Metropolitan Services Improvement program.
- c. Demonstration of revenue collection potential.
- d. Capacity to generate sufficient revenue to sustain its operations.
- e. Capacity to effectively and efficiently deliver essential services to its residents as provided in the First Schedule.

- f. Continuous active public participation process.
- g. Presence of sufficient space for expansion.
- h. Provision of infrastructural facilities including but not limited to markets, fire stations, education facilities, storm water drainage, water and sewer infrastructure, health facilities, and others.
- i. Capacity for effective waste disposal.

Committee Recommendations

Madam Speaker, as part of the conditions for eligibility of Machakos County to access the Urban Development Grants (UDG) of Ksh. 1,018,320,500 for 2018/2019 for the next six years, the County Government must demonstrate that the Municipal Charters for the identified Municipalities are in existence.

This should be done soonest possible before 30th June, 2018 in order to ensure all logistics are put in place before this deadline. The committee therefore recommends that Machakos, Mavoko and Kangundo/Tala urban areas be conferred a Municipal status by the Machakos County Governor upon approval by this Hon. House.

Conclusion and acknowledgement

Madam Speaker, the Environment, Lands, Energy and Natural Resources Committee is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the committee sittings. I wish to express my appreciation to the Hon. Members of the Committee who sacrificed their time to participate in the activities of the Committee and in preparation of this report.

Madam Speaker, it is therefore my privilege, on behalf of the Environment, Lands, Energy and Natural Resources Committee to table this report for deliberations and approval by this Hon. House.

Thank you, Madam Speaker. The attached are annexures which you will go through by yourselves.

Hon. Speaker: Hon. Kisini, thank you very much other than just telling them the annexures, I think there are three maps that we have? Hon. Kisini, the three maps are they for proposed municipalities?

Hon. Kisini: Yes, they are showing each municipality.

Hon. Speaker: The rest is the charters?

Hon. Kisini: Yes.

Hon. Speaker: Alright, thank you, very much; just as a clarification, members would need. Hon. Members, you notice that Hon. Kisini had earlier on called upon Hon. Christine Koki to support his motion which she did and so at this stage Hon. Members allow me to propose the question.

(Question proposed)

Hon. Members, the floor is open for debate on this motion. Thank you, Hon. Mitaa.

Hon. Mitaa: Thank you, Madam Speaker, for granting me this opportunity to air my views on the report by environment, lands, energy and natural resources committee. I wish to thank them for a good job done; I think I come from an area where it is proposed that we have a municipality that is Tala/Kangundo, Matungulu and Madam Speaker, I think it is something which I have been chasing for a while bearing in mind that, my town of Kangundo area lacks some essential facilities.

Again also we lack title deeds or allotment letters and it is something which has really hampered growth of our town and I would request, as we consider implementation of this committee report, also we factor in the business people or else plot owners of Kangundo town get the opportunity to own the land through allotment letters or title deeds.

Again, Madam Speaker, I think also the area lacks what I have seen as capacity for functional and effective waste disposal; I would request also we consider that. We have at least an area demarcated for such a function so that we do not have lorries ferrying waste all the way to Athi River. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mitaa. Hon. Mheshimiwa Mark Muendo.

Hon. Muendo: Thank you, Hon. Speaker. Let me first congratulate the committee for a job well done and also give my views on the charters for Mavoko, Machakos, Tala and Kangundo. Madam Speaker, these charters, I think for Machakos are a bit late and we need actually as a House to move with speed because we have a deadline which is 30th June unless we want us to miss that funding which is coming from Kenya Urban Support Development Program and these are conditions, Madam Speaker, maybe members were not aware.

It is a condition given by the financiers and this is not little money which is coming to our county. Kitui they have done it, Makueni they have done it. It is sometimes, Madam Speaker, us in Machakos County we do things the last minute. These programs could have been sent here early by the Governor but the time is coming and then we have 30th June. I stand guided Madam Speaker, on what we are going to do whether we are going to pass it before that deadline.

Madam Speaker, also when this charter is given it becomes easy to manage the urban areas because our county comprises the urban areas and also rural areas so this is to be easy to manage and also when you are doing the budget it actually makes it easier because we know the management of urban centers is different from the rural centers.

What we require in Mavoko, Machakos and Tala is not what is required in Muthesya. Therefore, Madam Speaker, I think we need as a House to consider this report and immediately approve not to lose this money. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mark Muendo. Hon. Muthoki?

Hon. Muthoka: Thank you, Madam Speaker. Let me take this opportunity to thank the chairman and the committee for a good report. Also we thank our development partner for considering our county. Ksh. 1 billion is not little money in six years and what I will urge or I will give some suggestion; for example, today Mheshimiwa Betty has brought a statement here about the Grogan and if you go to page seven of this report, you will see Machakos Municipality being allocated Ksh. 300 million.

We can use this money to relocate these people from here Grogan to somewhere in Kiima Kimwe or there Katoloni to do their work there and we make Grogan a bus park because already this bus park we have here in Machakos is already full.

You will find matatus parked outside and creating traffic jam; we make another stage, another bus park for Kitui vehicles, for Mwala vehicles, for Matuu vehicles and we will really have done a good job for Machakos County.

(Applause)

If you go to Mavoko, it is over Ksh. 270 million and particularly let me take Mlolongo ward; we can make Mlolongo ward to be entertainment ward. Everybody in Kenya should come to Mlolongo to entertain themselves, we create employment and we make money from it.

(Applause)

So, if this money is used correctly without corruption and without diverting it to other things we can really help our county.

Number three, see Tala/Kangundo today even some of my traders who deal with livestock they take their cows to Tala every Tuesday and Wednesday but these people walk in the sun; we can make a good market there in Tala so people from Kathiani, people from all over, Mwala they can go trade in Tala.

If it rains today, Hon. Kamitu can witness this, Tala will be filled with water; no drainage. So we should work very hard implement this grant and then again another suggestion 2019 we have census. I think some town are now qualified to be called municipalities especially Kathiani.

(Applause)

Even Mitaboni, I think now can be a Municipality.

(Laughter)

.....and Matuu. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Muthoka. Hon. Cosmos Masesi?

Hon. Masesi: Thank you, Madam Speaker, for catching my eye. I stand first to congratulate the environment committee chaired by the Hon. Member Kisini and again I am humbled to be one of the beneficiaries Madam Speaker, Matungulu is where I come from and we have got a challenge on the.....just to concur with the sentiments by the Mitaboni MCA that Tala we have a challenge of drainage and we have an issue of relocating the people within the market, Madam Speaker.

Madam Speaker, I also worry we will be able to get these monies because if the deadline will be on June 30th, Madam Speaker, we have the challenge of relocating people so how I pray that this information could have found its way to this Assembly some months ago to enable us to

have a timeframe after, Madam Speaker, confirming that the report being approved by this House.

Madam Speaker, you realize that on the map I have not seeing the Kyeleni; Kyeleni is missing on the proposed Machakos Municipality where you see Matungulu and they have left out Kyeleni ward. So, I do not think the one for Matungulu I have not seeing Kyeleni on the map.

Again, I am told Machakos we are missing Kola ward so I think the committee will check on that.

Madam Speaker, we have seen that monies are coming for the items which were before the Assembly about the Grogan area, we have seen money which is coming so I wish we propose that some monies be used to create some space for the mechanics and move them from where they are.

Madam Speaker, that time I thought you could see me; I have been in the police force for a while, so my input could have been of great importance on that side, Madam Speaker. Thank you.

Hon. Speaker: Hon. Masesi, we passed there and I can assure you, you can take your views to the Committee; they are going to be taken very seriously, we appreciate your passed which is going to be of much use to the Committee. Thank you, very much. Hon. Jeremiah.

Hon. Munguti: Thank you, Madam Speaker. I think I would like to congratulate the Committee of Environment led by the able Chairman and also the Members for this report. It is a good report that should have come earlier so that we can actually have time on it and give our input but all the same we are going to do what is necessary.

I want to echo the words of Hon. Muthoka when he said that, as this report comes as we go by and have other support from other donors, I think this is the high time that as we do our census come next year, 2019, we ensure that our people actually come to the village area so that we can have census and have the population being classified as.....and for that matter I know some areas like Masii where we have Mwala Sub-County, Masii is also growing and it can be also a Municipality or the same.

We have also Wamunyu which I happen to have come from and therefore, I am in support of this. I have also noticed that Kola Ward has been left out in the same report and also the Kyeleni area but mine will be a little different on this issue because we are getting good money and we should also look at it. What are the key political factors which are going to affect this kind of project?

We have also economic importance factors which should be considered; we have our area like Mavoko which is a growing industrial Area where we should ensure that, as this money is being pumped in our County, that our youth who are lacking employment should be employed in those areas where these people are going to put this money.

So, my humble request to this House is to ensure that, as this World Bank puts that money in these areas, that at least we get our young boys and girls who are actually in our homes and have finished school and they have expertise on some of the things which should be done in this project that they secure some jobs on the same project which is about to take place.

It is also good that we look at it, what are some of the cultural aspects which are going to emanate on the same project which is going to be undertaken in these three municipalities? It is good to appreciate that our young people are well-talented and they are innovative. It likely to

occur that we should get some ICT Centers within those municipalities so that our young people can innovate their talents of ICT so that we can create employment.

We must also look into it that our legal department which is legislation to look at our industries so that they are being taxed a lot of money because we are losing a lot of taxes to the KRA and that money is being swindled by some individuals and our people are suffering a lot, Madam Speaker, and therefore as the House, I was requesting that we look at our industries that they are not taxed a lot of money so that we may benefit on the same.

The other thing and to finalize, is about the environmental factors which you should consider that, as much as we put these monies into this, we know many factories are coming out and as they come, our environment will be polluted. We should consider how our environment will be considered that we may avoid pollution in our area. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Jeremiah. Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Madam Speaker. Mine is to support the report and say it is a good one but I want to ask the County that when the money comes to be used in the right manner. We do not want when the road is made is whatever to be made to be put any persons photograph. We do not want any photo to be put on those things which are done by the money which is coming from outside.

It is very important because those people who bring the money have things to do with the money. Madam Speaker, protect me because you know Mheshimiwa Kamitu what he wants to say.....I am not saying about anybody, I am talking of the whole issue.

(Laughter)

Hon. Speaker: Hon. Mueni, proceed and finalize.

Hon. (Ms.) Mueni: Madam Speaker, it is a lot of money which is coming to our County to do the work for the people and we have to work for the people but not the individual so that everything we do, remember that you will be remembered for the work but not personal because the people are looking at us and when you use the money in the wrong manner they are seeing even if they are not talking. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mueni. Hon. Kamitu. You are not informing anybody.

(Laughter)

Hon. Kamitu: Thank you very much, Madam Speaker. Madam Speaker, I happen to be one of the Members of the Committee and on a sincere note, we really worked hard for this report and it is on that strength, Madam Speaker, that I just want to add some few points. The importance of this Motion that has been brought by our Chairman and the importance of us appreciating that among other Counties, Machakos happens to have been one, because I was in that Committee, Kisumu is one, Kiambu is one.

So, Madam Speaker, we are also counting ourselves as one among the lucky Counties that were really given this chance as a Municipal Charter and Madam Speaker, in addition to the report, it is very explanatory and so I would urge these Members that sincerely the way we are

coming up, we are moving ahead and Madam Speaker, I would like just to point out that, this is an opportunity that we have been given and the Assembly should take the opportunity that Machakos people are going to be the beneficiaries regardless of Machakos, Mavoko, Tala, Kangundo, it is going to benefit generally the Machakos people and it is also going to benefit our people.

Passing the report will make also possible for the County to confer other Charters in some other upcoming future Urban Centers like Mheshimiwa from Mitaboni had cited Kathiani, Matuu and Masii and the like because Madam Speaker, you are aware also that these census were taken in 2009 and if we are going to have the next census that is 2019, outrightly Machakos towns like those we have mentioned have a bigger population and so we are also expecting if the Urban Centers have been cited, those other Urban Centers may be attracted again.

Once again, Madam Speaker, as other Members have mentioned, there will be open opportunity for employment, infrastructure.....I mean sanitation in these three Municipalities.

So, Madam Speaker, without wasting much time, I stand to support and say this is an opportunity that should be given and we should make use of it. We are not late, Madam Speaker; i know you are aware that if this House approves this charter today, by 30th even by afternoon, Madam Speaker, I am not going to talk on behalf of the Speaker; we are ware if we pass this thing by afternoon, it will be send to the executive whereby administrative-wise and procedurally, we will not be late.

So, that is my humble request; we move ahead for the benefit and for the service delivery of our Machakos County. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kamitu only that I cautioned when members want to speak on a motion it is not wasting time; it is spending it in a very good way. So let us hear Hon. Moffat Maitha.

Hon. Maitha: Thank you, Madam Speaker. Madam Speaker, I want to thank the committee for a good work done in preparing this report for this Assembly to pass. I want to say this is an opportunity for these areas which have been chosen to be municipalities.

Madam Speaker, we have been crying for our roads, our streetlights, our dams our boreholes name any project in our wards which are in pathetic condition and this is the good time for us to pass this motion so that money can be allocated for the municipalities. Madam Speaker, I also want to concur with Hon. Mueni when she says this money should be used wisely and should not be wasted; let there be a difference when those municipal council managers will be working on the projects to better the lives of those areas.

We have seen a lot of waste in many places and we would not wish this money to be misused; we want our people to taste good opportunity, good facilities from this money which has been allocated from foreign country.

Madam Speaker, if we divide this money because we are mostly members of the assembly want to get equal treatment to their wards this should be about Ksh. 40 million per ward. In those areas of Matungulu and Kangundo, for example, we would wish to see projects done using this money. I support, Madam Speaker.

Hon. Speaker: Thank you, Hon. Maitha. Hon. Ndawa

Hon. Ndawa: Thank you, Madam Speaker. In fact, I was worried, Madam Speaker, I am just seated next to you and I have been raising my hand and I was asking is Madam Speaker not seeing me, so I want to say thank you.

Hon. Speaker: Your time had not come; please proceed.

Hon. Ndawa: Thank you, Madam Speaker. I also want to put my words on this issue ahead of us. Madam Speaker, I want to thank the committee and the chairperson for coming up with a very elaborate report. The issue of this few municipalities being funded or getting this grant is a blessing to our county and once blessings are seen on the way coming, everybody is supposed to open the doors so that blessings can come in.

Madam Speaker, this grant is going to be a relief because I believe if we get the money to work on the named municipalities, the county will not strain to work on other areas because I believe is at least Matungulu or Kangundo/Tala municipality is funded, it may not require other funding when another area is not funded so I am very sure if this thing is implemented, it is going to have a very positive impact.

The only issue that I would say, Madam Speaker, the money given is about Ksh. 1 billion and when we talk of billion, I know the Hon. Members know what Ksh. 1 billion is; it is not Ksh. 1 million; Ksh. 1 billion is money which can sustain a child from day one up to the last day of 30th anniversary everyday spending Ksh. 100,000. That is what we call Ksh. 1 billion. This is not very little money we want to see value for this money.

The other issue is when the census was being conducted in 2009, I don't know which criteria was used because in Matuu, the registered votes is 80,000 and I am seeing the threshold is only 70,000 so is we have about 80,000 registered voters what of the young ones.

So, it means those who were in position that time were not keen on what they were supposed to be doing and that is why Matuu is lacking in this list. I believe the time of census, somebody thought if we give a big number we might be required to pay something for that number and trying to evade that that is now why we are not in this list.

So, we request the next time that is 2019, when the next census is being conducted let the MCAs also be involved in the same so that we can ensure that Matuu, Masinga, Masii, Ikombe, Ekalakala are also captured because they have the number which is required.

Madam Speaker, this is a noble project and we have to support it the only requirement that we are supposed to do in this recommendation the committee is only requesting that we demonstrate that the four municipalities exist. So, Madam Speaker, I will urge these Hon. Members to agree with the report that the municipalities are in existence. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ndawa. The municipalities are three; not four because Kangundo and Tala are one. Hon. King'ori.

Hon. King'ori: Thank you, Madam Speaker. I am also happy to my chairman for presenting this good document which has most answers a lot my problem in Muthwani.

(Laughter)

I think when we talk about road maintenance and associated infrastructure, Muthwani had been left out but with this report and this donation, I think now I am in safe hands.

I better be in Mavoko municipality because the area jurisdiction is small and Muthwani now should be recognized as a ward. We have now around today 100,000 residents in my ward but that does not mean that we don't have many challenges; we have but at least there is also good things that are coming like maintenance of good spaces; I think we need a good environment for our children and our children's children.

Another good factor about this report is markets; we need a lot of markets in Machakos county at least we need 40 markets in each ward so that our people can benefit from the market so that they can earn a living and also alleviate the poverty in Machakos

On fire stations, we are all prone to accidents and other things. I think this is a good report which we should support very well and with clear mind that everybody will stand to benefit from this grant. Like what I have said earlier, when I got more streetlights, I have decided to donate some Matungulu West. Yes! I am donating my lights to Matungulu West.

(Laughter)

Thank you, Madam Speaker. I am ready to see to it that---

(Hon. Maitha spoke off the record)

(Laughter)

I have already done that, so he does not have to argue. Thank you, Madam Speaker

Hon. Speaker: Hon. King'ori, if you have finished please resume your seat. Hon. Maitha when you are given a donation you raise a point of order? It is okay. Hon. King'ori had finished; let us proceed. Please switch off your mic, Hon. King'ori. Hon. Johanna

Hon. Munyao: Thank you, Madam Speaker. I stand to support this report from the committee of Environment, Lands, Energy and Natural resources; it is timely, it is a report we need to adopt and pass as soon as possible. This is the way to go, I want to believe that with the establishment of the municipalities, this is going to improve the infrastructure and also de-congest our towns or maybe the major urban centers.

An area or a market like Mutituni which is also a rapidly growing, the market lacks title deeds, the town is not even planned; I believe that with such programmes, our towns are going to be served well.

At the same time, with improved infrastructure, we are going to attract investors and therefore also create employment to our people and again with the uptake of such grants, I want to believe that the internal county budget allocation funds will also go to serve other areas which otherwise will be regarded as rural and I believe we are going to have a county that is well served and also balanced in terms of service delivery.

So, I wish to totally support this report, with the strongest words possible. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Johanna. Hon. Musyimi

Hon. Musyimi: Madam Speaker, I am happy to stand here to support this report which is well prepared by the committee of Environment, Energy, Land and natural resources. Madam Speaker, I support this report because it will help our people, our county will now develop better or in a better state than it is now.

Madam Speaker, this report was prepared targeting the population of above, 70,000 people in an area; if today the numbers could be taken again, some areas have either double of the number or more above. That is one way of showing the requirement we need like in Tala/Kangundo, the population is higher than the numbers which we taken during the census. So, what I can recommend now, I can say the sewerage in Tala is poorly made---

Hon. Muendo: Point of information.

Hon. Musyimi: With this idea of---

Hon. Muendo: Point of information.

Hon. Musyimi: No.

Hon. Speaker: Hold on, Hon. Mark Muendo, I am not allowing it; let the Hon. Member finish.

Hon. Musyimi: With this idea of municipal, our area will grow better and we need to separate the sewerage and the dams. Like the dam in Tala, where it is situated there is also the market place, where the cattle are taken for the market. So, my request to this Hon. House is to pass this motion or this report so that the implementation of it may start immediately. Thank you, Madam Speaker

Hon. Speaker: Thank you Hon. Musyimi. Hon. Matee.

Hon. (Ms.) Ndeti: Thank you, Madam Speaker. I stand to support this report for the creation of the municipalities or the charter. I also, congratulate the team that came up with this report; it is well articulated and personally, think it is very timely because places like Mavoko, always have a stage somewhere if you are in a matatu or car and you are by passing through Mavoko you start wondering what it is that is smelling. This is because there is poor management of both the solid and the liquid waste and once these funds are available, this should be taken care of.

I have also gone through the report and I think there will also be the responsibility of the Assembly in ensuring that they vet the board members who are going to run these municipalities as well as the senior staff within the secretariats.

What we need to do is to avoid anybody coming and taking advantage of this money as Mweshimiwa Mueni has said, putting their photos to show that they are the ones who came up with the projects.

What our responsibilities are is to ensure that we get very professional people to run this board so that money is properly utilized in this very selected wards. Thank you, Madam Speaker.

Hon. Speaker: Hon. Members, I call upon the mover of motion to reply.

Hon. Kisini: I want to stand and sincerely thank the Hon. House for the deliberation, for the advise they have given, I think, the mood shows that they are going to pass the report and I want to thank the same for that, let me also not hide behind the report and also say that I also belong to one of the municipalities that is Mavoko which is also one of the beneficiaries and also apologize to the Hon. Member of Kyeleni for not capturing it; was not deliberate, the same as kola, but since the wards belong to either Matungulu or Machakos we will see to it that we incorporate. I have no word its only to say thank you, Hon. Members.

Hon. Speaker: Thank you, Hon. Members.

(Question put and agreed to)

(Applause)

ADJOURNMENT

Hon. Speaker: Thank you, Hon. Members. At this juncture the sitting stands adjourned and it will continue on the 26th day June, 2018 at 2.30 p.m. Make no mistake 26th of June, 2018 is today. Thank you, Hon. Members.

The House rose at 12.20 p.m.