

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

**OFFICIAL REPORT**

**Tuesday, 28th March, 2023**

The House met at 10.14 a.m.

*[The Speaker (Hon. (Mrs.) Anne Kiusya) in the Chair]*

**PRAYERS**

**PAPERS LAID**

**AMENDED LIST OF WARD BURSARY COMMITTEE MEMBERS**

**Hon. Speaker:** May I call upon Hon. Nicholas Nzioka to lay down the Paper.

**Hon. Jackson Ndaka** (Tala, WDM-K): Hon. Speaker, I stand on behalf of the Majority Leader Nicholas Nzioka. Hon. Speaker, I beg to lay the following Paper on the Table of the Assembly today Tuesday, the 28<sup>th</sup> day of March, 2023; the amended list of Ward bursary Committee members.

**Hon. Speaker:** That amended list of Ward Bursary Committee members is committed to the Committee on Education and Social Welfare.

**REPORT ON FINANCIAL STATEMENTS OF THE COUNTY GOVERNMENT  
OF MACHAKOS (EXECUTIVE) FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2022**

**Hon. Speaker:** May I call upon Hon. Francis Kitaka to lay down the Paper?

**Hon. Francis Kitaka** (Ndalani, WDM-K): Hon. Speaker, I beg to lay the following Paper on the Table of the Assembly today Tuesday, the 28<sup>th</sup> day of March, 2023; Report of the Finance and Collection Committee on Financial Statements of the County Government of Machakos (Executive) for the year ended 30<sup>th</sup> June, 2022. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member.

*(The Papers were laid on the Table)*

**NOTICE OF MOTION**

**REPORT ON FINANCIAL STATEMENTS OF THE COUNTY GOVERNMENT  
OF MACHAKOS (EXECUTIVE) FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2022**

**Hon. Speaker:** May I call upon Hon. Francis Kitaka to give his notice.

**Hon. Francis Kitaka** (Ndalani, WDM-K):

Hon. Speaker, that aware that Article 185(3) of the Constitution of Kenya provides that a County Assembly while respecting the principles of separation of powers, may exercise oversight over the County Executive Committee and any other County Executive organ;

Aware that Standing Order 190(5) provides for the mandate of a sectoral committee to include among others studying, assessing and analyzing the relative success of the Departments as measured by results obtained as compared with the stated objectives and making reports and recommendations as often as possible including recommendation of proposed legislation;

Further aware that the Second Schedule of the Standing Orders mandates the Finance and Revenue Collection Committee to consider all matters relating to the management of County public finance and revenue collection and noting that the Department of Finance and Economic Planning submitted financial statements of the County Government of Machakos (Executive) for the year ended 30<sup>th</sup> June, 2022 pursuant to section 166 of the Public Finance Management Act, 2012;

Aware that the statements were committed to the Finance and Revenue Collection Committee for consideration and aware that the Committee has compiled a report; Hon. Speaker, I wish to give notice of Motion THAT this Hon. House discusses and approves the Report of Finance and Revenue Collection Committee on financial statements of the County Government of Machakos (Executive) for the year ended 30<sup>th</sup> June, 2022.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member.

### STATEMENT

BUSINESS FOR THE HOUSE FROM 28<sup>TH</sup> TO 29<sup>TH</sup> MARCH, 2023

**Hon. Speaker:** May I call upon Hon. Evelyn to come forward and make the statement.

**Hon. Evelyn Nzeki** (Kangundo East, MCCP): Hon. Speaker, the House Business Committee met on 27<sup>th</sup> March, 2023 to prioritize business for the House as forwarded by Committees and Hon. Members pursuant to the provisions of the Standing Order 151(6)(d) . The Committee balloted business as follows:

Tuesday, 28<sup>th</sup> March, 2023

*Morning at 10.00 a.m.*

- (a) Report on Status of Barabara Mashinani grading program by Hon. Muoki Musila, Chairperson, Transport, Roads Housing and Public Works Committee.
- (b) Statement on Status of implementation of the provision on creation of new municipalities and status of implementation of the existing municipalities by Hon. Jackson Ndaka. MCA Tala Ward.

*Afternoon at 2.30 p.m.*

- (a) Motion on Marking of boundaries of all Access Roads in the County by Hon. Peter Kilonzo, MCA Mbiuni Ward
- (b) Statement on Status of County Wage Bill by Hon. Vincent Mutie, MCA Upper Kaewa Ward.

Wednesday, 29<sup>th</sup> March, 2023

*Morning at 10.00 a.m.*

- (a) Report on Machakos County Executive Financial Statement for the year ending June, 2022 by Hon. Francis Kitaka, Chairperson, Finance and Revenue Collection Committee
- (b) Response on statement sought on implementation status of the Machakos County Emergency Fund by Hon. Dominic Maitha, MCA Muthwani Ward

*Afternoon at 2.30 p.m.*

- (a) Motion on upgrading of Kangundo-Mwala Road to bitumen standards by Hon. Dickson Maundu, MCA Kangundo Central Ward)
- (b) Statement on status of implementation of Locust Donor Funds and Kwakatusya Dam in Mbiuni Ward by Hon. Peter Kilonzo, MCA Mbiuni Ward.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Evelyn.

### STATEMENT SOUGHT

#### SMOOTH RUNNING AND OPERATIONS OF EXISTING MUNICIPALITIES

**Hon. Speaker:** May I call upon Hon. Jackson Ndaka to proceed and seek the Statement.

**Hon. Jackson Ndaka** (Tala, WDM-K): Thank you, Madam Speaker.

Hon. Speaker, pursuant to Section 9(1) of the Urban Areas and Cities 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 subsection 3 of the same Act;

The First Schedule of the Act provides for the services that should be provided by the municipalities;

In view of the above provision, Machakos, Tala/Kangundo and Mavoko were conferred into municipalities;

Hon. Speaker, pursuant to Standing Order 41, I wish to seek the following Statement;

1. There are more towns in Machakos County that meet the criteria of being conferred into municipalities as provided for Section 9(1)(3) of the Act. What is the status of the full implementation of this Section of the Act?
2. What is the status of the full implementation of the First Schedule of the Act which provides for the services that should be provided by the municipalities?

3. What are the plans in place to ensure smooth running and operations of the existing Municipalities?

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. That particular Statement is committed to Decentralized Units and County Administration Committee to report on or before 11th April, 2023.

### MOTION

#### APPROVAL OF REPORT ON STATUS OF BARABARA MASHINANI GRADING PROGRAM

**Hon. Speaker:** May I call upon Hon. Muoki Musila, the Chairperson, Transport, Roads and Public Works committee to proceed and move the motion.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker.

Hon. Speaker, that aware that the County Assembly's oversights 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 Transport, Roads and Public Works Committee is established under Second Schedule, Standing Order 190 and is mandated to deal with all matters related to County transport, including County roads;

Aware that the Transport, Roads and Public Works Committee received report on status of Barabara Mashinani grading program from the Department of Roads and Transport;

Further aware that the Committee conducted site visits to ascertain the status of the sampled graded roads as 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 Transport, Roads and Public Works Committee report on status of Barabara Mashinani grading program.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member, may you identify your seconder.

**Hon. Muoki Musila** (Ndithini, WDM-K): I would request Hon. Ngunga to second the motion.

**Hon. Speaker:** Hon. Ngunga, Proceed.

**Hon. Francis Ngunga** (Mua, MCCC) seconded.

**Hon. Speaker:** Thank you, Hon. Ngunga. I now invite Hon. Musila to highlight the report.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker.

#### *Committee Composition*

Hon. Speaker, the Transport, Roads and Public Works Committee currently has thirteen members as listed below:

1. Hon. Muoki Musila	Chairperson
2. Hon. Julius Munywoki	Vice-Chairperson
3. Hon. Nicholas Nzioka	Member
4. Hon. Judas Ndawa	“
5. Hon. Raphael Lucky	“
6. Hon. Dominic Ndambuki	“
7. Hon. Francis Ngunga	“
8. Hon. Paul Muli	“
9. Hon. Fredrick Muia	“
10. Hon. Aliphonce Mutinda	“
11. Hon. Charles Mbuva	“
12. Hon. Dee Kivuva	“
13. Hon. Anna Ndilo	“

#### *2.0 PREFACE*

Hon. Speaker, the Fourth Schedule, Part 2, Section 5 of the Constitution of Kenya, 2010 provides for the functions and powers of the County Governments, which include County roads, public road transport, traffic and parking, street lighting and ferries and harbors, excluding the regulations of international and national shipping and matters related thereto. Further, pursuant to second schedule of Machakos County Assembly Standing Orders the Transport, Roads and Public works Committee oversees execution of these functions. It is therefore the pleasure of this Committee to table before this House a report on the status of the sampled roads done under Barabara Mashinani grading program in the first and second quarter of the financial 2022/2023.

Hon. Speaker, the Committee on Transport, Roads and Public works in the spirit of oversight, noted some challenges in the ongoing grading program which was launched by the Governor. As a result of the cited challenges, the committee resolved to conduct site visits on various graded roads in order to ascertain their status with the aim of making meaningful recommendations that would make the exercise more efficient and effective. Further the Committee sought information on the program from the executive which was analyzed and included in this report.

From the submissions made by the Chief Officer, it is worth noting that so far, a total of 861.7 Kilometres had been graded in all the wards in the County. Hon. Speaker, the

Committee sampled several roads and conducted site visits on 1<sup>st</sup> November, 2022, 9<sup>th</sup> November, 2022, 14<sup>th</sup> December, 2022 and 15<sup>th</sup> December, 2022 in different sub-counties.

During the above mentioned site visits, the committee sought to establish the following among others:

- a) The scope of works done;
- b) Length of the section of the road done;
- c) Other proposed works for the road to serve residents better;
- d) The status of grader in that Sub-County;
- e) Challenges the department is facing in implementing the program.

Hon. Speaker, to establish the above, the committee inspected the following roads:

- a. Kathome-Crisco Road (Mua Ward)
- b. Kafoca-Inii River-Mutisya Driving-St. William-Kwa Senge (Machakos Central Ward)
- c. Keaa-Muindi Mbingu road (Mutituni Ward)
- d. Itunduimuni-Yathui-Yondoni river road (Wamunyu Ward)
- e. Kithimani-Kwa Koko-Furrow Road ( Kithimani Ward)
- f. Kwa Broker-Mamba (Kithimani Ward)
- g. Kwa Kaveke-Malikiti Road (Matuu Ward)
- h. Kisaani-Kamuthumba Road (Kivaa Ward)
- i. Miangeni-Makutano-Mbingoni Road (Kivaa Ward)
- j. Kitini-Mulifarm-Kivingoni-Kasuvilo-Maasini Road (Ndithini Ward)
- k. Kivingoni-Ndovoini-Junction Road (Ndithini Ward)
- l. Ndovoini-Maasini Road (Ndithini Ward)

**Hon. Speaker:** Mheshimiwa, I suggest from there you go to the challenges faced then come to recommendation then the conclusion.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker.

#### *CHALLENGES FACING THE GRADING PROGRAM*

Hon. Speaker, the Committee noted that the following challenges were hindering the smooth running of the grading program;

**Hon. Speaker:** *(Inaudible)*..... are we together? You can proceed.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker. Hon. Speaker, the Committee noted that the following challenges were hindering the smooth running of the grading program. The County graders experience periodic breakdowns and punctures leading to downtime and sometimes necessitate Hon. Members to use their own money to finance the repairs. These breakdowns are occasioned by the old graders.

**Hon. Francis Ngunga** (Mua, MCCP): Point of information, Madam Speaker.

**Hon. Speaker:** Yes, Mheshimiwa Ngunga.

**Hon. Francis Ngunga** (Mua, MCCP): Thank you, Madam Speaker. I think while I would like to oblige by your guidance, Madam Speaker I think as a member of that committee there is an element that I thought the members needed to hear and that is on 6.0 that is after we interacted with the Chief Officer. Maybe the House can get to know the submissions that came from the Chief Officer and that is 6.0 that follows immediately after what you have just directed to be read. That will be part of what we are going to read. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you. Then I would suggest that Mheshimiwa you proceed and you can highlight on the issue on the submissions from the Chief Officer on 6.0 of your report.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker.

#### *SUBMISSIONS FROM THE CHIEF OFFICER*

The Committee invited Chief Officer from the Department of Roads and Transport on 20th February, 2023 to respond to the issues raised by Members and the following were his submissions:

1. That Ksh. 9,253,544 had been spent in hiring of NYS graders in phase one of Barabara Mashinani program.
2. That grading had stopped for some time due to financial constraint. However, he stated that he had requisitioned for Ksh. 15 Million and expected to get Ksh. 5 Million within the course of that week hence road grading would resume.
3. The Department was committed in facilitating Sub-County Engineers, plant operators and other field staff. However, the main challenge was inadequate budget which was already exhausted and requested the committee to consider reviewing the department's budget during the budgeting period.
4. There was a Memorandum of Understanding between National Youth Service (NYS) and the County Government and the machines were being charged on hourly basis as per the set Government rates.
5. The department had hired five graders from NYS and the County had seven working graders making a total of 12 graders which were distributed in all the eight sub-counties. In addition, each sub-county had a sub county Engineer and road inspectors who supervised the exercise to ensure efficiency.
6. Management of the NYS graders to ensure value for money was well done paid by comparing hours done versus the distance graded and the fuel used.
7. The department had purchased own tanker to mitigate the issue of fuel supply, pick-ups to facilitate the officers and purchased new tyres to reduce regular punctures.
8. There were project management committees which were established in all wards through public participation, however such committee members were not paid any stipend hence there was need to have the contractors undertaking various projects facilitate them.
9. That a total of 861.7 Kilometers had been graded in all the wards in the County.

**Hon. Speaker:** Thank you. Proceed to the challenges and then recommendation and the conclusion.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker.

#### *CHALLENGES FACING THE GRADING PROGRAM*

Hon. Speaker, the Committee noted that the following challenges were hindering the smooth running of the grading program:

1. The County graders experience periodic breakdowns and punctures leading to downtime and sometimes necessitates Hon. Members to use their own money to finance the repairs. This breakdown is occasioned by the old graders.
2. Lack of facilitation for the operators and supervisors to get to site and subsistence allowance while in the field leading to overburdening of MCAs to cater for their accommodation and meals while working in their wards.
3. Lack of enough machinery such as graders, tippers and excavators to sufficiently undertake the grading program in all the wards.
4. Delayed fuel supply delaying grading for several days.
5. In most wards, only grading without gravelling was done. This makes the results short-lived as the roads are washed away during the rainy season.

#### *COMMITTEE RECOMMENDATIONS*

Hon. Speaker, to overcome the above outlined challenges, the committee made the following recommendations:

1. In the spirit of ensuring that the objects of devolution are achieved as stipulated under Article 174 of the Constitution of Kenya, 2010, there is need to make sure that there is equitable distribution of resources. This will be achieved by ensuring that grading of roads is done well and in all the wards of the County to evade situations where some residents have a notion of been marginalized.
2. Graders should be mobilized together with tippers, water bowsers and excavators so that grading, watering and murraming is done concurrently.
3. Sub-County engineers in charge should be facilitated to be able to cater for minor grader repairs. This will relieve Hon. Members the burden of having to use their money.
4. The County Government should foster good working relationship with other road maintenance agencies such as KeNHA, KURA and KeRRA. The County Government should also consider relinquishing some of the County major roads to these agencies in order to take advantage of the huge amount of roads maintenance funds allocated to them for the benefit of the County.
5. The committee recommends that the County Government considers adopting tendering method in order to complement the works done in-house by the County graders. This will enhance efficiency and also take advantage of the expertise the private sector is endowed with.
6. The County Government should consider creation of employment to the locals by involving them in undertaking the manual works such as clearing of bushes and manual shaping of the roads. This will motivate the citizens, create jobs and reduce poverty, diversify opportunities, foster a feeling of ownership of public projects. This will also serve to complement the few graders that the county government owned.



7. Road Surveying should be done with aim of clearly marking the road reserves in all the County roads before grading is done. This activity should include public participation in order to avoid conflicts which derail grading of roads.
8. Ensure enough budgetary allocation to cater for routine servicing, maintenance and fueling of the county roads maintenance machineries.
9. A better modality in the management of the machines' fuel kitty should be adopted to increase efficiency especially in ensuring prompt response when urgently needed. This will serve in enhancing accountability and transparency.
10. That for the grading of roads to last longer, the department of Roads, Transport should put more emphasizes on having proper drainage systems of storm water. Inappropriate draining of storm water erodes the murrum and eventually causes gullies which cut off the roads. The cost of repairing of such roads therefore escalates with time.
11. That proper designs and supervision of road works including construction of drifts, culverts, gabions should be undertaken for longer lasting of the projects.
12. That there was need to scale up the special roads program to cover all wards.

### CONCLUSION

Hon. Speaker, good infrastructure facilitates trade, economic development and improvement in the quality of life, especially in Kenya where roads carry over 80 per cent of passenger transport. Roads are one of the modes of transport of people and goods and are used to interconnect other modes as well as provide access to basic social services.

### ACKNOWLEDGMENT

Hon. Speaker, the Committee is grateful to your Office and that of the Clerk of the County Assembly for the continuous and relentless support throughout the entire process of compiling this report. Hon. Speaker, allow me to also thank the Committee Members for their dedication during site visits and committee sittings. Further the committee acknowledges the support given by the committee secretariat in compilation of the report. It is therefore my duty, on behalf of the Transport, Roads and Public Works Committee to table the report on the status of *Barabara Mashinani* grading program and recommend it to this Hon. House for consideration and adoption. Thank you.

**Hon. Speaker:** Thank you, Hon. Member.

*(Question proposed)*

I now invite Members to debate this motion. Mheshimiwa Minority Leader.

**Hon. Mbili Ndawa** (Matuu, MCCP): Thank you, Madam Speaker. I will start by congratulating the committee and our most able Chair, I am a member of this Committee and the report is what is on the ground; that is what we call *de jure*. I want to thank the department for the good work they are doing and say I was their last time and this time and we can see that there is a great improvement on the issue of grading.

Hon. Speaker, for the first time we have seen cycles been completed in sub counties; for examples in Masinga sub-county we have five wards and you will see that the grader has gone to

all the wards. However, there are some challenges, as we are doing these works, we also learn from the challenges and one which has been highlighted here; those who are managing the works on the ground - the sub county engineer and road works officer do not have imprest to address the small and minor repairs. An item like a puncture they do not have a single cent to repair such.

So, if the area MCA is not around at that time, the grader can remain there for three days because they have to report to the headquarters for arrangements to be made from there to the ground and maybe those who are supposed to repair that puncture have been sent to another sub county. At the end of the day, we lose a lot of time and you know Madam Speaker there are some wise men who say time is money. But according to me, time is not money- it is a spacious resource that each person has to take care of because once you waste time you will not be able to recover it. So, on this point I am requesting these people be given imprest and set aside funds to ensure that these things can be sorted on the ground.

The other recommendation is to pre-qualify experts in the respective sub counties so that if there is a small issue which can be handled. The person who has been prequalified can be called to address that problem.

The other issue; if the sub county is assigned to a certain ward, I expect the officer to be residing in that sub county. For example, the Yatta sub-county engineer, most of the times when you call, he is in Machakos. If you are assigned to work in Yatta, what are you doing in Machakos all the time? We expect them to be around so that they can advise. Even some of the works we are doing we are doing them without being guided properly.

Hon. Speaker, we are going to keep on grading until Jesus comes; unless we address the problem that makes us grade those roads. The issue of storm water, unless we remove water from our roads, every season we will be grading. When I was in school, my economics teacher told me that there are some needs that recur after satisfaction. You satisfy a need in the morning; the rains come and in the evening the road requires grading. Hon. Speaker, if we can set aside funds to ensure we have culverts in all the roads so that the water damaging our roads is directed somewhere we will be saving our energy, resources and our time too.

I do not know whether it is possible that when it comes to the issue of development, when we are distributing resources, we say let the wards decide what they want and if we will be given that opportunity. In Yatta sub-county for example, Matuu we will say we need a grader and my neighbor in Ndalani says they need a shovel, and in Kithimani says they need two tippers. These are equipment in one sub-county and you will find that when I am not using the grader, it can go to my colleagues and their equipment can come to Matuu ward. I am sure by so doing, we will ensure our roads are passable. Hon. Speaker, I want to thank the committee and support the report 100 per cent. Thank you.

*(Applause)*

**Hon. Speaker:** Thank you Hon. Member. Hon. Douglas, Hon. Katiti and Hon. Johana in that order.

**Hon. Douglas Musyoka** (Masii, MCCC): Thank you, Madam Speaker. I wish to commend the great job done by the committee on transport and public works under the able leadership of engineer Muoki. Madam Speaker, this report has captured exactly what is happening on the ground and by so doing I will commend the County Government for coming up

with such a noble agenda of doing our rural roads. Though the works done are commendable, I will raise some issues which we need the Executive to address.

For instance, being elected by the great people of Masii-Vyulya ward, once we have the equipment in my ward and let us say I do not have money with me, it is like no work is going to happen. I do not know what is expected of us and what will happen if these machines land in a ward, then the Hon. Member cannot pay for the upkeep of the operators. It has been a nightmare for us; we have to provide the operators with lunch, accommodation and sometimes even transport to and from. Madam Speaker, we need to check on that.

Secondly, as much as we are willing to assist our people through grading the roads, there is what we call value for money. A lot of resources are being invested in this *Barabara Mashinani* initiative but I ask myself; if I get a grader to do my road and there is no shovel for bush clearing, then I am only doing a three-metre-wide road. What will happen once the rains come? Clearly, it means that we are making the road purely for water to come and wash it away.

I recommend before we get the graders on the road, first we be provided with a shovel to assist in bush clearing. I have done some roads in my ward and Members, I can attest that if you do a road which than eight meters wide, you are just wasting your time. There is no enough space to allow the water to move out of the road. If we continue doing the same roads, rains come and it is washed away, next year I am still going back to the same road. So, instead of repeating, I recommend we invest more in surveying the roads which have been earmarked for grading then we be provided with shovel and that is possible if this House will allow the CECM on roads to add us more machines other than hiring.

The other issue, Madam Speaker, which I wish to raise is on fuel delay. I will give a specific example of Mwala Sub-County. We have machines within our wards but they are just parked; there is no enough fuel. We have a grader lying idle in Makutano/Mwala ward. When we got fuel, we were supplied fuel of less than two weeks and the program stagnated. We stayed for another two months; we get another two-week fuel. Through our chairman and to the CECM concerned, we need to set system which will ensure if a grading program has been initiated in a certain ward, we have enough supply of fuel and facilitation to the minor repairs of these machines and to the operators and all the team which is accompanying the machines.

Lastly and not least, I recommend if we want to do substantial work and get value for our money as a county government, Members, let us invest mostly in buying of our own equipment. If I may ask through the Chairman, how much has gone to NYS to date through hiring of that equipment. How much have we paid; are you aware Chairman?

**Hon. Francis Ngunga** (Mua, MCCP): Point of order Hon. Speaker.

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Point of information, Hon. Speaker.

**Hon. Francis Ngunga** (Mua, MCCP): Point of order, Hon. Speaker.

**Hon. Speaker:** Yes, Mheshimiwa Ngunga.

**Hon. Francis Ngunga** (Mua, MCCP): Madam Speaker, I stand to warn my brother although we come from the same side of the House, I think it is not right to interact with the Chairman directly assuming the chairman of the committee is not there. So, I am asking the

Member to address the House through the Chair of the sitting. Thank you.

**Hon. Speaker:** Hon. Member, restrict yourself to addressing the issues not the chairman.

**Hon. Douglas Musyoka** (Masii, MCCC): Thank you, Madam Speaker. What I am saying is that a nice grader and a nice machine, Madam Speaker, will cost between Ksh. 20 Million to 30 Million. I know this program at the end of the day will pay hundreds and hundreds of millions to NYS. In my own assumption, I would prefer if we buy machines for our own; new machines which have less problems so that this program can run continuously. Maybe to say if we may have equipment for each sub-county, that would be much far better. I support the report, Madam Speaker, and thank you for your time. Thank you.

**Hon. Speaker:** Thank you, Hon. Member. Thank you for those recommendations I think they are sound recommendations. I think the Committee could incorporate them to this report. Mheshimiwa Katiti proceed and make your contribution.

**Hon. Boniface Katiti** (Muthetheni, UDA): Thank you, Madam Speaker. So much has been said by Hon. Douglas I do not know whether we were thinking the same. Mine is just to recommend about the quality of equipment that are there in the ground. These major breakdowns are necessitated by the quality of the machines that are there. What I want to emphasize is that the number of shovels that are in the County, we only have two. For them to go round the 40 Wards and do bush clearing it will take almost a century to come to Muthetheni if need be.

So I want to request that the County Government may consider purchasing more shovels so that they may assist in clearing. The grader is almost coming to Muthetheni but the roads there are too narrow. For them to be graded at the width of nine meters shovel is needed and we only have two. I urge the County government to consider this and purchase more shovels.

The other thing is that we have heard so much about the budget that was there and the report that was given by Chief Officer about the Ksh. 9 million. What I want to emphasize is that the quality of the work should complement the amount to be spent. The grading that we did with graders alone there are no gabions, there are no weirs so the report that will come to this House immediately after the rains are over those roads majority of them will have been washed away.

So I recommend that we do quality job but that will be done first get the shovels for bush clearing then the graders, then we do the murraming and everything that is required in the roads. So, I compliment and I support the report from the chairman of Roads and Transport. Thank you.

**Hon. Speaker:** Hon. Johana then Hon. Mwonga, Hon. Evelyne and Hon. Francis Kitaka.

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCC): Thank you, Madam Speaker. Madam Speaker I stand to applaud the report by the Committee of Transport, Roads and Public Works. Madam Speaker, in the spirit of devolution, the Committee recommends equitable distribution of resources. Madam Speaker, on the same note, I would like to report that we have noted some sub-counties and even some Wards getting disadvantaged in terms of the distribution of such resources.

*(Applause)*

Madam Speaker, here I want to address the issue of the graders and also the operators assigned to the said graders. Madam Speaker, I would support the Committee by stating that it is important that for each cycle, we allocate equal fuel per Ward and ensure before we go into another cycle, all the fuel has been depleted by the Wards by allocating and re-allocating graders. We have seen some Wards with the worst graders in the County. When it is done per cycle when some Wards have not been done we re-allocate the graders to ensure that the works are done across the entire County.

Madam Speaker, I have also noted that the issue of the upkeep for operators has been said severally. I may not repeat but it is really a very thorny issue. We must allocate budget enough to make sure that we have facilitated the operators to enhance or have the works be done within the shortest time possible. We should also be able to assign or give targets to the same operators. Madam Speaker, I have worked elsewhere very serious environment where a driver is given targets in terms of even the maintenance cost, in terms of the work the person is able to deliver.

We have seen some operators who we cannot say really are the problem of graders; the way the machines are been handled by operators, I would recommend either they are re-trained or whoever is not really qualified for the works, we have a lot of people around who need also to be engaged so that we can change a few bring others who have the expertise to do the work so that we minimize on the downtime and make sure that the grading program is really a success.

We have seen many of our roads turning into rivers. Ordinarily, I would imagine the level of the road should be slightly above the level of the ground. Considering also the drainage works but you will realize in most of the cases all the roads are below the level of the ground. Therefore during the rainy season we have turned all the roads to become rivers.

I would also say that the department of Roads should also partner with the department of agriculture and make sure that our farmers are motivated so that we are able to dig trenches to drain the same water which runs across making those rivers and draining all the way to the Indian Ocean and it can be used and drained to our farms so that the farms continue getting green and also wet our crops as our roads also remain maintained. We will be able to maybe lengthen the time and the frequency of our grading of the same roads.

We may also need to, Madam Speaker, partner with the locals and also empower them by buying murrum from our locals so that we continue empowering them and also making sure we have enough murrum to main the roads. I want to echo the words of Minority Leader that the more we continue grading and the rains keep on sweeping away the roads, we will no longer be having roads and I repeat we are gradually turning our roads into rivers. We need to do more of murraming than grading. Thank you, Madam Speaker, for the opportunity. Thank you.

**Hon. Speaker:** Thank you, Hon. Member. Before Mheshimiwa Mwonga you contribute, I want to make some observations. I am sure we have made budgets; we have passed budgets for development for Transport and Roads. There should really be no reason as to why there is lack of facilitation of the operators and poor work being done. Members it is our duty as oversight body to make sure things are done in the right way. So other than just making recommendations here we need to oversight properly. Thank you. Mheshimiwa Mwonga proceed.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Madam Speaker, thank you for giving me this chance. What I wanted to say Madam Speaker much of it has been said. I want to

congratulate the Minority Leader Judas Ndawa. I want also to congratulate Hon. Member for Masii that is Douglas for articulating the issues which should be looked at. However, Madam Speaker, I will not lack something to say but not repeating what the other Members have said. Madam Speaker each and every Member who has spoken earlier has raised the issue of having very squeezed or narrow roads. How do we run away from this issue Madam Speaker?

I am suggesting that the Roads Department should work hand in hand with the County surveyors so that the County surveyors can go out and mark these roads according to the sizes. If it is a road of six meters, we have the surveyors putting beacons so that when we have these shovels for clearing of bushes along the roads the people or our community will not raise issues so that they know where they border with the roads. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Evelyne.

**Hon. Evelyn Nzeki** (Kangundo East, MCCP): Thank you, Madam Speaker. Let me start by applauding the Committee for the good work they have done. Indeed they have brought the good picture of what is happening and what has happened on the ground. A big thumb up goes to the department of roads for the good program despite the fact that it is being affected by so many challenges like lack of fuel, there is on and off of breakdown. It has made our roads to be passable during rainy season and during the dry seasons. So we cannot forget the good work they have done.

I only want to emphasize on the recommendation No. 2 whereby the graders should be mobilized together with tippers and majorly with water bowsers. This is because when the roads are being graded during the dry season there is this mayhem of dust that instead of solving one problem we end up creating another problem where people become sick and there is disruption of peace of people because they keep on complaining because of the dust.

So I am humbly urging during that program during the dry season, let the water be available so that the peace of the people may continue being in the Wards. Especially like I am talking of Kangundo where there is red soil. Surely there is too much dust when grading is being done during the dry season. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Member. Hon. Ndeti, Hon. Francis; sorry I have skipped you. You will be next after Hon. Ndeti.

**Hon. Helen Ndeti** (Nominated, WDM-K): Thank you, Hon. Speaker. I have listened to the contributions to this report which is very well-written. I wish to thank the Committee for burning the midnight oil to come and up with a good and well-written report. All in all I think I have seen something good in the report and what I have noticed is that the County is trying very hard to apply the 2010 Constitution and more so with regard to County Governments Act.

I think when a project is being done what is recommended in the Constitution is that the people in the ground should be informed and I have noticed that there are Committees that are already in the ground that are overseeing the---

**Hon. Francis Ngunga** (Mua, MCCP): Point of information.

**Hon. Speaker:** Hon. Ngunga, proceed with the point of information.

**Hon. Francis Ngunga** (Mua, MCCC): The Hon. Member who is on the floor is about to mislead this House; actually at the verge of misleading the House. I wanted to rise on a point of Order and say that the report indicates that there were Committees that were formed Madam Speaker. That were supposed to oversee this or they were supposed to be running this program.

I tell you the Ward that I run and where she comes from that never took place Madam Speaker. This is to say that I wanted to wake up and refute the fact that there is an existing Committee that was doing oversight this. Otherwise, maybe it was done behind my back, Madam Speaker. Thank you.

**Hon. Speaker:** Point noted.

**Hon. Helen Ndeti** (Nominated, WDM-K): Thank you, Madam Speaker. I am standing here to talk about what I have read in the report. That there are Committees on the ground that were supposed to oversee this unless I am not reading right. Is that not in the report in the recommendation?

**Hon. Mbili Ndawa** (Matuu, MCCC): Information, Madam Speaker, to clear on that issue.

**Hon. Speaker:** Yes Hon. Member proceed.

**Hon. Mbili Ndawa** (Matuu, MCCC): Thank you, Madam Speaker. It is just to inform the Member and the House that we do not have a universal Committee for doing oversight on those projects. We form a Committee at the place where the project is being undertaken. If in my Ward, we have three sub-locations and the road which is being done is in sub-location B, we will have a Project Management Committee that particular area. We do not have a universal Committee. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you for that clarification.

**Hon. Helen Ndeti** (Nominated, WDM-K): Thank you, Madam Speaker. I do not know maybe I am not awake today but I have read that in the report there are Committees on the ground. I do not know whether they are universal committees but what I know is that if I go and benchmark in Makueni County, you see that Governor Kivutha Kibwana really applied this Constitution 2010 by ensuring that there are Committees on the ground that oversee or supervise any construction or any work being done in that Ward.

What I would recommend is that in future, the contractors who are contracted to do those jobs let them be given some allowance where they can have some money so that they can pay those committees that are on the ground overseeing. When work is supervised by the people on the ground, you can be assured that the work comes out well done.

The other thing I would also want to take about is the grading and the hiring of the machines. If I remember very well, Machakos County in the leadership of His Excellency Governor Mutua we bought a lot of equipment. I am really disappointed to note that we are even

now going to hire equipment while we should be having our own equipment that is on the ground. If you compare this with other Counties who went and bought brand new equipment like Makueni, they never hire equipment. They have everything on the ground.

So maybe this is something we would recommend to our Governor and Machakos County to buy new good equipment that can last and that can even be leased to the national government and private people when the machines are not in use. Thank you.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Francis Kitaka, then Hon. Vincent, Hon. Kavyu and last; Hon. Ngunga you have spoken so many times. You have not contributed? Okay then you will be the last.

**Hon. Francis Kitaka** (Ndalani, WDM-K): Thank you, Madam Speaker. I would want first to commend the transport committee and the Members whom I understand some have a vast knowledge of roads including Hon. Ngunga. I would like to say that this is a clear picture of what is happening in our Wards. We have to look into matters on how we communicate on breakdowns from our Wards because that has been a very big challenge.

A grader happens to have a puncture and then you have to call Machakos when you are in Ndalani. I think that is something that needs to be addressed. We need to devolve these matters to the Ward level. Or even to the sub-county level so that at least we have clear contacts and areas and people who we can communicate to for this to be attended to.

The other thing is when we give those operators the chance and opportunities to work in our Wards they need to be motivated. You cannot have an operator going to Mbiuni or Ndalani and he has nothing. He has no per diem he has nothing to take care of his housing or accommodation. So these are matters that need to be clearly taken care of.

The other thing is looking at recommendation No. 6 which talks about creation of employment, we might be recommending that we have shovels and all that and before the shovel comes, Hon. Speaker in this House we passed a Motion concerning our people in the villages *kazi mtaani*. If my memory serves me right, it is this program that would even keep our people in the villages busy when such activities occur. Bush clearing can be for a week or maybe 10 days for a particular Ward so that those roads can be done and they can put something in their pockets. So we need to consider this so that at least we can have our people on the ground also supportive and feel included in the programs that we are doing.

Our County we have to come into collective responsibility. We have Agricultural Training Centers (ATCs) which are in our respective areas which if they were well-equipped and have proper machineries and also workshops, we should be using those resources to repair our graders while in their areas of work. I will suggest that going forward, let us have a proper facilitation, a proper management of our resources and machineries so that we can achieve what we require.

Importantly, we have a monster that we have to deal with. We have to deal with water away from our roads. If we do not do that we will pump millions of money in the roads and we will not achieve the much that we want. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. The order was Vincent, Mheshimiwa proceed.

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Thank you, Madam Speaker for giving me an opportunity to contribute. I want to acknowledge the work the Committee has done



even as we observe the omissions perhaps the Committee did not factor. I was thinking and I was looking at the recommendations and I was of the opinion that the committee having observed so many challenges in the exercise, they fell short of analyzing the sustainability of the initiative. Is it sustainable, and if it were to be sustained, what are the changes that were supposed to be undertaken for it to be sustained.

You realize that these are what we call all-whether roads so during the rainy season they are impassable so we grade them during the dry season;. So, during the dry season they are too dusty for the users; during the wet season they are too muddy for the users. You realize also that the roads that we graded the first cycle, chances are that they will still be repeated again in the second cycle. It puts a question on the sustainability of the program.

Perhaps that is something that I have seen that the committee never captured but it is part of their work to analyze and see the sustainability of the program so that we do not have the work repeating itself again, throwing money in and out but not having a permanent solution to the challenges to that effect. Of importance also to me is---

**Hon. Speaker:** Hon. Member, before you proceed do you have some recommendations on that, may be you can give.

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): The committee can invite me so that I can advise them.

**Hon. Speaker:** You do not want to share?

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Madam Speaker, so that we can give time for other members to contribute

**Hon. Speaker:** Alright.

**Hon. Vincent Mutie** (Upper Kaewa/Iveti, WDM-K): Of importance also there is something that captured my attention and that is part of the submissions by the Chief Officer which the committee again did not question. No. 8 of the submissions by the Chief Officer says that there were Projects Management Committees which were established in all wards through public participation; is it true? That is the first question we need the committee needed to interrogate. Why should the Chief Officer give false information to a committee of the House?

These Hon. Members, if they were true they would say there are no Project Management Committees in the ward level. Of importance again in that same statement, is where the Chief Officer says that these committees were established through public participation. Madam Speaker, if it was a private participation, then perhaps I cannot know but nothing happens in my Ward that I cannot know. If there was something like this to identify and to establish committees, it would not miss my attention.

He further says that the committees were not being paid any stipend hence there was need to have the contractors undertaking various projects to facilitate them.

**Hon. Speaker:** Members, maybe we could pause there and I think it is a question to the entire House. Are there committees or there are not because you are on the ground Members, are you not? There are no committees. Hon. Johana.

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCC): Thank you, Madam Speaker. I am also surprised because the same officer who is sitting in that same office was the same officer during the former regime and I can remember very well that during an execution of projects which were advertised during that regime, there was a proposal we have some Project Management Committees in place for those projects then, which are the same committees which were not paid.

I can remember I paid my committees and they were supposed to, they were formed for those projects then. So if the same Chief Officer is sitting to talk about committees, during this grading programme, then one wonders whether he is still really on---

**Hon. Speaker:** So there are no committees?

**Hon. Johana Munyao** (Mutituni/Ngelani, MCCC): There are no committees.

**Hon. Speaker:** There are no committees, let us proceed.

**Hon. Vincent Nzioka** (Upper Kaewa/Iveti, WDM-K): It is important for us to get the right information. Some of us, we love information and we like looking for information. Let the committee try to respond on that concern. When the Chief Officer indicates there were project committees, I think it is important for the committee to establish that really what we are talking about because the subject is Barabara Mashinani. So anything that is contained in this document covers the subject Barabara Mashinani.

Finally, Madam Speaker, is that the breakdown by the graders which are breaking down and the works that they are doing you realize that return on investment is important; the money that we put in the plant and the economic value which it returns.

Finally, also I would recommend to the committee to check Fourth Schedule of the Constitution which talks about County roads and tries defining what county roads are. Let the department come out with a clean network of our roads within the county so that we can know how much we are supposed to budget for ward A and how much are we supposed to budget for Ward B because the roads could be different. May be in my ward most of the roads are covered under the National Government agencies that is KeRRA and other agencies and may be in another person's ward there are few of such.

It would be quite important for the department and the committee should undertake that so that we can know when the law talks about county roads, which are these roads, can we identify them, can we know them and can we budget for them. I thank you.

*(Applause)*

**Hon. Francis Kavyu** (Kinanie, MCCC): Mheshimiwa Kavyu, proceed.

**Hon. Francis Kavyu** (Kinanie, MCCC): Thank you, Hon. Speaker. I would like to make a few contributions on the same report and the first issue that seems to be every Hon. Member is talking about is the issue of the size of our roads and for us to get it right, I would recommend a part from not just surveying the road to get the right size of the road, I would also request that the

department of roads undertakes to make sure that all our roads within our county are clearly classified because once the classification is properly done, that will open doors for other agencies that are involved like KURA, KeRRA because unless we have proper classification of our roads we will continue doing some of our road that would otherwise qualify to be undertaken by those agencies.

Also there is a lot of encroachment on our road reserves so even before we think of continuing with the program, who will recommend that the County Surveyor, because we have a residence surveyor in the department of roads---

**Hon. Dominic Maitha** (Muthwani, WDM-K): Point of Information.

**Hon. Speaker:** Proceed.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Madam Speaker, the Hon. Members who are speaking about road surveying, have been supplied with an Order Paper that details the business of this House. They are just acting in an anticipatory manner. There is motion that is supposed to discuss about surveying those roads. So, Madam Speaker, I don't think we need to labour so much on the same because there is already a motion on the Order Paper that will be presented by Hon. Peter for Mbiuni so we do not need to labour on that. Thank you Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Maitha. Proceed.

**Hon. Francis Kavyu** (Kinanie, MCCP): Thank you, Hon. Speaker. It is part of the recommendation that we were giving; it is not all about pre-empting what will be discussed because it is important. The other bit that I would like maybe we get clarity in future is on the cost analysis because we have been given a block figure of Ksh. 9 million as what was spent and I think in future when the committee is presenting the same, we would as a House to get a clear breakdown of what the Ksh. 9 million entails because going by the current market rate, grading across the entire county, Ksh. 9 million would be an understatement.

So in future we can get for better oversight, a breakdown what the Ksh. 9 million entails then from that point of information because numbers do not lie, then from there we can give better recommendation on how we can do cost cutting to ensure that we get value for every shilling that we are paying as a county.

Then lastly, I will request through the Speaker, although it does not touch on the county. In Kinanie, there is a road that was undergoing last year that is Devki-Kinanie to Leather City Road that was being done and may be through the committee they can get us the status of the same. It is National Government function but anything that affects our people and our business, the road was left half way done, there are schools along the road, the young people are suffering because of dust and recently when it rained, it was a big challenge.

Nobody could go out of Kinanie Market to Athi River because it was a dam; there is somewhere, where the road is blocked. There was a lot of water and that posed a real danger to the people of Kinanie. So may be with your permission and through the committee they can also help us to get the same on what is happening.

**Hon. Speaker:** What is the name of the road?

**Hon. Francis Kavyu** (Kinanie, MCCC): Devki-Kinanie-Leather City road that was being done by the National government. Thank you.

**Hon. Speaker:** Thank you. Mheshimiwa.

**Hon. Joseph Mulinge** (Muvuti/Kiima Kimwe, MCCC): Thank you, Madam Speaker. I would like to applaud Her Excellency the Governor for coming with this good initiative, Barabara Mashinani. This initiative is a way of aligning our County to Vision 2030. The essence of Barabara Mashinani is to have a reliable and efficient transport service within our ward and that is one way of spurring socio-economic activities in our ward because of interconnectivity from one sub-location to the other sub-location, taking your goods from the farm to the market.

Madam Speaker is being good as it is, it can fail because of lack of planning. I have passed through the report and I have seen that if the department is not going to have proper planning, the County Government of Machakos might be losing money to the NYS. I have checked the amount of money that has been paid to National Youth Service paid depending on the distance that has been done or the number of kilometers that has been done but they have not considered the width of the road.

Most of the areas like in my ward, most of the roads that were graded were four to six kilometers and by the end of the day they will say they have graded 30 kilometers road from my area when it is four kilometers and you know we have a standard measure of road which is supposed to be done. Secondly---

**Hon. Eng. Vincent Nzioka** (Upper Kaewa/Iveti, WDM-K): Point of information.

**Hon. Speaker:** Proceed.

**Hon. Eng. Vincent Nzioka** (Upper Kaewa/Iveti, WDM-K): Madam Speaker, I want to draw the Hon. Member to the response by the Chief Officer No. 6. It says that the management of the NYS grader is to ensure value for money was well done by comparing hours done versus the distance graded and the fuel used. Now when he talks about the width, does width not become part of the distance? When he talks about the width, is the fuel consumed during grading the width, not part of the cost? I think also when he talks about the hours, if you spent 10 hours running ten kilometers in a line and you spent 10 hours running 10 kilometers in zig-zag manner, it is still 10hours.

So the Member needs to be informed that when it comes to paying for plant, it is output per hour. That is a standard measure of works.

**Hon. Speaker:** Hon. Member, well-guided.

**Hon. Joseph Mulinge** (Muvuti/Kiima Kimwe, MCCC): Thank you, but I was, my argument was based on what is happening in my ward. I was supervising what was happening and what the grader, I was writing what was done in my ward and in fact, I was telling him, before you write you have done 10 kilometers road you must indicate the distance and they were not indicating.

**Hon. Speaker:** The point is understood.

**Hon. Joseph Mulinge** (Muvuti/Kiima Kimwe, MCCP): The reason I am talking about planning because distance of what has been done is again informed by size. You might do 50 kilometers road but four meters and that is equivalent to 10 meters road.

Secondly, if there was proper planning, when you are grading during the dry season those roads need to be watered. How do you expect us to go to the market when we are reaching to the market we are dirty?

*(Laughter)*

Thirdly, the essence of Barabara Mashinani is to link from one point to another point. You will grade a road for instance from Mwanyani to Ikulu and in between Mwanyani there is a small river passing; if you are not going to erect a culvert, is that road going to passable? That is why I am saying, the program is good but needs proper planning. Thank you.

*(Applause)*

**Hon. Speaker:** Thank you very much, Hon. Member. Hon. Ngunga, in seconds.

**Hon. Francis Ngunga** (Mua, MCCP): Thank you, Madam Speaker. I would be brief Madam Speaker, and I think I will start by thanking the committee that I sit for the good work and Madam Speaker, before I proceed I want to thank you for this sitting. Remember we started this sitting timely on exactly 10.00 a.m. as it is indicated in our Order Paper. Madam Speaker, I must thank you for this and I hope this will continue. This is actually commendable; look at how Members are energetic because we say *mapema* is best so the earlier we start the better it is and you can see we have energy for the afternoon. So, I have to thank you Madam Speaker hope you are going to keep up and also want to applaud Members for keeping time this morning.

Madam Speaker, our work is oversight, representation and legislation. Legislation can be done---

*(Loud consultations)*

Madam Speaker, I wish you could protect me because what I am about to say is---

**Hon. Speaker:** On what order?

**Hon. Helen Ndeti** (Nominated, WDM-K): Point of information.

**Hon. Speaker:** Yes.

**Hon. Helen Ndeti** (Nominated, WDM-P): Is the Hon. Member in order to tell the Speaker to keep up on time; there is something he said you know.

*(Laughter)*

**Hon. Speaker:** Okay. I may not have picked it but do not dwell on it.

**Hon. Francis Ngunga** (Mua, MCCC): Thank you. Important things would be replied but sidershows would be left to be sidershows. So, Madam Speaker, I would say our role will be representation, oversight and legislation. We can do legislation here Madam Speaker, representation we can do in the villages but there is one important thing and that is what Members have been talking about here which is oversight. Madam Speaker, if you look at the roads that are before us and of course the challenges that Members have been talking about throughout this morning, it is about the challenges that befell us while we undertake our work as oversight officers or state officers.

In this connection, Madam Speaker, I think we will need to sit down as a House and think very broadly about how we are going to address this issue of oversight because it is going to recur in our committee; the challenges that we have of Members moving out and doing oversight on projects that are being undertaken by the County Government, departments are there may be water, we will have the municipalities and all these.

Madam Speaker, it is the high time this House thought about an oversight fund that is going to help Members to see how they run these issues because Madam Speaker, it is really a challenge. Look at the vast wards like the one I represent Mua; you will have a road that is being done all the way at Kyaani which is about 30 kilometers from headquarters where office is and for me to be able to move personnel from that office to Kyaani, definitely Madam Speaker you will need some finances and those finances have not been accorded.

While we are taking a project like road grading.....of course you know the department will be using equipment, and the equipment there is nothing else extra. SO for us to be able to undertake our job effectively we need to think about some Oversight Fund so that Members do not feel overburdened by having to dig into their pockets to go and oversight a County Government project.

The other thing, Madam Speaker, I think we need to work out between the office of the MCA and that of the particular department; this way I will not be talking about the department of roads only but any other department so that Madam Speaker, should there be a project being undertaken in our wards the office of the MCA is duly-informed for us to be able to undertake the oversight role.

*(Applause)*

Sometimes, Madam Speaker, we have been in situations where the County Government is undertaking projects in our wards and we are not even aware; you just hear that probably there is a project that is being done in one direction of your ward and you have not been informed yet you are expected to oversight that project. So, Madam Speaker, we need to link up with the County Government so that we ensure every other time there is a project being carried out in a ward, the office of the MCA is informed duly so that the MCA because the role of oversight will only be taken seriously if the MCA is involved.

Coming back to the area where we talked about Project Management Committees that are there, I think again, I have something to pick with the way we are doing because we must also

oversight ourselves, Madam Speaker. I am proposing that when these reports are being compiled by our desk clerks, Madam Speaker, these reports must first of all go to the committee so that the committee goes through the report so that we do not embarrass ourselves in the House here.

I find sometimes I contradict my Chairman who I respect very much, having to tell him, Mr. Chairman there are these committees...yet I sit in that committee. Reason being, Madam Speaker, that report was not brought before me to look at it so that as we present it to the House it is a report that is owned by the committee. Madam Speaker, we must we must also oversight ourselves. I am proposing a situation where before this report finds itself---

*(Applause)*

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Point of information, Madam Speaker.

**Hon. Francis Ngunga** (Mua, MCCP): Madam Speaker, please give me protection for this one. I am proposing that before the report gets itself to the House, all Members must be versed to it, we own it so that here we become defenders of the committee. I would not want a situation where I am fighting the committee. It does not look like I was part of the committee yet I was. I went to all the site visits, Madam Speaker, but when it came to the interactions that we had with the Chief Officer, I would be saying that I actually tasked him because most of the things we are saying are not factual. He was saying that he has this committee and we tell him, Madam Speaker.

Madam Speaker, to wind up, I would be saying that the public is very important and the public must be involved in what we are doing. So if we are going to have this public participation, it is the office of the MCA which should be raising this committee. You cannot take a grader there and then form the same committee to oversight you. The office of the MCA should be the one to raise that committee to oversight or to ensure that what is taking place on the ground has been done oversight.

*(Applause)*

So, Madam Speaker, that would be my correction last and not least.

**Hon. Speaker:** Recommendations?

**Hon. Francis Ngunga** (Mua, MCCP): I have already recommended that we set a fund, public participation committees, Madam Speaker, and that reports go to the committees to be owned by the Members of the committee before they come here.

**Hon. Speaker:** Is it here in this report?

**Hon. Francis Ngunga** (Mua, MCCP): No, those are my recommendations nobody else.

**Hon. Speaker:** And you are also part of that committee and I am correcting myself Madam Speaker.

(Laughter)

**Hon. Speaker:** Interesting.

**Hon. Francis Ngunga** (Mua, MCCC): In conclusion, Madam Speaker, I want to take this opportunity to thank the people of Machakos at large for how they conducted themselves yesterday. You know yesterday it was *maandamano* day but I want to thank our people across the County for conducting themselves diligently and in a civilized manner so that we did not have demonstrations, wanton wastage of property and I want to urge them to carry on that way. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. May I have Hon. Deputy Speaker and Hon. Maitha winding up?

**Hon. Stephen Mwanthi** (Ekalakala, WDM-K): Thank you, Madam Speaker, and I will start by thanking the committee on roads for bringing this report. I think it is one of the best reports. Madam Speaker, you will realize that it is a report that is based on development. What has been done so far. I will also like to thank the department on roads; If Madam Speaker, I may say this is the department so far that has shown the ability to spend money on development projects and if I may say if Hon. Speaker, it is this department that is holding Hon. Members on the ground because of the work that has been done by this program of *Barabara Mashinani* so what I believe Madam Speaker, my submission will be yes, there are some challenges in this same program but I can say it is sustainable you can see they have done 861 kilometers so far of grading and sometimes it helps.

Yes it is always...even if we tarmac all these roads we will still do maintenance on those roads so grading program as at now depending on the status of our roads is important. The program is sustainable, it only needs some fine tuning whereby we need to deal with the issue of fuel. Sometimes it is true that the graders are spending a lot of time without grading because of that issue of fuel and if that could be addressed and I would challenge this House if we could come up with a good program and analyze because this is the time of budgeting process, analyze and make sure we know how much money we are supposed to allocate per ward and make sure we exhaust the funds in that program Madam Speaker that would make a lot of sense and I know our roads would be passable all over the county and our people would be able to access many of the roads.

There is also the issue of lack of facilitation of plant operators. It has also been a serious issue. As the Executive plans for the fuel, it is also prudent that they also plan for the facilitation of those officers; the plant operators sometimes live a bad life when doing the beautiful work that they do to our county. So my submission will be Madam Speaker, let us continue with the exercise and try to improve the same.

Now it is rainy season so we should be preparing ourselves on where and how to have enough fuel for that same program. I will also support the idea of the expansion of the roads. Some roads are too narrow and members of public sometimes will not allow the graders to move around or to break their fences so that we may have expansive roads as required and that is where and how we can have our roads graded and put well so that they may go for some seasons without being damaged away by rains.



Madam Speaker, on the issue of ward committees, I believe the *Barabara Mashinani* was just like an RRI project that is being carried out by Executive and the MCAs and yes it is true there were no committees that were formed it is the Hon. Members with the Executive that have been identifying the worst roads so that we may have them passable as we proceed. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Maitha.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Thank you, Madam Speaker. I wish to commend---

**Hon. Speaker:** 10 seconds.

**Hon. Dominic Maitha** (Muthwani, WDM-K): They are over, Madam Speaker.

**Hon. Speaker:** Okay; already?

**Hon. Dominic Maitha** (Muthwani, WDM-K): But the sitting ends at 12.30 p.m. So I wish because this was a sitting that was balloted to be discussed; it is touching our hearts. Madam Speaker, I want to applaud the committee for the good work they have done but Madam Speaker, the essence of meeting the expectations of the recommendations of the committee starts with the budgeting process. We did sit down Madam Speaker, and gave out budgets as Hon. Members cognizant of the fact that delivery of services in those various departments will be guided by those budgets.

So Madam Speaker, I am imploring to Hon. Members unlike what the Hon. Deputy Speaker has said. At the moment when we will be finalizing on our budgeting process, the issue of fuel, Madam Speaker, is a thorn in the flesh. It is very disappointing when a grader has landed in your ward within three hours the only call you can receive is that fuel is finished and it takes a month or weeks before that grader is supplied with fuel. So I want to implore to the Hon. Members that at the time we will be doing the final budget and especially in the roads department, we will better allocate a big chunk of money in the department of fueling so we can sort this problem Madam Speaker, once and for all.

As we speak today, Madam Speaker, I am still meditating on the issue of hiring graders. Is it sustainable? If it is sustainable how do we mitigate the challenges that we are facing. I want to give a practical example, Madam Speaker. As the department of roads was hiring graders to do roads, the department of water also got bulldozers to do dams in our wards. As we speak today Madam Speaker, there is a bulldozer that has been lying idle in my ward at a place called Ivuvuani since last year October in the same dam just for a simple reason the department has not paid NYS and to date that bulldozer is charged on a daily basis until at that point in time when the department shall pay NYS.

These are the hard questions Madam Speaker, we are asking ourselves; if that was a County grader that is properly serviced we would not be paying NYS but until that point in time when that machine shall be paid that is when it is going to be withdrawn from the ward. Madam Speaker, what we are saying is we got machines that are lacking simple maintenance. If we maintain our machines well Madam Speaker, we can avoid these issues of hiring machines Madam Speaker.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Point of information.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Protect me, Madam Speaker.

**Hon. Speaker:** Proceed with your point of information.

**Hon. Joshua Mwonga** (Masinga Central, WDM-K): Madam Speaker, I want to inform Hon. Dominic Maitha for Muthwani that machines like the bulldozer and the graders are not hired on daily basis but on working hours. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Member.

**Hon. Dominic Maitha** (Muthwani, WDM-K): I am informed but I wish to tell the Hon. Member that as far as that machine is in good state and it is within the ward or the jurisdiction of Machakos County, unless it has been returned back to the supplier, that machine is still being charged and I am speaking this with evidence, Madam Speaker. All the same we should not labor on such---

**Hon. Speaker:** That is what I wanted to tell you. Proceed with your point.

**Hon. Dominic Maitha** (Muthwani, WDM-K): That the County will be paying for these machines. If we can use that money to manage properly the existing machinery that we have, Madam Speaker, I think we can do a commendable job and that is where I am anchoring to.

Secondly, Madam Speaker, the issue of those handling the machines needs to be revisited. The operators who are dealing with these machines some of them Madam Speaker, are very ruthless. They do not care to take charge of that so I need to put a recommendation that the CECM and Chief Officer and the department concerned in that department should ensure that every operator takes full responsibility of their equipment. In fact, including siphoning fuel from those machines has become a major order of the day. You get 100 or 200 liters of fuel and within a day that fuel is already exhausted. Reason being they have already siphoned that fuel. These are some of the issues, Madam Speaker---

**Hon. Speaker:** Do you have evidence that fuel is being siphoned?

**Hon. Dominic Maitha** (Muthwani, WDM-K): Madam Speaker, the complaints are on the ground. We have our people on the ground who tell us those machines are being fuel siphoned. It is a fact that these people are siphoning fuel we need to ensure accountability because Madam Speaker, if grading one kilometer Madam Speaker---

**Hon. Speaker:** Point of information.

**Hon. Helen Ndeti** (Nominated, WDM-K): Madam Speaker, this is a House of honour and we cannot just rely on rumors. Give us facts.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Madam Speaker, if that Member was a ward representative like myself, having people giving you facts on the ground, should know the pain that I am talking of. Madam Speaker, I cannot stand before this Hon. House to give information---

**Hon. Winfred Mutua** (Nominated, WDM-K): Point of order.

**Hon. Speaker:** I think Mheshimiwa do not attack anybody; just make your submissions.

**Hon. Winfred Mutua** (Nominated, WDM-K): Thank you.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Madam Speaker, I am not giving information---

**Hon. Speaker:** All Members are equal in this House and they are Members of the County Assembly of Machakos.

**Hon. Dominic Maitha** (Muthwani, WDM-K): Madam Speaker, I am not attacking any Member. I am saying we get these.....for example the issue of the ward committees, the elected Members have confirmed those ward committees are not in existence because they get information. I am not attacking anyone; I am saying we get this information from people on the ground and what we are saying is recommendation.

**Hon. Winfred Mutua** (Nominated, WDM-K): Point of correction.

**Hon. Speaker:** Point of information.

**Hon. Winfred Mutua** (Nominated, WDM-K): This is a point of correction. I think the Hon. Member from Muthwani is not in order because he has just risen to attack other Hon. Members. We are all Hon. Members given mandate by---

**Hon. Speaker:** I have ruled on that matter.

**Hon. Dominic Maitha** (Muthwani, WDM-K): I would not wish to engage on such.

**Hon. Speaker:** Do not engage on.

*(Loud consultations)*

**Hon. Dominic Maitha** (Muthwani, WDM-K): What I am saying is this Madam Speaker. I am talking on accountability matters. If grading one kilometer is spending 10 liters of fuel, the officers on the ground ought to be held accountable that if you have been given 100 liters and grading one kilometer is 10 liters then you have to give accountability of the same. That is what I am talking about so that we can get value for money on what we are spending.

*(Loud consultations)*

To finalize, Madam Speaker, the Hon. Members can heckle but that is the fact on the ground. I want to finalize by saying this Madam Speaker. The department of roads needs to be properly funded. Madam Speaker, we need to check into the manner in the other departments of this County are utilizing the funds that they have been allocated. At the end of this financial year, the departments that will find that they have not utilized their funds as per the allocations in a prudent manner all that money needs to be moved from those departments and given to the department of roads that is delivering the results.

I can presume that this is guided because the CECM roads has been a Member of this Assembly (??). He understands the impact of roads in the wards and from where we come from. So I implore the Hon. Members that as we will be deliberating and giving reports from various departments, any department that is found that it has not properly spend the allocations that were given, all those monies should be re-designated to the department of roads or any other department that is giving us value for money through projects on the ground.

Otherwise I respect the committee recommendations and upheld can move those county to the next level. Thank you, Madam, Speaker.

**Hon. Speaker:** Thank you, Hon. Member. I would like also to make my own observations maybe I wish to say something concerning this report and especially on the issue of the machines used. I do not know whether I did see it but it is like I am not seeing provisions of a machine called rollers which are machines that after grading they press on the road to compact the soil so that it is loose and there is no dust during the rainy season it compacts and it is not able to.....so I think I will also make my own recommendation that we request to have those rollers. Thank you, Members. May I call upon the mover of the motion to proceed.

**Hon. Muoki Musila** (Ndithini, WDM-K): Thank you, Madam Speaker. I would like to thank all the contributing Members and those who have gotten engaged in it in supporting of the report and what we did in the roads department. I would also want to say one or two things. One I do not know if I start by defining the use of a shovel; a shovel is not used to clear bushes. Clearing of bushes is done by human beings with *pangas* and the like. Shovels are for loading soil into a tipper if you wanted to transport the soil.

Secondly, that after clearing of the bushes, we need bulldozers which clear much of the top soil but then when we asked the Executive, they told us that they only have two bulldozers in the County and they are both grounded and that is when now we come in and ask ourselves how can this House help to get more equipment in regard to bulldozers, shovels, excavators and the like for various types of constructions works.

Zeroing in on what we are talking about here; what we are talking about is that massive kind of construction of roads but we are talking about grading of roads in the RRI projects. You do remember this is a brain child project or scheme if I may call it by the Governor that was going to look at the roads first of all we make passable and what we are geared to doing is to grading and that is why you find in most of the places there were no murrum it was only grading.

In this program there was very little ....of box culverts, bridges, clearing of the roads and the like. Those are coming in a different project and I do know and everyone does here that there are projects that are coming in every ward of road construction and it is in those projects that you see the murraming being done, the culverts being done, the bridges being done and the likes and that is why Madam Speaker, also I would talk about the roller. The rollers will come together

with the tippers, bowsers because you need to do grading, murrum, water bowsers and then compacting and that is when you get the road.

So what I would say is that let us limit ourselves to our report which was talking about the Barabara Mashinani which was only grading. The other types of construction will come in. Then there was another question. One of the Hon. Members talked about classification of roads. Please make a personal visit to the department of roads there and you will see the classification of roads in your ward so that you will know which one is a county road, which is under KeRRA, KeNHA, KURA and the like so that when we are talking about the roads we are trying to grade will be from a well-informed position.

Again when it comes to grading of the roads like where I come from, Ndithini ward we did not mind which kind or which road it is whether KURA, County or whichever because if a road in your ward is bad why don't you recommend it for rehabilitation irrespective of who owns or how it has been classified. That way we will be going a little further. To conclude I will say thank you Members for seeing it possible, well and reading through our report and finding it worth support and according to the recommendations you have made in the next report we will be giving even a better way of looking at these roads. Thank you.

**Hon. Speaker:** Thank you, Hon. Member.

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Speaker:** The House adjourns to Tuesday, 28th March, 2023 at 2.30 p.m.

The House rose at 12.09 p.m.