

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 6th June, 2023

The House met at 2.44 p.m.

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

PRAYERS

PAPER LAID

QUARTERLY DEPARTMENTAL REPORT FOR THE
DEPARTMENT OF AGRICULTURE, FOOD SECURITY
AND CO-OPERATIVE DEVELOPMENT FOR 2022/23

Hon. Speaker: May I invite Hon. Nicholas Nzioka to lay down the Paper.

Hon. Jackson Ndaka (Tala, WDM-K): Hon. Speaker, I wish to lay the following Papers on the Table of the Assembly today, Tuesday, 6th June, 2023; the second and Third quarter departmental reports for the department of Agriculture, Food Security and Co-operative development for FY 2022/23.

(The Papers was laid on the Table)

Hon. Speaker: Thank you, Hon. Member. The Paper is hereby committed to the agriculture committee.

NOTICE OF MOTION

IDENTIFICATION, SURVEY AND SECURING
ALL PUBLIC LAND WITHIN THE COUNTY

Hon. Speaker: May I call upon Hon. Judas Ndawa to proceed and give the notice of Motion.

Hon. Everlyn Nzeki (Kangundo East, MCCP): Thank you, Madam Speaker. I am standing in for Hon. Judas Ndawa, Minority Leader.

Hon. Speaker, that aware that the Fourth Schedule of the Constitution of Kenya provides for Land surveying, mapping and boundaries, and fencing as a function of the County Government;

Aware that land is a valuable resource and actions involving land use have always caused a great deal of concern, sparked curiosity and stirred up feelings;

Informed that the County Government of Machakos inherited assets from the defunct Council in which land was one of the key assets and that the County Assets and Liabilities Committee through its report in 2018 recommended securing of all public land in the County;

Further aware that after devolution, the County Government of Machakos inherited lands across the County for purposes of establishing public utilities and construction of Government offices;

Cognizant that H.E the Governor of Machakos through her speech dated 27th September, 2022 vowed to secure all public land in the County and ensure that any grabbed land and property reverts back to the County;

Further aware that as per the report of Chief Officer, Lands Department during interrogation of ADP in May, 2023 stated that public land security across the County has never been implemented since onset of devolution following budgetary constraints and that this failure has led to encroachment of land reserved for public utilities such as schools, dams, markets, playing grounds among others;

Aware that Inina cattle dip in Matuu Ward and other parcels of land reserved for a vocational college in Kithimani Ward has been grabbed by influential persons from the area resulting to denying residents of the said area essential services related to the planned land use;

Noting that this action has stirred up reaction by the residents of the affected Wards and that the County Government has so far not taken any steps to address this upcoming land vice;

Hon. Speaker, I wish to give notice THAT this House resolves that the Department of Lands and Physical Planning identifies, surveys and secures all public land within the County;

That the Assembly allocates enough funds to undertake the identification, survey works and fencing in the next financial year.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

MOTION

APPROVAL OF REPORT ON CONSIDERATION OF THE ANNUAL DEVELOPMENT PLAN 2023/2024

Hon. Speaker: May I invite Hon. Jeremiah Kaloi, Chairperson, Trade, Economic Planning and Industrialization Committee to come over and move that motion.

(Hon. Irene Mulu stepped to the dispatch box to give the Notice of Motion)

Hon. Irene Mulu (Nominated, WDM-K):

Hon. Speaker, that aware that the Annual Development Plan is an annual budget document that operationalizes the County Integrated Development Plan by providing projections and clarity on the development path that the County wishes to undertake to achieve the set objectives and priorities;

Aware that Section 126(1) of the Public Finance Management Act, 2012 provides that each County Government shall prepare a development plan in accordance with Article 220(2) of the Constitution whereas Section 126(3) of the same Act states that the County Executive Committee Member responsible for planning shall submit the development plan to the County Assembly by for approval as well as send a copy to the Commission on Revenue Allocation and the National Treasury;

Aware that on 7th March, 2023 the Annual Development Plan for the Financial Year 2023/2024 was tabled in this Assembly and committed to the Sectoral Committees for review in line with their respective mandate and reporting to the Trade, Economic Planning and Industrialization Committee;

Acknowledging that the Assembly through the Trade, Economic Planning and Industrialization Committee undertook public hearing across the 40 wards between Wednesday, 19th and Thursday, 20th April, 2023 in line with Article 196(1) (b) of the Constitution of Kenya 2010;

Hon. Speaker, I wish to move the motion THAT this House discusses and approves the Report of Trade, Economic Planning and Industrialization Committee on consideration of the Annual Development Plan for the Financial Year 2023/2024.

Thank you, Madam Speaker. I would like to call upon Hon. Kaloi to second.

Hon. Jeremiah Kaloi (Athi River, WDM-K) seconded.

Hon. Speaker: Thank you, Hon. Member. Thank you, Hon. Kaloi, for seconding.

(Question proposed)

I wish now to invite Members to debate this motion and before I do that I will request that Hon. Irene to take us through the highlights of the report and because I know the report has been with us for some time I suggest that we go to the observations and perhaps the recommendations. Proceed, Hon. Irene.

Hon. Irene Mulu (Nominated, WDM-K): Thank you, Madam Speaker. I would request if I could take Members through the committee recommendations.

Hon. Speaker: That is in order; proceed and do that.

Hon. Irene Mulu (Nominated, WDM-K): Thank you, Madam Speaker. Having considered the submitted Annual Development Plan 2023/24, the Committee recommends follows:

a) Cross cutting Recommendations

- i. That not later than 14 days after adoption of this report, the Finance, Economic Planning and Revenue Management department in consultation with all other sectors

- shall make all the amendments contained in this document and submit a revised copy of the Annual Development Plan 2023/2024 to the County Assembly for verification.
- ii. That all sectors indicate the list and specific location of the projects to be undertaken within the first fiscal year.
 - iii. That in addition to the sector specific recommendations as contained under sector interrogation report, the list of projects contained in the submitted ADP and the list of projects annexed to this report be costed and included as priority areas for the County Government in the ADP 2023/24.
 - iv. That the public views annexed to this report be harmonized with those in the submitted ADP.
 - v. That all sectors under the guidance of Finance, Economic Planning and Revenue Management department reconcile the costs and targets for various intended outputs in the ADP.
 - vi. That the list of developed priorities being undertaken in the FY 2023/24 as contained in the ADP document be reconciled with the list of projects contained in approved supplementary Estimates for the FY 2022/23.
 - vii. That all the budget summaries for all sectors be provided in line with Section 126(1)(g) of the Public Finance Management Act, 2012.
 - viii. That the Department of Finance, Economic Planning and Revenue Management ensure equitable distribution of resources in all 40 wards during harmonization of the projects and programs in the Annual Development Plan 2023/24 and that the priority be given to ongoing projects and programmes in the fifth ADP to ensure meaningful output.

b) Amendments and Specific Interventions

i. Trade and External Relations and Industry and Innovation Sector

That the list of projects, programmes and priorities for the Trade and External Relations, the Industry and Innovation Sectors be included in the Annual Development Plan and the same be implemented as contained in the submitted addendum by the Department of Economic planning and as annexed in this report.

That the Industrial parks project be re-scheduled from year three as proposed in the CIDP to year one with allocation of Ksh. 250 million so as to benefit an equal amount of Ksh. 250 million grant extended by the National Government.

ii. Education and Social Services Committee

That the allocation for construction of a model VTC Center in Machakos Town Sub County be increased from Ksh. 1.5 million to Ksh. 250 million. The proposed programme will serve as a center of excellence and will offer automotive engineering, building and construction technology, civil engineering and domestic textile courses.

iii. Decentralized Units and County Administration Committee

That the programmes under urban planning be amendment to provide as follows:
Members you can go through the report as it is.

Hon. Speaker, in conclusion and pursuant to the provisions of Section 126(3) of the Public Finance Management Act, 2012 and Standing Order 190(5) of the County Assembly of Machakos Standing Orders, the Trade, Economic Planning and Industrialization Committee recommends that this County Assembly adopts the Report of Trade, Economic Planning and Industrialization Committee on consideration of the Annual Development Plan for the Financial Year 2023/2024. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. May I have Members debate this motion?
Hon. Helen Ndeti.

Hon. Helen Ndeti (Nominated, WDM-K): Thank you, Madam Speaker. I congratulate the committee that went through very difficult times to come up with this document but mine is a brief comment on the recommendations that the committee has come up with. On harmonization of projects that are going to be done on the wards in accordance with the public participation that were done and that is a very important. I think out of your recommendations you have also ensured that the document is finalized and returned to the Assembly for approval within 14 days, that is also good and I think it is a good document and I plead with the government of Machakos to ensure that there is equal distribution of resources by ensuring that all projects are done across board. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. More inputs Members; Mheshimiwa Brian Kisila.

Hon. Brian Kisila (Makutano/Mwala, M CCP): Thank you, Madam Speaker, for catching my eyes. I want to commend the committee for a wonderful job they have done and it is important that we take cognizance of the fact that this is our first ADP as elected leaders and I want to commend them for what they talked about equity that we ensure that we allocate projects across all the wards in a very fair and equitable manner.

Madam Speaker, I am also very happy as the chairman Decentralized Units that the committee found it fit to start giving the importance of municipalities in this ADP in this coming year. Madam Speaker the future is municipalities and it is important that we ensure that we adhere to all the World Bank guidelines so that we can secure the funding for World Bank and on that note Madam Speaker, I am requesting the Assembly, to just like what we did for climate change, we have KUSP funding which is also coming to this Assembly and my committee is working round the clock to ensure that we meet all the conditions for World Bank so that we can access the Ksh. 1 billion funding for municipalities.

It is also important that we take into account the additional municipalities which had been proposed in this Assembly and ensure that we fast track the charters for these municipalities so that they can start enjoying the World Bank funding. Otherwise, Madam Speaker, this is a very good report and I am also happy that we are allocating Ksh. 250 Million in year one for industrial parks. These are what will make sure that our people get employment and also that our County starts becoming a centre of excellence in industrialization.

Also, Madam Speaker, I am also happy that we are providing sh. 250 Million for vocational training Centre in Machakos. This is the right direction and on this we are going to ensure our people get access to the required skills and training and we can empower our youth.

Otherwise, Madam Speaker, I stand here to support the report and urge Members that we pass it and ensure that we comply. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. More inputs Members; silence means I put the question but before I do that I would request Hon. Member who moved the motion to come and reply. Hon. Irene Mulu.

Hon. Irene Mulu (Nominated, WDM-K): Thank you, Hon. Speaker. I take this opportunity to thank my committee Members starting with my Chair and my fellow Hon. Members. Thank you so much for your support and thank you so much for your input; this is for the good of the people of Machakos County. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: The House adjourns to 7th June, 2023 at 10.00 a.m. Thank you, Members.

The House rose at 3.05 p.m.