

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY
OFFICIAL REPORT

Wednesday, 14th March, 2018

The House met at 2.30 p.m.

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

PRAYERS

Hon. Speaker: Hon. Members, Serjeant at Arms open the door and ring the bell we don't have quorum.

(Quorum Bell was rung)

Hon. Members, allow me to acknowledge the presence of two schools among us. I am informed that we have Sengani Girls from Tala ward and Muindi Mbingu Secondary from Mua ward. Hon Johanna, is it really Mua ward? It is Mutituni ward, I thought so, because Muindi Mbingu is in my neighborhood, the neighborhood of Kamuthanga. So, the MCA is Hon. Johanna.

So, I am going to ask Hon. Kamitu, because Sengani Girls is in your ward, to welcome the students and also give them a word of advice briefly and after that I will also welcome Hon. Johanna to welcome the students from his ward and give them a brief word of advice and for me, thank you very much for finding time to come and be with us, young people and it is good because you come here and learn a lot.

I can see you are headed far and some day you are the ones likely to be occupying these benches and maybe other benches in other places of service in this nation. Karibuni sana. Hon. Minority Leader.

Hon. Kamitu: Thank you very much, Madam Speaker. Let me take this opportunity to sincerely thank Sengani secondary school and tell them my name is Alex Kamitu, MCA Tala ward were Sengani Secondary school is situated and I feel very proud because of your presence in the House, Machakos County Assembly, a House of reason and a House of purpose. The sky is the limit.

So, my dear daughters from Sengani feel at home at this Assembly. I am also the Minority Leader so you are aware that as your representative, I feel proud once again for your presence in this House and what I can say as advice is that; the sky is the limit. You are seeing Members of the Assembly who come here to legislate, to debate; in future you can be one of the elected or nominated leaders.

So, it is upon you to work hard, commitment is school. I am saying that as an MCA as well as a parent. So, I am honored and also on behalf of the other Hon. Members, that you have come. So, just sit down and listen as we legislate and debate. Otherwise, thank you very much Madam Speaker.

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

Hon. Munyao: Thank you, Madam Speaker. I wish to take this opportunity to welcome our dear students from Muindi Mbingu which happens to be in my ward. I know education becomes so interesting when it is hands-on so in your History and Government, the government part, I am sure there is the content of forms of government and where you are forms part of what you are required to know in the course of your learning.

You will be privileged to learn a few terms; what is a mace, HANSARD as you interact with us, who is a speaker, what is their role, again what is the role of the Assembly and so many other things. I am sure you are in the right place and it is bound to stick more in your brains because you will be able to confess that you saw it live and transfer it in your exam papers.

So, feel most welcome, we are here to represent the interests of County and particularly am here to represent the interests of Mutituni ward were you happen to come from. When you go back, say hi to the rest of the students in your school. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Johanna. Hon. Members we now start on the business of the day. Mr. Clerk, proceed.

MOTION

TAPPING AND DISTRIBUTION OF WATER FROM NGALALYA BOREHOLE

Hon. Speaker: Hon. Members, under this order we have one business by Hon. Moffat Maitha.

Hon. Maitha: Thank you, Madam, Speaker.

That aware that the mission for the Department of water and irrigation in Machakos County is to contribute to the county development by promoting and supporting water resource management in order to enhance water availability and accessibility to all;

Further aware that in the context and strategy for the budget allocation for the financial year 2016/2017, the department of Water and irrigation was to ensure adequate and reliable supply of water and sewerage services, irrigation development and water storage;

Informed that Matungulu West ward is endowed with three boreholes namely Ng'alalya boreholes which are situated near each other and have a high capacity of water of about 100,000 cubic meters per hour;

Remembering that in the last financial year, the Department of Water and irrigation initiated drilling of many boreholes, most of which were dry which translates to misuse of public funds and lack of value for money;

Cognizant that rehabilitation of the very productive boreholes in the county is cheaper and more realistic than drilling many boreholes which end up being dry or with low water capacity;

Aware that the boreholes were sunk and left without developing a distribution systems to the residents of Matungulu West ward;

Madam Speaker, I wish to move the motion that this House discusses and approves the Machakos County Government, through the department of water and irrigation in Machakos, should tap and distribute water from the high productive Ng'alalya boreholes in Matungulu West ward during the financial year 2017/2018 in order to increase water availability and accessibility in Matungulu West ward and surrounding areas.

At this juncture, I ask Hon. Mike Mutiso to second.

Hon. Speaker: Hon. Michael Mutiso.

Hon. M.N. Mutiso: Madam Speaker, Hon Members, I second the motion.

Hon. Speaker: Thank you, Hon. Michael Mutiso.

(Question proposed)

Members, I invite you on a debate on the motion. I can see you are gearing to go. Hon. Dominic, alright go ahead.

Hon. Ndambuki: Thank you, Madam Speaker. I am standing to make a proposal that we amend the motion to include other boreholes that are within Machakos County. Not only in Ngalalya but other boreholes that the water has not been tapped and being distributed to the residents. I am requesting Hon. Mueni to second.

Hon. Speaker: Before you request Hon. Mueni to second, under what Standing Order are you making your request? Have you satisfied the requirements for amending on the floor?

Hon. Ndambuki: Sorry, Madam Speaker, Standing Order 52.

Hon. Speaker: What does it say?

(Laughter)

Hon. Ndambuki: Let me borrow.

Hon. Speaker: I know what it says. What I am asking you is can you tell me that this is a matter of the importance that qualifies the criteria of an amendment on the floor of this House.

Hon. Ndambuki: Yes, Madam Speaker. Majority of the boreholes that were sunk in the last five years do not have their water tapped and distributed to the users. Most of them have where the borehole has been sunk that is where we only have the tap and residents of Machakos County have to walk from far distances to come and collect water there. When the water is distributed near their homesteads then we shall have reduced the distance of their walking and we shall make it easy for them to get water.

Hon. Speaker: Hon. Members, in my view the request to amend the motion on the floor of the House is granted for the reason that water is about human life.

(Applause)

I notice that under the constitution Article 43, it is a right of the individual to have water and not just water but clean water and in sufficient amounts.

I also take cognizance of the provisions of Chapter 12 of the constitution on prudent use of public finance. If we have boreholes that are just being tapped in one point and the water can be harnessed to serve more people, then that is the way we should go. Who is seconding your motion?

Hon. Ndambuki: Hon. Benedette Mueni.

Hon. Speaker: Hon. Benedette Mueni?

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I stand to second what Mheshimiwa has said that all the wards to have boreholes which are used but not those that do not have water. Madam Speaker, it is very important to think about the whole county but not some places because even Matungulu is better; they have more boreholes than other places which is unkind to other wards like the ward of Mheshimiwa Kamitu. So Madam Speaker---

Hon. Speaker: What is the point of order about, Hon. Maitha. Hon. Mueni, resume your seat please.

Hon. Maitha: Madam Speaker, when I brought this motion, it is not that in Matungulu we have very many boreholes but it is because that one borehole has a lot of water which can be spread across Matungulu constituency not Matungulu West Ward, Madam Speaker. Is she in order to say we have enough boreholes?

Hon. Speaker: Hon. Mueni, have you understood the point of order?

Hon. (Ms.) Mueni: Thank you, Madam Speaker. I am not against what Mheshimiwa is saying, it is only that I am think about the whole County. Madam Speaker, sometimes members have to understand what the whole County means. Even you can think about the other wards which are not yours and Madam Speaker, I support what Mheshimiwa has said, we think about the whole County and we think about what we can do to the County that we have boreholes in the entire County.

I thank the pupils who are here. I was in Mbooni Girls and that is where I got this little English I have.

(Laughter)

By what you are doing in your school now---

Hon. Speaker: Hon. Mueni you are out of point. Stick to the motion. Hon. Members, point of information. Hon. Kaloki?

Hon. Kaloki: Thank you, Madam Speaker. Yes, I agree and I support this motion but I want some clarification from Hon. Maitha just to shed some light on this borehole on whether it belongs to the County Government of Machakos or Tanathi because what I understand it has been lying there for the last couple of years simply because the National Government had refused to surrender the same to the County Government of Machakos. Thank you.

Hon. Speaker: Hon. Kaloki, you are also out of order. Remember we are discussing the issue of amending the motion. So, can we finalize with it. You have a point of order Hon. Kamitu? Alright Hon. Members allow me to propose the question.

(Question proposed)

Hon. Members, that motion is amended as proposed for amendment and is open for debate. Can we have debate on that particular proposal for amendment as proposed in that question? Hon. Mitaa.

Hon. Mitaa: Thank you, Madam Speaker. I stand to support the amendment as it has been put simply because I think in the last five years, the County Government has been drilling boreholes but they have not being powering them and reticulating them.

So, I think we need to have a budget at least for a year or two years whereby they would power the boreholes which have already being sunk and reticulate the water so that our people might benefit. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Mitaa, Hon. Kiteng'u?

Hon. Kiteng'u: Thank you, Madam Speaker. I do support the amendment, one, because we have boreholes all over. Like in my ward, we have like five boreholes but we can be able only to fetch water at the point where we have the boreholes. So, if we take the task of distributing the water to the nearby society or the community, it will be of help to our people of Kivaa and Machakos as a whole.

Again, Madam Speaker, you remember in 2013 the Governor, Alfred Mutua initiated an initiative of showers in every homestead. In this amendment, I am sure the Governor will be able to target and get his manifesto so that what he meant by we have shower in each homestead can be real and not talk. Thank you, Madam Speaker.

Hon. Speaker: Hon. Betty.

Hon. (Ms.) B. Nzioki: Thank you, Madam Speaker. First, I want to support the motion; water is life. This is an issue that is wanting in Machakos County as a whole and I will request as we are going to set a budget so that we may do the allocation for us to supply water because---

Hon. Speaker: Hon. Betty, let me just bring you back to track. We are discussing about amending the motion. Let us finish with the amendment first. Let us finish the amendment first; are you for or against the amendments?

Hon. (Ms.) B. Nzioki: No, Madam Speaker.

Hon. Speaker: Contribute.

Hon. (Ms.) B. Nzioki: Thank you Madam Speaker. I stand to support the amendment of the motion because this is a wanting issue to Machakos county as a whole so that we can be able to supply water to every ward to every people so that they can be able to meet their need because water is life and it is wanting in our county. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Betty. Hon. Mulatya.

Hon. Mulatya: Thank you Madam Speaker. Good afternoon, Hon. Members. I support the amendment but we should also be careful with these amendments because I understand there are some boreholes which have 2 cubic litres, others, one cubic litre. Like the one I understand hon. Maitha it could be 13 cubic litres because that area of Matungulu it normally ranges from 12 to 13 cubic litres.

Madam Speaker, we should be careful when we are making the amendments; we should say all boreholes in the county that are from 1 cubic to 5 cubic litres, they should not distribute the water because the water is not enough, but from 6 to 13 cubic litres, they can distribute to the rest of the surroundings. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Members. Hon. Members I put the question that the motion be amended to read that this Hon. House discusses and approves that the Machakos County Government, through the department of water and irrigation in Machakos, should tap and distribute water from the viable boreholes in county during the financial year 2017/2018 in order to increase water availability and accessibility in the county.

(Question of amendment put and agreed to)

(Question proposed)

Hon. Members, the motion is now open for debate as amended. Hon. Museku.

Hon. Museku: Thank you, Madam Speaker. I would like first of all to support the motion which has been brought by the Hon. Moffat Maitha on the provision of distribution capacity to the boreholes in his area and now as amended to include the entire county.

I think we have seen that over the last five years a lot of, as the Hon. Members have said, a lot of effort has been put in sinking of boreholes in the various wards but very little has been done in ensuring the next phase which is distribution of this water to the people who really require then is done.

So, what we are having is points of collection instead of water being availed, tap water being availed to people in their homes. So, this specific motion comes at a very timely time when

we are actually in the process of doing budgeting, but one thing which I wanted to point out is, the motion talks about or is restricting the county government to do this in the period 2017/2018.

You recall, Hon. Members we only have four months to go and that period will be over. So, maybe it would be better if we are talking about opening this up because no we are including the entire county, to include the financial year 2018/2019 also in the motion because I doubt whether we can be able to achieve in the remaining four months all distribution of the water in all facilities in our ward during the remaining four months, active four months of the year.

So, as I support it very much because is going to make light the burden from our mothers and the rest of the people who are using a lot of time and effort to fetch water, I would also like us to consider extending the time so that we can be able to effectively implement this. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Museku. Hon. Muthoka.

Hon. Muthoka: Thank you, Madam Speaker. I stand here to support this motion and it is good it has been amended through chairman of budget, so I urge chairman of budget, please when you are doing budget of 2018/2019, let us put more money on distribution of water.

The last five years, there are a lot of boreholes which has been sunk but there are sunk and left in one stage. So, if we distribute this water, our people will save time and money also we can use our youth to dig these trenches so it is a source of employment to our youths. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Muthoka. Hon. Musau.

Hon. Wambua: Thank you, Madam Speaker. In supporting this motion, I believe in the words of our Governor---

Hon. Speaker: For record purposes, Hon. Musau, please put it on HANSARD what is your ward and what are you full names.

Hon. Wambua: Thank you, Madam Speaker. Thank you, my colleagues.

(Hon. Musau introduced himself and his ward)

Madam Speaker, in supporting this motion, I believe in the words of our Governor that water is a right is not a privilege but sunk boreholes which have not been operationalized, that still remains underground water and as the case in my ward, we have 10 sunken boreholes which have not been equipped.

That means the neighborhood is still suffering from lack of water despite much resources having been spent on those boreholes and I believe that is the case all over this county. Madam Speaker, I duly support that the county government of Machakos equips these boreholes and distributes the water so that it may achieve its aims. The aim was for every household to have water. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Musau. Hon. Mbevi.

Hon. Mbevi: Thank you, Madam Speaker. I think the issue here is water and to the whole of Machakos county. I think I stand to support the motion and as I still support the motion, I would wish as the county thinks of the borehole water, it should also diversify and make an extension to the existing dams because you find that boreholes are dug just next to our dams like in my case in Mlolongo.

We have a very big dam there which has been neglected and you find the county also sinking a borehole next to the dam which can hold a lot of water for the usage. So, I would also wish as we facilitate and budget for the rehabilitating the boreholes, we still think of also doing some extent of expanding the dams that are already in our wards.

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

Hon. Kisini: Thank you, Madam Speaker. I first want to thank Hon. Moffat Maitha for bringing this Motion; he happens to be my area MCA at my place of birth and I think when he was responding to a certain question, he said that there are many boreholes but this is a special case because the others maybe do not supply enough water.

What am I trying to say? I am trying to say that, this borehole which can deliver water of 100,000 cubic litres per hour can give water to all of the Matungulu people. I know where it is, I want to put a good name; it is Ng'alalya because I saw some people not knowing. So, I want to support that, the County Government moves with speed, rehabilitates that borehole, distributes water to the whole village of Matungulu whereby I will be able to get that water.

I also want to ask; why do we have so many boreholes like every member is talking of there are so many sunk boreholes from my area. In my place, I have three and they do not deliver water to my people.

He is saying so because these many boreholes seems that when they were being sunk, a lot of feasibility study has not been well done and we are requesting that the department of water at the County to do a good feasibility study so that we do not have so many mushrooming boreholes which are of no help to the people.

So, it is good but let us emulate Hon. Moffat's way of having one borehole which can give water to all the people. I support the Motion, Madam Speaker.

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

Hon. Kamitu: Thank you, very much, Madam Speaker. As I said, I am proud my school is around here Sengani Secondary School and Madam Speaker, I am also reporting to this House that the secondary school is one schools where I sunk a borehole. So, it is on that regard Madam Speaker, that the Motion that has been amended in regard to the Machakos County as a whole, Madam Speaker, I would kindly request the Committee for water to take some rounds within all the sub-counties so that they may have audits of those boreholes that have plenty---

Hon. Speaker: Hon. Kamitu that is the Chair's job. Do not do the job of the Chair.

Hon. Kamitu: Okay, Madam Speaker that is noted. Otherwise, it is a good move that, Madam Speaker, that this Motion has been amended in regard to when we talk about water as life. Water is life and where those boreholes have got enough water, it is now our best time Madam Speaker, to go for where there is availability of water to enhance water distribution.

Madam Speaker, I would urge this House, that most of the boreholes as many of the MCAs have spoken, I would urge and request the County Government, instead of now sinking more boreholes, to work out on the boreholes that as I said have a lot of water.

In that regard what am I saying Madam Speaker? In my case, I have got boreholes that have a lot of water and what happens is that we were given.....the boreholes were sunk, we were given tanks but the tanks are not elevated. So, on this strength, Madam Speaker, if the County Government now can take up the task of elevating the water tanks and distribution of more pipes; it would be of great benefit other than to have some few points of distribution.

So, I support the Motion and request for works that can be seen to distribute more water. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kamitu. Hon. King'ori.

Hon. King'ori: Thank you, Madam Speaker. I stand here to support the amended Motion because I also have a good idea about the water. Piping the water from my area in the area of Muthwani, there is a borehole which was sunk during the colonial time and it has a lot of water. It can supply Muthwani, Thika and everywhere in Kenya depending on the report which I got from Machakos water---

Hon. Speaker: Who has a point of information? Hon. Cosmus, what is the information?

Hon. Masesi: Yes, thank you, Madam Speaker. Madam Speaker, I just want to inform the Hon. Member that, Thika is not within the Machakos County.

(Laughter)

Hon. Speaker: Hon. King'ori, Thika is within Kenya. Proceed, Hon. King'ori.

Hon. King'ori: Thank you, Madam Speaker. So, we have a lot of water in Muthwani that you do not even need two boreholes, you only need one and when you get the supply.....and I would urge the County to take advantage of the same to supply water to all schools in my Ward because I have a lot of water in my area. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. King'ori. Hon. Members, I now call upon the mover of the Motion as a mandate, Hon. Maitha to reply.

Hon. Maitha: Thank you, Madam Speaker. I want to thank all the Hon. Members who have contributed to this amended Motion. In fact, every corner of this County needs water and if the County Government can supply water to every corner of this county, it will be a great thing for the Governor when he wants to be the next President of the Republic of Kenya.

(Applause)

I also want to say, Madam Speaker, these boreholes, the original ones I had mentioned, that borehole is the second in the Country of Kenya to have a lot of water and Madam Speaker, this borehole because of now they have put a very big water tank at Matuu hills and another one at Kisukioni market and it is one bore hole which has been established.

If another one can be developed, it can take water to Kyeleni and that other one, the third one can take water to Tala and all the surrounding areas of the Tala ward and therefore I also urge, as we look for this one, let this County Government see what it can do to develop these three boreholes at Ng'alalya water point. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Maitha.

(Question put and agreed to)

(Applause)

Hon. Members, the Motion having been approved by this House, I hereby commit it to the Committee on Environment, Land, Energy and Natural Resources to interrogate the Motion and make a report to this House within 45 days. That is to say, on or before the 8th day of May, 2018.

Hon. Members, you have your experience from your wards about the boreholes, you are requested to make your submissions before that Committee alongside other Members of the public.

ADJOURNMENT

Hon. Speaker: Hon. Members, at this point the sitting of this House is adjourned to the Tuesday, 20th March, 2018 at 10.00 a.m.

(The Speaker consulted with the Clerk at the Table)

I committed the date, he is telling me to inform the Committee the date. I said the date, Mr. Muange. Hon. Members have a good evening.

The House rose at 3.15 p.m.