

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Wednesday, 31st May, 2023

Special Sitting

*(Convened via Kenya Gazette Notice No. 7026
(Vol. CXXV-No. 125) of 29th May, 2023)*

The House met at 11.06 a.m.

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

PRAYERS

COMMUNICATIONS FROM THE CHAIR

CONVENING OF THE SPECIAL SITTING

Hon. Speaker: Good Morning Hon. Members. Welcome to today's sitting. I have the following communication to make. This special sitting is informed by the County Assembly of Machakos Standing Order 26(1) and (2) which states that:

- (1) Whenever during a Session, the House stands adjourned, whether or not a day has been appointed for the next meeting, the Speaker may appoint a day for a special sitting of the House –
 - (a) On request of the Leader of the Majority Party or the Leader of the Minority Party, appoint a day for a special sitting of the House;
 - (b) On the signed request by Members not less than a third of the Membership of the Assembly, such a request shall be addressed to the Speaker.
- (2) The Speaker may allow a request under paragraph (1) if the Speaker is satisfied that the business proposed to be transacted is urgent or exceptional.”

Hon. Members, this sitting has been convened vide Gazette Notice No.7026 (Vol. CXXV-No. 125) issued on 29th May, 2023. The Gazette Notice partly reads; NOTICE is given to all members of the County Assembly of Machakos and the general public that pursuant to Standing Order 26 of the County Assembly of Machakos Standing Orders that, I have appointed Wednesday, 31st May, 2023 as a day for Special Sitting of the County Assembly of Machakos.

The business to be transacted during this special sitting shall be:

- (a) Consideration of the report on the Machakos County Climate Change Action Plan (MCCCAP 2023-2027).
- (b) Any other business pursuant to Standing Order 151(6)(d),(e) and (f) as may be admitted by the Speaker.

THE MACHAKOS COUNTY CLIMATE
CHANGE ACTION PLAN (MCCCAP 2023-2027)

Hon. Members, the Assembly is in receipt of the Participatory Climate Risk Assessment report and the Machakos County Climate Change Action Plan (MCCCAP) 2023-2027 vide letter MWI/MCC/1/56/VOL.1/14 dated 26th May, 2023.

Hon. Members, the Assembly is in receipt of the Machakos County Climate Change Action Plan (MCCCAP 2023-2027) vide forwarding letter received on 29th May, 2023. The plan is in line with Financing Locally-led Climate Action (FLLoCA) programme guidelines. The Financing Locally-Led Climate Action (FLLoCA) programme aims to scale-up climate action at the grassroots level through a devolved climate finance model which supports joint partnerships between government and citizens to develop and implement solutions geared towards addressing climate change.

The plan was received when this House was on recess and pursuant to Standing Order 1 committed to the Environment and Natural Resources Committee for processing. Thank you, Hon. Members.

PAPERS LAID

THE MACHAKOS COUNTY CLIMATE CHANGE ACTION PLAN, 2023-2027 AND PARTICIPATORY CLIMATE RISK ASSESSMENT REPORT

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

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I beg to lay the following Papers on the Table of the Assembly today, Wednesday, 31st May, 2023:

- i. The Machakos County Climate Change Action Plan, 2023-2027.
- ii. Participatory Climate Risk Assessment report.

Thank you, Madam Speaker.

REPORT ON THE MACHAKOS COUNTY CLIMATE CHANGE ACTION PLAN 2023-2027

Hon. Speaker: Thank you, Hon. Member. These Papers are both committed to the Environment and Natural Resources Committee. May I call Hon. Fredrick Kitetu, Chairperson, Environment and Natural Resources Committee to come and lay the Paper?

Hon. Fredrick Muia (Ikombe, WDM-K): Thank you, Madam Speaker. Hon. Speaker, I beg to lay the following Paper on the Table of the Assembly today, Wednesday, 31st May, 2023: the Report of the Environment and Natural Resources Committee on the Machakos County Climate Change Action Plan, 2023-2027. Thank you, Madam Speaker.

(Applause)

(The Papers were laid on the Table)

NOTICE OF MOTION REPORT ON THE MACHAKOS COUNTY CLIMATE CHANGE ACTION PLAN 2023-2027

Hon. Speaker: May I call Hon. Fredrick Kitetu, Chairperson, Environment and Natural Resources Committee to come and give the Notice of Motion.

Hon. Fredrick Muia (Ikombe, WDM-K): Thank you, Madam Speaker.

Hon. Speaker, that aware that the World Bank approved a USD 150 million financing agreement with the Government of Kenya to strengthen local resilience to the impact of climate change in Kenya, through the Financing Locally-led Climate Action (FLLoCA) Programme, which is a part of Kenya's 10-year Government Financing Locally-led Climate Action (G-FLLoCA) Programme, launched in June, 2020;

Aware that The Financing Locally-Led Climate Action (FLLoCA) Programme aims to scale-up climate action at the grassroots level through a devolved climate finance model which supports joint partnerships between government and citizens to develop and implement solutions geared towards addressing climate change;

Noting that the Programme is implemented by the National Government in collaboration with County Governments as guided by the FLLoCA guidelines, one of them being the adoption of the Machakos County Climate Change Action Plan 2023-2027 by the County Assembly;

Aware that that Article 185(4)(a) of the constitution of Kenya provides that a County Assembly may receive and approve plans and policies for the management and exploitation of the county's resources and development and management of its infrastructure and institutions;

Cognizant that the County Assembly received the Machakos County Climate Change Action Plan 2023-2027 on 29th May, 2023 and the plan was consequently committed to the Committee on Environment and Natural Resources for analysis and eventual tabling in the House pursuant to Standing Order 190(5);

Hon. Speaker, I wish to give Notice of Motion THAT this House discusses and approves the Environment and Natural Resources Committee report on the Machakos County Climate Change Action Plan 2023-2027.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

(Applause)

SPECIAL MOTION
REPORT ON THE MACHAKOS COUNTY
CLIMATE CHANGE ACTION PLAN 2023-2027

Hon. Speaker: May I once again invite Hon. Fredrick Kitetu to proceed and move the Motion. Hon. Kitetu please.

Hon. Fredrick Muia (Ikombe, WDM-K): Thank you once again, Madam Speaker.

Hon. Speaker, that aware that the World Bank approved a USD 150 million financing agreement with the Government of Kenya to strengthen local resilience to the impact of climate change in Kenya, through the Financing Locally-led Climate Action (FLLoCA) Programme, which is a part of Kenya's 10-year Government Financing Locally-led Climate Action (G-FLLoCA) Programme, launched in June, 2020;

Aware that the Financing Locally-Led Climate Action (FLLoCA) Programme aims to scale-up climate action at the grassroots level through a devolved climate finance model which supports joint partnerships between government and citizens to develop and implement solutions geared towards addressing climate change;

Noting that the Programme is implemented by the National Government in collaboration with County Governments as guided by the FLLoCA guidelines, one of them being the adoption of the Machakos County Climate Change Action Plan 2023-2027 by the County Assembly;

Aware that that Article 185(4)(a) of the Constitution of Kenya provides that a County Assembly may receive and approve plans and policies for the management and exploitation of the county's resources and development and management of its infrastructure and institutions;

Cognizant that the County Assembly received the Machakos County Climate Change Action Plan 2023-2027 on 29th May, 2023 and the Plan was consequently committed to the Committee on Environment and Natural Resources for analysis and eventual tabling in the House pursuant to Standing Order 190(5);

Hon. Speaker, I wish to move the motion THAT this House discusses and approves the Environment and Natural Resources Committee report on the Machakos County Climate Change Action Plan, 2023-2027.

Thank you, Madam Speaker. I wish to call upon Hon. Dominic Maitha to second this Motion.

Hon. Speaker: Hon. Dominic Maitha.

Hon. Dominic Maitha (Muthwani, WDM-K): Thank you, Madam Speaker. I take this opportunity to congratulate my able Chair for this quite tedious job that came before the committee. It has been dispensed to the fullest and the report has landed in this House on time.

Secondly, Madam Speaker, I have special recognition and appreciation to the Hon. Members present through your guidance, for enabling this very timely session to happen and taking into consideration the distance which the Hon. Members were. I say 'thank you' for making it to be present today. It is a show of commitment for the oath of office that we took, Madam Speaker.

(Applause)

The report before us for adoption is a very critical report is extremely critical and I want to thank the Member for Mua, Mheshimiwa Ngunga because he brought me into light. I was in darkness one month ago about the same report ahead of us. I did not know anything about climate change; I only used to address it as just climate change. He brought me into light to understand about the need of having this report adopted by the Assembly and action taken so that the benefits can be realized by the county government. I have special congratulation to him.

(Hon. Francis Ngunga rose in his place and bowed in appreciation)

(Applause)

From the onset, Madam Speaker, I took interest in understanding this FLLoCA program and when we went to Weston hotel last week when the committee received this report and retreated the Hon. Members present can attest by 9 o'clock on the dot, I was seated. I took time to listen,

understand and analyze the document and I came to realize that the document is so critical first to the Hon. Members of this Assembly both elected and nominated.

(Applause)

They shall have something to associate themselves on the ground at the expiry of this term through this program. We just need to analyze this document through a simple term; what is climate change. The effects of climate change in this country and in our wards are visible. In the last three to four---

Hon. Mbili Ndawa (Matuu, MCCP): Point of information, Madam Speaker.

Hon. Speaker: Yes Mheshimiwa.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Madam Speaker. Madam Speaker, we need your guidance because the Member was only called to second the motion. He has started discussing the report and it has not been read. He was only supposed to say only one word, 'I second' then we move on. We are taking a lot of time; we ought to have approved this report. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

Hon. Dominic Maitha (Muthwani, WDM-K): Madam Speaker. I restrict myself to the report. You cannot second a document that you cannot explain to Member what you are supporting. I am trying to bring to light some Members so that they can understand what I am supporting, I am privy to. That is what I was doing and nothing else; I am not even discussing the report.

So I am supporting the document to show that I am privy to the contents of that document. So thank you, Madam Speaker and the Minority Leader. What I am saying, the reason as to why I have stood to support this report because I own the report, the contents of this report are very well known to me. The issue of climate change is visible in Machakos County; we do not need to debate much about that.

This report has a timeline, which is today midnight; if not adopted by this Assembly, the County Government of Machakos stands to lose more than Ksh. 1 billion in the next five years. Last Assembly, Hon. Members can attest, that technicality of failing to understand the document resulted to Machakos County losing these funds. We cannot make this mistake again and I want to be on record that Hon. Members, the funds in this program will benefit Machakos County to the best in the next five years.

(Applause)

So, I want to implore the Hon. Members that because it has a constitutional timeline especially from the donors and the funding agency, if we do not adopt it today, in five years we will have lost Ksh. 1 billion. So, we have gone through this report and as you know, business transacted at this House once committed to any committee, the committee holds brief for and on behalf of the other Members and as far as the committee Members have gone through the report and we have very competent committee Members including Mheshimiwa Ngunga and our senior most here, the Hon. Majority Leader. There is no way we can bring a document that does not benefit the people of Machakos.

(Applause)

So, Members, I can tell you it is a good document and what we have to do is ensure that we do not lose those funds. As you know, technically donors, use a small technique to strike you from benefiting so let us not be used through this technicality to be struck out from getting these finances. I totally support this motion and implore Members that the need to address climate change has come and it is evident. In the last four or five months climate issues are evident to this House and we cannot make a mistake of losing this Ksh. billion. Madam Speaker, with all manner of respect, I support and second this motion. Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Maitha.

(Question proposed)

Before I call Hon. Members to debate the motion, I will request the mover to come and give us brief highlights and then we can debate it. Hon. Fredrick Kitetu.

(Hon. Catherine Kyee took brief for Hon. Fredrick Kitetu)

Hon. Catherine Kyee (Nominated, WDM-K): Thank you, Madam Speaker. The World Bank approved a USD 150 million financing agreement with the Government of Kenya to strengthen local resilience to the impact of climate change in Kenya, through the Financing Locally-led Climate Action (FLLoCA) programme, which is a part of Kenya's 10-year Government Financing Locally-led Climate Action (G-FLLoCA) programme, launched in June, 2020.

Through this financing agreement with the World Bank, Swedish International Development Cooperation Agency (SIDA)---

Hon. Mbili Ndawa (Matuu Ward, MCCP): Point of information, Madam Speaker.

Hon. Speaker: Yes.

Hon. Mbili Ndawa (Matuu Ward, MCCP): Madam Speaker, the report was delivered to Members long time ago and Members have gone through the report. So the only thing we can do is to allow the Hon. Member to give us the recommendations and the observations. That is all.

(Applause)

Hon. Speaker: Thank you, Hon. Member. Only go to the Committee recommendations and the observations.

Hon. Catherine Kyee (Nominated, WDM-K):

COMMITTEE OBSERVATIONS

1. The Machakos County Climate Change Action Change (CCCAP) 2023-2027 aligns climate change actions with the County Government's development agenda and the National Climate Change Action Plan (NCCAP 2018-2022).
2. The Participatory Climate Risk Assessment (PCRA) exercise was conducted in all the 40 wards as per FLLoCA road-map and Articles 1 and 10(2)(a) of the Constitution. The exercise targeted the people at the community level whose livelihoods are directly affected by adverse climate.
3. A multi-sectoral validation exercise for the Machakos County Climate Change Action Plan (MCCAP) was conducted on 25th and 26th May, 2023 as stipulated by FLLoCA road-map.
4. The World Bank funded Financing Locally-Led Climate Action (FLLoCA) programme seeks to deliver locally-led resilience action and strengthen capacity of County governments to manage climate risks.
5. The County has allocated Ksh. 112,038,276.42 which is 3 per cent of the total development budget for FY 2023-2024. FLLoCA programme is ready to disburse Ksh. 133 million in September, 2023 as approved in the County Fiscal Strategy Paper by the County Assembly. This is subject to approval of the Machakos County Climate Change Action Plan 2023-2027 by 31st May, 2023.
6. Projects under the FLLoCA can vary from one area to another but they must have direct impact on the community. FLLoCA is applying the 'performance for results' model to ensure that funding has a direct impact on the community and thus projects are not descriptive but discretionary.
7. The County does not have an Early Warning System (EWS). The EWS system entails forecasting weather and disseminating the information to farmers to inform their planting calendars through monthly bulletins which are broadcast in English, Kiswahili and the local Kamba language (Machakos County, 2015).

COMMITTEE RECOMMENDATIONS

The Committee recommends that:

- a. The House approves the Machakos County Climate Change Action Plan 2023-27 together with its Participatory Climate Change Risk Assessment report.
- b. The County Executive Committee Member for Water, Irrigation, Environment and Climate Change to provide the Assembly regular reports on implementation of the climate projects at the ward level for effective oversight.
- c. The County adopts EWS from the Kenya Meteorological Department (KMD) forecasting weather to disseminate information to farmers to inform their planting calendars through monthly bulletins which are broadcast in English, Kiswahili and the local Kamba language (Machakos County, 2015).

Thank you, Madam Speaker.

(Applause)

Hon. Speaker: Thank you, very much Hon. Member. May I invite Hon. Ndawa.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Madam Speaker. I am a Member of this Committee. Hon. Speaker, I will start by applauding my most able Chair together with the Committee Members for working day and night to ensure that we have this report ready by today. I am sure it was ready by yesterday it was even ready; if the meeting would have been called on a Sunday or any other day, things would have been okay. So, Hon. Speaker, as I have said before, all

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the Members received this report more than three hours ago because members were here by 9.00 a.m. waiting for 10.00 a.m. I will start by congratulating my colleagues for being there to serve their electorate. I want to say *heko* to Hon. Members.

Hon. Speaker, the report is self-explanatory and as it is indicated in the report you can see a lot of funds have been given by the World Bank to assist our County at least to take our County to the next level. Hon. Speaker, one of the beauties of the report and whatever we are doing here, public participation was done in every Ward and not even public participation; trainings were conducted in all 40 wards Matuu included. Members of the respective wards also had an opportunity to grace those trainings. So whatever is captured came from the locals of that particular Ward, together with area Member of that Ward.

So, Hon. Speaker, to me because I am a Member of this committee, last week, we had a meeting with the department which is concerned about these things and we were taken through and those who were in attendance, we validated that report. The only power that did not have is to usurp the powers of the Assembly to approve. We would have approved that week but since approvals are supposed to be done in this Assembly, that is why we are here.

I want to thank you also for finding it fit to convene this special sitting to discuss this noble report.

Hon. Speaker: Thank, you.

Hon. Mbili Ndawa (Matuu, MCCP): The other beauty part of it is that the ward level has been taken as a unit for development. So there is no cause for alarm. If we are talking about the ward, you cannot talk about Machakos Central Ward without mentioning the area Member County Assembly. So, every Member including, the Nominated are also involved and we are going to be involved in every activity that is going to be undertaken.

(Applause)

So I am just urging my colleagues here that since we are in agreement and we have gone through the report, why should we waste a lot of time and you are now we are supposed to be going somewhere else after this meeting. We may not need to dwell a lot. So I would propose, Members agree that those sentiments are enough then we allow the Speaker to put the question then we move forward. Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Member.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: The House adjourns to the 6th of June, 2023 at 10.00 a.m. Thank you.

The House rose at 11.37 a.m.

