

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

**OFFICIAL REPORT**

**Wednesday, 4<sup>th</sup> July, 2018**

The House met at 10.33 a.m.

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

PRAYERS

**Hon. Speaker:** Hon. Members, Serjeant-at-Arms can you ring the bell for ten minutes.

*(Qourum Bell rung the bell)*

Serjeant-at-Arms, can you stop the bell. Good morning, Hon. Members, good morning up there? Thank you very much you are welcome.

**COMMUNICATION FROM THE CHAIR**  
VISIT BY NDUMOONI PRIMARY SCHOOL

Hon. Members, I am informed foremost that we have at the gallery students from Nduumoni Primary School which is in Kitui and it is good to welcome them like we always do because it is a process of learning so we thank you very much with the teachers who have organized the trip. Just open your eyes wide you will see how these very wise men and women who are members of this Assembly conduct their business and we wish you well in your studies.

If there are any form fours who are going to undertake exams, we wish you great success. For the others, please continue reading hard; some day you will be among those who are seated in this Assembly to lead. Of course not necessarily this, maybe even in Kitui and some of you may also be coming from Machakos County so that you will be leaders in the future. We wish you well as an Assembly. *Karibuni sana.*

*(Applause)*

Hon. Members we want to start our business for today. Mr. Clerk, proceed.

**STATEMENT**  
ADVERTISEMENT ON TENDER NOTICE BY KENYA ROADS BOARD

**Hon. Speaker:** Hon. Members, under this Order, we have business listed in the appendix and I will start by calling upon Hon. Moses Mitaa.

**Hon. Mitaa:** Thank you, Madam Speaker. I wish to request for a statement on the following. Madam Speaker, pursuant to Standing Order 41(1), I wish to seek a Statement on an advertisement on tender notice by Kenya Roads Board by the County Government of Machakos in the Daily Nation Newspaper of Thursday, 18th January, 2018 on the following issues:

1. The status of each road works.
2. The criteria used to identify the roads which were advertised.
3. Why some road works were duplicated in the advertisement.
4. Why some wards have many road works to be undertaken while others do not have any.
5. A list of the contractors awarded including a quotation of the BQ for each road work and particulars of their directors.
6. The budget allocated for each road.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Mitaa. Hon. Members, this is a matter of great County importance. It is a statement that is sought by the Hon. Member. Maybe you may wish to ventilate a little on the matter before I give directions on how it is to be handled. Hon. Members, Hon. Museku?

**Hon. Museku:** Thank you, Madam Speaker. First of all, I would like to thank the Hon. Member, Hon. Moses Mitaa for bringing this statement to the House on this very critical issue pertaining to Kenya Roads Board. Madam Speaker, if you look at the items which he has itemized there and which we are looking at, we are seeing that Kenya Roads Board has gone ahead and made an advertisement in which there has been duplication of roads in which the roads are only in some wards and not in the majority of wards in this county and in which as we have seen, the contractors who have been awarded these contracts we need to know who they are and their directors and a forensic audit which we shall enquire after that pertaining to the ownership of those companies. Madam Speaker, if you look at the budget for this year, there was a grant of Ksh. 304 million.

Ksh. 300 million which is a grant that has been allocated to Kenya Roads and that amount is included in our budget which this House passed yesterday. It is important for every single shilling which this Hon. House passes that that money is utilized equitably in the County of Machakos.

*(Applause)*

We cannot have Kenya Roads Board being allocated funds through a budget of this Assembly and then the roads which are being done are only in two or three wards and in majority of the wards we do not see the roads. If these funds have been allocated by us, we need to know of this 300 million shillings for the current year, which roads have they earmarked, in which ward and how are they going to be done and what is the mileage which is going to be done on this. These are public fund and public funds must be used very responsibly.

*(Applause)*

I have also seen here an issue on the list of contractors awarded. We want to do a forensic audit on them to know how much equipment they even have. We have got information that some of the people who are being given these contracts through Kenya Roads Board do not even qualify to be contractors in this country and therefore, as an Assembly and as being able, allocating funds through the budget of this Assembly to Kenya Roads Board, they need to come out clean to us, tell us first of all, what are the roads that they have as Kenya Roads Board, which roads did they do in the year 2017/2018 and which roads are they intending to do in the financial year 2018/2019 with the Ksh. 300 Million shillings which this House allocated to them. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Museku. Hon. Dominic Ndambuki?

**Hon. Ndambuki:** Thank you, Madam Speaker. This statement being sought by the Hon. Member for Kangundo Central is timely Madam Speaker, in that we have witnessed our roads being left in a needy situation after the rains fell and we wonder when we hear there are some areas that works are going on and there are other wards where road construction is not going on. As I speak, there are some of the roads in my ward that are impassable where they have been cut by rain.

We have sought support and help from the relevant offices but the support and help seem not to be forthcoming. Madam Speaker, with the indulgence of this House, I wish to support this statement so that we can have equitable distribution of the county resources to all wards and as we get to know about the Kenya Roads Board, Madam Speaker, there is another fund that comes from the National Government.

The Coffee Cess Fee is money meant also to repair roads where we have coffee growing zones. Madam Speaker, it would also be prudent and good that we also look into the same issue. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Ndambuki. Hon. Johanna?

**Hon. Munyao:** Thank you, Madam Speaker. I want to say that the statement sought is part of what we are supposed to be doing. In fact it is part of the oversight.

*(Applause)*

I do not think it is meant for the bad of this county because I have not seen a place where it is indicated that there are works which were done in Kitui or Makueni. We are only saying that maybe some wards may not have received maybe some allocation for that fund and it is not really an issue getting to know even the way the work was assigned. But I would also want to say that the needs vary from ward to ward. There are wards which require more dams whereas others will require more boreholes so when we talk of equability, the challenges may be different in various wards so as I support the statement that we get the information. I would wish to say that it should not be interpreted...it is not really an outcry because in my ward for example---

**Hon. Speaker:** Point of order, Hon. Museku. Hon. Johanna, resume your seat please.

**Hon. Museku:** Madam Speaker, is the Hon. Member in order to judge for the House that the issue which has been raised by the Hon. Member is not an outcry? Is he in order to judge on behalf of the House? Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Hon. Johanna let me guide you. The part of your submissions is best when discussing the report. I think the best you can do now is to say you support or you do not support so that the report can be prepared and when it comes here, the House will discuss it with the details which you are trying to give as to whether some wards require more than others. And remember we are talking about roads not about boreholes. Thank you very much. Had you finished? You want to finish? Alright, please continue, proceed and finalize.

**Hon. Munyao:** I stand guided but I do not think on a statement if we are ventilating I am supposed to be stopped on a point of order---

**Hon. Speaker:** You can be stopped if you go out of order.

**Hon. Munyao:** Okay. Just to end, I would still insist that I am entitled to my opinion that---

**Hon. Speaker:** You are being out of order. I have given directions Hon. Johanna. Please sit down; resume your seat now.

**Hon. Munyao:** Thank you, Madam Speaker.

**Hon. Speaker:** You are abusing the privilege I have given you.

*(Applause)*

Hon. Helen Matee.

**Hon. (Ms.) Ndeti:** Thank you, Madam Speaker. I stand to fully support Hon. Mitaa's statement because one of our biggest responsibilities is oversight and oversight is to ensure that there is equitable distribution of services. We cannot allow the Government or the Roads Board to do some roads and leave other wards while there is money.

Secondly I think what he is asking for is in line with the current President's directive where we need to know, to follow and find out who are these people who are being given the jobs, who are the directors---

*(Applause)*

Are they capable of doing these jobs because you cannot just afford to keep on wasting our resources by giving people jobs that they cannot be able to perform? Thank you.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Members. The directions will be that this matter is referred to the committee on Roads, Transport and Public Works. Where is the chairperson of that committee, Hon. Mbevi? I do not see Hon. Mbevi. The information he should be given is that that committee should work on this matter and bring a report to this House on 30th July 2018 at 10:00 am. Thank you.

*(Applause)*

Mr. Clerk, proceed.

### **BILL**

#### *Third Reading*

#### MACHAKOS COUNTY APPROPRIATION BILL No. 2 OF 2018

**Hon. Speaker:** Hon. Members, this is on the Machakos County Appropriation Bill Number 2 of 2018 Third Reading.

**Hon. Ndambuki:** Thank you, Hon. Speaker. Hon. Speaker, pursuant to Standing Order 131(2), I wish to move the motion that the Machakos County Appropriation Bill Number 2 of 2018 be now read a third time. Thank you, Hon. Speaker.

*(Question proposed)*

*(Question put and agreed to)*

*(The Bill was accordingly read the Third Time and passed)*

**Hon. Speaker:** Thank you Hon. Members, behold is the Machakos County Appropriation Act No. 2 of 2018. Thank you very much.

### **MOTION**

**Hon. Speaker:** On this Order, we have one business by Hon. Mbevi, Chairperson Transport, Roads and Public Works, and I see somebody is holding his brief.

#### STATUS OF SELECTED COUNTY ROADS

**Hon. Masesi:** Thank you, Madam Speaker. I will be holding brief for our chairperson, Hon. Daniel Mbevi.

Hon. Speaker, that aware THAT Article 174(f) of the Constitution of Kenya, 2010, one of the objects of devolution is to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya;

Further the Fourth Schedule of the Constitution mandates counties to deal with matters of County Transport including County roads;

Aknowledging THAT roads infrastructure is one of the key components of communication and development in Kenya;

Aware THAT Kenya Vision 2030 aspires for a country with integrated roads, interconnected railways, communication ports, airports, infrastructure waterways and communications as well as provision of adequate energy;

Madam Speaker, aware THAT a motion was moved in this House on grading of roads in this county and the motion was committed to the Transport, Roads and Public Works committee;

Cognizant of the fact THAT the committee conducted site visits to some county roads and compiled a report pursuant to Standing Order 190(5)(e), I wish to move a motion that the House discusses and approves the Transport, Roads and Public Works committee report on the status of selected county roads.

I wish to call upon Hon. Irene Mbivya who is a Member of the committee to second this Motion.

**Hon. Speaker:** Thank you, Hon. Masesi. Hon. Irene Mbivya.

**Hon. (Ms.) Mwende:** Thank you, Madam Speaker. I wish to second the motion.

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

*(Question proposed)*

Hon. Masesi, you are supposed to table your report. Please go ahead.

**Hon. Masesi:** Thank you, Madam Speaker. Madam Speaker, although virtual connectivity has become increasingly important today with the emergence of new communication avenues, a good and reliable transport network remains vital. There is a very strong positive correlation between a country's economic development and the quality of its road network. Development of roads and transport infrastructure is a key priority area for realization of sustainable development.

Madam Speaker, Article 174(f) of the Constitution of Kenya, 2010, one of the objects of devolution is to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya; further the fourth schedule of the Constitution mandates counties to deal with matters of County Transport including County roads.

Roads infrastructure is one of the key components of communication and development in Kenya. The Kenya Vision 2030 aspires for a country with integrated roads, interconnected railways, communication ports, airports, infrastructure Waterways and communications as well as provision of adequate energy

Madam Speaker, the sector goal for the Energy, infrastructure and ICT sector in Machakos County ADP for the FY 2017/18 is to reduce cost of doing business through ensuring access to adequate, affordable and reliable energy supply, develop and sustain a world state of infrastructure facilities to support current and future development.

Madam Speaker, pursuant to Standing Order 190 (5a) and (5g), the Committee on Transport is mandated to investigate, report, recommend and even propose legislation under its mandate. Further, in the second schedule of the Standing Orders, this committee is specifically

mandated to deal with all matters related to County transport, including county roads, housing, street lighting, traffic and parking, public transport and ferries and harbors, excluding the regulation of international and national shipping and matters related thereto; county public works and services.

Hon. Speaker, this Committee comprises of the following members:-

- |                           |                   |
|---------------------------|-------------------|
| 1. Hon. Daniel Mbevi      | -Chairperson      |
| 2. Hon. John Musyimi      | -Vice Chairperson |
| 3. Hon. Caleb Mule        | -Member           |
| 4. Hon. Cosmas Masesi     | ”                 |
| 5. Hon. Francis Ngunga    | ”                 |
| 6. Hon. Irene Mbivya      | ”                 |
| 7. Hon. Margaret Mbithi   | ”                 |
| 8. Hon. Patrick Kituku    | ”                 |
| 9. Hon. Pauline Munguti   | ”                 |
| 10. Hon. Grace Mutwiwa    | ”                 |
| 11. Hon. Margaret Ndalana | ”                 |
| 12. Hon. Tariq Mulatya    | ”                 |
| 13. Hon. Justus Kiteng’u  | ”                 |

Madam Speaker, on 19<sup>th</sup> October, 2017, Hon. George King’ori moved a motion in this Hon. House seeking the efforts of the County Government to grade the roads in Muthwani Ward. The motion was amended to include all the County Roads since most of them were in poor conditions. This motion was referred to the Transport, Roads, Housing and Public Works committee for deliberation. During a committee meeting held on 9<sup>th</sup> November 2017, members resolved to visit a few roads in the County which would serve as sample of representation.

Madam Speaker, the committee conducted a site visit on 11<sup>th</sup> December, 2017 and on 2<sup>nd</sup> April, 2018. The matters under investigation were:-

- I. Length of road section graded by the Department in the current financial year.
- II. How upgrading was being done.
- III. Public views on the process of grading the roads

Madam Speaker, it is important to note that delay in submitting this report to this Hon. House for consideration has been occasioned by the current weather condition. Site visits to the roads in Mavoko Sub County and specifically Muthwani/ Katani Ward has been a great challenge.

### **Committee Findings**

#### ***I. Katangi-Ikombe-Matuu Road (Yatta Sub-County)***

Madam Speaker, it is worth noting that the length of the road is approximately 36km. As at the time of visit, bush clearing had been partially done since there were reported cases of resistance by some residents. This was attributed to encroachment of residents to the road reserve. This made expansion of the road to the standard width a challenge.

Madam Speaker, the Committee noted that grading had been done unevenly. Murram had also been spread in patches. As at the time of visit, a section of the road lacked a drift and was at risk of being eroded. The road has 3 culverts although not in good condition. Madam

Speaker, Members of the public engaged during the site visit complained of poor drainage system. This entirely rendered the road impassable during the rainy season.

## ***II. Kivandini-Masinga Road( Masinga Sub-County)***

Madam Speaker, the length of this road is approximately 18km. As at the time of visit, excavation work and shaping had been done. The road had also been tarmacked up to distance of 3kms. Only the first layer of bitumen had been put on the road. A distance of 4km out of the total 18km had murrum laid.

Madam Speaker, during the time when the Committee conducted this site visit, this project was ongoing. The Committee noted that once the road was complete, it would not accommodate heavy tracks because of its density.

## ***III. Mwananchi Road (Mlolongo/Syokimau Ward in Mavoko Sub-County)***

Madam Speaker, this is a feeder road of about approximately 7km. At the time of this visit, grading works on this road had commenced a week earlier. The grading works were being done by the Syokimau Residents Association. This was after efforts by the residents to have the road done by the County had failed. However, it was noted that the machinery used in grading belonged to the county. The Association had taken up the responsibility of fueling the graders and facilitating the machinery operators with lunch. There were also County water bowsers to set down dust. The road was very narrow and this was attributed to human encroachment to the road reserve.

## ***IV. Parliament road (Mlolongo/Syokimau Ward in Mavoko Sub County)***

Madam Speaker, during this site visit, grading of this road which is about 6 km was also ongoing. The area residents had taken up the responsibility of grading the road by fueling the graders and facilitating the drivers. In some parts of the road, leveling had been done to a satisfactory condition.

## ***V. Kiungani road (Mlolongo/Syokimau Ward in Mavoko Sub-County)***

Madam Speaker, the road is about 8km. As at the time of visit, excavation work, shaping and leveling had been done. The role of grading the road had been taken up by the residents. The Committee noted that the drainage system was very poor hence rendering the road impassible during the rainy season.

## ***VI. Phase 3 road (Mlolongo/Syokimau Ward in Mavoko Sub-County)***

Madam Speaker, this road was in a very pathetic situation with big potholes being evident. The drainage system was in a very deplorable condition. Members of public informed the committee that the County Government had not graded the road in a long time. They felt that the County had marginalized them and called upon the relevant Department to ensure that the completely impassible road had been rehabilitated. There was also need to put up culverts on the road.

## ***VII. Gossip Road (Mlolongo/Syokimau Ward in Mavoko Sub-County)***

Madam Speaker, it is worth noting that as at the time of the visit, this road had been tarmacked up to a distance of less than 50m. The rest of the road was in a very poor condition. The road had big potholes hence making access to the area difficult. The existing bridge was



posing as health hazard to the community. Garbage had been dumped around the bridge hence blocking water flow and increasing the chances of flooding.

**VIII. Kincar-Zebra Road, Joska-Ndovoini Road, Kwale-Ngelani-Kamulu Road (Muthwani Ward in Mavoko Sub-County)**

Madam Speaker, the aforementioned roads are currently in similar state characterized by wide potholes. The ward is endowed with quarries which contribute greatly to the county revenue and therefore with these key roads being in poor conditions, the county local revenue collection is affected. The roads have not been graded for a while hence the current status. In addition to that, the ongoing rains were making the quarries inaccessible.

**Committee Observations**

Madam Speaker, based on few roads sampled to represent the rest of the roads network in the County, the committee made the following observations:-

1. The Department was using County machinery in grading the roads. The only expenses incurred were fueling, repair and maintenance and facilitation of the personnel.
2. There were various cases of encroachment to the road reserves. This posed a great challenge during grading of the roads.
3. Residents of Mlolongo/Syokimau Ward in Mavoko Sub-County had been marginalized in terms of accessibility hence they had taken up the responsibility of grading roads for themselves.
4. Most of the murram was being eroded by light rains. This was attributed to the poor drainage system and lack of culverts.
5. The committee was not able to trace the location of the road graders at the sub county headquarters and therefore could not assess their status.

**Committee Recommendations**

Madam Speaker, the committee recommends the following:

1. The county government can encourage members of the public to do the road construction and grading that is *Kazi Kwa Vijana programme*. This will motivate the citizens, create jobs and reduce poverty, diversify opportunities, foster a feeling of ownership of public projects, circulate funds within the county which generally boosts economy and reduces cases of compromise as far as tender issuance is concerned.
2. That in the Ward Development Fund, consideration should be done to have an allocation for road repairs to supplement the allocation from the main budget. This will take care of incidences of rapid destruction caused by heavy trucks, heavy rains and insufficient amounts of murram that may apply in a place.
3. That when doing budget allocations, roads should be allocated money based on length, terrain of the place and the soil type. For instance, it was noted that some roads have an advantage of being located in areas with laterite soil. This soil type does not become waterlogged even in times of heavy rains. Again this is the soil type used to murram roads and hence the cost of grading a road in such a place is low as compared to the black cotton soil prevalent in some parts of Yatta and Mavoko sub counties.

4. Land surveying should be done to clearly mark 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.
5. That for the grading of roads to be durable, the Department of Roads, Transport and Public Works should put more emphasis on putting 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 such roads therefore escalates with time.
6. 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 residents have a notion of marginalization.
7. During the budget making process, the Department should put more funds in murruming roads as opposed to tarmacking. Grading and murruming is cheaper. Tarmacking roads to the set standards requires a higher budget and high skilled manpower.
8. Citing the case for Mlolongo Residents Association, there is need for the County to put up policies and structures which will tap the benefits of having public private partnerships.
9. Acknowledging that the County Government owns road grading machinery, services of road repairs should be made easier by decentralizing the machinery to all the Sub County Headquarters. A clear schedule of when and which ward the graders are grading the roads should be set up in consultation with the area Members of County Assembly.

Madam 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.

Madam Speaker, it is therefore my privilege, on behalf of the committee, to table the report on consideration of the status of select county roads in this Honorable House for adoption. Thank you Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Cosmus Masesi. Hon members for purposes of enabling you to discuss this report, I propose the question that this House discusses and approves the report of the committee on transport, roads and public works on the status of the selected county roads. Hon members your contributions are invited. Hon Nicholas.

**Hon. Muia:** Thank you Madam Speaker. I stand to not support this report because I have seen the total number of roads is eight. In my understanding, this would have gone to the eight sub-counties of Machakos County but when I check road number three, four, five, six and eight, they all belong to Mlolongo/Syokimau ward and I understand the chairman of roads is the MCA for that ward so I think he used his powers as the chairman to award himself more roads than the other wards.

**Hon. Masesi:** Point of information

**Hon. Speaker:** Point of information. Hon. Nicholas, please resume your seat briefly. Hon. Masesi.

**Hon. Masesi:** Thank you Madam Speaker. I was holding briefs for the Chairperson, Transport. Kindly Madam Speaker, I just want to inform Hon. Member Nicholas that we did a sample. This was to replicate all roads within the sub-county, Madam Speaker.

**Hon. Speaker:** Hon. Nicholas, are you informed what a sample means? Carry on with your submissions.

**Hon. Muia:** Yes, again when I check on road number one that cuts across Katangi/Ikombe ward and the road is about 36 kilometres, as the member of Katangi ward, I think this road is not a priority for Katangi residents. If this road is about 36 kilometres and it cuts across three wards, it would have been better if they had consulted the MCAs of those wards and each ward could have gotten at least 10 kilometres.

**Hon. Speaker:** Hon. Nicholas let me inform you also; you are aware that this matter was brought by the Hon. member King'ori and his concern was about Muthwani ward but the members amended to include roads in the county and you are aware that the matter was committed to that committee on Roads, Transport and Public Works. It was upon each member here to appear before that committee and make the necessary representations.

*(Applause)*

You failed to go and make the representations then, you are not going to blame the committee now. Just like members of the public were also welcomed to make their comments to that committee, so let us not fault the committee for not availing our concerns before it and so proceed.

**Hon. Muia:** Thank you Madam Speaker. I get your point but for your information, I was not invited to this committee to give my—

**Hon. Speaker:** Hon. Nicholas you do not inform me. Hon. Nicholas please resume your seat. I will still inform you until you get it right. When we have referred a matter to a committee, you don't have to be invited. You go there and make your submissions because it is a concern of the people you represent, alright? It is an open sitting just like the sittings of this Assembly, the plenary. It is open so that's where they are coming from. Please proceed.

**Hon. Muia:** Thank you Madam Speaker for your point of information but on my observation, I don't support this report. Thank you.

**Hon. Speaker:** Thank you very much. Hon. Mitaa.

**Hon. Mitaa:** Thank you Madam Speaker for allowing me to support this report. I thank the committee for the job they have done. I think it is upon us to take the opportunity of representation. I think we are here to represent our people. They cannot know the happenings of

this House and we are all elected or nominated to represent our people so I urge Hon. Nicholas to do his mandate very well.

*(Laughter)*

**Hon. Speaker:** Hon. Mitaa you are out of order. You are not the one to urge your colleague what to do. I did my part; that is not your part. Contribute to the motion on the table.

**Hon. Mitaa:** Thank you, Madam Speaker. Mine is to support the report as it is and also urge the committee maybe to do more analysis on the roads on the ground especially now that we are running the program of road grading and we cannot hide that we have challenges in all the wards, Madam Speaker, me being one of the members who is facing a very big challenge that my area is being ignored out of the program despite my many followings to the chairman of the sub-county. It's unfortunate that I can report to this House that all the works that are being done under that program seem to be favoring the other side of the government.

Madam Speaker, it is good to note that these services are there to serve the people of Machakos County and I think for this House to be felt, we need to stamp our authority; we need to get out of this House, get to the ground and see all the programs which are being undertaken by the County Government of Machakos and ensure there is equitability. Madam Speaker, I beg to support. Thank you.

**Hon. Speaker:** Thank you, Hon. Mitaa. Hon. Members, I just want to let you know if any phone is going to ring in this House from now going forward, I will confiscate that phone. Is that message clear?

**Hon. Members:** Yes.

**Hon. Speaker:** Thank you. Hon. Museku.

**Hon. Museku:** Thank you Madam Speaker for granting me this opportunity to contribute to this motion. First of all, I would like to thank the committee and the chairman for the report which they have done. The report which clearly as indicated there was a sample of status of selected roads of Machakos County and what I concentrate on Madam Speaker is that because the roads in Kenya are the same, if we have sampled roads in several areas with murrum roads, areas with black cotton soil, areas with deterrent roads, they get a representation of the type of infrastructure we have in our county.

I would therefore like to concentrate more on the recommendations which the committee came up with which is one way of assisting in ensuring that the implementation you are doing is going to be of benefit to the people of Machakos County. Looking at their recommendation Madam Speaker, I can see recommendation number three and number seven which they have come out with concerning budget allocations. Just to inform the House, it is like they were guided because the budget committee in doing its allocation for this year's budget, allocated a total of Ksh. 800 million to upgrade murrum roads. This equates to 20 kilometres of road per ward at a cost of Ksh. 1 million per kilometre.

*(Applause)*

It is therefore our expectation that those funds which were allocated will be able to handle recommendation number three and recommendation number seven. Looking at the funds which you have out there, Ksh. 1 million of grading per kilometre in a Ward for 20 Kilometres in each Ward, that should be able to do it and that totals about Ksh. 800 million. Again as I have mentioned in the earlier statement which was brought by the Hon. Member for Kangundo Central, Hon. Mitaa, we also allocated Ksh. 302 million to Kenya Roads Board which means, in this Financial Year 2018/2019, roads has taken Ksh. 1.1 billion.

*(Applause)*

Hon. Members, it is up to us as a Hon. House to ensure that this Ksh. 1.1 Billion allocated to roads is utilized for exactly that. That we see each and every Ward in this County of ours get its equitable share of that Ksh. 1.1 Billion so that the people of this Hon. County can be able to have better roads; can be able to have better accessibility to the facilities which they so demand. This, I wish to say, having been passed, it is our own mandate to ensure that it is done.

Recommendation number 5, that the grading of roads to be durable, the Department of Roads, Transport and Public Works should put more emphasis on putting proper drainage systems on storm water. Again, Ksh. 1 million per kilometre, per Ward on grading should ensure there is proper drainage systems put in place. Where we require drifts, a drift ought to be put because remember in some areas where there is laterite roads, you might not need the entire Ksh. 1 million; you may only need about Ksh. 400,000. So, the funds which were allocated by the Budget Committee are enough and I support this report because it has come out with recommendations which are in tandem with what this Hon. House passed during the Budget. I stand to support it. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Museku. Hon. King'ori just wait. I know you are the one who came up with the motion. Ideally, you should be the last one. Let us hear what the others have to say. Hon. Kamitu.

**Hon. Kamitu:** Thank you very much Madam Speaker. Madam Speaker, this is a very noble report in that in any country where we have got good infrastructure in regards to roads, is one factor that promotes economic wise and obvious economical competition in regard to businesses and the like and in this report Madam Speaker, the recommendations in this report by the committee are very valid and in that regard Madam Speaker, I would only ask you to kindly go to the committee recommendation one. The County Government can encourage Members of the public to do the road construction and grading; the *Kazi kwa Vijana* program.

Madam Speaker, it is a good spirit, however during the budgeting process, the Committee Members never gave out any money in regards to such and again if you see to it Madam Speaker, I remember before devolution, we used to have these programs but they used to take time and now that we have got our graders against *Kazi kwa Vijana* and as such, I do not think whether it is going to be a workable idea. So, I would also request because we never allocated any budget for the *Kazi kwa Vijana*, we should also take note.

So, Madam Speaker, I really stand to support because it is common sense that we really need good murrans; we need good roads and for that regard, as a Hon. House and I normally say, this is one of the spirit that Hon. Members we should come out, support this noble idea and move on because where there are good roads as I said, then when we talk about good roads, you are talking about accessible roads in regards to whether somebody is walking, our *boda boda* boys, people in our areas who have got vehicles and the like. So, I stand to support this motion and say this is the time. Thank you, Madam Speaker.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Kamitu. Hon. Francis Kioko Kalumu.

**Hon. Kalumu:** Thank you, Madam Speaker. I would like first of all to thank the committee for giving us some of the best recommendations of the Department of Roads and how they can better our roads in this County. Madam Speaker, there is no growth in this County which can be achieved without road access. Road access contributes to the GDP of every economy and if all these recommendations which are made by this committee can be followed to the latter, I think what we are calling entrepreneurship can be increased and income to the people of Machakos will also be increased.

Looking at what has happened because this motion was brought by Hon. King'ori and a schedule of grading the road were planned and all the eight Sub-Counties of Machakos County were to be given a lorry, a grader and a shovel for that purpose but Madam Speaker, looking at the recommendation number six, you find that we lack what is here.

This recommendation is assuring that every part of this County or each Ward is getting its share but after commencement of that program Madam Speaker, we have seen again whereby it is like some of the Wards, I do not know, were given a lot of money in the budget and others received nothing. In the case of Kithimani Ward where I represent my people from Kithimani, we got the grader and the grader was broken down---

**Hon. Speaker:** Hon. Francis, hold on. Whose phone is that? Hon. Irene, please give it to the Serjeant-at-Arms and the Serjeant-at-Arms, you have my directions; any phone ringing, making noise, just collect it and bring it here.

*(Serjeant-at-Arms took Hon. Mwendé's phone)*

Make sure as you give your phone, it is off because I will not be receiving your calls. Please continue, Hon. Kalumu.

**Hon. Kalumu:** Thank you, Madam Speaker. I would say looking at what the people of Mlolongo/Syokimau Ward did, some of the things are happening even to us. The tractor comes or the grader comes and it is in bad state or it is broken and then the Hon. Member uses their money to fuel and even repair. The question which should be asked in this Hon. House is, these roads are given money when budget is read in this House but that money is not being used to do its work which it was meant for.

This comes or gives me an imagination that we are doing a budget, giving money to the responsible departments to do its work, and then at the end of the financial year, we find that the

roads which were meant to be graded by that money are not done and when we ask in this Hon. House, we are misquoted and misled yet it is our work to oversight the Executive. I would like to say that, Madam Speaker, the Ksh. 1.1 Billion budget which Hon. Museku has said has been allocated to roads should be looked at on how fairly it can be implemented. We pull up our socks in making sure that all that money is implemented well.

*(Applause)*

If not so, having allocated that big money to that Department, at the end of this financial year Madam Speaker, we will find that in some Wards, the roads are in the same status as of today. So, the recommendations are so good and I think politics should find its way out of the budget.

*(Applause)*

That is what I can request the Government of the day—

*(Hon. King'ori's phone rang)*

**Hon. Speaker:** Hon. King'ori.

*(Hon. King'ori's phone was handed over to the Speaker)*

Proceed, Hon. Kalumu.

**Hon. Kalumu:** At least, Madam Speaker, to make sure that, that money is utilized well and prudent use of it is seen because I think we were elected last year, August and this County had a development budget and some money were set aside for roads in this County and even just the other day, we passed Ksh. 160 million for grading of our roads and that has not been realized.

Where is Machakos County money for roads? That is the question. Madam Speaker, let this House, through the Implementation Committee, pull their socks in making sure that whatever is read here, whatever money is read for each and every Department, is implemented. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Kalumu. Hon. King'ori.

**Hon. King'ori:** Thank you, Madam Speaker. I am here to support the report but with a few comments regarding number seven on recommendations. I think that was the only area that did not favour my area because of one thing. If you cannot tarmac the road used by heavy trucks, if you cannot tarmac those roads, there will be so many challenges. It is not only wearing of those roads, it is also the labourers in my area who are affected by dust, who are also affected by those heavy trucks that pass there on a daily basis, on hourly basis, on second by second.

In fact, imagine 1,000 trucks passing your area, all that dust entering your house and you have bought that area using a lot of money and a lot of millions yet there is no tarmac just because the recommendation is that the roads should not be tarmacked because it is a lot of money. Yes it is a lot of money, I believe so Madam Speaker—

**Hon. Masesi:** Point of information.

**Hon. Speaker:** What are you saying Hon. Masesi? Honorable let me first get his concern.

**Hon. Masesi:** Madam Speaker, I just want to inform the Member that, that recommendation has not disputed the tarmacking of the road but the recommendation is that we should put more funds in murraming roads as opposed to tarmacking so there is still an open window for tarmacking the roads. Thank you, Madam Speaker.

**Hon. Speaker:** Hon. Masesi Cosmus, the concern by the Member is well placed because a reading of seven is like, it is concerned with murraming and grading and then tarmacking of road is noted but is said to be requiring a higher budget and high skilled manpower so if the recommendation had gone further to say that there will be a time when tarmacking should be done and when that would be, then maybe you would have not raised the concern, alright? So proceed, Hon. King'ori.

**Hon. King'ori:** Thank you, Madam Speaker. I thank this committee because after it went to the ground, I got a good response from other government institutions and I am happy to report to this house that Muthwani-Ndovoini road has been dealt with properly. The one which was in pathetic status up to today is only one, Quarry-Ngelani- Kamulu road but the others such as Kincar-Zebra road had been done by KURA which is also good. Joska-Ndovoini road had been done by KeNHA, Quarry-Ngelani-Kamulu road is also in progress because KURA is going to tarmac that road.

I think I did the best thing in this House to ask for those roads. I did not know that there are other government institution which were sleeping on their jobs but when I went to check on those roads; I got to know that they do not belong to the County Government but they belong to the National Government which acted swiftly and that is why some roads in Muthwani now are being worked upon and I thank KeRRA they are working on our roads courtesy of me visiting them.

**Hon. Speaker:** Hon. King'ori, I think you are blowing your trumpet too much. Just end your submissions. I know that if the people do not blow your trumpet then you blow it yourself but can you wind up.

**Hon. King'ori:** Thank you, Madam Speaker. I will just wind up in a moment. I also want to thank the team that did this report because now I will get more roads done in my wards than before. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. King'ori. Hon. Masesi, the mover of the motion, can you reply please.

**Hon. Masesi:** Yes, thank you, Madam Speaker. I just want to appreciate the Members; the understanding that the report has been late for submission to this House which has been occasioned by some weather issues and also some budget process and again, I want to assure the



Hon. Members that this committee was very key on it is recommendations whereby Madam Speaker, we encouraged equitable distributions of resources and more so on recommendation number nine where we encouraged the decentralization of machinery to all sub-county headquarters where a Honorable Member like Nicholas will be able to decide where and when the road will be cut having the machinery on his step.

Madam Speaker, again our efforts and this House are not at all in futility because we have seen efforts from one Member have given some fruits. Madam Speaker, my prayer is to the Executive to make sure we sustain the issue of fueling the equipment which are on the ground and also Madam Speaker which have mechanical issues. Madam speaker, it would be good for this House, for these members, to have graders on the ground; graders which are in good condition which will make our work easier. Madam Speaker, having eight graders which are in good condition can do us great as Hon. Members. Madam Speaker, I want to rest my case and to thank Hon. Members for supporting this report. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Cosmus Masesi. Hon. Members, allow me now to put the question that this Honorable house discusses and approves the report of the Transport, Roads and Public Works committee on the status of selected county roads.

*(Question put and agreed to)*

Hon. Members, do we have any other business? What is the issue Hon. Jeremiah? What do you want to tell the House?

**Hon. Munguti:** I think we have one business which is left and this is motion number nine by Hon. Justus Kitengu.

**Hon. Speaker:** Motion number nine? On the Order Paper, do I have motion number nine? I have an Order Paper which goes only up to number nine.

**Hon. Members:** 9b.

**Hon. Speaker:** I do not have any paper with 9b.

**Hon. Munguti:** Madam Speaker, I stand on Standing Order 47 on the adjournment of the House and I think one motion was not balloted.

**Hon. Speaker:** I am just being given the papers so I am looking at them. Hon. Jeremiah please repeat what you just said.

**Hon. Munguti:** Thank you, Madam Speaker. It was about the adjournment of the House and I think it was overlooked therefore I was representing our Deputy Majority Leader.

**Hon. Speaker:** Hon. Jeremiah, this is the morning sitting and you are talking about an adjournment. Are we not having an afternoon sitting Hon. Members? We are having an afternoon sitting unless you have any motion to move which is contrary to what is in the Order Paper.

**Hon. Munguti:** Madam Speaker, we can see we have got two Order Papers.

**Hon. Speaker:** Yes.

**Hon. Munguti:** And we have motion number nine which had been balloted as a special motion, I want to believe so. I do not know whether the Honorable Member should read.

**Hon. Speaker:** Let me guide you, Hon. Member. The notice of motion for adjourning this house should ideally come at the end of the sitting in the afternoon, alright? And I am seeing now it is not yet afternoon; we are still in the morning sitting. So Honorable Jeremiah, are you intending to move a motion to adjourn even the afternoon sitting? And can you come out clearly?

**Hon. Munguti:** Yes, Madam Speaker. It is a special motion because I felt that this House should adjourn to go and deliberate on the issue of Appropriation Budget and therefore it was important that we adjourn this meeting. Thank you Madam Speaker. On the issue of the strategic plan---

**Hon. Speaker:** There is a member who has a problem with the directions I gave.....sorry Hon. Jeremiah. There is a Member who has just breached the directions that I have just given; comply. Can I see the member? Hon. Matee. Sorry, Hon. Jeremiah please proceed. Or had you finished?

**Hon. Munguti:** Yes, Madam Speaker. I thought it would be prudent for this house we adjourn our business so that we can go and strategize on the strategic plan of our CIDP. Thank you, Madam Speaker.

**Hon. Speaker:** That is procedural motion, which does not require any notice of motion. But can you convince the Speaker that you must really adjourn the House at this point? What are the feelings of the other Members? Hon. Museku.

**Hon. Museku:** Thank you, Madam Speaker. Let me try and bail my friend out. Madam Speaker, the feeling of the Members is that we do have a very important document which this House needs to work on; we have a document which is the Strategic Plan for the period 2018-2023. As you are all aware, the strategic plan is a five year document and this is a document which gives the County Assembly directions on how we are going to be conducting our business and which directions we need to head to in the next five years in line with the CIDP which has been made and in line with the priorities of the assembly.

For us to be able to do this, Madam Speaker, we felt that it might be important for Members to adjourn early today so that they can be able to get time to do preparations for the strategic plan and be able to avail themselves to conduct this strategic plan and come out with this document which is very critical to the House and therefore I stand here to support what the Honorable Member is proposing that we do adjourn after the morning session to facilitate Members to be able to prepare well for the coming Strategic Plan.

**Hon. Speaker:** Thank you, Hon. Museku. Hon. Members, I am just looking at the Standing Orders which can permit what Hon. Jeremiah wants to do or is asking the House to do, that is Standing Order 49(b); so it is a motion of adjournment of the House and the reason that is given is that the House is set to discuss the Strategic Plan, 2018-2023. The Speaker is convinced that the strategic plan is important. You need to align your planning as an Assembly with the CIDP, with the annual development plan, with the budget you have just passed, remember? So what I will do is that I will adjourn the sitting of the House to commence on the 17th of July, 2018 at 10:00 a.m.

Members, remember that under your calendar, the one you passed, you were supposed to go on a short recess from today after the afternoon sitting so you will still take your short recess and resume on the 17th of July, 2018 at 10.00 a.m.

### ADJOURNMENT

**Hon. Speaker:** I wish you good working on the strategic plan and also good rest in the short recess, Hon. Members.

*(Applause)*

When still on my feet, Hon. Members, I just want to communicate about these telephone sets that I have. If you continue like this, you will make the poor in Machakos County very rich because in due course, I will auction them so that we give the money to the poor, so what I am doing now is just giving a warning.

You will get them back, the Members who had the phones ringing in this House, but going forward, please note if they are confiscated, we will hand them over to the children homes and the orphanage for sale to buy them food. That is agreed? Alright, the owners can come pick them from here.

The House rose at 11.54 a.m.