

MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Thursday, 28th August, 2014

The House met at 2.36 p.m.

[The Deputy Speaker (Mr. Nganga) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

OVERSIGHT ROLE OF THE MEMBERS OF THE COUNTY ASSEMBLY

Hon. Deputy Speaker: I have a communication on the oversight role of the Members of the County Assembly. Honourable members the operations of this house, as we all are aware are governed by the relevant laws. Article 185 of the Constitution states that “the County Assembly, while respecting the principle of separation of powers, may exercise oversight over the county Executive committee and any other county executive organ.”

The constitutions give members of the County Assembly authority to oversight the County Executive. We don't have to rely on public rallies to proclaim what has or has not been done by the executive. Instead, it is important members, for you to play your oversight role, especially at the committee meetings seeking reports and engaging the various Executive departments, in order to enhance the County Government’s performance of its duties. Thank you. Proceed.

MESSAGES

PROPOSED REMOVAL FROM OFFICE OF THE DEPUTY GOVERNOR

Hon. Deputy Speaker: Honourable members, with me I have a message from the Senate that I am going to read. Honourable members, I am in receipt of a letter from the office of the Speaker of the Senate, dated 26/8/2014 ref no. DLS(S/GEN-CRR/156 titled: Proposed Removal from the Office of the Deputy Governor of Machakos County. A Gazette notice No. 5713, dated 18th Aug. 2014 and published in a special issue, of the same Gazette of the Kenyan gazette of the same day is also attached and gives the results of the vote of the Senate on the proposed removal of the Deputy Governor of Machakos. The Gazette notice in part says that pursuant to Section 33 Subsection 6(b) of the County Government Act and Standing Orders 68(4b) of the Senate Standing Orders, the Senate after according the Deputy Governor of Machakos County, an opportunity to be heard, did on 15th August, 2014 vote on the impeachment charges and the vote

failed to result to the removal of the Deputy Governor of Machakos County. Therefore Honourable members, take note. Proceed.

NOTICES OF MOTION

TRAINING OF STAFF ON CUSTOMER CARE AND PUBLIC RELATIONS

Hon. Kavuu: I beg to give a notice of motion that the County Government of Machakos, trains it staff on customer care and public relations. Thank you, Mr. Speaker.

ESTABLISHMENT OF MACHAKOS TV STATION, RADIO STATION AND NEWSPAPER

Majority Leader (Hon. Mwonga): Mr. Speaker, Sir, I beg first and foremost, to stand in for Hon. Michael Mutua, MCA Athi River ward and with your permission I give notice of motion Mr. Speaker.

Hon. Speaker: Permission granted.

Majority Leader (Hon. Mwonga): Mr. Speaker, I wish to give a notice of the following motion, that this Hon. House, discusses and approves establishment of Machakos TV station, radio station and newspaper, for the purpose of disseminating information to the residents. Thank you.

MOTIONS

TRAINING OF STAFF ON CUSTOMER CARE AND PUBLIC RELATIONS

Hon. Kavuu: Thank you Mr. Speaker. Aware that the Executive arm of Machakos County Government has been employing new members of staff; aware that some of those been employed are revenue collectors and enforcement officers; Mr. Speaker aware that employees are in constant touch with the public; Mr. Speaker aware that they are supposed to have good customer care and public relations approach.

Further Mr. Speaker, a person who is trained on customer care and public relations will be able to handle customers well; aware that some customers may be coming from not only other counties, but from other countries that are intending to invest to our county; aware that the investors need to be handled or treated with courtesy; aware that the County Government Act section 59 (1g and h) and Standing Order number 190(9), stipulates that there should be human resource planning and development, Mr. Speaker aware that if training our staff will give a good image of our county, this honorable house discusses and approves the motion that the Executive trains its staff on customer care and public relations.

Mr. Speaker, sir, I would say that if these workers are being trained, they will acquire good knowledge and skills and also understand how to handle customers when they come to their respective offices. Also Mr. Speaker, I would say that when these workers are being trained, they will give respect to their bosses. Therefore, I would urge this House to discuss this

motion and approve so that we can have good workers. I will ask Hon. Kiviu Manyolo to come and second the motion.

Hon. Manyolo: Thank you Mr. Speaker and the house at large. I stand to second the motion, the essence being without proper code of conduct and courtesy, we can't have a relationship with those who are interacting with our workers so it is good for these workers to be trained on the essence of equity and the relationship with whoever encounters them. I understand they are meeting our people, clients and investors in various offices and even in the town centres so it would be better even the staff in our offices, the PAs and the Secretaries and also the messengers to be included in the training. Thank you Mr. Speaker sir, I stand to support.

Hon. Deputy Speaker: Thank you. I now invite contributions to and against the motion. Members who are willing to contribute towards the motion it is open for debate. Yes, Hon. Kimata.

Hon. Kimata: Thank you Mr. Speaker for giving me this chance to contribute to this important motion. I think the motion is very good and whoever has brought this motion has done a very good job. You can see some of the executive staff don't care; some of them are very rude and they need thorough training so that they can have good public relations with the people. So there is need for such trainings. On the other things, they need training so that whatever they are supposed to, they implement for the people of Machakos. So I propose those people to get enough training for that. Thank you.

Hon. Deputy Speaker: Hon. Kamitu.

Hon. Kamitu: Thank you Mr. Speaker. This is in regard to the motion which has been moved by Hon. Kavuu; it is a very good motion because in every institution, the first image displayed by the customer care displays the image of the institution, so it is a very well thought motion and it should be given priority. Our customer care members should be trained because in a sense, the display as I said, the first display shows the image of the institution. So it is a very important motion and it should be given priority. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Ngunzi.

Hon. Ngunzi: Thank you Mr. Speaker. I want to differ with my Hon. Members on the training issue. I do not see how you employ someone trained in handling customers and then you come again here and demand that we retrain the same person. We demand that people of this county be handled professionally, but not retraining people already trained in handling customers; it will be a contradiction. We cannot spend money when we have deployed people who are trained in handling clients or customers, unless we want to throw county money into the

dustbin. We cannot do it; we cannot spend money, we sack them. If they cannot handle members properly, we sack them, we don't train them again. What are we training? They are already trained. Thank you.

Hon. Deputy Speaker: Hon. Jacqueline.

Hon. (Ms.) Nziva: Thank you Mr. Speaker. I stand to support the motion; I think the staff should be trained on PR. This will help them establish and sustain mutual understanding between the organization which is the county and its public which are the customers. So I think they should be trained on PR. Even we Hon. Members we were also trained when we entered this chamber. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Matheka.

Hon. Matheka: Thank you Mr. Speaker, Sir and the house at large. This is a very good motion, but I disagree with the training. This is because, training is an administrative issue; it is not a legislative issue. If it is a matter of training, that should be handled by the administrators not the County Assembly. Also Mr. Speaker, sir, one member said that we train our staff in the ward offices; a very good idea Mr. Speaker, Sir. But the motion says clearly, the County Executive; where is the Assembly coming in, Mr. Speaker?

We approve the motion, we train only the executive employees and we forget about the Assembly. Who are we dealing directly with? Mr. Speaker, Sir, this house should not be reduced to dealing with administrative issues and we have administrators, whereas we should deal with development and legislative issues. Thank you Mr. Speaker, Sir. I stand to oppose the motion totally.

Hon. Deputy Speaker: Yes Hon. Ndeto.

Hon. Ndeto: Thank you Mr. Speaker. I just want to inform this house that this motion to me is ill-timed, because I have the information that there was a training that took place for inspectorate 1, inspectorate 2 and they camped at Machakos University, that is Le Technish, for quite some time and spent a lot of money which is questionable and I believe this House has to be careful before they pass this motion. Otherwise, it may be used and later it comes to haunt this House because of the money which may have been purported to have been used in training those officers. Thank you.

Hon. Deputy Speaker: Hon. Sammy Nduva.

Hon. Nduva: Thank you Mr. Speaker. It will look incredible for this house to approve monies to train people who have been engaged in this county just the other day and knowing

very well that when these opportunities were advertised, the people who were engaged were the ones who were qualified and they were trained. So Mr. Speaker, I disagree when we talk of using money to train people who were employed just the other day, while the people of Machakos County are waiting out there to get water and other needs.

Mr. Speaker, I think the origin of this motion, the person who brought the motion on the floor, should advise these hon members clearly what it means to train the people from the executive side because this is because Mr. Speaker, it should not be a training but an induction because a training will cost the County Government of Machakos a lot of money, the money we want to take care of our public. Thank you.

Hon. Deputy Speaker: Hon. Muinde.

Hon. Muinde: Thank you Mr. Speaker, I want to contribute to this important motion. Increasing the capacity of our staff is an important function that the Government must undertake. However Mr. Speaker, while I am never against increasing capacity of the people, including the Members of the Assembly, I just find and I am sorry to use that word, but I find it too shallow that we can have a motion to do with a procedural matter.

The budget approves money for trainings, whether it is under the Assembly or the Executive and that should be given to all categories of people as per the need. I wonder why we should have a substantive motion, just to discuss about training of some people or some members of staff; it is like there is a big gap between the people we have engaged in this county and our expectations.

So Mr. Speaker, while training is important and while people under all categories must be trained, including ourselves, I find it not changing anything whether we pass it by saying yes, we train or we don't train, already the budget for both the Executive and the Assembly approves monies for training and as per the need. While I may not say if I am supporting or I am not supporting, I find that it is just a motion that is talking only on procedural matters that are obvious that the government should do. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Hon. Kathinzi.

Hon. Kathinzi: Thank you Mr. Speaker. It is like this motion is reminding the executive of their duties or what they are supposed to do. This motion should have been introduced when we came to this Assembly but now we already have a budget as the chairman, Budget has just stated and I feel that it is not our duty to tell the Executive what to do but to oversight what they are supposed to do.

The people who are employed to deal with public relations and working within the offices of the county executive are qualified people and therefore I feel that I don't support this motion completely. Mr. Speaker therefore, I decline.

Hon. Deputy Speaker: Hon. Mueni.

Hon. (Ms.) Mueni: Thank you Mr. Speaker, Sir. I am not supporting the motion; this is because when people read the papers when they are employed, you are taken to the position which you are qualified, so we don't need to employ anybody who is not trained. We are going back.

(Applause)

Hon. Deputy Speaker: Hon. Mwonga.

Majority Leader (Hon. Mwonga): Thank you Mr. Speaker. Let me start by telling the members that we are not looking for a win situation here, but I want to thank the members who have contributed towards this motion by Hon. Kavuu. Mr. Speaker, it is true whether we pass it or not, we have monies in different departments for training of their staff.

So Mr. Speaker, I think this is an issue we should not dwell on for long because what has been said by the chair budget is true; we have money for training. We pass it or we don't pass it, trainings will continue. Mr. speaker, although I do not want to advise the Chair, Mr. Speaker I can see the mover of the motion is constantly raising his hand; maybe he wants to withdraw the motion although it may be too late, it may be a property of this house. Thank you, Mr. Speaker.

Hon. Munyao: Thank you Mr. Speaker, sir. I think when we are talking of the people in the executive side, they are in their professional duties. When the Public Service Board was employing this people, it went through their papers and they got the qualified personnel. So Mr. Speaker, sir, my request is, if this Executive were employed professionally, let them have an induction courses only. We can't say that because the Executive has monies for training, that money has to be used. It can be brought back through a supplementary budget and we change the money to the other accounts of the Assembly. Thank you Mr. Speaker, Sir.

Hon. Deputy Speaker: Hon. Itumo.

Hon. Itumo: Thank you Mr. Speaker for catching your eye. I totally disagree with this kind of a motion; the reason behind it being the people who were just employed have being trained, examined and qualified.

Hon. Deputy Speaker: Let us hear the point of order; we will get back to you.

Hon. Kavuu: Mr. Speaker, before I withdraw my motion, I want to caution this House.

Hon. Deputy Speaker: What is your point of order, Hon. Kavuu?

Hon. Kavuu: Mr. Speaker, I have been looking and observing the matters of this house for the last two weeks and the members have become dormant. Mr. Speaker I was just giving them a business to discuss.

(Laughter)

Hon. Kavuu: Mr. Speaker, I would request the members of this house to know their work because every day they just come sign the register and then they walk out. Mr. Speaker, I don't want to be harassed when I am seated here, so I beg to withdraw---

(Loud consultations)

Hon. Deputy Speaker: Order!

Hon. Kavuu: Protect me Mr. Speaker.

Hon. Deputy Speaker: Order members. Order, speak through the Chair. Let us conduct ourselves with order, in a manner that depicts our status. Let the hon. member continue.

Hon. Kavuu: Thank you Mr. Speaker. I was saying that I don't want to be harassed when I am seated here so I beg to withdraw the motion. Thank you, Mr. Speaker.

(Loud consultations)

Hon. Deputy Speaker: Order members. Order, order. Once a motion has been tabled in the house and seconded, it becomes a property of the house. Therefore it is no longer in the hands of the mover of the motion and the member cannot purport to withdraw the motion until a question is put either for the motion to be adopted or rejected by the house. So debate on the motion continues, then we will propose a vote on adoption or rejection of the motion.

Hon. Deputy Speaker: Yes, a point of information. Hon. Itumo you are out of order.

Hon. Manyolo: Thank you Mr. Speaker, sir, and Hon. Members. I understand that we are now tuning to the mood of debating and do the work that we have been brought here for. Mr. Speaker, sir, I may inform the house that the mover of the motion maybe didn't clarify which categories need to be trained. It is not the executive, but I understand it is members within the executive who need to be trained, for example the tax collectors; maybe they have no technical

knowhow. Maybe they are from form four and they are here collecting revenue and they are engaging our people day to day.

I understand maybe he was not referring to the executive because the executive already had an induction course. I do understand it was within the executive offices; those who have been employed without the technical knowhow; the mere people. Thank you Mr. Speaker, Sir.

Hon. Deputy Speaker: Hon. Muinde.

Hon. Muinde: Thank you Mr. Speaker. Mr. Speaker, time is a very rare resource and I would beg that we spare our precious time by putting the question whether the House wants to continue debating because looking and gauging the mood of this house, we find the motion too shallow to warrant air space by this House.

Hon. Deputy Speaker: Yes, Hon. Maitha.

Hon. Maitha: Thank you Mr. Speaker. I am in total objection of this motion. Mr. Speaker, the last thing we expect in this house is to hear that the county Government is employing standard eight drop outs and we need to spend money to train them. Right now, we don't have that money and actually, if it was us to train those people, we passed a budget empowering the various ministries and gave them money for capacity building; it's upon them to decide what kind of category of members from the executive they need to train because if have already given them the money, we don't have to pass the motion for that Mr. Speaker.

Hon. Deputy Speaker: Yes, what is your point of order?

Majority Leader (Hon. Mwonga): Mr. Speaker, it hurts me very much, as you know I represent the executive arm of the honourable county Government of Machakos, when I am sitting here and a member imputes improper motive against that government I represent here. Is it in order for a Member to say that the hon government that I represent here is soon going to employ standard eight drop outs?

Hon. Deputy Speaker: Hon. Member, what do you mean by employing standard eight drop outs?

Hon. Maitha: Mr. Speaker, I think that Hon. Member must have been sleeping and he just woke up from a dream. I said soon we might be experiencing, we might be hearing that the government intends to hire standard eight drop outs and seek the authority of this house to employ. What I am saying is this, Mr. Speaker: I don't support the motion and actually, we need to embrace professionalism. If we employ people who are not qualified Mr. Speaker, then you

know what to expect. We are going to spend a lot of monies in training people and there is a Government policy of training. I am in total objection of this.

Hon. Deputy Speaker: Let us hear the point of information from Hon. Ndumi

Hon. (Ms.) Ndumi: Thank you Mr. Speaker, can you tell Hon. Dominic that there is no bed at the assembly and the Majority leader was not sleeping. This is not night time---

(Laughter)

Hon. Deputy Speaker: Hon. Member.

Hon. (Ms.) Ndumi: This is day time, Mr. Speaker, Sir.

Hon. Deputy Speaker: Order members, order members. Hon. Maitha, resume your seat. Hon. Ndumi, you are instructing the Speaker to tell, you want me to do that? You need to withdraw that Hon. Ndumi. You cannot instruct the chair on what to do.

Hon. (Ms.) Ndumi: Thank you, Hon. Speaker. I withdraw.

Hon. Deputy Speaker: Thank you.

Hon. (Ms.) Ndumi: But now it is day time.

Hon. Deputy Speaker: That is enough. Gauging the mood of the house-----order, order members, I would want us to move forward members, right? Very important? Let us hear.

Majority Leader (Hon. Mwonga): Mr. Speaker, I would like to inform the hon. member for Muthwani that this is not a Government motion; it is a private member's motion. So I don't know why he is imputing the name of the Honourable Government in this issue. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Members, I want to advice that, before a motion sees the floor of the House, the procedure is once it lands in the office of the Clerk, it should be forwarded to the office of the Speaker to be authorized to come to this House. Although we are going to put the matter to question, we find the motion fairly shallow.

(Question put and negatived)

Hon. Deputy Speaker: Therefore the motion is rejected by the house and going through the County Government Act, you realize that this is an express duty of the County Executive to capacity build its staff. We also expect that the committee on Labour and Social Welfare ensures that the staff engaged by the County Government meet the required qualifications. It is your responsibility as the oversight committee of this house on matters of labour, to ensure that our staff is trained, within the framework that has been provided in the budget that has been made. Proceed.

ESTABLISHMENT OF MACHAKOS TV STATION, RADIO STATION AND NEWSPAPER

Majority Leader (Hon. Mwonga): Mr. Speaker, I have instructions from the drawer of the motion, that we defer this motion until next week Tuesday in the afternoon. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Okay, the motion having been not moved, then there is that room for members to request for a motion to be deferred and we defer the matter to next week Wednesday morning when the House sits. Advise the Hon. Members who were responsible for handling that motion to be adequately equipped.

ADJOURNMENT

Hon. Deputy Speaker: Therefore there being no other matters before the house, the house adjourns until next week Tuesday 2.30 p.m. Enjoy your evening.

The House rose at 3.13 p.m.