

**MACHAKOS COUNTY ASSEMBLY****OFFICIAL REPORT****Thursday, 25<sup>th</sup> September, 2014**

The House met at 2.37 p.m.

*[The Speaker (Mr. Mung'ata) in the Chair]***PRAYERS****Hon. Speaker:** Good afternoon hon. members.**Hon. Kasyoka:** Thank you, Mr. Speaker. As you can see Mr. Speaker, there is no quorum.**Hon. Speaker:** That is a point of order, Hon. Kasyoka. Under which Standing Order? You have an obligation to tell us under which Standing Order. Proceed. Hon. Kasyoka, you appear to have remembered the Standing Order, tell us.**Hon. Kasyoka:** Standing Order 34.**Hon. Speaker:** Standing Order is dismissed. Standing Order No. 34 reads, 'when the quorum bell is ringing, members shall maintain order in the house.' So, Clerk, proceed.**NOTICE OF MOTION****INFORMATION ON PROJECTS IN WARDS****Hon. Nduva:** Thank you Mr. Speaker. Mr. Speaker, Sir, I wish to give notice of the following motion, that this hon. house discuss and approves that hon. members be informed of all projects that are being undertaken in their wards, including launching and further to be involved in the handing over of projects to the community after completion for oversight purposes.**MOTION****INFORMATION ON PROJECTS IN WARDS**

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**Hon. Nduva:** Mr. Speaker, Sir, I want to move the following motion. Aware that there are many developments undertaken within our wards and aware that in most instances, members may not know the nature and type of projects that the executive is undertaking, aware that some projects in our wards have been left incomplete and further aware that the contractors in some cases collude to do poor quality work, aware that this result in misuse of public funds. Pursuant to the constitution, Article 185(3), as read together with County Government Act section 8(1) b, one of the major roles of the assembly is to oversight the executive.

I wish to move a motion that this hon. house discuss and approves that Hon. Members, be informed of all projects that are being undertaken in their wards, including launching of the projects and further be involved in the handing over of projects to the community after completion for oversight purposes. Thank you, Mr. Speaker. I call upon Hon. Kiilu Mwonga to second the motion.

**Majority Leader (Hon. Mwonga):** Thank you Mr. Speaker. Mr. Speaker, I stand here to second this motion that this hon. members of this hon. house be involved in all the development projects, from the initial start to the handing over to the community. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you. The motion is properly on the floor of the house for debate.

**Hon. Nduva:** Thank you Mr. Speaker. Mr. Speaker, Sir, I will request through your chair that this motion be deferred to next Thursday. Mr. Speaker, aware that some of our members are travelling for a workshop in Mombasa, they need to get time to travel to Mombasa in time, Mr. Speaker. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** I don't know, what was your projection on time? I thought this is a simple motion that we should dispose. I don't really understand hon. Nduva.

**Hon. Nduva:** Mr. Speaker, I am requesting for your guidance if the members feel that we can go through the motion and then they will be able to travel today because we need to handle the matters that we are supposed to do by tomorrow, then I have no problem. Thank you, Mr. Speaker, Sir.

**Hon. Speaker:** So, basically you have withdrawn your request for adjournment? Indeed, you have actually withdrawn. Then the motion proceeds. Those in support of the motion?

**Hon. M. Mutuku:** Thank you Mr. Speaker, Sir and the entire house. Let me first applaud the mover of the motion, hon. Nduva. It is a good motion, which is in line with devolution. Mr Speaker, Sir, it is very important, the hon members to be engaged from the initial stages of development projects. And M. Speaker, Sir, when we say initial stages, we mean from the stage of awarding of the contract because that is when the oversight role and representation starts.

Mr. Speaker, Sir, I think the same motion should also factor the issues of awarding those development projects and consider the locals as a priority. Therefore, Mr. Speaker, Sir, let me say it is very important for this house to discuss and approve that motion such that when the projects are being initiated from the contract awarding up to the completion, members be involved in all those stages. Thank you, Mr. Speaker, Sir.

**Hon. (Ms.) Mueni:** Thank you, Mr. Speaker, Sir. I support the motion to help the elected members so that when the projects are initiated down to their wards, they can help them to come again next time.

*(Laughter)*

**Hon. Speaker:** Thank you for saying the way facts are.

**Hon. (Ms.) V. Mbithe:** Thank you Mr. Speaker and the house at large. I stand here to support this motion. Actually, community development is all about involving the electorates and the members of the house. So I believe that when this is initiated, there will be no wrangles or problems arising from the community because the people they elected need to represent them in each and every project that is being undertaken by the Executive. Thank you Mr. Speaker, Sir.

**Hon. Muthuka:** Thank you, Mr. Speaker, Sir and the rest of the house. I stand here to support the motion. As you know, there is a lot of bickering which is happening. It is because there is no coordination between the Executive and the legislature. And that is the reason you find that the oversight role, currently is impossible. Because most of the projects, when they were initiated, we were not informed. So by the time you go to get to know what is happening, politics take the order of the day. It is as if you are trying to stop the projects.

So what I would wish this hon. house to do is approve this motion so that we can have harmony in the projects because the issue is not the establishment of the projects, the most important part of a project is how we can maintain the project, how we can even be able to hand it over to other generations and the reason you find most of the projects are stalled is because there is no body which is taking its role, that is the legislature. We are rendered harmless, I mean eh.... I am trying to look for a better word since you advised me to use polite language---

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**Hon. Speaker:** I think we understand you. Proceed.

**Hon. Muthuka:** In short, what I would like to urge the hon. members, for us to also bring harmony, the best thing is to have the projects, during even the time of tendering up to the time the projects are being handed over to the community because we are part of that community.

And even after our elective period, we will go back to the same community and we don't want some projects to be associated with people because most of the projects they die with people who started the projects. So it is my humble request that the members will see it wise to support this motion, so that we can bring harmony in the county and also the projects can have a long life. Thank you.

**Hon. Speaker:** Thank you. I think after the motion passes, perhaps it should be referred to the committee that will come with terms or rules of engagement.

**Hon. Matheka:** Thank you Mr. Speaker, Sir and the house at large. Mr. Speaker, Sir, this is a well thought motion. Thumbs up to the mover, Mheshimiwa Nduva from Kithimani.

Mr. Speaker, Sir, as we all know, our role is representation, legislation and oversight. Mr. Speaker, Sir, when the member and his/her community are there when the project is being launched and being handed over, there is a feeling of ownership and once the community owns the project and they feel their leader is there, to support them, to own the project, the project will succeed.

But when the reverse is applied, it is when we have white elephants. So, Mr. Speaker, Sir, I am fully supporting this motion. Part of our job is to represent our people and as part of our job to oversee what is happening. Mr. Speaker, Sir, I support the motion because in the past, we have seen what has been happening. It was not a good gesture to some of the members.

There were some happenings behind the curtains, which were not good and I think this will erase all those and we start a new beginning. Thank you, Mr. Speaker, Sir, and I fully support the motion.

**Hon. Speaker:** Thank you very much. Yes Vice-chairman---

**Hon. Kimata:** Thank you, Mr. Speaker, Sir, for giving me this chance to contribute to this important motion. I stand here supporting the motion but whoever is given this project must make sure that they involve the members involved in the ward level so that in every stage, they go hand in hand before being issued with any certificate of completion.

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**Hon. Speaker:** Thank you very much. As I said some rules will be done.

**Hon. A. Wambua:** Thank you Mr. Speaker. First, I want to congratulate the hon. member for this motion because Mr. Speaker, when I remember the time I was requesting votes, I promised so many things, so many projects. And this is the high time, these Hon. Members, I am requesting them to approve this motion for their benefit. Even not to the benefit of the Executive but for our benefit and for the benefit of our people. Thank you very much.

**Hon. (Ms.) Musyoki:** Thank you Mr. Speaker, Sir. My name is Hon. Anne Musyoki. Mr Speaker, Sir, I would like to congratulate the mover of this motion, because I believe it is a healthy motion and it brings this house together, with one motive of building this county.

Mr. Speaker, Sir, it is a good thing that when any project is started in this county, our leaders, that is the MCAs, should be involved in this from the beginning to the end. And this will even help them when it comes to next general elections because there, people will be seeing them on the ground. So, Mr. Speaker, Sir, I stand here to support it fully. Thank you.

**Hon. Speaker:** Thank you very much. Any member of a contrary view? Any member with a burning issue that he thinks to put it? Then we can now here the mover, Hon. Nduva.

**Hon. Nduva:** Thank you Mr. Speaker, Sir, and the entire house. Mr. Speaker, when I thought of presenting this motion, I thought of what has been happening before devolution came. Mr. Speaker, electorates were being informed that a certain project was funded by the government and completed and, Mr. Speaker, you find that that project never happened but the state paid the contractor who was awarded the project.

Mr. Speaker, looking at where we are today, we as hon. members, in some areas we have a lot of problems with now what is being undertaken by our Executive. It is not that we are fighting them, but our role is oversight. So there are projects which have been done, not to completion, but you find that the person has been awarded a certificate of completion, waiting or having been paid.

Mr. Speaker, my view was, let us have another direction of leadership, where if the county government of Machakos uses a certain amount in a certain project, let that money be committed to that project. And the hon. members who are representing the communities down to the wards to make sure the image of the County Government is not swept away by greedy contractors and other officers.

Mr. Speaker, I feel that the same time, the hon. members will be felt down in the wards while they oversee the excellent completion of these projects. For that, Mr. Speaker, I thank all

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the contributors because no one has gone contrary to this motion and I believe the motion will be fully supported by these hon. members. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Thank you very much. Then I proceed to put the question.

*(Question put and agreed to)*

Then immediate directions issued that the motion will be placed before the committee on Delegated County Legislation so that they can come up with the necessary rules of engagement.

### ADJOURNMENT

**Hon. Speaker:** In the absence of any further business, have a good afternoon.

The House rose at 2.58 p.m.