

MACHAKOS COUNTY ASSEMBLY**OFFICIAL REPORT****Thursday, 8th October, 2015**

The House met at 2.40 p.m.

*[The Speaker (Mr. Nganga) in the Chair]***PRAYERS****Hon. Speaker:** Good afternoon Hon. Members. Let us proceed.**COMMUNICATION FROM THE CHAIR****POLICY GUIDELINES ON INTERNATIONAL TRAVEL AND DIPLOMATIC ENGAGEMENT**

Hon. Speaker: Hon. Members there is a communication that I would wish to make dated today, the 8th of October, sub headed policy guidelines on international travel and diplomatic engagements.

Hon. Members, on 8th June, 2015, the County Assembly received a circular, Ref. No: OP/CAB. 1/7A from the Head of the Public Service, detailing the policy guidelines on international travel and diplomatic engagement, which was circulated to all members. The circular gives policy guidelines to foster orderly engagement, discipline and decorum in the wider collective interest of promoting and protecting Kenya's national interests in line with the ethos of the country's foreign policy.

It offers guidelines on international travel, communication and engagement with the diplomatic corps and international community, representation abroad, signing of Memorandums of Understanding and agreements as well as twinning with foreign entities.

The circular, in part reads: "these guidelines are intended to ensure that Kenya honours her international obligations, abide by the Constitution in particular, Article 2 (5) and (6) as well as the Vienna Convention on Diplomatic Relations of 1961, which defines the framework for diplomatic relations."

I have noted, with concern that Members are not adhering to the said circular, especially the clause on international travel. I therefore direct the Office of the Clerk to re-distribute the circular again to all the Members and I urge you to carefully go through the same and ensure adherence as any official travel undertaken outside the set guidelines shall not be funded or charged to public resources. If any member would like to raise a concern regarding the circular,

the same should be channeled through the committee on devolution, which will take up the matter with the relevant authorities.

BIOMETRIC ATTENDANCE REGISTRATION

Hon. Members, the Chair has on several occasions made communication on the disorderly conduct of making technical appearances during plenary sessions and committee meetings just to sign the attendance register. On 28th July, 2015, the Speaker issued a communication to the effect that the reports generated from the biometric system will be used in computation of members' allowances and that members will be required to log out when leaving meetings.

I have noted that some Members are logging in at the start of the plenary session and leaving immediately, without even make a point of sitting in the chamber during proceedings. Such acts of misconduct will not be tolerated and all Members will be required to log in at the start of the plenary and committee sittings and log out at the end of the sittings, failure to which, the said Members' attendance will not be registered.

The Speaker also directs that unless a plenary or committee sitting goes for less than 30 minutes, no Member will be allowed to log out before half an hour lapses. Therefore Hon. Members, take note and ensure adherence to avoid facing the consequences of disorderly conduct.

LETTERS FROM THE MAJORITY WHIP

Hon. Members, I am in receipt of correspondence from the majority whip notifying the Chair of changes in the membership of the speaker's forum and the speaker's panel. In the said correspondences, the Majority Whip notifies the Speaker that Hon. Phoebe Mawa has been appointed to replace Hon. Philip Ndolo in the Speaker's forum and Hon. Peter Nzoka and Hon. Alice Nzioka will replace Hon. Cecilia Sereka and Hon. Jacqueline Nziva in the Speaker's Panel. Therefore, Hon. Members, take note of the changes.

LETTER FROM THE MINORITY WHIP

Hon. Members, I am in receipt of another correspondence from the minority whip notifying the chair of changes in the speaker's panel. In the said correspondence, the minority whip notifies the speaker that Hon. Raphael Mutuku has been reappointed to the speaker's panel. Therefore members, take note. Let us proceed, Clerk.

PAPER LAID

REPORT ON CCTV INSTALLATION AND INTEGRATION IN 2014/15

Hon. Katela: Thank you Mr. Speaker, Sir. Mr. Speaker, Sir, I beg to lay the following paper on the table of the Assembly today, 8th October, 2015: report of Labour, Public Service and ICT Committee on CCTV installation and integration in the financial year 2014/15. Thank you, Mr. Speaker.

(Hon. Katela laid the Report on the Table)

Hon. Speaker: Thank you, paper is laid. Proceed.

NOTICE OF MOTION

REPORT ON CCTV INSTALLATION AND INTEGRATION IN 2014/15

Hon. Katela: Thank you, Mr. Speaker, Sir. Mr. Speaker, Sir, I wish to give notice of the following motion that this Hon. House discusses and approves report of Labor, Public Service and ICT Committee on CCTV installation and integration in 2014/2015 financial year.

Hon. Speaker: Thank you. Notice has been given

Hon. Katela: Thank you.

Majority Leader (Hon. Mwonga): Mr. Speaker, Sir, I wish to give notice of the following motion: that this Hon. House adjourns its sittings from today, Thursday 8th October, to Tuesday, 27th October, 2015 as per the calendar of the Assembly. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Notice is issued. Proceed.

STATEMENT

COUNTY PREPAREDNESS ON EL-NINO

Hon. Speaker: Hon. Joshua Mwonga.

Majority Leader (Hon. Mwonga): Mr. Speaker, Sir, on Wednesday, 30th September, 2015, Hon. Felix Ngui stood under Standing Order number 227 and requested the Hon. House to suspend its business for one week to discuss the state of *El-Nino* preparedness and also projects implemented by the County Government since 2013. Mr. Speaker, Sir, I wish to respond on the County preparedness on El-Nino and state as follows:-

1. That Machakos County Executive has put in place measures to mitigate the effects of El-Nino rains which are expected to heavily pound the region among other parts of the country.
2. The County Government has set aside Ksh. 300 million to help mitigate the effects of the heavy rains and which may include flooding, displacement of household goods, water borne diseases, food decay and aflatoxin among other calamities.
3. The County Government is in the process of constructing 300 weirs, that is small river dams, to hold water in rivers and streams across all the sub locations in the County. This is part of the larger water program that will see homes at the village level equipped with piped water by June 2016. The Kshs. 270 million used to construct the weirs, 2 per each of the 250 sub locations across the County, is part of the water budget for the current financial year. The County Government will provide drawings and professional exercise on where and how to construct the weirs. Funds provided to build the weirs must be utilized in a prudent and transparent manner, devoid of waste, corruption and any form of mismanagement.
4. The County Government will spend Kshs.30 million for procurement of disaster camping items and emergency response gear as part of the Ministry of Health budget for 2015/2016.
5. Communities where river dams are being built have been asked to provide labour and locally available materials like sand, stones and gravel.
6. Heavy equipment including bull dozers, graders belonging to the County Government have also been released to the wards to assist in roads grading,clearance,water pansexcavation and are on standby for any emergency interventions.
7. Number 7, Mr. Speaker---

Hon. Speaker: Order, order...

Majority Leader (Hon. Mwonga): ...there was need for urgent planning to ensure that Machakos citizens do not suffer due to the heavy rains and an education, information and communication campaign to enlighten Machakos residents on the *El-Nino* and its effects has already began. The County Government will use barazas, schools, churches and mosques announcements, radio, television and newspaper campaigns to educate and prepare the people on El-Nino. People living in disaster prone areas in the County like unstable hillslopes, flooding planes and river banks will be asked to relocate to safer areas.

8. The Government will hire helicopters and four wheel vehicles on need basis---

(Loud consultations)

Majority Leader (Hon. Mwonga): ... to help evacuate people trapped in areas hit by the rains.

(Laughter)

9. A county-wide cleaning exercise beginning October 16th to 18th, which will also help unblock drainage and sewers to avert flooding.
10. The hospitals will also be equipped with adequate drugs and staff put on standby 24 hours to help combat diseases that come with heavy rains and ensure that Machakos citizens do not suffer due to the heavy rains.

Further, Mr. Speaker, Sir, the response on all 2013/14, 2014/15 and 2015/16 development projects and programs implemented as requested is yet to be received. The work is bulky and the Chief Officers have been given up to 13th October, 2015 to provide the reports. Mr. Speaker, Sir, I therefore request for two weeks to be able to provide a satisfactory statement to this Hon. House. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Thank you, very much. Hon. Felix...Felix is not in the House.

Majority Leader (Hon. Mwonga): Mr. Speaker---

Hon. Speaker: Yes---

Majority Leader (Hon. Mwonga): The Hon. Member called me before the start of this plenary and actually he hinted that he wanted to withdraw his statement.

Hon. Speaker: Order, order...I have called for Hon. Felix not for you, chairman. Take your seat.

Hon. Nzeki: Mr. Speaker, I am a member of that committee.

(Interrupted)

Hon. Speaker: I have made an order that you take your seat. This statement will be circulated to members and we will hear Hon. Felix Nguu at the earliest opportunity and members will be at liberty to raise issues with the particular areas where they need to. Let us proceed.

MOTION

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REPORT ON MACHAKOS COUNTY DESIGNATED PARKING PLACES BILL, 2015

Hon. Speaker: Chairperson, transport. Hon. Felix Ngui, again. It is a motion for Transport committee. I think now you can rise. Now you can come up.

Hon. Nzeki: Thank you Mr. Speaker, Sir. I have stood here, I am not the chairman of transport but the chairman Hon. Ngui has told me to hold brief for him and I ask this Hon. House and the Speaker to continue the debate on County Designated Parking Places Bill, 2015. Thank you, Mr. Speaker, Sir.

Hon. Speaker: Ok. Then tell us something on the Bill.

Hon. Nzeki: Thank you members. I understand you had a debate yesterday and I saw it was a very healthy debate and what I just wanted to add on recommendations is that we are the first County Assembly members in this Machakos County and I am requesting this House to allow the first Members of this County as they leave this area, as they leave the Assembly, to recommend that after we leave in 2017, we be parking freely; we will not be paying because we have done a lot, we have paid this County a lot and I am asking the Members to let that recommendation be put in our recommendations that if Hon. Katela is not re-elected---

(Laughter)

---because it is possible that you will not be elected----

(Laughter)

Hon. Katela: Point of order Mr. Speaker.

(Consultations)

Hon. Nzeki: Protect me Mr. Speaker, Sir.

Hon. Speaker: Order, order. Allow the chairperson...

Hon. Nzeki: I am just giving an example, I am not saying...

Hon. Speaker: Proceed Hon. Chairperson.

Hon. Nzeki:...that you will not come back

(Low consultations)

Hon. Speaker: Order, order. Proceed...

Hon. Nzeki: I am not saying that Hon. Katela will not come back but I am just giving an example that if we leave this area and we do not come back, parking our cars should be free. So, Members I would like you to pass that and you will find it will be a healthy idea. Thank you, Mr. Speaker, Sir.

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

(Applause)

Thank you, additional contributions on where the debate reached yesterday. Yes Hon. Kitheka.

Hon. Kitheka: Thank you, Mr. Speaker. I would first and foremost wish to inform you that I have shifted from the front bench to the back seat for you to have a good focus of where I am seated. Thank you very much.

Mr. Speaker, I wish to get some information from...I do not know if the Chairman is not here or some clarification of the designated parking areas. Is it only the gazette? Because if it has to be gazetted designated area for parking, it has to be maintained in a way that it is tarmacked or there are cabro or things like that because you cannot just designate somewhere as a parking bay where it is prone to a lot of dust, it is prone to theft, things like that. Have we put into consideration such issues because it is mandatory for us to give our residents designated and gazette parking areas which are good in condition, to an extent that somebody can leave his vehicle which has been parked with all the security and where it cannot be prone to all kind of dirt, dust or issues like that. So Mr. Speaker, I am kindly requesting for that update. If it is there, I can be informed.

Hon. Speaker: Alright.

Hon. Kitheka: Thank you.

Hon. Speaker: Hon. Kitheka you may not have been in the House yesterday when the same issue was raised by Hon. Kathinzi and we referred him to section 26 of the Bill. Do you have a copy of your Bill?

Hon. Kitheka: No, Sir.

Hon. Speaker: Alright. Section 26 reads, 'the County Executive Committee member shall from time to time revise the schedules for designated parking areas so the CEC member will have the prerogative to designate the parking zones and you will be at liberty to say that a particular zone was improperly designated if it is not prepared and adequate to enable any charge of fees. The purpose that debate was adjourned yesterday Hon. Kitheka was to enable you read this Bill. What is your position now after being taken through section 26?

Hon. Kitheka: Mr. Speaker, I read the Bill yesterday and I got confused when it came to my realization that it will be the issue of the Executive member to issue and notify any designated area of which my opinion is that, any designated area should be prepared before anything is done to the area earmarked for getting pay for the parking because there is no way like in Mjini here in Machakos, there is no way you can get parking fee from the people while they are just parking on the pavements, others are at the risk of theft and things like that.

Mr. Speaker, I wish there could have been a clause which is stipulating clearly the consequences of having a parking bay which is not gazetted, which is not modernized, things like that so that at least we can have our people have safe parking bays. That is my contribution Mr. Speaker.

Hon. Speaker: Okay, thank you. That is a good point that you can raise in the committee of the whole. You can push for that amendments or addition. Yes Hon. Kathinzi.

Hon. Kathinzi: Thank you Mr. Speaker. Mr. Speaker today is another good day because yesterday you had given the ruling that we form some groups we go through the Bill and the report in general. I would like to report to you that we made a sitting with Mheshimiwa Munyaka and the Chair yesterday and a few other members and we saw a few issues that: one, this Hon. House, the first Assembly after the Constitution was passed, needs to be recognized for the rest of our lives. It is important that we push and maybe through the committee of the Whole House that we include the allowance of maybe 2 or 3 vehicles for members who have been in the Assembly for the first time because most of us are business people.

For instance Mheshimiwa Katela has been in a business whereby his truck can be pulled by Inspectorate any time and it is good to consider that particular view including myself and other few guys in this particular business whereby our businesses are involved in transporting

material from one place to the other one. So in this particular regard Mr. Speaker, it is with a lot of respect that this particular issue be considered at least not less than 2 but not more than 3 vehicles per Hon. Member because I think it befits this particular agenda we are discussing today to see to it at least even after the next election, because most of us might turn to be bankrupt anyway and we do not want to be seen to be frustrated along the streets because we are public figures and we are known by citizens. So that is one thing we kind of tried to see.

The other thing is an understanding that the CEC Member can be able to designate and gazette any parking area, any new parking area and this view Mr. Speaker, was in consideration that if a new place has been renovated for parking, then it is in good order that we agree that it is the prerogative of the CEC Member to do the gazzetment of that particular area and if it deems fit also, to de-gazette the same maybe for renovation or further construction or putting a new... maybe a sewer line reconstructed in that particular area then the gazzetment should also be featuring in this particular Bill Mr. Speaker so that we can give way for lifting and making some balances of the same.

Mr. Speaker, as I was addressing the issue of challenges, that is page 5(1.9) about the challenges, my greatest anticipation and plea is that I wish the Majority Leader was here because we come from the same sub-county, Masinga and I highlighted yesterday that my ward is the biggest ward in this County. Most of my people have never been able to attend public participation and the same challenge was highlighted by Hon. Mheshimiwa Peter Nzoka that we need to check and find out, what can we do as an Assembly that when we have functions of legislation, we have the budget with us; we need to try as much as possible because if we do the assumption that members come at their will, because it will not be possible, most of the public participations we have been undertaking, lucky enough most of them are lying on Monday when we have a market day for Masinga Central Ward and most of the people are waiting or even after selling their goats and cattle, they can now come for the meeting briefly.

But most of the people from my ward, from Ndithini, from Muthesya, it has not been possible. Even most of them do not know something called public participation, so it is important for that particular issue to see whether we can be able to, with a lot of keenness and speed, make sure that our people are fully involved when we are having these public participations so that such complaints, as raised yesterday by Mheshimiwa Nzoka, should not be recurring any more.

As I continue supporting this particular Bill, rather the report from Mheshimiwa Ngui, the conclusion is also touching the issues of implementation. Mr. Speaker, we have seen a clause whereby the CEC Member has been given mandate to gazette or de-gazette the parking area but I can request the members to agree unanimously that we have a problem when it comes to implementation of the projects, implementation of the Bills and the reports we are discussing here and regulations we are passing in this Assembly. It has been challenging that it is not or it might not be possible even when the term is ending to realize this Assembly has been able to push the Executive to implement fully the issues we have been deliberating in this Assembly.

Therefore what is the way forward from the implementation Committee? It is the duty of the implementation committee to report back to the Assembly any challenge faced by any other committee during the execution of their duties, Mr. Speaker. We need to hold our hands together with a lot of brotherhood, with a lot of care, keenness and using the Constitution and the standing Orders of this particular Chamber Mr. Speaker, to make sure whatever we deliberate in this Assembly is executed by the CEC Members. When it is not possible, then that means we are shooting our own feet.

I requested yesterday, even when I can see there is a motion to adjourn, even after we come from recess because I can see that coming, we have a Speaker's Kamukunji and we invite the CEC members, find a way forward, see as much as possible what can we do as an Assembly, because if the county government is not able to deliver the services and we deliberate these issues in the Assembly like this particular Bill Mr. Speaker, we can pass it and the CEC member puts it under the draw. So what will be our duty?

I think it is with a lot of concern that I found it fit to raise that particular issue and as a member of Implementation committee we have said we are working with a lot of respect to the Executive side of the government so that our county can move forward. Otherwise I would wish to rest my case there and say I request other members maybe to support this particular report so that we can move forward. Thank you.

Hon. Speaker: Thank you. Any other contribution? The house will convert into a committee of the Whole House. Thank you

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[Mr. Speaker left the Chair]

IN THE COMMITTEE

[Madam Chair (Ms. Jacqueline Nziva) took the Chair]

MACHAKOS COUNTY DESIGNATED PARKING PLACES BILL, 2015

Clauses without amendments

(Clauses 1, 6, 7, 13, 14, 16, 18, 19, 22, 25 and the First Schedule agreed to)

Clauses with amendments**Clause 2**

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 3

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 4

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 5

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 8

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 9

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 10

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 11

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 12

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Clause 14

*(Question, that the word(s) to be inserted in place thereof
be inserted, put and agreed to)*

Clause 15

Question proposed and agreed that clause be deleted

Clause 16

*(Question, that the word(s) to be inserted in place thereof
be inserted, put and agreed to)*

Clause 17

Question proposed and agreed that clause be deleted

Clause 20

Question proposed and agreed that clause be deleted

Clause 21

Question proposed that clause be deleted and substituted thereof and agreed to)

Clause 23

*Question proposed and agreed that clause be deleted
(Question of the deletion proposed and agreed to)*

Clause 24

*(Question, that the word(s) to be inserted in place thereof
be inserted, put and agreed to)*

Clause 26

*(Question, that the word(s) to be left out be left out,
put and agreed to)*

Hon. Chairperson: Members I hope you have the clauses with you. Are we moving together because I can see some are like they are lost? So can I propose that the clauses which have been read by clerk with amendments be part of the Bill?

Hon. Nzeki: I beg to move that the amended clauses be part of the Bill

*(Question proposed that questions with amendments be part of the Bill
Questions proposed, amended and agreed to)*

New Clauses

Hon. Nzeki: Chairman I beg to move that the Bill be amended by inserting immediately after or thereof new clauses as follows:-

1. Insert the following new sub clause to clause 8 'A person who contravenes this section commits an offence.
2. Insert the following new clause immediately after clause 9
 - The County Executive Member shall cause to be designated authorized officers to be in charge of designated parking places.
 - An authorized officer maybe assisted by uniformed parking assistants
 - Every parking assistant shall wear an identification badge and shall be responsible to the authorized officer
3. For the avoidance of doubt, the national laws on matters relating to traffic within the county to the extent of the functions of the national government.

Hon. Nzeki: Thank you Mr. Chairman, I wish to move that the committee do report its consideration of the Machakos County Designated Parking Places Bill, 2015 and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

Hon. Chairperson: Members I wish to thank you for the cooperation through the meeting. In fact we have done it well so continue that way and I am very sure the House will go to higher heights. Thank you so much.

(The House resumed)

[Mr. Speaker in the Chair]

REPORT AND THIRD READING

MACHAKOS COUNTY DESIGNATED PARKING PLACES BILL, 2015

Hon. Speaker: Let us hear the chairperson

Hon. (Ms.) Nziva: Hon Speaker, I wish to report that the committee doth report to the house its considerations of the Machakos County Designated Parking Places Bill 2015 and its approval thereof with amendments. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you.

(Question proposed)

(Question put and agreed to)

Hon. Nzeki: Mr. Speaker, I therefore ask this Hon. House and present this Bill for the third reading. I therefore call upon Hon.Kathinzi to second.

Hon. Kathinzi: Thank you Mr. Speaker once again. I am on my feet to second this particular Bill as said by the interim chair of transport that we need to proceed and I support on those grounds

The Machakos County Designated Parking Places Bill 2015

Hon. Speaker: Thank you. Let us hear the chairperson.

Hon. Nzeki: Thank you Mr. Speaker, Sir. I thank the members for a job well done, they have passed the Bill which has been in our committee for long and I congratulate the committee of transport, roads and housing and tell them they support our chairman. He has been in class for the

last two weeks, he is doing exams, that is why I have stood for him and I thank the Speaker, the Clerk and the whole house. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. We wish him well in his exams.

(Question proposed)

(Question put and agreed to)

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

Hon. Speaker: The Bill is now considered passed by this Assembly.

(Applause)

MOTION

REPORT ON CCTV INSTALLATION AND INTEGRATION

Hon. Katela: Thank you Mr. Speaker, Sir. Aware that the Labor, Public Service and ICT Committee and the public service Labour, ICT and Cooperatives department held a meeting on 5th June 2015 at 67 hotel to interrogate budgets estimates for 2015/2016; aware that the two groups could not agree on the functioning and numbers of the CCTVs and aware that installation of the CCTVs was a major project which consumed a lot of the county's finances, the committee resolved to undertake site visits to unravel the correct position of the CCTVs.

Mr. Speaker, Sir, aware that security of citizens is very key in any country and proper installations and functionality of the CCTVs would enhance confidence in operations thus promoting the economy, I wish to move a motion that this Hon. House discusses and approves the report of the Labor, Public Service and ICT Committee on CCTV installation and integration in 2014/2015 financial year. Thank you Mr. Speaker, Sir. I call upon Hon. Kavuu to support the motion.

Hon. Kavuu: Thank you Mr. Speaker. I am a member of this committee Mr. Speaker, Sir and the motion brought by the chairman, I stand to support the motion. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. The motion is properly laid. Proceed.

POINT OF ORDER

Hon. Kitheka: Mr. Speaker, there is no quorum in the House.

Hon. Speaker: Yes clerk.

(Clerk carried out physical head count)

I am advised there is quorum. Proceed.

Hon. Katela: Thank you Mr. Speaker, Sir.

REPORT ON CCTV INSTALLATION

Preamble

Mr. Speaker, Sir, the Committee on Labour, Public Service and ICT committee and Department of Public Service, Labour, ICT and Cooperatives held a meeting on 5th June, 2015 at 67 Hotel to interrogate budget estimates for 2015/2016 for the Department and could not agree on functioning of CCTV Cameras and their number. As a result the two groups resolved to visit all Sub-Counties on 9th and 10th June, 2015 to verify the functioning of the CCTV cameras installed and their number.

Mandate of the Committee

Mr. Speaker, Sir, the Committee on Labour, Public Service and ICT was established pursuant to the second schedule of the Standing Orders with specific mandate on all matters relating to labour, trade union relations, manpower or human resource planning; information, communication and technology.

Committee Members

- | | |
|----------------------------------|-----------------|
| 1. Hon. Leonard Katela | - Chairman |
| 2. Hon. Renson Muthiani | - Vice Chairman |
| 3. Hon. (Ms.) Phoebe Koki | - Member |
| 4. Hon. Felix Ngui | “ |
| 5. Hon. Alex Kathinzi | “ |
| 6. Hon. Justus Katumo | “ |
| 7. Hon. (Ms.) Bibiana Nduku | “ |
| 8. Hon. Francis Matheka | “ |
| 9. Hon. Sammy Nduva | “ |
| 10. Hon. (Ms.) Catherine Nguluku | “ |
| 11. Hon. Alex Kamitu | “ |

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12. Hon. Rachael Nduku “
13. Hon. Anne Wairimu “

Committee Findings

Mr. Speaker, Sir, the committee visited all the sites where CCTV cameras had been installed and the findings were as follows:-

Joska to Kangundo

Mr. Speaker, Sir, members noted that from Joska to Kangundo town there were 31 CCTV cameras instead of 32. It was reported that one of the camera poles had been knocked down hence the loss of the camera.

Mr. Speaker, Sir, the committee observed that in the control room at Kangundo, only 4 cameras were working. The contractor explained that the problem was occasioned by less power at the booster in Komarock. He said that during the months of June and July there was a lot of fog on the hill thus making the charging system impossible. The Assistant Director from the Department accompanying the committee confirmed that during handing over of the project, all the cameras were working.

The contractor informed members that he had advised the Chief Officer to budget for electricity supply so as to ensure a constant flow of power. The committee also cited a backup system of 16 terabytes which could store information for four months before being erased to accommodate more. There were no staff manning the control room and members were informed that officers who were trained on the same were retrenched without any good reason and no replacement had been done.

Tala Town

Mr. Speaker, Sir, at Tala town the committee observed a control room, 30 CCTV cameras and a backup which had a capacity of 4 terabytes. The cameras were not rotating, prompting members to suggest that they be set to rotate. Three of the cameras were offline and no satisfactory reason was given for the same. Members found the contractor on site but there were no personnel to man the facility.

Matuu Town

Mr. Speaker, Sir, at Matuu town, the committee was able to observe a control room and 32 cameras. Only one camera was working and the contractor was not on site. The committee further observed that the place where the control room was located was hidden thus accessibility to it was a challenge. There were no personnel manning the facility. The Assistant Director accompanying the committee from the Department informed members that a cable connecting the cameras and the control room had been vandalized thus deterring connectivity.

The committee sought to know what measures the department had taken and on enquiring from Matuu police station they were informed that no case of stolen wires had been reported by the Department. The committee observed that the facility was in a pathetic situation. The Assistant director informed members that the contractor had been paid despite doing unsatisfactory work.

Machakos Town

Mr. Speaker, Sir, in Machakos Town, 32 cameras were sited and all of them were working. The Control room was situated at the Department of Decentralized Units Office and there were no personnel to man the control room. The Assistant Director ICT Department informed members that there was need for a generator for power back up.

Machakos Town to Kyumbi Junction

Mr. Speaker, Sir, along Makutano-Machakos town Road and the Kenyatta Stadium, the committee observed 32 cameras. Members witnessed that the cameras were able to zoom up to 360 degrees. The control room for the cameras was at the Media Center offices and there was one officer manning the control room.

Machakos Level Five Hospital

Mr. Speaker, Sir, at the Machakos Level 5 Hospital, 39 cameras were cited. All departments, the parking areas and at the main gate had cameras. There were two officers manning the control room. The only place where cameras were not installed was in the wards because of privacy. The committee was informed that the installation of cameras at the main gate of the Hospital had reduced the cases of motorbike theft. The camera at the gate had the ability to zoom up to KiimaKimwe.

Machakos People's Park

Mr. Speaker, Sir, at the Machakos People's Park, 32 cameras had been installed and the generator meant for power back up was not working. The committee observed that there was need for more cameras at the parking areas. Members were also informed of the need to have cameras in the generator room. Further, members were informed that the contractor who installed the cameras had not been paid.

Mlolongo Town

Mr. Speaker, Sir, at Mlolongo Town, 32 cameras were observed whereby 10 of them were mounted on street lights and were not working after power had been disconnected due to unpaid electricity bills. The control room was hosted in a rental house. The committee noted that the equipment was not secure since there were no personnel manning the room. Members were informed that the contractor had not been paid.

Athi River Town

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Mr. Speaker, Sir, in Athi river town, 32 cameras were cited and the control room for the cameras was at the sub-county headquarters. There were no personnel manning the control room. Members were informed that the contractor had not been paid.

Committee Observations

Mr. Speaker, Sir, the committee observed that the work done by contractors was shoddy i.e. the work was sub-standard since most of the CCTV cameras were not functioning, were focusing the wrong direction, showed blurred images or nothing at all. Most control rooms were situated in areas that were not easily accessible. Some were located in private premises which compromised the safety of the facilities as well as information gathered. Further, some control rooms were located in offices that could not be accessed 24 hours since the occupants could not allow junior officers in their offices when they were not present e.g. the control room in Tala which was in the OCS' office.

In addition, Mr. Speaker, Sir, most of the control rooms were not manned which meant that in case of an occurrence of an event, response would not be prompt thus defeating the essence of investing such a huge sum of money to a project that was not going to be of help at the time of need. In the few control rooms that were manned, officers were deployed that morning when the committee was going to the site to ascertain the functionality of the CCTV cameras. The officers did not have skills of operating the control monitors and when called to operate, they revealed that they were not in a position to do so. It was evident that there was an effort to cover up the mess in the CCTV cameras project since most repair works had also started that morning and in some areas the workers could not restore the functionality of the cameras as earlier indicated.

Further, Mr. Speaker, Sir, the contractors who had not completed work in Matuu and Katangi had been paid. The committee wondered the criteria used to pay these contractors.

Recommendations

Mr. Speaker, Sir, the committee on Labour, Public Service and ICT wishes to make the following recommendations to this Honorable House:-

1. That the Department replaces the fallen pole along Joska-Kangundo road.
2. That all the contractors who have completed their work be paid.
3. That the department puts a fence around the solar booster at the Komarock shrine to beef up security of the facility.

4. That electricity be sourced as backup to the solar booster at the Komarock shrine during the months of June, July and August and the road to the facility be cleared and widened to allow easy accessibility.
5. That the Department employs staff to man the control rooms.
6. That facilities which were located in private premises be relocated to government owned premises.
7. That the Chief Officer should be surcharged for making payments to works which had not been completed.
8. That the committee recommends invitation of the EACC to investigate the whole project right from award of tenders, work done, cost as well as the circumstances of payments before the work was completed.

Acknowledgement

Mr. Speaker, Sir, the Labour, Public Service and ICT committee is grateful to the office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the committee sittings and visitation. I wish to express my appreciation to the Hon. Members of the Committee who sacrificed their time to participate in the activities of the committee and in preparation of this report.

Mr. Speaker, Sir, it is therefore my privilege, on behalf of the Labour, Public Service and ICT Committee, to table this report and recommend it to this Hon. House for adoption. We have annexed some reports on the other side of the report. Thank you Mr. Speaker, Sir. I will call Hon. Kavuu to second the motion.

Hon. Kavuu: Mr. Speaker, sir, I stand here to support the report for members to discuss and approve. Thank you.

Hon. Speaker: Thank you. Any member contributions, yes Kathinzi.

Hon. Kathinzi: Thank you, Mr. Speaker. I would like to start by congratulating the chair. He is my former chair since I have been relocated to another committee but I was a member of this committee until the latest changes were done.

Mr. Speaker, if Mheshimiwa Hon. Matheka was here I would request him to allow me to use the words 'I am wondering' but since he is not there, I am holding it for another day. You can go to page 2 Mr. Speaker. Sometime last year in March, I had an opportunity to go to Berlin for ITB exhibitions and you could see solar systems working under very cold weather and I told the contractor on the item number, that is under Joska to Kangundo second paragraph; that contractor was giving an excuse that during the months of June and July there was a lot of fog on

the hill thus making charging systems impossible which this was a blatant lie and we climbed up to the top of the shrine and we could see a shoddy job, very shoddy in fact.

There is nothing we can recommend these people to be paid and we said our recommendation as a committee is that they should repeat this particular job but all the same when you continue with that particular paragraph, the end of this paragraph, there is no staff to man. This is the last sentence on the second paragraph of Joska, Kangundo which says there was no staff to man the control rooms and members were informed that officers who were trained on the same were retrenched without any good reason and no replacement either was done.

Mr. Speaker, a waste of county resources; a County requested our children, our sisters and brothers to be trained on how to operate on this issues and they were retrenched, were not paid, for no good reason. No letters, some were retrenched through an SMS and they comply because they do not know their rights. That is one issue Mr. Speaker.

As I continue, remember I am supporting the report by my Chair because he has written the truth. This is the truth on the ground, Mr. Speaker. If you go to Tala Town, there is also another issue there; this camera, this strong room was kept in OCPD's office which is a *mabati* made strong room which you can pop in. Any officer is getting in; our County Inspectorate Members are not able to access because that is a private office. Therefore I remember very well that this particular issue---and we were with Mheshimiwa, my name sake Alex Kamitu; we were complaining that we gave this department a lot of money to make sure this particular program was a success to our people but nothing happened and payment of the contractors, if I emphasize on page 2 once again, you go to the statements: Matuu Town whereby Kshs.9.4 million was paid to the contractor. He has not done anything. If you go to the annexed report, this contractor was supposed to put 32 cameras from Kithioko where Al-Shaabab in this county can get entry into. They did not do any single installation on that particular point but the annexed report says that this contractor was paid a whopping Kshs. 9.4 million.

This committee is recommending that maybe we seek an extra hand of EACC to do thorough investigation on this particular issue, Mr. Speaker. No personnel, money in the facility, contractor was lying that some cables were stolen but we made an extra mile to go to the police station to enquire whether there was any single attempt by this particular contractor to report that a vandalism was done or carried out within Matuu Town; nothing happened, Mr. Speaker. Remember we are talking for and on behalf of our electorates that they need to get value for their money.

On the same page 3, on the top you will also see that this contractor had been paid but the works are not done. When I enquired from this particular contractor because that was my biggest day to interact with him, I asked him 'how did you manage to be paid yet you did not go to my market, that is Kithioko Market, and do a very simple installation of the same.' What did they do? They went there on a Sunday when we were in Church, they did a lot of trenches there, 7ft poles were installed, they did some installation for three cameras on that single day and the

following night all the cameras were stolen. Who could have stolen the same? The same contractor. That is my own judgement. There is nothing today I can show in Kithyoko Market in this particular regard.

During interrogation of the same Minister, he came and told us, 'kindly Hon. Members, I request that you do not give any single cent for this particular sub department and we complied because it is a waste of resources. We did not see any importance of giving monies to a department which is not able to perform. When you go to Machakos People's Park, that particular paragraph, the last sentence says, "Further, members were informed that the contractor who installed the cameras had not been paid". Most of our contractors are borrowing monies from the banks. They commit their log books, their titles, they borrow money, at the expense of executing that particular LSO or LPO in this particular case but they are not paid. Where does this money go to? Those are the questions.

You go to Mlolongo town, the same statement, "the contractor had not been paid". This Assembly gave a budget for this particular case Mr. Speaker. You go to Athi River on page 4, the last statement; "the contractor had not been paid" but the works were done even though they were shoddy. So there is a problem. There is a big statement we would wish to get from this particular department and they looked very committed that now Hon. Members please give us some more money to finalize this or pay this and that but it is not possible. That is why we said unanimously we stand joined together and we are not going to give any single cent in this financial year 2015/16 for that particular department because they are just wasting resources, time for training our youth and they are not executing anything.

Mr. Speaker, go to page 4, item number 12, Kithyoko Town; sometime back Hon. Duale the Majority Leader said 'I am going to give the list of who are supporting, who are financing Al-Shabaab,' but as time went by he said there is no binding rule in the Standing Order that I must produce this but in this particular case, I can tell you Kithyoko town is the most insecure town in Machakos County because all the buses, all the lorries, all the *ngamias*, that is camels, passing from North Eastern to Kariobangi pass in between this town. We have a lot of foreigners in this particular town, there is no security. Every Tuesday we must have a record on theft.

Those who listened to yesterday's morning Musyi FM, there is a guy who was arrested having 187 rolls of bhang in that town. So what is the big problem? The big problem is that we gave an opportunity, we gave a responsibility and also authority to execute this particular program but it all went into the drain. My major concern as I continue supporting my able chair is what are we able to do? Because we are discussing issues, we are supporting this particular information for the sake of our archives but our citizens are suffering, Mr. Speaker.

The issue is very simple; we need to make sure that implementation of the programs on this County - any single program including roads, water, environment, anything which we - all the programs that we are passing here must be implemented because after all we are going to be in

bad books, we are going to be read on the walls of this particular Assembly for many years having not been able to realize that we are very powerful members; we have been given this mandate by the County electorates but not able to execute these duties because it is like now we do not know where to start from.

As I rest my case Mr. Speaker, I would urge that recommendations which have been put forward by the Chair, especially on page 5, recommendation number 9, because this is a lot of theft of a County resources that we probably on another forum recommend that the EACC be able to investigate on this particular scandal because it is a big scandal Mr. Speaker. You go to the annexed reports, you could see an installation of programs whereby Ksh. 8 million was paid, Kshs. 6.9 million was paid and Ksh. 9.7 million was paid, a lot of programs.

Mr. Speaker, this was a waste of resources. I believe this is more than almost close to Kshs.150 million which was paid, which was set aside to pay our contractors and oversight responsibility is our mandate as an Assembly so we need to move forward with speed and make sure that no single cent is lost anymore and we join our hands together, stand united to help our people, Mr.Speaker.Thank you so much.

Hon. Speaker: Thank you.

(Applause)

Yes Hon. Kitheka

Hon. Kitheka: Thank you Mr. Speaker. Mr. Speaker, Sir, the essence of having a closed circuit tele-video which are called the CCTV cameras is for security, to preserve evidence, track criminals and for surveillance. But Mr. Speaker, it seems as if the opposite of the same is what is happening based on what we have received from this report. Mr. Speaker, I wish to give you evidence of the chorus which has been going through this report. The chorus is one and the same. One, you would hear somebody not paid, you would hear no staff; you would hear the contractor did not finish the work, all that kind of trash. Mr. Speaker, I wish to refer with your permission to the 2014/2015 audited report which shows that Machakos County Government, with your permission, Machakos County Government has the highest issue of wage bill which has gone from Kshs.1.9 to 3.3 billion in the last financial year.

Mr. Speaker, I think it is a big shame for us to be arguing about no staff in control rooms while the wage bill here is up surging so high to an extent that even the recommendation here is for the County to do something with the National Government to know how they can trim the wage bill. Mr. Speaker, I see it as a game for the Executive and the people implementing to tell us that there are not enough staff to man the units.

Mr. Speaker, I have sited something like a play game in the issue of our monitoring and evaluating of the projects. I do not see how an Assembly with the status and respect it deserves can be cheated by the people we have employed. How can an officer engage people early in the morning for the chairman to come and witness people have come to work and they have not been there? That Director should have gone home the same, same day because he is not doing what is right completely.

Mr. Speaker, I do not see how I can cheat you while you are my employer. Automatically you cease just to be part of my people whom I have confidence with because I do not see how a chairman who is bestowed with the responsibility of a committee like this one for labour is cheated by person who is under him. So Mr. Chairman and Speaker, I think something can be done. Mr. Speaker, we have heard the recommendations here; the person, the PS, should be surcharged.

Mr. Speaker, this chorus of surcharging is not going anywhere and these people are having the money in their pockets and there is no trace of the money coming back to the county and they are the same people we are meeting out there saying that they are just around and they are doing a lot of business and if you cross examine this document, you will find clearly that this job was done by a company of the people here.

So Mr. Speaker, I think we should have a very radical change on the same because we are abusing our rights to be in this Assembly. You feel ashamed walking in the streets of Machakos while you are standing under a pole which is having a CCTV camera which is not working and you are being told that the cameras are working. When you go to the control room, there is nothing happening. Infact how can a CC camera work in darkness?

Mr. Speaker, I tell you in this County now, there is no electricity on the poles because there is a bill of Kshs.19 million. Mr. Speaker, I think if it is not paid today, we will stay in darkness forever because there is nothing and Kenya Power has disconnected the power in town even in the new City. So Mr. Speaker, we have to do very big radical changes within the County. Mr. Speaker, again we should have sorted an alternative on this issue of power because for sustainability, we should have sorted the issue of solar panels which are more powerful and sophisticated, which are now in market, which can sustain the weather which is evident in the month of July.

So Mr. Speaker, I see there is a lot of cheating within the Executive on the issue of the unpaid contractors. Mr. Speaker, how can a contractor be paid for a job which he has not done? Let us focus on the issue of Katangi; in Katangi there were no camera cited in Katangi town. When it comes to the payment, the contractor was paid so Mr. Speaker, this is a lot of nonsense and if we entertain such nonsense it will be on us when it goes elsewhere.

Mr. Speaker, if you allow a man to ride on your back, he will definitely ride on it but if you cannot allow a man to ride on your back, he will never, if you stand upright. Let us stand upright in this Assembly and the Executive will not ride on our back. I cannot see the essence

where a contractor is paid the money and the work on the ground is not there; even the social audit of the people living there is questionable because they are seeing the county government doing very shoddy jobs and they are just keeping quiet.

Mr. Speaker, I think we should do something very serious at this moment. So Mr. Speaker, for me about the issue of the personnel I think we have enough personnel who can work in those rooms and we do not need a lot of cheating. When Mr. Speaker, you go to the tabulation of the payments and the issue of contractors in the back page, millions of shillings have gone to people's pockets and this is the time now we should rise to question. We should not just stay in this Assembly crying to our Clerk telling him, like I was in his office today telling him that I am broke and people are wasting our money outside there.

Mr. Speaker, we should rise to the occasion today and deal with these people in a very ruthless way so that at least at the end of the day we can show our people why we came to this Assembly and we are executing our mandate as the oversight body in this Assembly. I see we are being taken for a ride and I wish to request the chairman who has brought this document to bring the contractors who were doing this job because some of the companies which I saw in the document which we were given in this Assembly belong to people working with the county. This money was just recycled within the county and shared; they did not do any job, so Mr. Speaker we are calling a higher office to investigate this matter because of the weighty issues in it. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Hon. Kitheka, you forgot to tell the House that I am now able to see you with ease.

Hon. Kitheka: I can confirm that, thank you.

Hon. Alex Kamitu: Thank you Mr. Speaker, Sir. I happen to be a retired police officer and a member of this committee, Mr. Speaker, Sir. The report which was given out before this hHuse by our able chairman is factual. this is the factual information that we found on the ground and mentioning a retired police officer and a senior police officer for that matter I would sincerely request this House Mr. Speaker, not to waste time but to call the investigative arm of the government to come and do the necessary work because we have the experts from that end because Mr. Speaker, Sir, in summary of this report that you have heard from the chairman, you have heard from Hon. Kathinzi, you have heard also from Hon. Kitheka in essence that the purpose of CCTV is for security purposes where in the control rooms the CCTV are supposed to be manned 24 hours so that they can give accurate occurrences during the 24 hours but you have heard, you have seen through the report that you could not find anybody manning three quarter of the control rooms.

That important installation so what does it mean? It means if there were any crimes committed within those areas and there was nobody practically manning the control room, then in essence there was no need of instilling or installing that important and very expensive equipment. What am I saying Mr. Speaker, Sir? My humble request is that we should make a quick move. Let the investigative arm of the government come and give us exactly where the tax payers money went because seemingly this is some money which went into some individuals' pockets and as a good sign of this able house, somebody should be held responsible for this shoddy job; for this type of sign that it is like the radio rooms were just installed in disguise to have people pocketing the tax payers money.

So once again it is my humble request that a quick move should be made Mr. Speaker, sir, so that at the end of everything, people should be taken to where they belong that is in regard and in addition to the recommendations that were made by this committee. I thank you very much Mr. Speaker, sir.

Hon. Speaker: Thank you. Yes let us hear Hon.Nzoka.

Hon. Nzoka: Thank you Mr. Speaker, Sir. As my colleague said, it seems as if this house is a house which is being taken for a ride, for a joke, and it is time to stand firm and stamp authority. I wonder when this committee - and let me first say thank you to the committee who gave us a good report - when they went to Katangi and Kithioko they did not come to my area, Ngunyu. Why? Because they were told CCTV were there only to find there were no CCTV. We are not foolish; we cannot be taken that way. If there is someone who said there is CCTV in Kithioko and Katangi there must be a contractor who was given that and the person is paid and there is nothing.

It is shameful and you know Mr. Speaker, Sir, when I was in my area, I came across one of my voters who told me 'it is wonderful we were expecting good from the county but it seems as if you are sleeping.' What he said, we have been talking of national government being corrupt but we have come to realize that we have devolved corruption to the county. Corruption was in the national government but as soon as we created county Governments we just devolved the corruption. That is why we have and it was cited by a newspaper that we have village millionaires because of this.

It is this House which can stamp authority and stop this. It is something funny if you go to page 2 above Tala town where they said the officers who were trained on the same were retrenched. It means that those people did not pass through the County Public Service Board. They were just picked from the way, taken for training at the cost of the county by a person with sound mind. It is the time to investigate who employed those who take them there, the cost they spend for the county and who is responsible to pay that because if they were from the County Public Service Board we could not have such issues.

You just pick people from the street and that is why the wage bill of Machakos County has ballooned up to that level and even now there is chaos of payment because of luxury; you employed your friend, your sister, your whatever: 'come there is vacancy here. There is a lot of money here.' So it is time to know who is who in the county. If you see what we can now say because you can see contractors not paid there are those who have not worked and are paid, you have to know there is something there. So it is now time to call these Chief Officers they be censured here and they are shown door. They just go; that is the solution.

(Applause)

Otherwise you cannot stay with a thief. We are here to protect the county assets, the county finance, the economy of the county but now we have some people who are just siphoning everything from this county and you agree with me, the House will agree with me that we have a lot of contractors who are not paid and the move we are going, the system we are going because we have those we have not paid; they are still giving others contract and yet they have not paid the past ones.

We are shall reach a step where this county will stand like a watch; the county will stand because it cannot pay for services which it has been given and again there is what we have to do again. It is shameful to see our county, just the first county die. So I urge members in this House to be united; we have no motive with anybody but we need to try to safeguard the economic situation of this county.

I urge members, this is stealing of high level; we have to involve the right hand of anti-corruption to come here and find out and before that we have to come and censure those people. They have to be investigated when they are out, not here, so it is my humble request members we unite. When this county goes astray, it is we to be blamed, not the Governor. When we go on the ground, we see this is not done; people look at you, you have not done this. They do not know Governor; they know us.

It is our duty now to see whatever is done and this county has, this Assembly has witnessed since 2013/14 that no budget we have passed has been implemented. We are not expecting it to be implemented; there is no money so we stamp authority. Mr. Speaker, Sir, we need to invoke Article 185; we censure those people they go home. Thank you Mr. Speaker, sir.

Hon. Speaker: Thank you. Hon. Mueni.

Hon. (Ms.) Mueni: Thank you Mr. Speaker, Sir. The idea of the Governor of CCTV cameras was good but the people who are around him are the ones who are bad; they are thieves. They are the ones who make him not to know what he is doing, so Mr. Speaker, sir, the report which has been brought by our chairman of Labour is true. What they have recommended, these

people they must be doing bad to our people. When those cameras are not working and it is a lot of money for the county, what do you think the people are saying?

You are passing somewhere where you can be done bad things and you are there and the money has been used by the county so Mr. Speaker, Sir, I think you are the educated person here in this Assembly. You call those people here as Nzoka has said they be shown the way to go. They are so bad there outside; they are boasting to us when they are putting that money in their pockets. They are seeing us being stupid and we are the ones who are having the authority but we are not having the money they have. They are driving big cars; I do not know if you know that Mr. Speaker, Sir, so you stamp and tell them to come here we know what to do to them because they are doing bad to our mothers who are paying those taxes. Mr. Speaker, Sir, I think as a county and the first county, we do something. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Yes Hon Nzioki.

Hon. Nzioki. Thank you Mr. Speaker and members present. Mr. Speaker, the idea of CCTV cameras was a very good idea by our Governor but Mr. Speaker, the managers who were given this job by the Governor have decided to use that opportunity to siphon tax payers' money and put in their pockets. Mr. Speaker, according to this report, it is very clear that it is like there is an organized group or the managers around there in the government are competing on how much money they are going to put in their pockets and not on the projects.

Mr. Speaker, it is the high time Mr. Speaker that we do something about this thing because unless these people are shown the way and deported to where they are supposed to belong where wrong doers are put Mr. Speaker, maybe we are going into the wrong direction. Mr. Speaker, there was a time when our former president Moi used to tell people, '*wataporomoka kwa shimo kubwa.*' Mr. Speaker, if nothing is done about this report and many other reports that come into this House, *labda tutaingia kwa hiyo shimo kubwa.* Thank you. Mr. Speaker.

Hon. Speaker: Thank you very much. We will hear chairman here then we will hear...

Hon. Nduva: Thank you Mr. Speaker. I want to echo the words of the chair for Labour for the good findings and report that he has brought to this House. Mr. Speaker, the matter before this House is a matter of concern. Much has been done by the other arm of the government but what has been seen as far as this issue of CCTV is concerned Mr. Speaker, it is a clear indicator that we will not get anywhere good by the end of our term in this House.

Mr. Speaker, this one indicates clearly because since these gadgets were installed, much has happened in this county. When an incident in Nairobi happened when the MP was shot, the CCTV for Nairobi County showed the culprits. A breakage happened in Kithimani and Mr.

Speaker, there is a control room that is not manned in Kithimani and I tried to call the headquarters and somebody was sent from here and he opened the room Mr. Speaker. He called me there but the gadgets could not show anything. They were pointing I think in the bush; there was darkness because you know breakages and theft are happening at night.

Mr. Speaker as other members have recommended, this is a conspiracy of high degree of robbing the county government of Machakos and Mr. Speaker, I would say as a recommendation of this report, we should take the necessary action to make sure the monies that have been used by the persons concerned and the contractors who have been paid having not done anything while others are crying there having worked and they have not been paid, Mr. Speaker they should be held accountable plus the Chief Officer concerned. Thank you. Mr. Speaker.

Hon. Speaker: Thank you. Hon. Alice amalizie.

Hon. (Ms.) Nzioka: Asante Bw. Spika. Nimesimama kuunga mkono hii ripoti ambayo imeletwa na kamati ya utenda kazi na teknolojia. Bw. Spika, sisi kama bunge inaonekana wazi tunaenda kinyume na matarajio ya wananchi wa Machakos. Wana matarajio ya juu sana na sisi lakini sasa imekuwa tumeanza kufanya mchezo wa paka na panya sababu tunaona mambo mengi ambayo yanaenda mrama, tunayasema lakini hakuna utekelezaji ambao unafanyika.

Bw. Spika, jambo la usalama ni janga ambalo liko katika nchi yetu ya Kenya. Rais wa nchi hii amekuwa akiimba wimbo, mwanzo kusema kwamba usalama uanze na wewe mwenyewe. Sisi tunasema tumefanya usalama Machakos kama kaunti lakini imekuwa ni uongo mtupu. Bw. Spika, hebu ona mimi kama mheshimiwa kwa mfano niko ndani ya nyumba, ni usiku, nimefunga kabisa, nimewacha bawabu nje kunichunga halafu kumbe mimi nimelala, bawabu ameenda mimi nimebaki peke yangu. Hivyo ndivyo wananchi wa Machakos tunawatendea. Tunasema tumeweka hizi kamera za uchunguzi na ukienda ukichunguza, hakuna kazi zinafanya.

Ilikuwa mwongozo mzuri wa Gavana wetu wa Machakos kwamba usalama utendeke Machakos lakini kinyume na hayo, kuna mtu alichukua akasema na akatengeza mwelekeo wa kutafuta pesa. Bw. Spika, mimi ningesema hii imeletwa na mwenyekiti wa hii kamati ni ripoti ya muhimu sana kwetu kama bunge la Machakos. Ingewezekana tungeweka siku nyingine tuiahirishe siku ya leo ili wabunge wote waweko, mwenyekiti wa kamati tekelezaji awe, ndio tuone hatua kamili ambayo tutachukua. Zile hatua ambazo wenyekamati wameleta ni hatua ambazo ni za kuokoa kaunti yetu.

Bw. Spika, ni kama mwaka mmoja sasa na miezi muda wetu katika hili bunge uishe. Sisi tutasema tulifanya nini? Ni lazima sisi kama wabunge tuonyeshe mwongozo wakati tulikuwa katika hili bunge tulifanya hili, tukafanya lile. Sisi kwetu itakuwa laana kwa kazi ambayo wananchi walitarajia tufanye na hatukufanya, Bw. Spika, hebu sisi kama bunge tushikane pamoja na tufanye kazi yetu. Wakati unafanya kazi yako, hauna makosa yoyote. Bunge

tukishikana tuwe kama kamba shingoni, ukiwekwa kamba na ufungiliwe mahali Bw. Spika, lazima utakufa. Kama sio mtu aje haraka akuokoe, utaenda. Hiyo ndio kazi ya kamba. Na sisi kama bunge la Machakos, tufanye, kazi, ambayo tunatarajiwa kufanya.

Bw. Spika, ukiangalia sehemu kama Kithyoko, unasikia kuna usalama unaangaliwa. Kamera chunguzi hazijawekwa na mtu Kithyoko. Unasikia kuna kamera, ukienda hakuna. Ni kuonekana sisi bunge hao wafanyikazi wametuona kama wajinga zaidi tena wajinga wa mwisho maana hapa kwenye hili bunge, kuna watu wamesoma, watu wana shahada, watu ambao wanaaminika katika kaunti ya Machakos, lakini wafanyikazi ambao tunao, wameanza kutuharibia. Hata kule mashinani hatuna uaminifu na wale ambao walituchagua. Bw. Spika, mimi nimeunga mkono hii ripoti na zaidi iwe nzuri itekelezwe. Asante Bw. Spika.

Hon. Speaker: Asante. Hon.Kavuu then from Kavuu we will hear the chair.

Hon. Kavuu: Thank you Mr. Speaker. It is two weeks back when I was transferred back to this committee. Mr. Speaker, when I went through this report this report, it is a good report but Mr. Speaker we have found that a lot of money has been stolen by our officers. Mr. Speaker, I want now to make a special request if possible; Mr. Speaker I would request if this House forms an *ad-hoc* committee so that they can investigate all those officers so that they can bring a report to the House we can see what we can do to those people. Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Let us hear the chair. The chair will know what to do; the report has not named any names but he knows his other options. He can bring the motions of censure.

Hon. Katela: Thank you Mr. Speaker and before I speak, I thank the Hon. Members for your support and thanks a lot for recognizing and seeing what my committee has done. Mr. Speaker, sir, we could not put everything here and as Hon. Kavuu has said and as you have recommended, my members' hands were tied before bringing the report to the House because we could not call any person, any officer, to come and censure them, but with the leave of the House, we can go the *ad-hoc* committee way or you show us the way we see how we can censure these people.

Mr. Speaker, it is a shame a place like Katangi has about four posts; the *stima* posts but there is no camera at all but then that person was paid a week after installing those posts. A place like Kithyoko, empty posts and that person was paid, yet the one who installed cameras from Machakos town to Kyumbi is calling for about Kshs. 16 million and he has not being paid a cent. Simply because the Governor is the one who was supervising that work. The same person is the one who did cameras from Makutano to Kithimani, the new road, but he has not been paid a cent, simply because the Governor was there and he is been told there is no money and the

Governor is the one who should ensure you are paid but the jobs they have given out, they are paying overnight; shoddy jobs.

So I pray to the members of this House to support me and support this cause. It is now a property of the House. It is the House to decide whether we will do an *ad-hoc* committee and get hold of these people because now we have evidence here, a lot of it, which now we can set a phase and show the way to go for Machakos County. Thank you.

Hon. Kitheka: Mr. Speaker, if we go the censure way or the *ad-hoc* way, which Chief Officer will we be censuring or we will set an *ad-hoc* for? Because there is a new Chief Officer in that department and the Chief Officer who was there is in the department of Education. We should be talking of the person you know because I know the person we are talking about. Thank you.

Hon. Katela: Thank you Mr. Speaker. I do not know the person we are talking about but we are talking about the officer who was there during the date of installation. It does not matter; even the national government is going for retired people from home. We will go for whoever was in charge of the cameras when they were being installed. I think it is only two years or one and a half years and we know where they are. We will go for them.

Hon. Speaker: Thank you. I consider debate as having closed but I can hear you one minute.

Hon. Nzoka: I think we are summoning the office, not the person. It does not matter; we need to dig up the evil which is there. It is the duty of the office to bring the person who did so. Even if it is me who has been transferred there, we summon, then investigation will touch the person who was involved. Thank you.

Hon. Speaker: Thank you. Yes?

Hon. Kamitu: Thank you very much Mr. Speaker, Sir. As I said, Mr. Speaker, you have seen the report and you have seen also the comments from the Hon. Members and it would be of need if we call the *ad-hoc* committee to do that job but then now the indicators are that the man involved and the type of job that was done are shoddy, there are contractors who are not paid and we have experts; we have the CID arm of the government who will come out with the facts so that if there will be any officer found corrupt from that investigation, we shall not be going for any other steps. There will be noneed of censure; the investigating arm of government will come up with the right report, the right direction because without even prediction, the indication is that...

Hon. Speaker: Order Hon.Kamitu. Now you are proposing implementation of a report that has not yet been adopted by the House.

Hon. Kamitu: Okay, Sir. Mr. Speaker, Sir, my point of information is that because we have the rightful arm of the government; let us go that direction and the right report, right answers will come up. Thank you Mr. Speaker, Sir.

Hon. Speaker: Hon. Members allow me to proceed and put the question.

(Question put and agreed to)

Hon. Speaker: Hon.Katela the report is adopted by the House so take appropriate measures and pose your recommendations. Let us proceed.

MOTION ADJOURNMENT OF SITTINGS

Hon. Kavuu: Thank you Mr. Speaker. I stand here on behalf of the Majority Leader to present this motion before the House.

Mr. Speaker, Sir, aware that the House resumed its sittings from the short recess on 1stSeptember 2015; aware that session has been very busy and that usual business has been instituted including the Finance Bill, 2015 and the amendment of the Machakos County Ward Development Fund Act, 2015; cognizant of the fact that members need a rest from the vigorous work of oversight, representation and legislation; further aware that during the session, members had little time to consult with their electorate and to serve them and aware that the electorate needs to meet with their representatives,I wish to move the motion that this Hon. House adjourns its sittings from today, Tuesday 8thOctober to Tuesday 27th October, 2015 as the per the calendar of the Assembly. Thank you, Mr. Speaker. I therefore request Hon. Kamitu to second the motion.

Hon. Kamitu: Thank you Mr. Speaker, Sir. I stand here to support the adjournment of the House. Thank you Mr. Speaker, Sir.

Hon. Speaker: Thank you. Hon.Members the motion is brought according to the calendar so I will not allow debate and I will proceed to grant the request for adjournment.

ADJOURNMENT

There been no other business for this term, I wish members well. Thank you.

The House rose at 4.45 p.m.