

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FOURTH SESSION

Thursday, 05th March, 2020

House met in the Main Chamber at Kit-mikayi, East Seme Ward

Seme Sub-county at 02:30 p.m.

“Assembly Mashinani”

(The Speaker (Hon. Elisha Jack Oraro) in the Chair)

PRAYERS

Hon. Speaker (Hon. Oraro): Hon. Members, I want us to refer to the provisions of County Assembly Standing Orders No. 38 (2) which states that the Business of the House shall be disposed of in the sequence it appears in the Order Paper. Only such other sequence as the Speaker may for the convenience of the County Assembly directs.

Hon. Members, I therefore want to direct that in the Order Paper Order No. 2 becomes Order No. 1 and order No. 1 becomes Order No. 2. In that regard I will begin by making my communication.

COMMUNICATION FROM THE CHAIR

Hon. Speaker (Hon. Oraro): Hon. Members, I received a letter from the Office of the Leader of Majority Party, signed by the Leader of Majority and I read;

Following a meeting from then Majority Party in the House, the following resolutions and changes have been made in the below House Committees Membership;

1. THAT, Hon. Sally Okudo be moved from the Committee of Tourism, Wildlife and Heritage to the Committee of Water, Environment and Natural Resources.
2. THAT, Hon. Habil Nyasuna, be moved from the Committee of Implementation to the Committee of Tourism, Wildlife and Heritage.
3. THAT, Hon. Eric Otieno Agolla, be moved from the Committee of Water, Environment and Natural Resources to the Committee of Implementation.

Further changes have been made in the Chairpersons of the following Committees;

1. THAT, Hon. Habil Nyasuna be the Chairperson of Committee of Tourism, Wildlife and Heritage.
2. THAT, Hon Eric Otieno Agolla, be the Chairperson of Committee of Implementation,

Signed by the Leader of Majority

- a) Co-signed by the Chief Whip, Majority Party
- b) Copied to the Hon. Speaker, County Assembly of Kisumu
- c) Copied to Finance and Payroll Manager to effect the changes forthwith.

These changes take effect immediately.

Hon. Speaker (Hon. Oraro): Next order!

ADMINISTRATION OF OATHS

Hon. Speaker (Hon. Oraro):Hon. Agolla, to come forward and take oath of office form the position of Chairperson, Committee on Implementation.

I, **Hon. Eric Otieno Agolla**, having been appointed as the Chairperson of **Implementation Committee** of the Kisumu County Assembly do swear, that I shall truly and diligently serve the people and the Republic of Kenya in the office of **Chairperson of Implementation Committee** of County Assembly of Kisumu; That I shall respect, uphold, preserve, protect and defend the Constitution of the Republic of Kenya; and I shall do right to all manner of persons in accordance with the Constitution of Kenya and the laws and conventions of the parliament without fear or favor, affection or ill health.

SO HELP ME GOD!

(Hon Agolla appends his signature in the Oath documents)

(Applause)

Hon. Speaker (Hon. Oraro):Hon. Nyasuna, to come forward and take oath of office form the position of Chairperson, Committee of Tourism, Wildlife and Heritage.

I, **Hon. Habil Nyasuna**, having been appointed as the Chairperson of **Tourism, Wildlife and Heritage Committee** of the Kisumu County Assembly do swear, that I shall truly and diligently serve the people and the Republic of Kenya in the office of **Chairperson of Tourism, Wildlife and Heritage Committee** of County Assembly of Kisumu; That I shall respect, uphold, preserve, protect and defend the Constitution of the Republic of Kenya; and I shall do right to all manner of persons in accordance with the Constitution of Kenya and the laws and conventions of the parliament without fear or favor, affection or ill health.

SO HELP ME GOD!

(Hon Nyasuna appends his signature in the Oath documents)

(Applause)

Hon. Speaker (Hon. Oraro): Next order!

STATEMENTS

Hon. Speaker (Hon. Oraro):Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker. I rise before this honorable House to give a Progress Report. Mr. Speaker, on the 12th February, 2020 in the Second Assembly, Fourth Session under Order No. 302 a Statement was sought by Hon. Seth Okumu, MCA, East Seme on the Fire Incidence that happened at the Finance Department of the County Government of Kisumu.

Mr. Speaker, the Committee through the Office of the Clerk wrote to the CEC Member for Finance and Economic Planning to inquire on the incident vide letter Reference No. CAK/ADM/GO/2020 letter dated 24th February, 2020.

Mr. Speaker. So far the Committee has not received any responses and it was resolved that the Clerk does a reminder of the same vide letter Reference CAK/ADM /GO/COMM/307 letter dated 05th March, 2020. Mr. Speaker, I hereby implore the House to give leave to the Committee to again invite the said Department at the expiry of the seven days to enable the Committee get information regarding the statement that was sought in accordance with the Standing Orders. Thank you.

Hon. Speaker (Hon. Oraro):Hon. Members, I want to make a statement on what Paul Okiri has raised. I believe that it would be in order that if the Committee has communicated to the said Department, it is prudent that a reminder be made...

(The Speaker in consultations with the Table Clerks)

Hon. Speaker (Hon. Oraro): Hon. Okiri, I am being guided by the Clerk that you have already done a reminder. So, I want to rule that you report back to the Assembly on Tuesday, 17th March, 2020 on the progress or conclusion of the matter.

Hon. Okiri: Mr. Speaker, I oblige. Thank you.

Hon. Speaker (Hon. Oraro): Hon. Omoro.

Hon. Omoro: Thank you Mr. Speaker. I want to make a Statement pursuant to the provisions of County Assembly Standing Orders No. 41 (2) read together with No. 42. Mr. Speaker, the County Assembly of Kisumu has 24 House Committees...

Hon. Speaker (Hon. Oraro): Hon. Omoro, are you making a Personal Statement or a Statement of Topical Concern?

Hon. Omoro: Mr. Speaker, I am citing No. 41.

Hon. Speaker (Hon. Oraro): Hon. Member, you said 41 if I got you right.

Hon. Omoro: Mr. Speaker, I am citing No. 41 (2) read together with 42.

Hon. Speaker (Hon. Oraro): Clerk, please approach the chair?

(The Speaker in consultations with the Table Clerks)

Hon. Speaker (Hon. Oraro): Hon. Omoro, kindly let us be guided by the Standing Orders. If you are making your Statement while citing Orders No. 41, then that means you are making your Statement on Issues of Topical Concern to the County and this has to first be done in writing. So, I want to request you that you do that in writing at least two hours before the Statement Hour.

Hon. Omoro: Mr. Speaker, it is Standing Order No. 42.

Hon. Speaker (Hon. Oraro): Hon. Member, Standing Order No. 42 is on Personal Statements.

Hon. Omoro: Yes Mr. Speaker.

Hon. Speaker (Hon. Oraro): Please proceed.

Hon. Omoro: Thank you Mr. Speaker. On this Personal Statement, my welfare is affected by the activities of the Assembly. Mr. Speaker, the Assembly is privileged to have 24 House Committees, and the number of Members in this Assembly can be accommodates both as Chairpersons of House Committees or Vice-chairpersons of Committees.

Mr. Speaker, there is still a lot of vacancies. Previously, I was a Vice-chairperson of a Committee and during that duration, my welfare improved. Mr. Speaker, for reasons that I am not aware of, I was de-whipped from that Committee as the Vice-chairperson and this has really affected my welfare in terms of remunerations. Mr. Speaker, I implore your chair, because when you came in and we voted you 47 out of 47 you promised that those Members who did not take Oath of Office for various House Committees as Vice-chairpersons of Committees you will ensure that they do so immediately.

Mr. Speaker, we are constraint with time and I can see that this matter is being swept under that rag. I will seek you individually and collectively and requesting you to tell this House when I am due to take my Oath of Office as a Vice-chairperson of a Committee so that I commence enjoying that package which is entitled to that office. Thank you.

Hon. Speaker (Hon. Oraro): Hon. Omoro, thank you, you have raised your Statement while citing Orders No. 42 and it states as follows;

Statement Hour

42. (2) *During the Statements Hour-*

(a) a Member may by the indulgence of the House explain matters of Personal Nature although there is no question put before the House, but such matters may not be debated.

Hon. Speaker (Hon. Oraro): Hon. Beatrice Pamela.

Hon. Beatrice Pamela: Thank you Mr. Speaker. I would like to make a Statement based on the Progress Report we have on the Ad hoc Committee that was constituted to Investigate the Deteriorating Conditions in Health Facilities in Kisumu County..

Hon. Speaker (Hon. Oraro): Hon. Beatrice Pamela, I have just noticed that in the Order Paper, under Motions, you have a slot, so please wait for that time.

Hon. Speaker (Hon. Oraro): Hon. Arao, you were on your feet first.

Hon. Arao: Thank you Mr. Speaker. I rise to give a response following a Statement that was sought by Hon. Agolla and your ruling pertains the same.

Hon. Speaker (Hon. Oraro): Please proceed.

Hon. Arao: Thank you Mr. Speaker.

1. The Department of Education had requested that approval of 50% of then Kshs 205 million Budget on 08th October, 2019. The Chief Finance Officer (CFO) approved the

request in document which proceeded to the Exchequer to release the same date of 08th October, 2019 letter attached. We received no response.

2. After half the FY had elapsed the Department made another request for the whole amount of Kshs 205 million on 08th January, 2020.
3. The Office of the Controller of Budget, Treasury responded to the initial request of 50% of the Kshs 100 million on 27th February, 2020 declining the release of the other 50% arguing that our legislated Kisumu County Education Fund Regulations (c)/5 does not conform to the PFM regulations 197 (1) which caps the Administration Cost to all funds at 2% as in the Approved Budget...

Hon. Agolla: On a Point of Order. The Hon. Member and the Chair of Education is citing very heavy clauses in the Constitution of Kenya 2010 and the PFM Act, 2012 whereas we were not furnished with copies whereas this is a very serious issue because we had requested him that he brings before this House a Comprehensive Report and he is reading from his handset.

Hon. Speaker (Hon. Oraro): Hon. Agolla, I believe that he is giving a Progress Report. Hon. Arao, if you have it in soft copy, I believe that you should have sent it to our page so that Members follow you on what you are presenting.

Hon. Arao: Mr. Speaker, I want to reiterate that this is Progress Report because I indeed contacted the Department of Education and they promised to send us hardcopies of the responses, but you directed that I read this report today and that does not exclude me from doing it digitally so let me just conclude the final part.

Hon. Speaker (Hon. Oraro): Hon. Arao, I will give you time to proceed. Hon. Agolla, I will accord you time to react.

Hon. Arao: Thank you Mr. Speaker.

4. As a department responded on 05th February, 2020 and consequently amended the regulations from 10% to 3% as directed by the Office of the Controller of Budget. For three weeks we did not receive any responses and did a reminder on 02nd March, 2020.
5. We are still awaiting disbursement of funds by the Office of the Controller of Budget.

Mr. Speaker, I would like to implore you that, you allow the Committee give a Comprehensive Report. This is because we did a letter that has been acknowledged by the Department and I am sure that by next week and not later than Thursday we shall have come with a detailed report on the same. Thank you.

Hon. Speaker (Hon. Oraro): Hon. Arao, before I accord Hon. Agolla the chance to react to your submissions, did I hear you read that the Department made some amendments?

Hon. Arao: Yes Mr. Speaker, there was disagreement by both the Department. The Office of Controller of Budget recommended that the Administrative Cost be revised from the 10% to 3% and indeed the CEC Member has confirmed that this was honored.

Hon. Speaker (Hon. Oraro): Hon. Members, I was asking that because I was amazed because it is whose responsibilities to make amendments? Is it the prerogative of the CEC Members or the Assembly?

Hon. Agolla: Thank you Mr. Speaker. I am a very disturbed Member because we did expect the change in management style, the managerial structures. Mr. Speaker, what we want to know is when are we receiving cheques for our vulnerable and needy students who are back with us at home?

Mr. Speaker, if you can hear from the Hon. Chairperson, we should expect a Comprehensive Report on this matter next week. When are we getting these cheques to take back our children to school? Mr. Speaker, yesterday I met one of the student that sent home from Hon. Okiri's Ward and he was taken to the Prosperity Offices by Hon. Paul Okiri and it reflected a very bad picture because there was nobody to attend to them. The Ward Manager accompanied the boy, no one could attend to them and there was desperation in their faces.

Mr. Speaker, where are we headed as a County, because we are being assured through letter here and there whereas our needy and orphan students are hovering around. I am really concerned with the welfare of the Girl Child.

Hon. Speaker (Hon. Oraro): Hon. Agolla, I believe that you have made your point.

Hon. Speaker (Hon. Oraro): Hon. Liaison Chair, is it on the same not or a different one?

Hon. Joachim: Thank you Mr. Speaker, just on the same I would like to give my information I want to emphasis because I believe that the Chairperson of Education is not doing a good job with regards to this weighty matter.

Mr. Speaker, the Chair is not being honest and he is taking this House in circles. Mr. Speaker, the Assembly is not a Church were you toy around with our emotions so he has to be serious.

Mr. Speaker, this morning I had to part with Kshs 3,000.00 each for three pupils, to make it worse these were students who were beneficiary of Scholarships. Imagine, we are still compelled to get money out of our pockets just to keep these kids in school. The Chair is reading as theories and love letters here in the name of reports. The Chair should tell this House when are we getting these Cheques, and when are these children going back to school. It is very evident that he is in bed with the Executive and the Minister instead of telling us when we are getting these cheques so that these kids go back to school.

Mr. Speaker, we need to give this Chair an order so that we know when we are getting these Cheques. Otherwise, if he is not able to do that job, we have just witnessed how changes are being made, and if he cannot deliver, I have already seen a new Chairperson for Education that we can give that job right away and we continue. Thank you.

Hon. Speaker (Hon. Oraro): Hon. Chair Liaison, I hope that is not a threat to the Chair of Education.

Hon. Speaker (Hon. Oraro): Hon. Members, because of seniority, let me give Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. The Hon. Chair of Education is not doing what we ask him to do. Mr. Speaker, yesterday I was in my ward, I have visitors in my home and I had to go to the Office and attend to them. Mr. Speaker, we were elected by our constituents and we have schools within the Wards. Mr. Speaker, what I did I wrote letters to all the day schools and pupils in my ward benefitted from this initiative. I even did a letter and gave to a parent whose child is schooling at Kisumu Polytechnic and the Principal allowed that child back to school.

Mr. Speaker, we are all aware that there is still no funds and the only way to do this is by representing these students by going to these schools and requesting the principals to allow these kids back to school by giving them a promissory note, this is because I am saying what I did....

Hon. Speaker (Hon. Oraro): Hon. Odhiambo order!! Order!!

Hon. Pamela Odhiambo: Which Order!!

Hon. Speaker (Hon. Oraro): Order!! Order!! Hon. Odhiambo, please resume your seat. Hon. Odhiambo, are you suggesting that the Hon. Members should write letters to schools?

Hon. Pamela Odhiambo: Mr. Speaker, I know that it is not our mandate, but I always abhor to see school going children jamming my doorsteps. So, I do letters and of cause these students are allowed back in school. Why don't we try because we represent these children in our Wards? Let us help them as we wait for funds

Hon. Speaker (Hon. Oraro):Hon. Pamela, I want to rule you Out of Order because it is the responsibility of the Executive to ensure that funds are disbursed. Hon. Odhiambo, I have ruled you Out of Order because you have good information but you are misleading this House. You cannot advice Members to write letters on behalf of the Executive.

It is the responsibility of the Executive to ensure that funds are disbursed. You are out of order. You have a good information but you are misleading the House. You cannot advice the Members to write letters on behalf of Executive. I will allow you to proceed for a minute.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I was talking about the schools in our Wards. The sponsored students are currently at home. The CEC Education should communicate through writing with schools on matters of fees. We recently passed the Supplementary Budget and it is yet to be uploaded. Thank you.

The Speaker (Hon. Oraro): Thank you. What is it Hon. Steve?

Hon. Steve: Thank you Mr. Speaker. In the response that was given by the Chair of Education, it is stated that there was some lapse between the Department and that of the Controller of Budget. There is nothing like there is no money. If I heard the Chair right, the department took 10% which is against the law. It should have be 3%. They need to refund that money and that is cause of the stalemate. The issue of there is no money should not arise.

The Speaker (Hon. Oraro): I want to make a ruling on this matter. Hon. Chair of Education, you have seen how this matter is affecting each and every Member because it goes directly to the electorate. Most Members are not satisfied with the answers you were given by the Executive. I therefore want to direct that you give this House a date on 10th March, 2020 on when the cheques shall be released. I also feel that there is a problem with Kisumu County Bursary Act which needs to be amended. It is the responsibility of the Executive to propose the amendment to the Assembly. Such amendments can come from either side. We need to have policies that goes with other existing statutes and the PFM Act.

The Speaker (Hon. Oraro): Hon. Okumu.

Hon. Okumu: Thank you Mr. Speaker. Even though you have ruled on this but we wanted to add something before your ruling. We can't discuss anything on the same. Allow me to give a Statement under Standing Order No. 42 (1) (d) as the Chair of Law, Administration, Good Governance and Security. The mandate of the committee includes liaising with National Government bodies that deals with security. We have witnessed situations in East Seme where members of my Ward are threatened at night. Recently, a teacher was attacked in his House. He was beaten and he is in a coma.

I also have several members of this community who have lost livestock and we are being told that these livestock are being slaughtered at the County Government slaughter houses. I want request this House that the Governor is the head of security in this County. I want to request that the House writes to him so that he can order the security team of this County to come and assist the people in my Ward. People are not sleeping in this area especially widows.

I want to request the Members that the Governor should liaise with the security organs in this County so that they can take action. That is my Statement. Thank you.

The Speaker (Hon. Oraro): Thank you. Hon. Okumu has made the Statement as per the Standing Order No. 42 (1) (d) and as the Chair of the committee. I would suggest that you make

it as a motion and present it to the Assembly with recommendations so that Members can deliberate. Otherwise, it is like you are accusing your committee that they have not done the right thing. Yes Hon. Ameso.

Hon. Ameso: Thank you Mr. Speaker. I rise to give a response on a Statement that was sought on 27th February, 2020 from the Committee of Water, Environment and Natural Resources. The statement was from Hon. Philemon Ojuok. He wanted to know the source of technicians on Water Rig, Terms of Engagement, Personal File Numbers and who these Operators are. The Clerk did a letter to the Department of Water and today we are furnished with a report which I want to give this House. Allow me to read.

RE: STATUS OF WATER IN THE COUNTY

YOUR LETTER Ref. CAK/SD/ADM/VOL.V/8/20 dated 2nd March, 2020 refers.

In response to the questions raised concerning the operation of the Rig in the County, I would wish to respond as follows: -

The County Government acquired a rig registered as 42CG040A with a support truck number 42CG042A and a test pumping machine/ truck number 42CG041A which has been in operation since its acquisition.

- 1) Number of boreholes drilled from 2017 to date
 - The County Government has so far drilled 28 boreholes and sub contracted 4 boreholes to private Drillers to beat deadlines. *The list is attached.*
- 2) Status of operations of the Water Rig.
 - The rig is in operation though not to full potential due to lack of skilled Operators, currently we are using casual staff to operate the rig and effort to get deployed of staff has not been successful.
 - The rig is currently in Muhoroni Sub-County with plans to move to Kisumu West by end of the week then to Seme Sub-County.
- 3) Number of water Rig Operators: -
 - Currently we have 5 Officers operating the rig who are not our staff but have clear operation plan and remuneration rates. *The list is attached.*

Salmon Orimba

CECM – WATER, CLIMATE CHANGE, ENVIRONMENT AND NATURAL RESOURCES

Cc: County Secretary

REPORT ON DRILLED BOREHOLES IN KISUMU COUNTY BY THE COUNTY RIG/
TEST PUMPING UNIT FROM 2017-2020

S/NO	NAME OF BOREHOLE	BOREHOLE LOCATION (WARD)	BOREHOLE STATUS	REMARKS
1	Nyamisiri Water Project	East Seme	Drilled and Capped (2017/2018)	To be equipped in 2019/2020 FY
2	Mariwa Vocational Training Centre	North Seme	Drilled and Capped (2017/2018)	To be equipped in 2019/2020 FY
3	Nyabondo Water Project	S.E. Nyakach	Drilled and Capped (2017/2018)	Equipped and operational in 2018/2019 FY
4	Mbora Primary School BH	Central Nyakach	Drilled and Capped (2017/2018)	Dry Borehole
5	Aponde Primary School BH	S.W. Nyakach	Drilled and Capped (2017/2018)	Dry Borehole
6	St. Camlus II Water Project	East Kano/Wawidhi	Drilled and Capped (2017/2018)	Equipped and operational in 2018/2019 FY
7	Kanyipola Community W/P	Awasi/Onjiko	Drilled and Capped (2017/2018)	Equipped by Church Organization for the Community (2017/2018)
8	Awasi Primary School BH	Awasi/Onjiko	Drilled and Capped (2017/2018)	Equipped and operational in 2018/2019 FY
9	Kuoyo Secondary School BH	North West Kisumu	Drilled and Capped (2017/2018)	Equipping in progress 2018/2019
10	Bar Andingo Dispensary W/P	North West Kisumu	Drilled and Capped (2017/2018)	Borehole Drilled Dry
11	St. Barnabas Girls Sec.	North Seme	Drilled and Capped	Drilled and capped

	School BH		(2017/2018)	(2017/2018)
12	Nyamngun Secondary School BH	Central Seme	Drilled and Capped (2017/2018)	Equipped and operational in 2018/2019 FY
13	Ayucha Primary School BH	Awasi/Onjiko	Drilled and Capped (2017/2018)	Equipped and operational in 2018/2019 FY
14	Wanganga Primary School BH	Awasi/Onjiko	Drilled and Equipped (2018/2019)	Equipped and operational in 2018/2019 FY
15	Ongallo Nyawara W/P	S.W. Kisumu	Drilled and Equipped (2018/2019)	Project Operational
16	Osiri Migere W/P	Masogo/Nyangoma	Drilled and Equipped (2018/2019)	Project Operational
17	Kotabwango	West Nyakach	Drilled and Equipped (2018/2019)	Project Operational
18	Pithur Community Water Supply	West Nyakach	Borehole Test Pumping to determine the yield	Project Operational
19	Maseno Water Project	N.W. Kisumu	Borehole Test Pumping to determine the yield	Project Operational
20	Miwani Dispensary	Miwani	Drilled and Capped (2017/2018)	Borehole to be equipped in 2019/2020
21	Kamarawa Community W/P	Masogo/Nyangoma	Drilled and Capped (2017/2018)	Drilled and Capped (2017/2018)
22	Soko Komanje	S.W. Kisumu	Drilled and Capped (2017/2018)	Equipping in progress since 2018/2019 FY
23	Nyaundi Water Project	West Seme	Drilled and Capped (2018/2019)	Equipping in progress since 2018/2019 FY

24	Bonde Sec. School BH	Central Seme	Drilled and Capped (2018/2019)	To be equipped in 2019/2020 FY
25	Gerliech Primary School BH	Awasi/ Onjiko	Drilled in 2019/2020	Test pumping to be done
26	Koguta Primary School BH	Muhoroni/ Koru	Drilled in 2019/2020	Test pumping to be done
27	God Nyithindo Primary School BH	Muhoroni/ Koru	Drilled in 2019/2020	Test pumping to be done

Mr. Speaker, that is our progress report and as a committee we still have work to do by conducting a site visit to confirm if these projects were done. I will therefore request you to give us more time so that we report back to the House. Thank you.

The Speaker (Hon. Oraro): Honourable Members, I think we are out of the Statement Hour. I want to congratulate the Chair for Water, Environment and Natural Resources because we had asked you to report back on the issues that were raised by Hon. Philemon on 24th March, 2020 and you have managed to respond within a period of two days. That is the level of commitment that should be emulated by other committees.

I want you to share the information with the Members, especially on areas mentioned to be having the boreholes. To the Members whom may have any other question, please direct it to the Chair, Water, Environment and Natural Resources. I can see Hon. Philemon Ojuok on his feet.

Hon. Ojuok: Thank you Mr. Speaker. I want to thank the Chair for responding so fast. I had also asked on the Statement, the criteria that was used in settling on where to do a borehole.

The Speaker (Hon. Oraro): What is it Hon. Kanga?

Hon. Kanga: Thank you Mr. Speaker. I want to inform Hon. Philemon Ojuok that he is a Member of Ford Kenya and he should be aware that the current government is an ODM government. The Governor has a manifesto to implement. He should be able to check on our manifesto for him to be able to be...

The Speaker (Hon. Oraro): Hon. Kanga why are talking of the manifesto and yet...

Hon. Kanga: Mr. Speaker, Hon. Ojuok is a Member of Ford Kenya and he should be conversant with the ODM manifesto. Thank you.

(Laughter)

The Speaker (Hon. Oraro): I disagree with Hon. Kanga. Hon. Ojuok raised his Statement honestly. I would therefore request Hon. Ameso to take all the concerns of the Members on the boreholes dug in the Wards. So, we are out of the Statement Hour. Next order!

COMMENCEMENT OF BUSINESS

MOTION

REPORT ON THE KISUMU COUNTY ANNUAL DEVELOPMENT PLAN FOR THE FINANCIAL YEAR 2020/2021

BY

HON. STEVE OWITI

CHAIRPERSON, BUDGET AND APPROPRIATION COMMITTEE

The Speaker (Hon. Oraro): Proceed Budget Chair.

Hon. Steve: Thank you Mr. Speaker.

REPORT FROM THE COMMITTEE OF BUDGET AND APPROPRIATIONS ON THE KISUMU COUNTY ANNUAL DEVELOPMENT PLAN (KCADP) FY 2020/2021

1.0.0 Preamble

Mr. Speaker and Hon. Members, the Annual Development Plan is an extract of the County Integrated Development Plan FY (CIDP) 2017/2022 and it is a document that assist the County implement the County Masterplan. The County Executive Committee Member for Finance and Economic Planning in giving effect to section 113 (1) of the County Government Act 2012, prepared and the ADP citing the provisions of section 126 of the PFM Act, 2012 and forwarded to the Assembly the Kisumu County Annual Development Plan FY 2020/2021 on 05th December, 2019 vide letter referenced KC/FIN/ASSEMBLY/VOL.III/35 dated 04th December, 2019.

Mr. Speaker and Hon. Members, consequently, the Leader of Majority tabled in the House, the Annual Development Plan FY 2020/2021 as papers on Tuesday, 10th December, 2019 during the Assembly 1st Bunge Mashinani at Nyakoko Mixed Secondary School, Miwani Ward, Muhoroni Sub-county. Consequently, the Speaker committed the Kisumu County Annual Development Plan FY 2020/2021 to the Committee of Budget and Appropriations to interrogate, scrutinize and carryout public participation and report back to the House.

Mr. Speaker and Hon. Members, it is important to note that this is the seventh (7th) Annual Development Plan the County Assembly is processing since the inception of County Government and the Third (3rd) during the term of this Assembly.

The provisions of Standing Order No. 189 bestow the powers to the Budget and Appropriations Committee the responsibilities to evaluate tax estimates and economic budgetary policies and programmes with a direct budgetary outlay. The ADP is one such document that is aimed at effecting the economic and budgetary policies of the County and giving life to the hard facts about the County Budget policy framework.

1.1. ACKNOWLEDGEMENTS

Mr. Speaker Sir and Hon. Members, it is my privilege and pleasure on behalf of the Committee to convey my gratitude to all members of the Committee for their valuable input throughout its proceedings. The Committee equally extends thanks to Members of the Public, Stakeholders, Business Community and Civil Societies for taking their valuable time out of their busy schedule to participate robustly during the Public Participation.

The Committee also appreciates invaluable support from the offices of the Speaker, Clerk of the County Assembly by providing conducive atmosphere to prepare this report. To our technical staff who tirelessly worked through to make this exercise a success, I applaud you.

It is now my humble desire and wish to hereby submit this report to the House for consideration behalf of the Budget and Appropriation.

1.1.2 COMMITTEE MANDATE

The Budget and Appropriations Committee derives its key mandate from the County Assembly Standing Orders No. 189 which stipulates as below;

County Budget and Appropriations Committee

189.(1) There shall be a select Committee to be known as the County Budget and Appropriations Committee.

(2) The Committee shall consist of a Chairperson, all other Committee Chairs and not more than five other Members.

(3) The functions of the Committee shall be to-

(a) investigate, inquire into and report on all matters related to coordination, control and monitoring of the County budget;

(b) discuss and review the estimates and make recommendations to the County Assembly;

(c) examine the County Budget Policy Statement presented to the County Assembly;

(d) examine Bills related to the County Government budget, including Appropriations Bills; and

(e) evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

(4) The County Budget and Appropriations Committee constituted by the County Assembly immediately following the General Election shall serve for a period of three calendar years and that constituted thereafter shall serve for the remainder of the County Assembly term.

(5) Five Members of the Budget Committee shall constitute a quorum.

(6) The Committee shall invite Chairpersons of all Sectoral Committees to make presentations during the consideration of the budget.

1.1.3 COMPOSITION OF THE COMMITTEE

The Budget and Appropriations Committee is constituted as follows;

1. Hon. Steve Owiti	-	Chairperson
2. Hon. Aslam Khan	-	Vice Chairperson
3. Hon. Joachim Oketch	-	Member
4. Hon. Nancy Owiti	-	Member
5. Hon. Vincent Jagongo	-	Member
6. Hon. Paul Okiri	-	Member
7. Hon. Seth Kanga	-	Member
8. Hon. Joseph Olale	-	Member
9. Hon. Jecktone Ojwang'	-	Member
10. Hon. Kenneth Onyango	-	Member
11. Hon. Maurine Otiang'	-	Member
12. Hon. Benny Pete	-	Member
13. Hon. Johnson Guya	-	Member
14. Hon. Beatrice Odongo	-	Member
15. Hon. Seth Okumu	-	Member

Committee Sitting

In reviewing the Annual Development Plan, the Committee held 7 (seven) sittings to interrogate, analyze and consider the Kisumu County Annual Development Plan FY 2020/2021 before coming up with this report on the same.

2.0.0 PUBLIC PARTICIPATION

Pursuant to the provisions of Article 196 of the Constitution of Kenya, section 87 read together with section 106 (4) and 115 of the County Government Act, 2012 which emphasize that Public Participation of County Planning shall be mandatory, and Standing Order No. 123 (3) of the County Assembly Standing Orders. The Clerk of the County Assembly on 16th January, 2020 invited the members of the Public, relevant Stakeholder, Business Community and Civil Society Groups on behalf of the Committee vide a print media advert in the local dailies, to attend the Public Fora and give their input to the Annual Development FY 2020/2021.

The Clerk of the Assembly further requested the public to submit written memoranda on the ADP to be considered by the Committee before close of business on 16th January, 2020 so that their input can be considered in preparation of the final report to be presented to the House.

Mr. Speaker and Hon. Members, by expiry of the above notice for stakeholders and members the public to forward written submissions of their memorandums, the Committee had received written submissions for consideration from the following Sub-counties;

1. Nyakach Sub-county; North Nyakach Ward, West Nyakach Ward and Central Nyakach Ward.
2. Seme Sub-county; Central Seme Ward, North Seme Ward, East Seme Ward and West Seme Ward.
3. Kisumu Central Sub-county; Migosi Ward, Railways Ward, Market/Milimani Ward, Kaloleni/Shaurimoyo Ward, Manyatta "A" Ward, Kondele Ward, Kolwa Central Ward and Kolwa East Ward
4. Nyando Sub-county; Ahero Ward and Kabonyo/Kanyagwal Ward.
5. Muhoroni Sub-county; Koru Ward, Masongo/Nyangoma Ward, Miwani Ward and Chemelil Ward.
6. Kisumu West Sub-county; North West Kisumu Ward, South West Kisumu Ward and West Kisumu Ward.

2.0.2 LEGAL PROVISIONS UNPERPINING THE ANNUAL DEVELOPEMNT PLAN

Disclaimers: The electronic version of the Official Hansard Report is for information purposes only. A Certified Version of this report can be obtained from the Hansard Editor

Mr. Speaker and Hon. Members, the Committee in considering the Annual Development Plan took into account the following legal provisions governing the approval of the Plans;

The provisions of Article 220 (2) of the Constitution of Kenya provides the form and manner of consultation between the national government and county governments in the process of preparing plans and budgets structures for the development plans and the Budget before it is tabled in the County Assembly for approval. Section 126 of the PFM Act 2012 stipulates that County shall provide strategic priorities for the medium term that reflect the county government's priorities and plans, the strategic priorities to which the programme will contribute, measurable indicators of performance where feasible, the budget allocated to the programme, payments to be made on behalf of the county government, including details of any grants, benefits and subsidies that are to be paid, description of significant capital developments, a detailed description of proposals with respect to the development of physical, intellectual, human and other resources of the county, including measurable indicators where those are feasible and the County Executive Committee member responsible for planning shall publish and publicize the annual development plan within seven days after its submission to the county assembly.

Mr. Speaker and Hon. Members, further the provision of section 104 (1) to (5) of the County Government Act, 2012 equally obligates the County by stipulating that no public funds shall be appropriated outside a planning framework developed by the county executive committee and approved by the County Assembly, the county planning framework shall integrate economic, physical, social, environmental and spatial planning, the county government shall designate county departments, cities and urban areas, sub-counties and Wards as planning authorities of the county and promote public participation, non-state actors shall be incorporated in the planning processes by all authorities. County plans shall be binding on all sub-county units for developmental activities within a County.

Objectives of County Planning

The objects of a County undertaking Planning of its jurisdictions are as stipulated in section 103 of the County Government Act 2012 as enumerated below and is to;

- (a) ensure harmony between national, county and sub-county spatial planning requirements;
- (b) facilitate the development of a well-balanced system of settlements and ensure productive use of scarce land, water and other resources for economic, social, ecological and other functions across a county;
- (c) maintain a viable system of green and open spaces for a functioning eco-system;
- (d) harmonize the development of county communication system, infrastructure and related services;

- (e) develop urban and rural areas as integrated areas of economic and social activity;
- (f) provide the preconditions for integrating under-developed and marginalized areas to bring them to the level generally enjoyed by the rest of the county;
- (g) protect the historical and cultural heritage, artefacts and sites within the county;
- (h) make reservations for public security and other critical national infrastructure and other utilities and services;
- (i) work towards the achievement and maintenance of a tree cover of at least ten per cent of the land area of Kenya as provided in Article 69 of the Constitution; and
- (j) develop the human resource capacity of the county.

2.2.3 COMMITTEE CONDUCTING OF THE PUBLIC PARTICIPATION ON THE ADP FY 2020/2021

The Committee in invoking the relevant legal statues conducted the Public Participation on the Kisumu County Annual Development Plan FY 2020/2021 on 16th January, 2020 at the Aga Khan Hall as from 10:00 a.m. which I am glad to say that the attendance was impressive.

3.0.0 COMMITTEE OBSERVATION

1. Pursuant to the provision of section 126 (3) of the PFM Act, 2012 that each County shall forward the Annual Development Plan to the Assembly not later than 01st September, each year.

The Committee observed that the submission of the Annual Development Plan FY 2020/2021 contravened section 126(3) of the PFM Act, 2012 that requires the ADP be submitted to the Assembly on 01st September every year.

The ADP did not include the following deliverables attached to each programme with details such as:-

- a) The strategic priorities to which the programme will contribute.
- b) Measurable indicators of performance where feasible.
- c) The budget allocated to the programme.

Recommendation

- a) The County Executive Committee Member for Finance and Economic Planning to explain to the House as to why his office has refused or ignored the provisions of the law cited in 1 above.
2. The Committee observed with appreciation that this is the first time the CEC for Finance and Economic Planning while submitting the ADP FY 2020/2021 accompanied it with proposals made by the Public during the Public Participation conducted in all the 35 Wards. (See Annex I). However, the Committee was concerned the proposals from the public were not published as provided in section 126 (6) of the PFM Act, 2012.

Recommendations

The Executive to comply with the provisions of the aforementioned section while preparing the ADPs.

3. Further Finding and Observations and Recommendation On The Kisumu County Annual Development Plan FY 2020/2021

Mr. Speaker and Hon. Members, during the Public Participation exercise, the committee noted the following;

4. The Committee noted with concern that the Report on the Kisumu County Annual Development Plan FY 2020/2021 did not incorporate Flagship projects to be undertaken by the Executive during the FY 2020/2021.

Recommendations

The Executive to avail the list of Flagship Projects earmarked for execution in the FY 2020/2021 to the Assembly for deliberation.

5. The committee noted from the Public Participation undertaken on 16th January, 2020 that there was omission of some of the Projects proposed by the Public and some of the projects factored in the ADP were not considered as priorities i.e. Rehabilitation of Slaughter House in Chemelil Ward which in fact does not even exist.
6. The Committee received additional proposals from the public during the Public Participation fora held on 16th January, 2020 (see annex I)

Recommendations

1. The Committee recommends that projects identified by the public (Citizens of Kisumu) during the Public Participation conducted by the Assembly and the Executive be considered in accordance with the approved County Integrated Development Plan II (CIDP II) FY 2017-2022

2. The Committee further recommends that, the CECM for Finance and Economic Planning to avail to the House a Comprehensive Status Report of all the Incomplete Projects for further engagement and decision making thereof.
3. The County Executive Committee Member for Finance and Economic Planning should consider introducing a proposal for the reviewing of the CIDP for Financial Years 2017-2022 in line with section 112 of the County Government Act, 2012. This has been necessitated by the unpredicted changing weather condition resulting in flooding in most areas and there is need to come up with programmes geared towards mitigation, managing of Storm Water and provide long-term solutions to such unforeseen catastrophes.
4. The Assembly should consider harmonization of the Emergency Funds Act of 2015 and the Disaster Management Act of 2015 which were passed by the First Assembly which seem to conflict when it comes to implementation and administering of the Emergency Funds with regards to invoking the provisions of section 111, 112 and 113 of the PFM Act of 2012 when administering the fund in consonance with the above mentioned Acts.

Mr. Speaker and Hon. Members, the essence of devolution as anchored in Chapter 11 of the Constitution 2010 spells out the principles of devolution which merits the clamor for equity and equitability in distribution of resources from the smallest unit of devolution which is the village level. These are the tenets that guide this Committee in making its recommendations to the Annual Development Plan 2020/2021.

4.0.0 EMERGING ISSUES - PENDING BILLS

Mr. Speaker and Hon. Members, the Cabinet Secretary for National Treasury Ambassador AkurYatani issued a directive to all County Governments to clear their Pending Bills by close of March, 2020. The County Government of Kisumu in its records show Outstanding Pending Bills to the tune of Kshs 600 million which needs to be settled by expiry of this date.

Further, the CS for National Treasury issued a subsequent notice to all County Governments stating that, in the subsequent Budgets, Pending Bills MUST be provided an allocation and this will be a conditionality for approvals of Budgets.

The resultant effect to these directives is interpreted to state that, a chunk of Development Projects earmarked for FY 2019/2020 will not be executed this is because funds meant for projects will be channeled to clear these items and most of Development Projects earmarked for FY 2019/2020 will not be implemented.

Mr. Speaker and Hon. Members, so far this directive has been complied with by the County Treasury by taking the bold initiate to make provisions for Pending Bills to the tune of Kshs 1,456,688,026.00 in the First Kisumu County Supplementary Estimates FY 2019/2020 that was approved by this House on Thursday, 27th February, 2020.

5.0.0 Conclusion

Mr. Speaker and Hon. Members, the County government of Kisumu must put deliberate efforts to change lives through equitable provision of vital services to the residents. It is therefore the concern of this committee that going forward, development plans must award adequate attention to the thematic areas which should be in line with the Governor's 10 Point Agenda and his Manifesto that provides linkages between policy, planning and resource allocation which will help the Assembly in executing its mandated roles effectively to achieve its development objectives.

Mr. Speaker and Hon. Members, the Committee therefore recommends that the House approves the Report on the Kisumu County Annual Development Plan FY 2020/2021 with amendments therein.

Thank you, Mr. Speaker and Hon. Members. I call upon Hon. Aslam Khan, the Vice-Chairperson to second. Thank you.

ANNEX I SUBMISSION MADE ON THE KISUMU COUNTY ANNUAL DEVELOPMENT PLAN FY 2020/2021 DURING PUBLIC PARTICIPATION HELD ON THURSDAY, 16TH JANUARY, 2020 AT THE AGA KHAN HALL, KISUMU.

1. NYAKACH SUB-COUNTY WARD				
No.	Ward Name	Location	Sector Working Groups	Public Participation Recommendation on the CADP FY 2020/2021
1.	North Nyakach Ward		Agriculture, Livestock and Fisheries	-
			Environment and Natural Resources	- Desiltation of Awach, Asao and Nyando River - Kamolo, Kopige. Kamula and Kobam Water Pans

			Health Services	<ul style="list-style-type: none"> - Completion of Doctor's Quarters at Katito Dispensary - Completion of Doctor's Quarters at Onyuongo Dispensary
			Education, ICT & HR	<ul style="list-style-type: none"> - ECD Classroom in Asao, Ndori and Michura - Construction of Resource Centres in Kandaria, Cherwa and Jimo East
			Roads, Transport and Public Works	<ul style="list-style-type: none"> - Construction of Omunyole – WadhLaini Road - Opening of Kafadha-Lisana Road - Improvement and Culvert of Pap-onditi-Kagwel Road - Openin g of Apostolistic-Kopige Access Road
			Business, Trade, Energy and Industry	<ul style="list-style-type: none"> - Floodlights at Kotieno in Jimo East - Floodlights at Kanyamlori
			Tourism, Culture, Arts and Sports	<ul style="list-style-type: none"> - Construction of Talent Academy at Katito - Youth Empowerment
2.	West Nyakach Ward		Tourism, Culture, Arts and Sports	<ul style="list-style-type: none"> - Construction of Odino Tourist Attraction Site
3.	Central Nyakach Ward	Kabodho	Agriculture, Livestock and Fisheries	<ul style="list-style-type: none"> -
			Education, ICT & HR	<ul style="list-style-type: none"> - Construction of Kusa Vocational Training Centres
			Roads, Transport and Public Works	<ul style="list-style-type: none"> - Pap-KopinyaOmberpad - Bonde-Kamadawo Beach Road

				<ul style="list-style-type: none"> - Improvement of Bugo Road - Kanyano-Kotiang' Footbridge - Koleny- Kusa Beach Road
		Pap-Onditi	Roads, Transport and Public Works	<ul style="list-style-type: none"> - Construction of Kokum Dam - Kobura Bodo Bridge - Konyalo Footbridge - Olembo Footbridge - Opening of KombewaKanyiloyiKanyakore Road
			Education, HR Development and ICT	<ul style="list-style-type: none"> - Construction of Pap Lisana ECD - Olembo ECD - Onyuongo ECD
		Nyalunya	Environment, Natural Resources, Water and Irrigation	<ul style="list-style-type: none"> - Construction of Kokech Dam
			Roads, Transport and Public Works	<ul style="list-style-type: none"> - Opening of Kokech-Kabol Catholic Road
		Central	Roads, Transport and Public Works	<ul style="list-style-type: none"> - Kolang-Ragen Catholic Road - Opening of Ogilo-Bolo Road - Onyng Market Road
			Health and Sanitation	<ul style="list-style-type: none"> - Onyinge Dispensary
			Agriculture, Livestock and Fisheries	<ul style="list-style-type: none"> - Revival of Kajosia Cattle Dip

2.	SEME SUB-COUNTY WARD
----	----------------------

No.	Ward Name	Location	Sector Working Groups	Public Participation Recommendation on the CADP FY 2020/2021
1.	Central Seme		Business, Trade and Industry	<ul style="list-style-type: none"> - Floodlights at Namba-Kosea-Kombewa Hospital Junction-Lower Kombewa - Streetlight in all Market centres - Erection of Boda-boda Shades at Riat Market - Construction of Boda-boda Shaes at Bodi Market - Fruit Processing Plant at Kombewa
			Roads, Transport and Public Works	<ul style="list-style-type: none"> - Maintenance of Akonya-Alwala Road
			Education, HR Development and ICT	<ul style="list-style-type: none"> - Completion of ECD Classrooms at Oruga School
2.	North Seme Ward		Education, HR Development and ICT	<ul style="list-style-type: none"> - Construction of Okiro EDE - Construction of Barkorwa ECD - Completion and Equipping of ChiengaNyodundo Community Hall (Fencing)
			Environment and Natural Resources, Water and Irrigation	<ul style="list-style-type: none"> - Rehabilitation of OderoAnyumba Water Point
			Roads, Transport and Public Works	<ul style="list-style-type: none"> - Anguka Footbridge - Construction of Ngo'opOchuataKobunga Access Road - Construction of Magina/Ngo'opOchuata Road

				<ul style="list-style-type: none"> - Opening of Koder/Korwenje/Onyinyore Road - Opening of Olute-Korwenje School Road - Improvement of Jarambee-Kipingo, Omuya Road - Construction of Kondik/Lunga Road
			Physical Planning, Housing and Urban Development	<ul style="list-style-type: none"> - Kondik Market - Purchase of Land for Barkorwa Market
			Business, Trade, Energy and Industrialization	<ul style="list-style-type: none"> - Fencing of Barkorwa Market - Fencing of Alaka/Harambee Market
			Health and Sanitation	<ul style="list-style-type: none"> - Construction of Male Ward at Onyinjo Dispensary - Construction of Nduru/Kadero Dispensary and Staff Quarters
			Tourism, Culture, Arts and Sports	<ul style="list-style-type: none"> - Completion of Amii Sportsground
3.	East Seme		Environment and Natural Resources, Water and Irrigation	<ul style="list-style-type: none"> - Nanga/Kajulu Secondary Water Project Extension - Drilling of Borehole in Kamagore
			Agriculture, Livestock and Fisheries	<ul style="list-style-type: none"> - Provision of Subsidized Farm Inputs - Provision of Seeds and Fertilizers
			Health and Sanitation	<ul style="list-style-type: none"> - Completion of Nyadado Dispensary - Construction of Maternity Wing

				and Laboratory at Kuoyo
			Public Works Roads and Transport	- Construction of No. KapiyoKaloka/OkanaNomiya Road
			Business, Trade, Energy and Industry	- Floodlights at Rodi Dispensary
			Education, HR Development and ICT	- Construction of ECD Toilets - Construction of Olare Classroom
			Physical Planning, Housing and Urban Development	- Purchase of Land from Miranga Polytechnic
4.	West Seme Ward	Reru West	Public Works Roads and Transport	- Arito-Ochara Road
			Education, HR Development and ICT	- Rapigi ECD Classroom - Ochara ECD Classroom - Opande ECD Classroom
			Business, Trade, Energy and Industry	- Floodlight at Opapla Market
			Environment, Natural Resources, Water and Irrigation	- Langi Community Water Borehole Project - Ochara ECD Water Projects - Okuti ECD Water Borehole Project
		Ngere West	Public Works Roads and Transport	- Osewre-Opande Road
			Education, HR Development and ICT	-
		Kadinga West	Public Works Roads and Transport	- Akado-KisiaOkiro Miruka Road
			Health and Sanitation	- Completion of Pith Kodhiambo

				Dispensary
			Environment, Natural Resources, Water and Irrigation	- KIsaOkiro Borehole Water Projects
		Kadianga East	Public Works Roads and Transport	- Pap Konam-Aongo Road
			Environment, Natural Resources, Water and Irrigation	- Manyawanda Borehole Water Project - Construction off KorindeDma
			Business, Trade, Energy and Industry	- Floodlight at Kirindo Market
		Alungo North	Education, HR Development and ICT	- Nyalik ECD Classroom - Nyalik ECD Classroom
			Health and Sanitation	- Completion of Nyandeje Dispensary
		Alwala	Education, HR Development and ICT	- Alwala ECD Classroom
			Health and Sanitation	- Oriang' Alwala Dispensary Pit Latrine
			Business, Trade, Energy and Industry	- Fllodlight bat Nyamuoda Market
		Angonga	Education, HR Development and ICT	- Magwako ECD Latrine - Nyatigo ECD Pit Latrine
		East Reru	Education, HR Development and ICT	- Lela ECD Classroom - Jimo ECD Classroom - Kitambo VTC

			Environment, Natural Resources, Water and Irrigation	- Ochok ECD Borehole Water Projects - Reru RC ECD Borehole Water Projects
		South Alungo	Education, HR Development and ICT	- Chuth Ber VTC
		West Ngere	Education, HR Development and ICT	- Osewre ECD Classroom
		Ngere East	Business, Trade, Energy and Industry	- Floodlight at RiatNgere Market
			Tourism, Culture, Arts and Sports	Purchase of Sports Gears and Ball
		Proposed Projects		
			Agriculture, Livestock and Fisheries	- Fish Cagging - Kosimbo Beach Fish Banda - Kagwel Beach Fish Banda
			Business, Trade, Energy and Industry	- Purchase of 50 Motorcycles for West Seme SACCOs

4.	KISUMU CENTRAL SUB-COUNTY WARD			
No.	Ward Name	Location	Sector Working Groups	Public Participation Recommendation on the CADP FY 2020/2021
1.	Migosi	Migosi	Health and Sanitation	- Equipping of Migosi County Hospital with Modern Medical Equipment.

			Education, HR Development and ICT	- Construction and Equipping of Kondele Primary ECD
2.	Railways	Kanyakwar	Business, Trade and Energy	- Streetlight along Pamba Road Kanyamedha – Nyawita Market - Floodlight along Kagombe and Sega Sega Area - Floodlight at Blackgate Kona- mbaya Road - Floodlight at Public Works Road
			Tourism, Culture, Arts and Sports	- Renovation of Kanyakwar Cultural Centre
			Health and Sanitation	- Fencing of Asengo Dispensary
			Public Works, Roads and Transport	- Opening of Drainage along Pamba Road
3.	Market/Milimani		Public Works, Roads and Transport	- Maintenance of Roads along Centra Primary School - Maintenance of Road along Buspark to Rotary Maintenance of Road behind KCB - Maintenance of Road at Milimani Estate
			Business, Trade and Energy	- Designated Station for Boda-boda Operators
			Environment, Natural Resources, Water and Irrigation	- Drainage along Jubilee Market along Kisumu Buspark
4.	Kaloleni/Shaurimoyo	Kaloleni Unit	Agriculture. Livestock and Fisheries	- Provision of Fumigation Services
			Business, Trade and	- Revolving Fund for Traders

			Energy	- Car Wash Machines for Youth Groups
			Physical Planning, Housing and Urban Development	- Issuance of Title Deeds - Security of Tenure for Kibuye and Lumumba Estates Tenants
			Environment, Natural Resources, Water and Irrigation	- Garbage Collection in Farms and Equipment
		Kibye Unit	Physical Planning, Housing and Urban Development	- Purchase of Lower Units for Tenants - Security of Tenure for Kibuye and Lumumba Estates Tenants
			Environment, Natural Resources, Water and Irrigation	- Garbage Collection in Farms and Equipment - Cleaning of Markets through Youth Groups
			Health and Sanitation	- Conversion of Part of Rila Market to Emergency Health Unit
			Business, Trade and Energy	- Provision of Solar Panels/Lights to Traders
		Makasembo Unit	Business, Trade and Energy	- Purchase of Garbage Collection Equipment to Support Collection
			Physical Planning, Housing and Urban Development	- Security of Tenure for Makasembo Estate - Improvement of Drainage Systems
5.	Manyatta "B" Ward	Lower Kanyakwar	Business, Trade and Energy	- Floodlights at Adoyo-Owuor Road
			Tourism, Culture, Arts	- Establishment of Sports Filed

			and Sports	within the Ward
		Upper Kanyakwar	Public Works, Roads and Transport	Culvert abd Feeder Roads in Gudka Estate
			Physical Planning, Housing and Urban Development	- Purchase of Land for Construction of ECD Centres
		Kuoyo	Education, HR Development and ICT	- Construction of Toilets for ECDs
6.	Kondele Ward		Physical Planning, Housing and Urban Development	- Purchase of Land for ECD not Police Post - Purchase of Land for Construction of Ward Office
			Business, Trade and Energy	- Installation of Floodlight at Kuoyo Dispensary - Construction of Public Toilet at Kona Mbuta
			Roads, Transport and Public Works	- Murraming of Rainbow Skyway Access Road
7.	Kolwa Central Ward		Tourism, Culture, Arts and Sports	- Sports Tournament at Mbeme Centre - Cultural Day
			Environment, Natural Resources, Water and Irrigation	- Drainange System at Ebenezer-Wayue - Tido-Wayue Stream - Ragumo-Kayodo Drainage System - Desiltation of Opuochi River Kibos Stream - Ebenezer-Kajowi Drainage - Desiltation of Mahenya Stream

				- Water Kiosk at Renja, Bwanja
			Business, Trade, Energy and Industry	- Floodlights at Lunya Primary, Nyamasaria Secondary, Corner S, Kolewe Market, Rae Primary School - Construction of Market at Mowlem - Floodlights at Rae
			Roads, Transport and Public Works	- Renja-Kolewe Market Access Road - Kaloo Bridge Ongwayo Access Road - Oluoch NYayamo Access Road- Kasule - Oyola-Ranguma Access Road – Nyalunya - Odanga Access Road – Nyalunya - Mowlem-Doholm-Dette Access Road – Kasule - Maintenance of Road at Akado-Ufunyu - Uyoma Naya-Bwanda Access Road
			Physical Planning, Housing and Urban Development	- Purchase of Land for Market at Bwanda
			Health and Sanitation	- Construction of Dispensary at Bwanda
			Education HR Development and ICT	- Rae ECD - Bwanda ECD

				- Rarieda ECD - Nyalunya ECD
8.	Kolwa East Ward	Buoye	Business, Trade, Energy and Industry	- Improvement of Orongo Market instead of Buoye Market -
			Physical Planning, Housing and Urban Development	- Purchase of Land for Buoye Market
			Environment, Natural Resources, Water and Irrigation	- Extension of Water Pipes from Angola to Buoye
			Tourism, Culture, Arts and Sports	- Provision of Sports Gear to all Clubs within the Ward
		Chiga	Environment, Natural Resources, Water and Irrigation	- Drainage under food for Work - Water Kiosk at Kasarani
			Business, Trade, Energy and Industry	- Installation of Floodlights at Kalusi Shopping Centre
		Mayenya	Physical Planning, Housing and Urban Development	- Purchase of Land for Kolwew Market
			Business, Trade, Energy and Industry	- Installation of Floodlight at Kolewe to enhance Security
			Environment, Natural Resources, Water and Irrigation	- Extension of Water Pipes at Kadeya-Nyatoka - Water Kiosks

5. NYANDO SUB-COUNTY WARD					
No.	Ward Name	Location	Sector Working Groups	Public Recommendation	Participation on the CADP FY 2020/2021
1.	Ahero Ward	Kakola	Roads, Transport and Public Works	- Kochieng'-Kotuoma-Bunde School Road - Kosika-Konyango ODM Off Road	
			Business, Trade, Energy and Industry	- Floodlight at Kamidimbi, Jesmic and Nyuki Estate	
		Kochogo	Roads, Transport and Public Works	- Kowuor Access Road - Kodindo-Kochogo Access Road - Koluoch-Kadhier Access Road	
		KakoOmbaka	Business, Trade, Energy and Industry	- Construction of Market Stalls at Riat Market	
2.	Kabonyo/Kanyagwal		Roads, Transport and Public Works	- ReruWithur Access Road - OdegaKanyagwal Access Road - Kampala, UgweeKandaria Access Road - Ochok Beach Access Road - Kopuge – Kasango – Abuto Oloo Access Road - KangiraOwele – Ngonda – Okidi – Obuogi Access Road - KomwagaKomedo – Nyangande Access Road - Nyatini – Kanyagwal Access Road	

				<ul style="list-style-type: none"> - Konono – Arombo Access Road - Konywera – Heka-heka Sanga Arom Access Road - Kambata-Kawour Omer Access Road - Angola Bridge - Korwana Bridge - Kamaasai Bridge - Nyangande Primary Kongaro – Bwanda Access Road - Ngutu Bridge 	
			Environment, Natural Resources, Water and Irrigation	<ul style="list-style-type: none"> - Kanyagwal Water Project Pipeline Extension - Odiinya Secondary Water Projects - Withur Water Pipeline Extension Projects 	
			Education Development and ICT	HR and	<ul style="list-style-type: none"> - Nyangande ECD - Korwana ECD - Nduro ECD - Oseth ECD - Angola ECD - Withur Youth Polytechnic
			Health and Sanitation		<ul style="list-style-type: none"> - Obange Health Centre - Komwage Health Centre - Kanyagilo Health Centre

				- Nyangande Sub-county Hospital
			Agriculture, Livestock and Fisheries	- Kabonyo/Kanyagwal Flood Control - Provision of Fertilizer and Certified Seeds for Rice Farmers
			Business, Trade, Energy and Industry	- Kadete Market - Ogenya Market - Kadhiambo Market

6.	MUHORONI SUB-COUNTY WARD			
No.	Ward Name	Location	Sector Working Groups	Public Participation Recommendation on the CADP FY 2020/2021
1.	Koru Ward	Fort Tenan	Roads, Transport and Public Works	- Opening of Market-Kipsamwe and Cheptuiyet - Completion of Kagai Road
		God Nyithindo	Roads, Transport and Public Works	- God Nyithindo Tamu Bridge
			Business, Trade, Energy and Industry	- Floodlight at God Nyithindo Primary
		Muhoroni	Tourism, Culture, Arts and Sports	- Completion of Stadium next to Police Station
			Roads, Transport and Public Works	- Construction of Alai Amata Road
		Koru	Business, Trade, Energy and Industry	- Market Shades and Toilets - Upgrading of Koru Market

			Roads, Transport and Public Works	- Opening of Koru Bible Kipsamwe Road - Opening of Ongala-Gilmori Road
2.	Masogo/Nyangoma		Education HR Development and ICT	- Construction of Social Hall at Onyalobiro Market - Construction and Equipping of Kamia ECD Construction of Youth Polytechnic at Osiri
			Agriculture, Livestock and Fisheries	- Provision of Dairy Cattle to Karami Women Farmer Co-operative Society
			Environment, Natural Resources, Water and Irrigation	- Borehole at Migere Dispensary
			Tourism, Culture, Arts and Sports	- Improvement of LwandaMagere Historic Site
3.	Miwani Ward		Environment, Natural Resources, Water and Irrigation	- Extension of Water Supply at Nyangeta, Miwani East Location
			Health and Sanitation	- Completion of Nyangeta Dispensary
			Education HR Development and ICT	- Construction of ECD at Sugar Research Institute/KESREF - Construction of ECD at Jagir Singh Primary School
			Roads, Transport and Public Works	- Construction of Drainages along three Feeder Roads in Miwani East Location, Nandi Hills

				- Construction of Section 3 Roads
4.	Chemelil Ward		Agriculture, Livestock and Fisheries	- Rehabilitation of Slaughter House
			Roads, Transport and Public Works	- Construction of Chemelil-Potopoto Road - Graveling and Murraming of Kibigori-Nubian Network Road
			Tourism, Culture, Arts and Sports	- Construction of Metallic Goal Post (Typographical errors) - Uniform for Netballers and Volleyball Teams

7.	KISUMU WEST SUB-COUNTY WARD			
No.	Ward Name	Location	Sector Working Groups	Public Participation Recommendation on the CADP FY 2020/2021
1.	North West Kisumu	East Karateng	Roads, Transport and Public Works	- Completion of Kowade-Mbaka Oromo Access Road
		Marera	Environment, Natural Resources, Water and Irrigation	- Completion of Kaitalo-Lela Water Project
			Roads, Transport and Public Works	- Completion of Chulaimbo-Barding Access Road - Completion and Murraming of Kageto—Marera Primary Access

				<p>Road</p> <ul style="list-style-type: none"> - Opening and Murraming of Nyakong'o-Yienga-Chulaimbo-Ng'ow Access Road - Opening of Kapiemo-Jobautu Access Road - Opening and Murraming of Chulaimbo-Yienga-Dago Access Road
			Business and Trade	- Floodlight at Bar-Anding'oNyayo Market
			Tourism, Culture, Arts and Sports	- Creation of Playground at Sunga under Maseno Mixed Primary
2.	South West Kisumu Ward		Agriculture, Livestock and Fisheries	<ul style="list-style-type: none"> - Development of Rota Beach - Modern Fish Banda at Usare - Modern Fish Banda at Kete Beach
			Business, Trade, Energy and Industry	<ul style="list-style-type: none"> - Development of Ojola Market - Development of Rota Market - Development of Osiri/Ober Kamoth Market
			Physical Planning, Housing and Urban Development	<ul style="list-style-type: none"> - Expansion of Ojola Market - Purchase of Land for Ongalo Market
			Environment, Natural Resources, Water and Irrigation	<ul style="list-style-type: none"> - Drilling of Kandhene Borehole - Drilling of Koulu Borehole (Ojola) - Drilling of Bad Aura Borehole - Drilling of KasmoloAwendo Borehole

				- Drilling of Kolol Borehole
			Health and Sanitation	- Uradi Nurse Houses - Rota Nurse Houses - Nyitengo Nurse Houses
			Education, HR Development and ICT	- Construction of Ogal ECD - Nyareginga Feeding Programme - Gongo ECD Classroom - Ongalo ECD - ECD Toilet at Kibweyo
			Roads, Transport and Public Works	- Koulu/Kaju Road - Ofodo Rose Beach - Usare. Rota Kisian - Construction of Ogal School Road - Construction of JageroSwetsHolo Road - Construction of Rota Footbridge - Bara Footbridge - Construction of Kameje/Kamolobambo Road
			Tourism, Culture, Arts and Sports	- Maboko Island - ResareeOngalo
3.	West Kisumu	Lower Kadongo	Education, HR Development and ICT	- Completion of Resource Centre – Gombe Kokulo - ECD at Gombe Kokulo
			Business, Trade,	- Gombe Kokulo Market

			Energy and Industry	
			Roads, Transport and Public Works	- Holo-Nazarene Road - Tido Road
			Health and Sanitation	- Kathure Dispensary

The Speaker (Hon. Oraro): Yes, Hon. Aslam Khan

Hon. Khan: Thank you very much Mr. Speaker. I rise to second the Report on the Kisumu County Annual Development Plan (ADP) for the Financial Year (FY) 2020/2021 and do urge Honourable Members to ensure that this goes a mile ahead so that we continue to make efforts in the Budget Committee. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Oraro): Honourable Members, now that the Report on the Kisumu County Annual Development Plan for the FY 2020/2021 has been proposed by Hon. Steve Owiti, Chairperson Budget and Appropriations Committee and seconded by Hon. Aslam Khan, the Vice Chair, Budget and Appropriations Committee, I want to propose a question that the Floor be opened for debate.

The Speaker (Hon. Oraro): Yes, Hon. Erick Agolla.

Hon. Agolla: Thank you Mr. Speaker. Pursuant to provisions of the Standing Orders and considering the weather and the business ahead of us, I want to indulge the House that we do Limit our Debate to two minutes each so that we dispense with the Business of the Day at the right time because we must also observe the weather. I ask Hon. Rashid Miruka to second.

Hon. Miruka: I second.

The Speaker (Hon. Oraro): Thank you. Under Standing Order No. 95, we are allowed to limit debates and Hon. Agolla has proposed and seconded by Hon. Rashid Miruka. Without putting a question, we shall limit ourselves to two minutes each. The Report is open for debate.

The Speaker (Hon. Oraro): Yes, Hon. George Oluoch, MCA for West Nyakach.

Hon. Ogutu: Thank you Mr. Speaker for giving me this opportunity to contribute on this important report. Mr. Speaker, I rise to support this report. As I have said, I was going through what was proposed on that particular day of 16th January 2020 at Aga Khan Hall. I believe that

West Nyakach was fully represented and Mr. Speaker, we proposed new projects during this particular public participation event.

Unfortunately, Mr. Speaker, from what I have observed it is only one project which has been captured regardless of thousands of them that we had proposed. Mr. Speaker, the only project which was added to the previous one is Tourism and Culture and, I can perfectly remember that the people of West Nyakach added new projects. I can remember we added a very important project called Kambet Bridge. This is a bridge that has been a thorny issue in West Nyakach because this particular bridge links up the people of Upper Kadianga and the people of Kajimbo. I believe that this is the right time, that if it is captured in this particular proposal, then it is okay.

We also proposed, which I do not see in our new proposal, floodlights at Kong'ou Market, which is missing in this report. We also proposed Resource Centre at Nyakwere; Resource Centre at Obanda; floodlight at Maembe Mbili, Construction of Beach Banda at Ng'ou Beach in Kajimbo and Purchase of Land at Kong'ou Market.

All these, Mr. Speaker, are conspicuously missing in this important document. Mr. Speaker, through your Chair, I was pleading so that this important project be captured in the document. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Oraro): I noticed Hon. Olwal first. Because of gender, I will then move to Hon. Maurine Otiang' then Hon. Vitalis Otura then we conclude with Hon. Atieno Atieno. Hon. George Olwal.

Hon. Olwal: Thank you Mr. Speaker. I rise to support the report. Mr. Speaker, I must say that this is one of the best ADP that has ever been made in the entire term since our election into office. I have seen many projects especially in Kisumu East where I come from.

Mr. Speaker, I have few reservations on certain jurisdictions and items. I do not know whether I can proceed and highlight them. First, there is a typo in the Roads, Transport and Public Works category. There is a road incorrectly indicated as Ojola –Ranguma.

The Speaker (Hon. Oraro): Kindly go by the page. Which page are you?

Hon. Olwal: Mr. Speaker, I am in page 17

The Speaker (Hon. Oraro): I believe that the Chair is taking notes

Hon. Olwal: Yes. The road is indicated as Ojola-Ranguma instead of Ojola- Ragumo. Secondly, in terms of jurisdiction, I do not know whether it was by omission or commission since I share boundary with my brother who also happens to be the Chair of the Budget Committee. I have seen under Business, Trade, Energy and Industry, we have Kolewe Market in Kolwa East. It should read Bonde market and not Kolewe.

I think those are the only reservations that I have. As I conclude Mr. Speaker, I think budget is a process, and I hope that in the next process, that is the CFSP, it will be informed by this document. Thank you.

The Speaker (Hon. Oraro): I had promised to give Hon. Maurine Otiang’

Hon. Otiang’: Thank you Mr. Speaker, Sir. My concern is Rehabilitation of Slaughterhouse which was actually used as an example of a project which does not exist in my Ward yet it is still appearing. There are also two omissions. One, floodlight at Achego Centre and floodlight at Tamu Centre. The two omissions should be noted. Otherwise, I am okay. Thank you.

The Speaker (Hon. Oraro): I had promised to give Hon. Vitalis Otura

Hon. Otura: Thank you Mr. Speaker. I rise to support this report though with reservations. Mr. Speaker, the report is quite superb. It is a reflection of what transpired during that day of Public Participation. Being a participant, I am only perturbed not to see Ombeyi Ward featuring. To prove that I was present that day Mr. Speaker, various groups converged separately to come up with all these changes highlighted here.

On that day, Mr. Speaker, Ombeyi Ward did group themselves. Among the things we proposed yet not featured was Floodlights in all the Evacuation Centres in the Ward and additional ECDE schools. Mr. Speaker, I beg that the Committee look into these and make appropriate corrections. Thank you Mr. Speaker

The Speaker (Hon. Oraro): Hon. Jagongo will be next so give time to Hon. Atieno Atieno

Hon. Atieno: Thank you so much Mr. Speaker Sir for giving me this opportunity. I have serious reservations on this report because going by what Honourable Chair did say. On the 16th of January this year, Kobura Ward was ably represented at Aga Khan Hall and they did propose many projects that they wanted to be implemented.

But, I am surprised that there isn’t any of the projects in Kobura Ward. In addition, when the Chair added his observation, he did mention that the list of projects that people of Kobura did submit was not included in the report. Therefore, I think that this is a copy and paste thing. If it is true that the report is real, then, when doing his submission especially on observations, he would have said that Kobura Ward is missing.

And, in fact, Mr. Speaker Sir, the entire five Wards represented during that day have not been captured, that is, Awasi-Onjiko, East Kano Wawidhi, Kobura and Ombeyi Ward. This is a serious issue, which I think the Chair of Budget Committee and his entire Team should be indicted for because they have miserably failed to have a grasp of the Wards within Kisumu County. In one Sub County, three Wards are missing and, by the way. Mr. Speaker, in the rural

Wards, Kobura is the largest comprising 20,000 registered voters. How could they miss to put the interest and submissions of Kobura Ward in their report?

Mr. Speaker Sir, with your indulgence, I beg that the Honourable Chair of Budget looks conclusively into this so that the projects submitted by Kobura Ward are included in this ADP. Otherwise, thank you and God bless you.

The Speaker (Hon. Oraro): You did not tell us whether you oppose the report or whether you agree with it.

Hon. Atieno: I seriously oppose this report with a lot of vigour and enthusiasm.

The Speaker (Hon. Oraro): Hon. Vincent Jagongo.

Hon. Jagongo: Thank you Mr. Speaker, Sir. I also stand to support the report but I have a concern on page 21 under Kisumu West Sub County, North West Kisumu Ward. I do not know whether it is a spelling mistake or it was deliberately done. Under the category of Water and Environment, there is completion of Kaitalo- Lela Water Project. Kaitalo is a clan where I come from but the water project is Kotita. I do not know whether the Chair decided to include my clan in the report without my knowledge. It should read Kotita- Lela water project and not Kaitalo. Thank you.

The Speaker (Hon. Oraro): Hon. Pamela Odhiambo, Manyatta B Ward.

Hon. Odhiambo: Thank you Mr. Speaker. I support the report. I started supporting it when I heard the Chair say that these were the proposals made on the 16th of January. I thought these were proposals brought by the County Government when they came for Public Participation. I am glad that he clarified that these were specifically the proposals submitted on the 16th on the projects that were missing on the initial list of projects. I have only one issue on page 16 under the category of Education: Construction of Toilets for ECDs. We do not have any ECD apart from Wandiege and that should be captured under Physical planning, Housing and Urban Development. It should have been Purchase of Land for ECD at Kwoyo Unit.

The Speaker (Hon. Oraro): Hon. Pamela, are you addressing Hon. Seth or the Chair?

(Laughter)

Hon. Odhiambo: I am sorry Honourable Speaker. Hon. Seth is very happy that we are in his Ward. They should be quiet and let me speak. I am very sorry. Kondele Ward used to be Manyatta A then it was divided. It was then named Kondele Ward and Manyatta remained Manyatta B. There was a lot of confusion during budget process. If you take a look at projects in Kondele Ward, there is installation of Kuoyo Dispensary which is in Manyatta B and not Kondele Ward. Please take note of that Mr. Chair. Thank you, I support the report.

The Speaker (Hon. Oraro): Hon. Erick Agolla then Hon. Philemon

Hon. Agolla: Thank you Mr. Speaker. I support because I did participate during the Public Participation and most of the projects that our people did propose have been listed except for a some project, which is very strange to Ward. There is Opodo Rose Beach which does not exist in South West Kisumu.

Mr. Speaker, what I can say is that, there are some typographical errors, which we cannot address in the plenary. I just want to urge Honourable Members to adopt this report so that we liaise with the relevant House Committee to address these spelling errors. Thank you.

The Speaker (Hon. Oraro): I promised to give Hon. Philemon then Hon. Seth

Hon. Ojuok: Thank you Honourable Speaker. I want to support the report but request the Budget Committee to allow for harmonization. As you may be aware, a number of things in the report are projects that were mentioned on that day and there were those other projects that featured but were not mentioned. As such, there is need to have a look at the harmonized report of the all the projects that should be appearing. I think if we allow that and they are able to look at the report then we will be able to move forward.

My request is that the Budget committee allows us to harmonize those particular reports especially those which were previously appearing and those which were attached as they deliberate on the report before they make a final decision on the same.

The Speaker (Hon. Oraro):Hon. Seth Okumu

Hon. Okumu: Thank you Mr. Speaker. I rise to support the report and it is supposed to be adopted. Mr. Speaker, I request that under Business, Trade, Energy and Industry in East Seme Ward; I think they forgot to include Floodlight at Miranga and Lung'a. Thank you Mr. Speaker. I support the report.

The Speaker (Hon. Oraro): Hon. Samson Ameso then Hon. Habil Nyasuna

Hon. Ameso: Thank you Mr. Speaker. First, I want to congratulate the Committee of Budget and Appropriations for a wonderful work: one of the best ADP reports so far. However, Mr. Speaker, I want to register some omission. I was present in that function and I remember very well that we added some projects, which were missing. Kindly move with me to page 12 on Education and Human Resource. I remember we added Ojijo-Osiri Atol ECDE, which was initially missing and still missing again.

I therefore request the Budget Chair to capture that. In the category of Business, Trade and Energy, I remember we proposed addition of Olute Market Stalls and Kopingo Market Stalls. We also added completion of Maternity Wing of Nduru Kadero Dispensary.

Mr. Speaker, these are the submissions I would to make. Otherwise, I support the report.

The Speaker (Hon. Oraro): Yes Hon. Habil Nyasuna

Hon. Nyasuna: Thank you Mr. Speaker, Sir. I have noted that there is one project, which has been misplaced: Rehabilitation of Slaughterhouse. The Slaughter House is in Masogo/Nyang'oma Ward and not Chemelil Ward. I hope the Committee has taken note of that and will act appropriately. Thank you.

The Speaker (Hon. Oraro): Let me give Hon. Caren Muga, Hon. Rashid and then Hon. Seth Kanga.

Hon. Muga: Thank you very much Mr. Speaker. Looking at the mood in the House and considering the weather, which is not favourable today, I call upon the Mover the reply.

The Speaker (Hon. Oraro): What is it Hon. Rashid? I can see you are protesting. Hon. Steve Owiti

Hon. Owiti: Thank you Mr. Speaker. Sometimes, it is in order to adhere to the rules. When the Mover has been called, we allow them to reply.

Thank you Mr. Speaker. First and foremost, I want to thank Members of this House for their very elaborate debate on this report that we presented. On behalf of the Budget and Appropriations Committee, I want to thank you so much because we have also received very insightful deliberations and contributions that have been made on the Floor of this House.

Mr. Speaker, Sir, I want to ask the Members of this House that there at times that we need to be honest with ourselves; because, we had arranged, and the Office of the Speaker and that of the Clerk, facilitated our Members during the Public Participation Forum held at Aga Khan Hall. It was quite unfortunate that there were some Wards, which were conspicuously missing. They did not appear, the Members themselves were absent and they did not send representatives from their Wards. So, sometimes when we come to the Floor of the House and start to instigate ill motives, this is not right. I do not want to go that direction.

I want to ask that in future, when a forum like that is convened for all the Wards, as leaders we have been mandated to bring the representatives from our Wards. Let us honour that so that our people can participate in such fora.

Mr. Speaker, Sir, and Honourable Members, it has also been mentioned that there are new projects which were added during the public participation that had not been covered. I agree there could have been omissions but I want to ask every Member.....

Hon. Muga (On a Point of Order)!

You are interfering with me please Hon. Caren Muga. Mr. Speaker, kindly protect me. Thank you. I am asking that as we forward, every Honourable Member from each Ward, we want to take the shortest time possible to look at the projects proposed in the ADP. Let us add those that were proposed during the public participation forum, which have been captured. Then, going forward, you can include any omission that you have noticed as a Member of that Ward.

Next, ensure that the projects that were frozen during this Budget Process are also added, so that when we move to our pre budget conference, we will be able to have a comprehensive report that will capture all, and I mean all, projects which, at the end of the day, we shall not have further negotiations during the budget process as we have had previously. Therefore, this is time, within the next one week; let us harmonize this document so that the next list shall include all the projects.

We shall also be able to inform our Members and members of the public. Not all projects included in the ADP may be implemented based on the availability of funds. Whatever is not implemented during that time will be rolled over to the next budget. For that matter, when we are listing these projects, we need to put them in order of priority.

Therefore, I want to ask every Member, and I still make a plea, once again that each Member of this Assembly, kindly take your time and harmonize the projects that shall appear in our final ADP that is will go along with the approved report today.

Mr. Speaker, Sir, and Honourable Members, I have also noted, and I believe that we shall also revisit what been captured in the Hansard to ensure that all the points I have made are corrected. The issue of typos was also raised and such will be corrected. We shall ensure that projects conspicuously missing like those of Nyakach West are incorporated. Also, take it upon yourself that what I have explained shall be corrected. I believe that the CSFP has already been committed to the Committee of Budget and Appropriations. One of the reasons we wanted this ADP approved today is that it can inform our discussion on the CSFP.

We are asking that, before we present our CSFP on 13th as was directed by the Speaker, we should be able to dispose of this item, which I believe will be approved today; and then we finalize on that document. The final document that we will take to the other place will be used in the CFSP and the pre-budget conference.

Mr. Speaker, Sir, and Honourable Members, lastly, allow me to thank all the Members and urge them that moving forward, let us move as a team and let us always try as much as possible to ensure that we improve on our Budget process. This is the only tool we have as an Assembly to oversight what the Executive is doing. It is a planning tool that, when well used, we will be able to change the lives of the people we represent.

Mr. Speaker Sir, with those many remarks, I say thank you. Lastly, allow me to appeal to all the Members to approve this report and fully adopt it so that we implement it as we move forward. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Oraro): Thank you Honourable Members. The Chair Budget and Appropriations has moved the report and we have debated. Hon. Ogutu indicated that some of his projects are missing, I was just trying to look through to see Hon. Paul Okiri. You know I used to represent Kisumu North and I mandated Hon. Seth to look at Kisumu North on my behalf. However, Hon. Paul Okiri said that he is the acting MCA for Kisumu North but I was not able to see concerns of Kisumu North raised. Nevertheless, when the Chair explained to me that what has been presented are the projects that were not included in the submitted report from the Executive. So, I am assuming, Hon. Atieno Atieno, may be the report that came is okay. Anyway, we have given out our proposed amendments and I believe there will be time to examine it before you produce the final ADP that will inform the CSFP.

Honourable Members, now that the report on the Kisumu Annual Development Plan for the FY 2020/2021 has been proposed by Hon. Steve Owiti, Chair Budget and Appropriations Committee and seconded by Hon. Aslam Khan, the Vice Chair Budget and Appropriations Committee, debated and amendments proposed. I now want to put a question.

(Question put and agreed to)

The Speaker (Hon. Oraro): And I want to say that the report on the Kisumu County Annual Development Plan for FY 2020/2021 has been adopted with amendments therein today the 5th of March, 2020 at 16:33 Hours. Next Order!

MOTION

COMMITTEE REPORT ON THE BENCHMARKING TRIP TO MOMBASA COUNTY
ASSEMBLY BY HON. HABIL NYASUNA, CHAIRPERSON, COMMITTEE OF
IMPLEMENTATION

The Speaker (Hon. Oraro): Honourable Members, by Standing Order No. 38, I want to recommend that we change the sequence of the Order paper. Go to the Next Order Mr. Clerk.

MOTION

AD HOC COMMITTEE REPORT ON DEPLORABLE HEALTH FACILITIES WITHIN
KISUMU COUNTY

(BY, CHAIRPERSON, HON. BEATRICE PAMELA OCHIENG)

The Speaker (Hon. Oraro): Yes Hon. Beatrice Pamela.

Hon. Beatrice Pamela: Thank you Mr. Speaker. I would like to give the Ad Hoc committee progress report on deplorable conditions in health facilities in Kisumu County.

PROGRESS REPORT ON DEPLORABLE CONDITIONS IN HEALTH FACILITIES IN KISUMU COUNTY.

Hon. Speaker and Hon. Members,

Introduction

The Assembly in its sitting on Thursday, 27th February, 2020 in a statement raised by Hon. Okiri with regards to the lamentation by the public on the continuing Deplorable Conditions in the Health Facilities in Kisumu County. This matter was extensively discussed in the House.

Consequently, the Leader of Majority made a plea to the Hon. Speaker who invoked the provisions of section 14 of the County Government Act, 20120 and saw it prudent that the House constitutes an Ad hoc Committee with a composition of 9 (nine) Members drawn from various House Committees.

Composition of the Committee

The Ad hoc Committee is constituted as below;

- | | | |
|-------------------------|---|-------------|
| 1. Hon. Beatrice Pamela | - | Chairperson |
| 2. Hon. Paul Okiri | - | Member |
| 3. Hon. Aslam Khan | - | Member |
| 4. Hon. Benny Pete Oiko | - | Member |
| 5. Hon. Beatrice Odongo | - | Member |
| 6. Hon. George Ogutu | - | Member |
| 7. Hon. Philemon Ojuok | - | Member |
| 8. Hon. Vitalis Otura | - | Member |
| 9. Hon. Maurice Ngeta | - | Member |

Terms of Reference

The Committee developed its TOR based on key Thematic Areas to guide it while undertaking its activities;

1. To ascertain the effectiveness of Policies developed in the health sector (UHC)
2. Whether Healthcare Financing is adequate, timely disbursements and the legibility of Facility Improvement Funds (FIF).
3. To ascertain the Human Resource Capacity needs and staffing levels in Health Facilities and issues necessitating constant strikes/go-slows.

4. Dispute Resolutions mechanisms/honoring of agreements.
5. Whether Health Institutions in the County have access to sufficient supply of Commodities (Pharmaceutical and Non-pharmaceuticals)

Mr. Speaker,

What the Ad hoc Committee Hopes to Achieve.

Pursuant to the provision of the above mentioned Act, Ad hoc Committee are constituted for specific purposes and delve key issues raised by either the Public or Members of the House through Petitions or Statement.

The Health sectors is the largest sector to be devolved and this was to allow the county Government to design innovative methods and interventions that would suite the unique health needs in their contexts by encouraging effective utilization of funds and Human Resource to enable them make quick and autonomous decisions on resource mobilization and management.

However, it has been noted that the sector is grappling with monumental challenges ranging from the following;

- a) Capacity gaps
- b) Human Resource Deficiencies
- c) Lack of institutional Infrastructure and Commodities
- d) Conflictual relation with the National Government when it comes to resource allocations and optimal disbursements.
- e) Inadequate dispute resolution mechanisms and feedback.
- f) Procrastination in honoring agreements (CBAs) and Promotions.

Mr. Speaker, the net effect of these is constant Strikes and stagnations of healthcare and reversal of gains made.

It is in this backdrop that the Committee is mandated to delve into these key matters with a view of making drastic recommendations for reforms in this sector and hope that this House will look into them and compel the Executive to implement for the sustainability of the Healthcare.

Committee Sittings

Since its inception this Committee, it has held 9 sitting which were guided by an Itinerary that specify activities to be undertaken.

Mr. Speaker and Hon. Members, the Committee and the goodwill accorded to it by the House, the Committee hit the ground running and has managed to visit a Health Facilities per sub-county as follows;

No.	Dates	Sub-county	Health Facility Visited.
1.	Tuesday, 03 rd March, 2020	Kisumu Central	1. JOORTH 2. Kisumu County Hospital 3. Lumumba Hospital
2.	Wednesday, 04 th March, 2020	Nyando	1. Ahero Sub county Hospital
3.	Wednesday, 04 th March, 2020	Nyakach	1. Nyakach Sub-county Hospital
4.	Thursday, 05 th March, 2020	West Kisumu	1. Chulaimbo Sub-county Hospital
	Thursday, 05 th March, 2020	Seme	1. Kombewa Sub-county Hospital
5.	Monday, 09 th March, 2020	Kisumu East	1. Gita Hospital
6.	Monday, 09 th March, 2020	Muhoroni	1. Muhoroni Sub-county Hospital

Mr. Speaker, the essence of these Field visits was to assist the Committee gather information and interact with the end users at the same time identify gaps in various health centres and collate data which will ultimately inform the preparation of our final report.

Achievement/Milestone

The Committee during its Field Visits noted that there were issues that need to clarity from the Departmental Heads. It is against this premise that the Committee deemed it paramount to invite respective Heads of Department from the Executive and Labour Unions Officials to shed light on some of the issues raised in the course of this exercise.

The Committee is using the following methodology/Tools to gather information based on key thematic areas affecting the Health sectors by applying;

- a) Field Visits to Health Facilities
- b) One on one interviews with Hospital Staff and Patients

- c) Observations
- d) Content collection and analysis.

Mr. Speaker and Hon. Members, the Committee has so far achieved 45% of its works. In the week commencing 09th March, 2020 it will receive submissions from respective departmental heads as scheduled below before embarking on the final writing of report.

Date	Time	Activity	Responsible Persons
Tuesday, 10 th March, 2020	09:00 am to 01:00 pm	- Invitation of CEC Member for Health and Sanitation - Invitation of CEC Member for Finance and Economic Planning	- Committee Chairperson - Member of the Committee
Wednesday, 11 th March, 2020	09:00 am to 04:00 pm	- Invitation of Officials from Labour Unions (Doctors, Nurses and Civil Servants)	- Committee Chairperson - Member of the Committee - Secretariat
Thursday, 12 th to Monday, 16 th March, 2020	09:00 am to 04:00 am	- Report Writing	- Members of the Committee - Secretariat

Conclusion

Finally, as indicated here above, the Committee is yet to cover 55% of the task mandated to it by the House. The Committee is compelled by law to finalize this work and make a comprehensive Report touching on fundamental issues to be tabled before the House.

Prayer of the Committee

Mr. Speaker and Hon. Members, the Hon. Speaker made a ruling that because this matters was urgent, the Committee was expected to report back to the House within 7 (seven) days from its inception.

However, as a result of exigency of works, I seek the indulgence of this House that, this Committee be accorded an extension of time precisely Tuesday, 17th March, 2020 to cover the remaining work to enable it come up with key recommendations to be table in the House at a time and date to be dictated by the House.

Oblige.

The Speaker (Hon. Oraro): Thank you Hon. Member for the progress report. We expected that you were supposed to give us a full report today but the Chairperson of the Ad Hoc Committee has given us the Progress Report. I wanted to suggest that going by the concerns and the presentation given by the Chairperson that people are losing lives and this is a serious matter hence a decision has been made. So we have to treat it as a matter of urgency. I would like to make a ruling....

Hon. Kanga: On a Point of Order. Mr. Speaker I would like to congratulate the Chairperson and the committee for having done a very good job. However, there is a key component in her submission that they have left behind that is the component of Public Participation. The committee needs to conduct public participation whereby the residents of Kisumu are invited because going by the happenings, there are serious complaints in the social media and the radio and the civil servants are having demonstrations on the streets. When the committee will bring a final report on the floor of the House for discussion without including the people, I believe they will be doing a great disservice to the people of Kisumu. Thank you.

The Speaker (Hon. Oraro): Thank you Hon. Member. I did not want to open this matter for debate but let me use the discretion of Standing Order No. 1 to give at most 5 minutes for anyone who has views on the progress report. So I will be limiting the discussion for one minute each.

The Speaker (Hon. Oraro): Yes Hon. Seth Okumu.

Hon. Okumu: Thank you Mr. Speaker. I would like to commend the Ad Hoc Committee on the progress they are making on bringing a progress report to the Assembly. Mr. Speaker I want to request them that they need to hasten the report and I think that one month will be too long. We don't want to see any other strike apart from the ones that we have had. As much as they want to be given more time but I think 17th March 2020 will be too long.

Mr. Speaker, secondly like it has been said that they need to have a meeting with the people so that they can know what really can be done for the public not to suffer the way they have suffered. I think that by next week they need to be done with the report. As much as they are requesting I just want to tell them to hasten that report so that we don't experience that strike again. Thank you.

The Speaker (Hon. Oraro): Hon. Steve Owiti.

Hon. Steve Owiti: Thank you Mr. Speaker I also support the report and congratulate the Ad Hoc Committee for the good job they have done. Mr. Speaker I think the time required is necessary and I would support that we give them more time. However, the time they have requested for would be a bit long and we would wish them to bring it to about 14th March 2020 so that they would be able to clear with this report. I also want to revisit the sentiments by Hon. Kanga that we need to have a day or half a day on a forum where we invite Members of the public that are not found in those institutions which we are visiting so that they can come to you at a place where they will be able to air their grievances to because we agree that we are doing public participation by visiting the Health facilities. There are still a number of people who are outside there and still want to raise a lot of concerns to you and it would be important to have a specific day and we do serious mobilization so that those people who have issues can come and present either in writing or in person. This will enable us to table a comprehensive report and apart from that the Members of the public will feel that the actions taken by this Assembly was not a PR exercise. Thank you.

The Speaker (Hon. Oraro): I am still having two more minutes then I close by making a ruling.

The Speaker (Hon. Oraro): Yes Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I also stand to support the Ad Hoc Committee Chaired by Hon. Beatrice Pamela. She has talked about people losing lives because of lack of cotton wool. Such issues should be addressed immediately so that we make sure that we have enough cotton wool in the hospitals. I have never heard of any case like that since I was born but I am really touched when somebody loses her life for something which is very cheap and affordable. She requested the House to give them time until Tuesday and I believe that you are going to give them time to work even on weekends so that we can get this report as soon as possible in the Assembly. Thank you.

The Speaker (Hon. Oraro): Hon. Muga.

Hon. Muga: Thank you Mr. Speaker, I would like to commend the work done well by the Ad Hoc Committee but I would also like to thank you so much for being flexible enough to enable the Ad Hoc Committee to be formed because right now I am convinced that they are doing a good job that will lead to success on issues of health.

Mr. Speaker, it is true that there have been crisis and was brought before the House that people are really crying outside and we are hearing demonstrations. We want to thank the Ad Hoc Committee and say that we really support you and that we are going to give you much support on whatever you will need. I would like to ask that they be given 7 days to enable them complete their work. As you are moving I would like to request you to visit Masogo hospital in Muhoroni. Thank you.

The Speaker (Hon. Oraro): Thank you Hon. Members. Going by the concerns of the Members and the public. Hon. Beatrice Pamela you presented your progress report and by my discretion I gave Members to contribute. So I want to make a ruling...

The Speaker (Hon. Oraro): Yes Hon. Beatrice Pamela.

Hon. Beatrice Pamela: Mr. Speaker with all due respect and in appreciation of the situation that is happening in our County. I have had Members saying that we be given 7 days and asking that we conduct a Public Participation and we have already read our itinerary and it is already packed. So I would really indulge the House that you consider giving us 2 weeks and we are even stretching by working at night too in the 2 weeks.

The Speaker (Hon. Oraro): Hon. Beatrice Pamela those are suggestions by Members and the Chair had not made a ruling. I was saying that going by the concerns of the Members and the public, this is a serious matter and I can confidently report that the Governor is seriously concerned and the report is required as soon as possible. The Chairperson of the Ad Hoc Committee has reported that people are losing lives. In my opinion, we cannot go so many days because the more we go, the more we lose lives. So the decision that we make must be a matter of urgency and we must go out and do that work whole heartedly. Hon. Kanga was suggesting on conducting Public Participation but I think that there are complaints everywhere and it is the complaints that led to the formation of the Ad Hoc Committee. I would like to suggest that we first of all work on the complaints since they are all the same. You don't need to visit all the hospitals but you need to visit the representation of the hospitals and make appropriate recommendations. You will therefore bring the report so that the Members can decide whether it requires public participation or not. In that regard and going by the concerns, I want to direct that the Ad Hoc committee are allowed to work over the weekend. I am seeing your timetable has not included the weekend. The Clerk should ensure that they have the necessary facilities that will ensure that they work as it is required.

On the same note, I would require that you adjust your schedule like for example on 10th March 2020 you are meeting the CEC for Finance and on 11th March 2020 the whole day you are meeting the Labour Union Representatives. You can adjust that timetable and meet them in a day. If we add you 7 days that will move to 12th March 2020 a day that we will be committed. I want to rule that you will report back on 11th March 2020 on the recommendations from the Ad Hoc Committee because you are aware that the public require that report as a matter of urgency.

The Speaker (Hon. Oraro): What is it Hon. Agolla?

Hon. Agolla: Mr. Speaker allow me to refer us to the provisions of Standing Orders no. 29 which states that

'A Member might at any time for reasons stated my seek leave for this County Assembly do now adjourn;

Mr. Speaker, I want to plead to the House through you that considering that these Members have concentrated on today's business and considering the fact that this is a very special and unique sitting of 'Bunge Mashinani' which was attended by Members of the public considering the time and the weather which is not friendly, I want to plead with the House that we do adjourn and ask Hon. Seth Okumu to second.

The Speaker (Hon. Oraro): Yes Hon. Seth Okumu.

Hon. Seth Okumu: Thank you Mr. Speaker. I rise to support that we adjourn. The productivity of Members depends on their concentration on the matter at hand. Having dispensed with two heavy things that is the ADP and the AD hoc report, I know Members are saturated in the brain and I want them to have some little time so that they can greet the Members from East Seme who just came here. Mr. Speaker with those few remarks I second the adjournment motion raised by Hon. Agolla.

The Speaker (Hon. Oraro): Thank you Hon. Members, going by the motion mover by Hon. Agolla seconded by Hon. Seth Okumu which do not require us to put a question. Let me take this opportunity to recognize the presence of pupils from Kit Mikayi Primary School, Kajulu Primary School, Nyaguda Primary School and their Teachers who have today come to see how the Assembly operates. I hope if the weather will be favourable the Clerks and I will have two minutes just to say something to them.

I would also like to thank the Area Chief, Charles Acholla who has been very accommodative and the Members when you came here were some entertainment in terms of catering that was done by Ndere Smart Agencies who were feeding the members and the public. Above all, I would like to thank the community Members who have been here from Monday when we had the public Baraza to date; I hope you have learnt something and you are seeing that the Assembly is not what people say and that we conduct business from the Assembly. Immediately from here the debates that we have are communicated to the Executive and we follow up if they have implemented the same. We do Oversight, Legislations and we represent the public. I want to thank everybody including the Members who have been committed to work to date. May God bless you as we organize to go to the next sub County.

Hon. Members, in the next financial year, we may change tactics by proceeding to each ward for a day so that in a week we cover all the wards in a Sub-county. Before I make a ruling on the motion by Hon. Agolla there is a car key that has been picked and the owner will see the Serjeant-at-Arms. The Motion of Adjournment as per Standing Orders No. 29 has been proposed by Hon. Erick Agolla and seconded by Hon. Seth Okumu and you are aware that by the same Standing Orders No. 30 we will be able to resume the business from where we left in the next session.

ADJOURNMENT

The Speaker (Hon. Oraro): Therefore, I want to say that the House is adjourned for today until 10th March 2020 at 2.30 p.m.

(House rose at 5.05 p.m.)

Addendum

Zablon Otiende – Head of Department

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Dennis Onyango – Hansard Reporter