

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FOURTH SESSION

Tuesday, 06th October, 2020

House met in the Main Chamber at 02:30 p.m.

(The Temporary Speaker (Hon. Inviolata Adhiambo) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Inviolata): Thank you Honourable. Members? That, pursuant to the provisions of Standing Order No. 32 (2), I want to request that the Sergeant-At-Arms rings the quorum bell for five minutes.

(Quorum bell rung for five minutes)

The Temporary Speaker (Hon. Inviolata): Honourable Leader of Minority, can you please confirm if we have the required quorum. For your information, I have got one Hon. Member online.

The Leader of Minority (Hon. Oiko): Madam Speaker, we have quorum. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. Mr. Clerk, kindly take us through the Order Paper of the day.

The Temporary Speaker (Hon. Inviolata): Next order!

PAPERS LAID

**PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE BENCHMARKING REPORT
WITH THE UASIN GISHU COUNTY ASSEMBLY SISTER COMMITTEE**

BY

HON. MAUREEN OTIANG'

CHAIRPERSON, PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE

AND

**IMPLEMENTATION COMMITTEE REPORT ON THE BENCHMARKING WITH NAIROBI
CITY COUNTY ASSEMBLY IMPLEMENTATION COMMITTEE**

BY

HON. ERICK AGOLLA

CHAIRPERSON, IMPLEMENTATION COMMITTEE

The Temporary Speaker (Hon. Inviolata): Yes Hon. Benny Oiko.

The Leader of Minority (Hon. Oiko): Thank you Madam Speaker. On behalf of the Chairperson, I wish to lay a Paper on the Report of the Benchmarking Exercise with the sister Committee of Uasin Gishu County Assembly by Kisumu County Assembly Public Investments and Accounts Committee.

The Temporary Speaker (Hon. Inviolata): I confirm the receipt of the report of the Benchmarking Exercise with the Sister Committee of Uasin Gishu County Assembly by Kisumu County Assembly Public Investments and Accounts Committee. I want to direct that this report be committed to the House Business Committee to slot it for discussion on the Floor of this House.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Philemon Ojuok.

Hon. Ojuok: Thank Madam Speaker. On behalf of the Chairperson, I wish to lay today the Welfare and Equal Opportunity Committee Report on the Benchmarking with Nairobi City County Assembly Welfare and Equal Opportunity Committee.

The Temporary Speaker (Hon. Inviolata): I confirm the receipt of the report of the Benchmarking Exercise with the Sister Committee of Nairobi City County Assembly from the Kisumu County Assembly Welfare and Equal Opportunity Committee. I want to direct that this

report be committed to the House Business Committee to slot it for discussion on the Floor of this House.

The Temporary Speaker (Hon. Inviolata): Next order!

NOTICE OF MOTION

PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE BENCHMARKING REPORT
WITH THE UASIN GISHU COUNTY ASSEMBLY SISTER COMMITTEE

BY

HON. MAUREEN OTIANG'

CHAIRPERSON, PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE

AND

REPORT OF WELFARE AND EQUAL OPPORTUNITY COMMITTEE ON ITS
BENCHMARKING WITH NAIROBI CITY COUNTY ASSEMBLY

BY

HON. PAMELA ODHIAMBO

CHAIRPERSON, WELFARE AND EQUAL OPPORTUNITY COMMITTEE

The Temporary Speaker (Hon. Inviolata): Yes Hon. Benny Oiko.

The Leader of Minority (Hon. Oiko): Thank you Madam Speaker. On behalf of the Chairperson, Pursuant to the provision of the County Assembly Standing Order No. 45, I wish to give a Notice of Motion on the Report of the Benchmarking Exercise with the Sister Committee of Uasin Gishu County Assembly by Kisumu County Assembly Public Investments and Accounts Committee. Thank you.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Philemon Ojuok.

Hon. Ojuok: Thank you Madam Speaker. Pursuant to the provisions of Standing Order No. 182 (6), I wish to table today Tuesday 06th October, 2020, Welfare and Equal Opportunity report on their Report by Nairobi City County Assembly on behalf of Hon. Pamela Odhiambo.

The Temporary Speaker (Hon. Inviolata): Next order!

MOTION

IMPLEMENTATION COMMITTEE REPORT ON BENCHMARKING EXERCISE WITH
KAKAMEGA COUNTY ASSEMBLY SISTER COMMITTEE

BY

HON. ERICK AGOLLA

The Temporary Speaker (Hon. Inviolata): What is it Hon. Philemon Ojuok?

Hon. Ojuok: Thank you Madam Speaker. Allow me to move this report on behalf of the Chair.

The Temporary Speaker (Hon. Inviolata): Proceed.

Leader of Minority (Hon. Ojuok): Mr. Speaker and Hon. Members, pursuant to the provisions of the Kisumu County Assembly Standing Orders No. 191 read together with S.Os No. 194(2) which mandates the House Committees to prepare programs and activities to be undertaken in each Fiscal Year, the Committee on Implementation prepared its Annual Work Plan for FY 2020/2021 detailing errands to be transacted which amongst them, was the approved Study Tour with the sister committee of Kakamega County Assembly.

Following the approval of the Liaison Committee, the Speaker of the Kisumu County Assembly permitted the Committee to carry out the benchmarking exchange to enable the two committees share and learn on best practices to adopt and achieve their mandate.

Establishment and Mandate of the Committee

The Committee on Implementation derives its explicit mandate in the provisions of County Assembly Standing Orders No. 191 which stipulates as follows:

The Committee shall scrutinize the resolutions of the County Assembly (including adopted Committee reports), Petitions and the undertakings given by the County Executive Committee and examine –

(a) Whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and

(b) Whether or not legislation passed by the County Assembly has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.

(3) The Committee may propose to the County Assembly, sanctions against any member of the County Executive Committee who fails to report to the relevant select Committee on implementation status of projects and programs under his or her docket without justifiable reasons.

Composition

The Kisumu County Assembly Committee on Implementation

The Committee as currently constituted comprises of the following Honorable Members:

- | | |
|----------------------------|------------------|
| 1. Hon. Erick Agolla | Chairperson |
| 2. Hon. Roy Samo | Vice Chairperson |
| 3. Hon. Sally Okudo | Member |
| 4. Hon. Inviolata Adhiambo | Member |
| 5. Hon. Aslam Khan | Member |
| 6. Hon. Vincent Jagongo | Member |
| 7. Hon. Steve Owiti | Member |
| 8. Hon. Maurine Otiang' | Member |
| 9. Hon. Maurice Ngeta | Member |
| 10. Hon. Caleb Omoro | Member |
| 11. Hon. Philemon Ojuok | Member |

SECRETARIAT

- | | |
|-------------------|------------------|
| • David Ayieko | Committee Clerk |
| • Belinder Owino | Committee Clerk |
| • Bill Omondi | Legal Counsel |
| • Jacklyne Atieno | Hansard Reporter |
| • Macreen Lajah | Secretariat |
| • Rose Baraza | Sergeant-at-Arms |

IN ATTENDANCE

Kakamega County Assembly Monitoring and Implementation Committee Members

- | | |
|-------------------------------|------------------|
| 1. Hon. Elphas Shilosio | Chairperson |
| 2. Hon. Auxilia Shiranda | Vice-Chairperson |
| 3. Hon. Lucas Radoli | Member |
| 4. Hon. John Khadiagala | Member |
| 5. Hon. Rodgers Mwangala Nato | Member |
| 6. Hon. Mildred Waluvengo | Member |
| 7. Hon Edward Shibembe | Member |
| 8. Hon. Violet Lumumba | Member |
| 9. Hon. Josephat Mwasame | Member |
| 10. Hon. Anthony Wabuge | Member |
| 11. Hon. Farouk Machanje | Member |
| 12. Hon. Protus Njereman | Member |
| 13. Hon. Samson Sirengo Tali | Member |

Kakamega County Assembly Secretariat

- | | |
|----------------|-----------------|
| • Wendy Tiany | Committee Clerk |
| • John Ambunya | Committee Clerk |

- Seth Murule Committee Clerk
- Susan Adhiambo Committee Clerk
- Brian Sevevi Research Officer
- Nelson Odongo Commissionaire

ACKNOWLEDGEMENT

Mr. Speaker and Hon. Members, may I take this opportunity to thank all the Members of Implementation for their valuable input and contribution during the entire benchmarking exercise which took place in Kakamega County.

Equally, the Committee wishes to convey its utmost and sincere gratitude to both the sister committee and staff of the Kakamega County Assembly for their amiable welcome and full cooperation during the study tour. Besides, they provided us with relevant and useful information on matters pertaining implementation which we are very grateful of.

The Committee also applauds the Offices of Speaker and Clerk of the Assembly for offering extreme support, good will and conducive atmosphere to gauge with the sister Committee.

Lastly, the Committee wishes to state that it observed the COVID-19 protocols of social distancing, sanitizing and wearing of masks to control the further spread and exposure of the virus. It is important to note that the corona viral load is subsiding and the positive record cases are on the decline since its emergence in the country. We hope that the curve will flatten to enable the Assembly run its businesses as usual.

It is therefore my honor and privilege on behalf of the members of the Implementation Committee to present and table the Committee's report on Benchmarking Exchange with the sister committee of the Kakamega County Assembly for consideration and adoption.

TERMS OF REFERENCE

The Scope of Benchmarking exercise with the sister committee of Kakamega County Assembly was envisaged on the following deliberations:

- a. *Reporting Structures of Implementation Reports in the respective counties*
- b. *Role of County Assembly and County Executive in the implementation of House resolutions.*
- c. *Milestones Achieved*
- d. *Site Visits*
- e. *Challenges faced during project implementation and how to address them*
- f. *Other Shared Issues of common interests*
- g. *Lesson Learnt and Way Forward*

Consequently, a program was prepared to enable us smoothly carry out the activities stated above as from Thursday 17th September, 2020 to Tuesday 22nd September, 2020. Below was the action plan for the study tour.

Date:	Activity/Objective	Responsible Person/s	Comments
September, 2020			
17 th	<ul style="list-style-type: none"> ✓ Reporting Structures of Implementation Reports in the Respective Counties ✓ Role of County Assembly and County Executive in the implementation of house resolutions 	Kakamega/ Kisumu Implementation Members, Secretariat	Excellent discourse
18 th	<ul style="list-style-type: none"> ✓ Achievements 		
19 th & 20 th	<ul style="list-style-type: none"> ✓ Site visits to Kakamega County initiated projects 		
21 st	<ul style="list-style-type: none"> ✓ Challenges faced by the Committees` during follow –up of project implementation and how to address them. 		
22 nd	<ul style="list-style-type: none"> ✓ Lessons learnt and Way forward 		

Preliminary Session

Mr. Speaker and Hon. Members, on the 1st day of our benchmarking exchange, there was an interaction session whereby Members and Staff were granted chances to introduce themselves as we took the morsel of food we were served. I must admit on behalf of the Members, that the hearty, hospitable reception from our sister committee of Kakamega County Assembly made us feel at home.

The Chairperson, Monitoring and Implementation Committee Hon. Elphas Shilosio of Kakamega County Assembly later informed us that some committee members had gone to Kisumu to prepare the Kakamega County Finance Bill 2020 while others had gone to Bungoma to investigate the state of the county. Notwithstanding that, there was a quorum which enabled us to conduct the study tour.

REPORTING STRUCTURES OF IMPLEMENTATION REPORTS IN RESPECTIVE COUNTIES

Mr. Speaker and Hon. Members, during our benchmarking exchange, we found out that both Committees do seek information on matters county (crucial for investigation and report writing) from the Executive vide the County Secretary. However, Kakamega County Assembly Monitoring and Implementation Committee (MIC) always find it difficult to access information from the relevant departments. I.e. the CS is often unreliable and most times there is no dissemination of information (responses, reports) cascading from the executive to county assembly.

ROLE OF THE TWO COUNTY ASSEMBLIES` IN THE IMPLEMENTATION OF HOUSE RESOLUTIONS

Committees` Mandate and Composition

Mr. Speaker and Hon. Members, we were informed that Kakamega County Assembly has a total 89 MCAs out of which 60 are elected while 29 are nominated representatives. Further the Monitoring and Implementation Committee comprises of 13 members as stipulated in Kakamega County Assembly Standing Orders No. 189 where it derives its mandate.

On the other hand, Kisumu County Assembly Implementation Committee is constituted of 11 members and it derives its mandate in the amended S.Os No. 191. The contents of the Committees` mandate is similar but the only difference is the numbers which are 189 and 191 respectively.

How do we tackle the resolutions made by the House?

Mr. Speaker and Hon. Members, we were made aware that the Kakamega County Assembly Committee on Monitoring and Implementation in cognizant to S.Os 181 takes over after 60 days of a resolution upon which a Sectoral committee fails to cover all the gaps required by the House. This is in contrary to what the Kisumu County Assembly does where statements, petitions and undertakings are committed by the House to the Implementation Committee to cause reports, motions and responses within a period of a fortnight (14 days).

MILESTONES ACHIEVED

1. A Resolution Tracking Matrix System (Kakamega County Assembly).
2. Most of the projects through follow ups by the committees have seen implementation of a couple of ward based, sub-county and county wide projects (Both Kisumu and Kakamega Counties Assemblies).

FLAGSHIP PROJECTS VISITED IN KAKAMEGA COUNTY

Mr. Speaker and Hon. Members, on 19th and 20th of September, 2020 our sister committee took us around to have a view of the projects that Kakamega county has initiated as below.

Phase 1 of the New County Referral Hospital (Level 5)

We were informed that the magnificent Kakamega Teaching and Referral (see annex v &vi) is a Kshs. 6 Billion Health project which was started in 2016. The County was expecting that it will be commissioned in March, 2020. However, the Contractor had requested for more time to finalize critical works and therefore the County is anticipating that the project will be completed in 2021 and fully furnished ready for use.

The Committee on Implementation of Kakamega County Assembly revealed to us that after the completion, the hospital will be able to accommodate and treat critical non-communicable diseases such as cancer, kidney and liver diseases which cost many poor Kenyans millions of money when they travel abroad to seek medication.

The hospital will be having a capacity of, 750 general use bed capacity, 40 ICU beds (10- Paedtri and 30- for Adult). Air Conditioners will also be installed in the hospital wards to improve the comfort of patients.

1.4.2. Kakamega County Funeral Parlor

Mr. Speaker and Hon Members, the Committee also had a chance to visit the funeral parlour (see annex vii & viii) which harbors:

1. A Medico Legal Cases Section,
2. General (ward) Morgue Services Section (50 Bodies Maximum) and a VIP Section (10 Bodies Maximum).
3. It also has two chapels; one for VIPs and another for the general and Medico Legal cases
4. An ablution block
5. A body viewing room
6. Fully furnished accommodation rooms for the Morticians
7. A canteen

The Committee found out that previously, the County operated a dilapidated facility housed in a building with run down machines and it is in that respect that the County Government intervened and later on saw the need to construct a spectacular Ultra-Modern Funeral Parlour.

Bukhungu Stadium Kakamega

Kakamega County is seeking to elevate the iconic Bukungu (see annex iv) to the level of Nyayo Stadium and Moi International Sports Centre (MISC), Kasarani and also attract International Sports Activities. The CECM Culture and Sports enlightened us by stating that Phase 1 of the Stadium which was worth Kshs. 500 Million is complete since its construction in 2017 and the County is embarking on the Phase 2 of the project which will cost nearly 1.5 Billion.

Wilkom Construction Company is targeting to spend over 170 weeks (Approximately 3 and a ½ Years) to complete phase two works. Phase 2 will see Bukhungu Stadium furnished with modern seats, Media Centre and administration centre.

The stadium at one time had hosted Confederation of East and Central Africa Football Association (CECAFA). The facility remains a home to the Kenya Premier League Side, Kakamega Homeboyz.

Crying Stone of Ilesi

Mr. Speaker and Hon. Members, the Committee stopped by to visit this tourist attraction site on our way back to Kisumu. The gigantic towering basil has a unique phenomenon where water streams down from its top since time immemorial.

The committee was informed by one of the tour guides that myth has it that it is a transfixed image of a jilted woman who keeps mourning about what befell her.

Kakamega County Roads.

The Committee was informed that Kakamega County Government has embarked on reshaping her road networks by constructing roads stretching to 10 Km per ward totaling to 600 km in the entire county this financial year 2020/2021. Apparently the construction works have begun. The Committee observed that Kakamega County has improved and well maintained roads.

1.5 CHALLENGES FACED

Mr. Speaker and Hon. Members,

The two committees' faces a myriad of bottlenecks as outlined below:

1. In Kakamega County Assembly, the Monitoring and Implementation Committee is facing intense lack of/ poor cooperation between the Executive and the Assembly- There is the element of delay in information dissemination from the Executive wing.
2. Pool of Budget. This means no committee is apportioned any amount of funds in a given financial year. This results to other Committees consuming more monies than the others.(Kakamega County Assembly)
3. Committee overstretching in others mandates resulting to Conflict of Interest.
4. Lack of a resolution tracking matrix system to fast-track the resolutions made by the House from the time a statement is raised, a motion or a bill is tabled.
5. Committee on Implementation of Kakamega County Assembly has been refrained from site visits of projects
6. Logistical issues. There is need for more funding to the Committee to ensure implementation of projects is done to the latter.

7. Lack of transparency by the Executive when it comes to providing necessary information needed by the Committee. This results to committee on Implementation forcing its way to get the particulars.
8. Lethargy in the legislative wing when it comes to the members` oversight role.
9. Most projects are reported before the House as 50%, 70%, 80% but when it comes to the reality, the actual status on the ground could either be 20%, 30% or 10% complete.

RECOMMENDATIONS

Lessons Learnt and Way Forward

Mr. Speaker and Hon. Members, as Members, we learnt that for Implementation to be effective and run its activities with efficacy in order achieve its mandate, then the following needs to be done:

1. Implementation Committee Members to stick to their mandate to the latter to avoid conflict of interest.
2. There is need for an establishment of a Matrix Tracking System to ensure an update of the resolutions coming from the floor of the House. Moreover, this will assist in the follow-up process on the reports from various Sectoral Committees.
3. There is need for cooperation between the Executive and the Assembly
4. There is need for structured and regular consultative forums between Liaison officers, CECM Finance, BAC and Committee on Implementation to be able to gain access to policy agenda, access to information and resources and to address financial challenges among others.
5. There is need for the House Business to consider slotting the Committee when visiting sites for review purposes.
6. That during site visits the committee should endeavour coming along with technocrats such as legal counsels and engineers (either from the county or hired ones) for more information on the projects.
7. That Liaison officer to coordinate with the Office of the Governor for purposes of coordination and monitoring of implementation of assembly resolutions by ministries. The Liaison officer is also required to extract key House resolutions for prompt action.
8. The Executive should consider viewing the assembly as a key source of ideas and political support.
9. Members to enact enabling legislations and monitor the implementation process.
10. Members to endeavour having Strategic Plans which acts as guidelines in the tenure.
11. Roles of the Liaison Officer to be explicitly outlined and explained to him through the Assembly and the Executive.
12. At least a Member or a staff attached to the Committee should be in the house during proceedings to have an insight of what business has been transacted (i.e. matters involving implementation).

13. To attract more local revenue in tourism, upgrading of the sites should be done i.e. improvement of roads infrastructure leading to the sites as witnessed with the Crying stone of Kakamega.

1.7 CONCLUSION

Mr. Speaker and Hon. Members, devolution was brought at the heart of the Counties to ensure that decisions are made closer to the local people in this case Kisumu County residents and also to improve services. The taxpayers should be able to see the value for their hard-earned money through the projects initiated in their wards by ensuring implementation is absolute.

This tells us that more needs to be done to strengthen the Committee on Implementation which in this scenario acts as a `Watchdog` because it exposes the level of a County`s development. It is therefore the Committee`s plea that the recommendations will take effect to enable it achieve its mandate.

Equally the Members should avoid blame games but instead be true to the mandate, make the Committee active and thrive to be successful in follow-up of projects.

It is therefore my honor and privilege on behalf of the Committee on Implementation to table this report before this respectable House for consideration and adoption. I would like to call upon Hon. Caleb Omoro to second. Thank you.

The Temporary Speaker (Hon. Inviolata): Yes, I can see Hon. Omoro is reaching us online.

The Temporary Speaker (Hon. Inviolata): He has seconded the motion by bowing.

The Temporary Speaker (Hon. Inviolata): Hon. Members, now that the Report from the Implementation Committee on the Benchmarking with their sister Assembly of Kakamega has been moved by Hon. Ojuok on behalf of the Chairperson, seconded by Hon. Omoro who is online. I now want to open the report for debate?

The Temporary Speaker (Hon. Inviolata): Yes Hon. Senior Members (Hon, Okiri).

Hon. Okiri: Thank you Madam Speaker. I would like to support this report. I would equally like to welcome the full report tabled and moved by this House Committee because they have done a commendable job.

Madam Speaker and Hon. Members, everywhere you go, for any county to encounter failure, it is pegged on the implementation component of it. If implementation of House resolutions is not appropriately undertaken, then we as a County cannot achieve our projected objectives. We might be having a Budget to the tune of Kshs 11,000,000,000 (Eleven billion only) appropriated to a County, but if the implementation component of it is not diligently done, then the projection can never be realized.

Madam Speaker, with your indulgence, let me take a case study of the Kakamega Teaching and Referral Hospital. You can see the effort Kakamega County has strived to achieve with the meager resources allocated to this facility. This shows total commitment between the Executive and the Legislature (Assembly). This is because the two arms of government are working in tandem. With the approval of the Estimates by the County Assembly, this accords the Executive easy time to implement these projects. Madam Speaker, I wish to congratulate the Kakamega Teaching and Referral Hospital staff and the County Government of Kakamega for working in harmony and ensure that by the end of 2021, the facility will be operational.

Mr. Speaker, the only challenges which I believe is everywhere, is how they have decided to separate the morgue. We as a County should accept the reality, that, once you are dead, you are dead. These are dead people and all should be treated equally regardless of your status in society because if God the Almighty created us equally, then we should emulate and treat each other equally.

Madam Speaker, secondly, the issue that I want to highlight is on Sports. We are all aware that sports is key in the development of a County and we know that this is an area that the County of Kakamega is perfecting and I would like to applaud them for that. From the inception of Devolution, Counties will be judged on what tangible projects that have been undertaken during these period. Madam Speaker, we are now in the eighth year of Devolution and each and every County will be proud to showcase what they have done in the last eight year. Under sports, we can see that Bukhungu Stadium is now in the leagues of Kasarani International Stadium in Nairobi County. If the County of Kakamega has chosen to make Sports a niche market and emulate the likes of Kasarani Stadium which comparable to Kisumu is far off with that of Kakamega. We believe that, up to today, it is only Kasarani in Nairobi, now Bukhungu Stadium is competing with. It is being seen that, Bukhungu is seen as being as competing with stadiums within the Capital City of Nairobi because Nairobi host some of the international matches and events. So, if Bukhungu is in the league of competing with Kasarani, so we will be compelled as a nation to transfer some of the events to Kakamega because of this sports facility. This I must equally congratulate the Executive and the Assembly. The Assembly has appropriated funds to the Executive to implement these projects; being that they were working together, they are able to achieve and deliver on legacy projects like Bukhungu Stadium.

Madam Speaker, as a House, sometimes we encounter a lot of challenges from the backyard that we come from. No common man will understand the roles of the MCAs, the few that understand these roles, are looking at it with the political perspective. As a Member of this Assembly of West Kisumu Ward, I don't construct roads. I play a very important role, one is to approve the Budget Estimates so that the Department of Roads, Transport and Public Works is allocated funds to construct these roads.

Madam Speaker, what becomes challenging is the delays by the Executive arm once the budget is passed. This starts from the Procurement Department section of the Executive. This project ought to have started by June of this year but, we are already in October yet not much has been done. In addition, the common mwanainchi will not understand that because they want to see the representatives deliver what they ought to. Unfortunately, these documents take up to one month after receipt at the Executive for them to be looked at; it will take two months for the documents to be procured and about four to six months for the contractors to go to the ground where the projects are intended. I wish there could be an Act in that line that makes things work in this Assembly. That once the budget has been passed, a timeline is set such that, work begins within the first three months of taking up a tender and failure to do so, will attract revoking of the tender and a re- advertisement.

Currently, we do not know how things are done at the Executive once the documents are presented to them. A contractor goes to the ground but even before the completion of their projects, but during the oversight exercise, what is presented is totally different from what is on the actual site. This also raises blame from the constituents as they assume that the MCA is not working as expected yet, it majorly lies on the implementation aspect by the Executive. I have to appreciate the 10 KM road Madam Speaker. However, some wards are quite expansive and if given the 10 KM road, it would just be like a drop in the ocean. There has to be a formality of the level to which these roads need to be done because there are some wards which would not even consume the 10 KM roads; For instance if you give me 10KM in West Kisumu Ward, which happens to be my ward yet I have 36 roads, where will I take the remaining 34 roads? This will there be the beginning of a blame game by the constituents because they will truly say that I as their MCA just did 2 roads. Nevertheless, I support the report.

The Temporary Speaker (Hon. Inviolata): Thank you. Yes Hon. Vitalis Otura.

Hon. Otura: Thank you Madam Speaker. I arise in support of the report by the Committee of Implementation on their benchmarking exercise with the Kakamega County Assembly. Going through the challenges faced by Kakamega County, I wish to reiterate that; Kenya had a system that worked for them from independence in 1963 to 2013, and before the year 2013, there was clamor for reforms, which brought about the Constitution and eventually devolution that we are currently enjoying its fruits. We are therefore proud that devolution has moved Kisumu County to some better levels from its previous state. This exchange of ideas with the County of Kakamega has shown that we have also achieved some milestones, and I want to commend the committee on the good job.

For instance, on Item one; Kakamega County Assembly refers to the Implementation Committee as the committee of Monitoring and Implementation. This gives this committee an upper hand over Kisumu County Assembly's committee because, they also do the exercise of monitoring but in our case is plainly implementation. Despite that, they have poor cooperation between their

Executive and their Assembly. I want to say that we experience the same but I would not want to rate our cooperation as poor because we often get communication from the Executive as requested through statements raised in the House or petitions.

Madam Speaker and Hon. Members, Item two is on the Pool of Budgets; if you go through the PFM Act, it is very clear that a department has to have a float yet it is reported here that they still have a pool budget for their Committees' Allocations. This is a plus to Kisumu County as it ensures that all departments are anchored on their ceilings as it is required by Law. The Kakamega County Assembly's Committee of Monitoring and Implementation is also challenged with lack of transparency by the Executive and in this, we are sailing on the same boat with them. It is quite a big step for the achievement of this benchmarking trip because there is need for vigor in matters implementation. I believe that, this report has poked certain holes and at the same time given Kisumu County Assembly an edge over Kakamega County Assembly because of the challenges they are facing.

However, it is very important to note what the committee noted in their report. As reported Kakamega County has flagship projects unlike Kisumu County thus we need to pull up our socks on the same.

If you check on the new Kakamega County Referral Hospital costing a whopping Kshs 6 billion, what project can we compare this with in Kisumu? That means we have a lot to do as a county. This is an eye opener; that our neighboring county can spend Kshs 6 billion on a project and it succeeds. From the report, it ought to have been commissioned this year - it means it was a success. If you look at other projects like the Kakamega County Funeral Parlor, it is an advantage to them. We need to think and emulate the same. This report reminds us that there is a lot to be done as a county to match our sister counties. As put by Hon. Paul Okiri, the Bukhungu Stadium, it rivals Moi Sport Centre Kasarani. What about Kisumu County, having a city? We are headed in the same direction because we have also started ours here but we ought to have started earlier. To conclude, I want to say that, if we to go the direction which the Implementation Committee has taken, we are going to achieve much as a county especially if we implement what we learn during these benchmarking trips. Thank you and I support.

The Temporary Speaker (Hon. Inviolate): Yes, Leader of Minority, Hon. Pete Oiko.

The Leader of Minority (Hon. Oiko): Thank you Madam Speaker. The report is an eye opener to Kisumu County. Comparing the 'Crying' Stone with the 'Kit Mikayi' in Seme and the Luanda Magere in Kano – these are areas of historical importance. But what attention have we paid to them? Have we made them places that are attractive, that people can go to watch as tourists' attraction sites? On the issue of Luanda Magere, which is of a serious historical importance – a human being who could not be killed when you pierce his body but could only be killed when you pierce his shadow - this is a serious tourism site.

This report challenges us on what has been our oversight role as an Assembly. The greatest threat is when as an Assembly, we downplays its oversight role. It is generally known that it is not easy to oversight because, you want to oversight money that has been spent. If you are not smart and determined, you are bound to fail. All over the world, in Parliamentary practices, it is upon the Parliamentarians to take their work seriously, put the Executive to task and demand accountability. If that fails, they always have alternative. What is the Assembly doing in that line? Let the Assembly take its oversight role very seriously. We have been told that in Kakamega, they also find it difficult to oversight the Executive. But how serious are we to ensure we get value for money in the projects we implement? There are also issues which we take for granted. Once we have passed the budget, that is not the end of it. There are particular committees whose work is to make a follow up – like the Budget and Appropriations Committee. The Sectoral Committees also need to know whatever goes on in their departments, and then the Implementation Committee will come at the far end to oversee and recommend that within this particular financial year the report given is okay or this report is just camouflaged. What we need is to take our work seriously.

Madam Speaker, I have seen the Kakamega County Flagship Project; their Level-five Hospital and Stadium. I believe that, the County Assembly of Kisumu should also have theirs. The new towns are coming up, and once they develop well, it can be a Flagship Project. Even though the building of our Modern Moi Stadium has not started, I hope a good work will be done to become a Flagship Project.

Madam Speaker, Kakamega County is being praised here just because they have a pool of budget and the picture given shown is that they have excess money. That is because they are serious with their revenue collection. You all know that Kakamega is bigger than Kisumu County in terms of size and streams of collection. In addition, I suppose their economy is also bigger than ours. These should not be an excuse, rather Kisumu County should just pull up its socks and ensure that they collect to the maximum

Stories about how former clerks have sneaked back to do the collection. One would ask questions such as; who employed them back? Whom do they collect tax for? And who pays them? Kisumu County needs to be serious with its revenue collection. However smaller it is, if the said collection is utilized properly with good planning in place, we will move ahead.

Madam Chairperson, I beg to support the report. It is now upon us as the Members of the County Assembly of Kisumu to open our eyes on our oversight role and tasked the Executive on the other hand on their role and when this is done properly, Kisumu County will just move ahead.

The report is well done and I hope that we shall also struggle to be on the same level with the County of Kakamega.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Beatrice.

Hon. Beatrice Odongo: Thank you Madam Speaker and Hon. Members. Allow me to congratulate the Implementation Committee for the benchmarking they did with Kakamega County Assembly. According to their report they came up with something tangible. We have also seen the challenges they realized from both County Assemblies.

Madam Speaker, the challenges they have indicated here as faced by the County Assembly of Kakamega, I also believed are faced here also. If you refer to the challenge number four; Lack of a resolution tracking matrix system to fast-track the resolutions made by the House and at the same time, Statements raised, Motions or a Bills tabled. I believe this one also affect our Assembly. However, our role is to do Oversight, Representation and Legislation. But, in terms of oversight, we are underperforming. Why do I say so? We have passed motions here that are of great importance to the County of Kisumu but we cannot really track the motions as to whether they were implemented or not. We have had very good reports being brought to this House but there is no follow-up done.

Madam Speaker, I request our Members that, through this report by the Implementation Committee, with the little resources that we have as an Assembly, we can do our oversight role and achieve what we want to as an Assembly.

In addition, Madam Speaker, allow me to emphasize to this House that, on the Revenue Collection within our County. We can do better than how we are doing. It is upon us as an Assembly because we have Budget and Appropriations Committee, as well as the Finance, Cooperative and Enterprise Development Committee who should be doing the follow-up on how the revenues are being collected, where they are deposited, who is in charge of the collections and finally what we get may be on quarterly or monthly basis.

If you look at our budget for this Financial Year 2020/2021, we have an Estimated Revenue Collection of about Kshs 1.5 billion. As an Assembly, if we do not come up strong on how the Executive is supposed to achieve this, we will still have developmental challenges.

As we speak, we have a lot of Pending Bills. At all times, they keep on saying that the low revenue collection is what yields to that. It is high time that we come up with an approach on how to monitor the implementation of the projects. The other thing is, how the revenues are being used. Are they really going to the County Revenue Accounts or somebody's? What are the daily collections per Sub- County or per market?

We have several markets plus the ones being built. What are we getting out of them so far as a County? The monies that we get, how do we use them? If we are not careful, we will end up not achieving the Kshs. 1.5 billion that was approximated for this financial year and yet, budgets are passed here in the Assembly.

Let us do our oversight role with a lot of seriousness. That one will enable us monitor monthly or quarterly revenues collected hence the exact amount that the Executive get.

Lastly, Madam Speaker, this is the time that the Implementation Committee is going for benchmarking and we have seen its fruits for this Assembly. To the other Committees going for the same purpose, we should also be serious. In that way, we will be able to come back with admirable reports for the Assembly's implementation hence the betterment of our County of Kisumu.

Madam Speaker, without much ado, allow me to support the report and appreciate the Committee for the work well done, thank you.

The Temporary Speaker (Hon. Inviolata): Thank you, yes Hon. Minority Whip

Hon. Ageng'o: Thank you Madam Speaker, allow me to call upon the mover to reply.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Philemon.

The Minority Whip (Hon. Ojuok): Thank you Madam Speaker and the Hon. Members. First, on behalf of the Implementation Committee Chairperson, Hon. Agolla I would like to take this opportunity to appreciate the Members on the complements that they have made as far as the report and the work of the Implementation Committee is concerned. I would also like to take this opportunity to appreciate them with some of the observations they have made. I think Hon. Beatrice Odongo has captured quite a lot that I also wanted to capture. It is important that we take a lot of interest in some of the thinks that she has made especially in issues to do with revenue collection.

Madam Speaker and Hon. Members, I believe that, in the report you have noted that we have some gaps in terms of development and that some of these flagship projects takes a lot of money. Madam Speaker, I want to say that, as a County, we must put ourselves strategically and at the moment, we are at an advantaged position compared to Kakamega County. On that particular report, you can clearly take note that, if we are not careful, then, we can lose big time in terms of medical tourism and in terms of sports tourism.

Where we are currently, there is all the possibilities that the stadium in Bukhungu will be finished ahead of ours and that medical facility will be finished ahead of some of the improvements that we want to make. If you were given the picture of what they want to achieve in those particular projects, then, to me what we were able to deduce in those particular projects are likely take over from Kisumu. It is easy to defend it once it is taken over then taking it back will be a bit of a challenge. So, there is need to focus on these particular flagship projects and we cannot be able to achieve that if we don't have our revenues collection strategies right.

Madam Speaker, please allow me to disagree with Hon. Okiri when he said that the task of loads is not our work. Madam Speaker, if you look at the dictionary on the term oversight, it is a word that interprets so many things and if there is one arm of the Government that cannot run away from any responsibility in this County, then, it is the County Assembly. If there are gaps in

whatever we are doing then, we need to come up with a legislation to cover those particular gaps. If we are doing poorly in budgeting, then, we need to be able to give more money to the priority areas. If there is a gap in what our people want and where we put our priorities then, we need to represent our people and state exactly what they want done. As a Member of County Assembly, if there are no roads, lack of provision of clean drinking water and any other thing, the people have all the rights to hold us accountable because there is no arm that is given the power to send everybody home apart from this arm of Government. If you are claiming that a CECM is not working then, you should not do that because the public will say that we are the once who recommended them therefore you have been given the chance to send them home. So, there is no way where you can sit here and say that we can run away from that. We just need to step up in terms of matter to do with oversight and be able to represent this County in a much better way.

Madam Speaker, key issues that I would like to note are; in Kakamega you will find roads that go up to 7 kilometers while in Kisumu we sometimes do 4 kilometers. They were telling us that some of those roads can be done in over 100 kilometers all through and they are murrum roads. They also did indicate to us that, they have a very clear programme in what they were going to do in some of the areas that have been identified and the timelines on when they are going to implement those particular projects. There is serious need to take those good practices. It is important to mention here that, I am aware that the Roads Department to the level of CEC also took time to get to that particular place and from her own words, she was able to tell me that they are doing quite a recommendable job in terms of roads in Kakamega. I want to believe that they have learnt those practices and they should be able to give us a report on how we are going to do things differently.

Madam Speaker, I would like to say that, in terms of Roads Department we have not been impressed. The CEC is new and she is try to do her level best but, there is need for all of us to pull together especially the Roads Committee and be able to provide directions in terms of Roads and the gaps that exist especially in the budget that we just passed the other day.

On the issue of the House resolution tracking matrix; I want to request that this is something that we also learnt in Mombasa and it is something that we need to implement. If it was not for the Hon. Speaker that has been taking his time to follow up in details to these things then, some of the solutions would be lost. It is important that we implement that and have these particular strategies done in the right way. I would also like to request that, when the Implementation Committee goes out then, there is need for sight visits. This is very key since when you look at a report which indicates 70% of work done, and when you go on the ground, you realize that the work done is 20%. There is need to emphasize on those particular things and even have a Monitoring and Evaluation and a Research Unit that will be able to bring on record on some of the things that those people have done on the ground. We know of places where somebody has been on sight for over three years and doing absolutely nothing to show of.

Otherwise I am grateful for the contributions from the Members and request that we pull together and be able to realize some of the recommendations that we have put in this particular report. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. Now that the report from the Committee of Implementation on the Benchmarking Exercise with the Kakamega County Assembly has been moved by Hon. Philemon Ojuok on behalf of the Chairperson, Hon. Agolla, deliberated upon by Hon. Members., I therefore want to put a question on the adoption of the same?

(Question put and agreed to)

The Temporary Speaker (Hon. Inviolata): Hon. Members, since some recommendations touches the Executive too, I direct that the office of the Clerk to write a letter and update the Implementation Committee. The report from the committee of Implementation on the benchmarking exercise with Kakamega County Assembly is hereby adopted today Tuesday 6th October 2020 at 1606 hours.

The Temporary Speaker (Hon. Inviolata): Next Order!

ADJOURNMENT

The Temporary Speaker (Hon. Inviolata): There being no any other business to transact, the House stands adjourned to tomorrow Wednesday 07th October 2020 at 2.30 p.m.

(House rose at 4.08 p.m.)

Addendum

Hansard Team

<i>Zablon Otiende</i>	-	<i>Hansard Reporter (In-charge)</i>
<i>Edward Odanga</i>	-	<i>Reporter</i>
<i>Patrick Okoyo</i>	-	<i>Reporter</i>
<i>Fanuel Okode</i>	-	<i>Reporter</i>
<i>Jacklyne Otieno</i>	-	<i>Reporter</i>
<i>Jesca Otieno</i>	-	<i>Reporter</i>
<i>Dennis Ogolla</i>	-	<i>Reporter</i>