

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FOURTH SESSION

Wednesday, 26th August, 2020

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

(The Temporary Speaker (Hon. Seth Okumu) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Okumu): Mr. Clerk, could you please take us through the Order Paper of today.

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

COMMUNICATION FROM THE CHAIR

The Temporary Speaker (Hon. Okumu): Thank you Honourable Members and welcome to today's session. I want to remind the Members who are following the session through Zoom that the ID is 2471577511 and the password is 12345.

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

PAPER LAID

ECD, ADULT EDUCATION AND VOCATIONAL TRAINING COMMITTEE REPORT ON
DISBURSEMENT OF SCHOLARSHIP AND BURSARIES FUND FOR THE FY 2018/2019
AND 2019/2020

BY

HON. PST. DAVID ARAO

CHAIRPERSON, ECD, ADULT EDUCATION AND VOCATIONAL TRAINING
COMMITTEE

The Temporary Speaker (Hon. Okumu): Yes Hon. Arao.

Hon. Arao: Thank you Mr. Speaker. Pursuant to the provision of the County Assembly Standing Order No. 185, I wish to table Wednesday 26th August, 2020 the Committee on ECD, Adult Education and Vocational Training Report on Disbursement of Scholarship and Bursaries Fund for the FY 2018/2019 and 2019/2020. Thank you.

The Temporary Speaker (Hon. Okumu): Honourable Members, I confirm the receipt of the Committee on ECD, Adult Education and Vocational Training Report on Disbursement of Scholarship and Bursaries fund for the FY 2018/2019 and 2019/2020. Thank you.

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

NOTICE OF MOTION

ECD, ADULT EDUCATION AND VOCATIONAL TRAINING COMMITTEE REPORT ON
DISBURSEMENT OF SCHOLARSHIP AND BURSARIES FUND FOR THE FY 2018/2019
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BY

HON. PST. DAVID ARAO

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COMMITTEE

The Temporary Speaker (Hon. Okumu): Yes Hon. Arao.

Hon. Arao: Thank you Mr. Speaker. I rise to give a Notice of Motion on the report by Committee on ECD, Adult Education and Vocational Training Report on Disbursement of Scholarship and Bursaries fund for the FY 2018/2019 and 2019/2020.

The Temporary Speaker (Hon. Okumu): Thank Hon. Arao.

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

COMMENCEMENT OF BUSINESS

MOTION

HEALTH, HOUSING AND SANITATION COMMITTEE REPORT ON EXPENDITURE OF
COVID 19 EMERGENCY FUND

BY

HON. VINCENT JAGONGO

CHAIRPERSON, HEALTH, HOUSING AND SANITATION COMMITTEE

The Temporary Speaker (Hon. Okumu): Yes Hon. Jagongo.

Hon. Jagongo: Pursuant to Standing Order No. 41(b) of the Kisumu County Assembly Standing Orders, Hon. Johnson Guya, the MCA for South East Nyakach requested for a statement from the Chairperson for the Committee on Health, Housing and Sanitation regarding expenditure of the County's COVID-19 emergency response fund.

Consequently, in accordance with Article 185 of the Constitution of Kenya, section 8 of the County Government's Act 2012 read together with Standing Order No. 41(b) of the Kisumu County Assembly Standing Orders; the Speaker instructed the committee to cause a response on the subject matter within 14 days.

Committee composition.

Mr. Speaker and Hon. Members, the Standing Committee on Health, Housing and Sanitation is constituted as follows;

Committee Members.

- | | | |
|--------------------------|---|------------------|
| 1. Hon. Vincent Jagongo | - | Chairperson |
| 2. Hon. John Atieno | - | Vice Chairperson |
| 3. Hon. Seth Okumu | - | Member |
| 4. Hon. Nancy Owiti | - | Member |
| 5. Hon. Jennipher Obonyo | - | Member |
| 6. Hon. Pst. David Arao | - | Member |
| 7. Hon. Joachim Oketch | - | Member |
| 8. Hon, Florence Olang'o | - | Member |
| 9. Hon, Jacktone Ogendo | - | Member |
| 10. Hon. Pamela Odhiambo | - | Member |
| 11. Hon, Vitalis Otura | - | Member |
| 12. Hon. Maureen Otiang | - | Member |
| 13. Hon. Olga Aoko | - | Member |
| 14. Hon. Rashid Miruka | - | Member |

15. Hon. Gard Olima - Member

Committee Secretariats.

1. Lilian Nyamita - Clerk to the Committee
2. Angelyne Akinyi - Ass. Clerk to the Committee
3. Edward Odanga - Hansard
4. Abraham Odegi - Serjeant-at-arm

Committee Mandate.

Mr. Speaker and Honourable Members,

PURSUANT to Article 185 of the constitution of Kenya 2010, Section 8 of the County Government Acts 2012 read together with Standing Order No. 193 (5), and No. 193 of the second schedule of the Kisumu County Assembly Standing Orders, the committee on Health, Housing and Sanitation is mandated to investigate and oversight;

All matters relating to County health services, including, in particular County health facilities and pharmacies, ambulance services, promotion of primary health care, licensing and control of undertakings that sell food to the public, cemeteries, funeral parlours and crematoria and refuse removal, refuse dumps and solid waste disposal; housing; and sanitation.

ACKNOWLEDGMENT.

The Committee wishes to thank the Speaker and the Clerk of the County Assembly of Kisumu for the goodwill extended to the Committee that enabled it to fulfill its mandate.

The committee also recognizes and appreciates the role and contribution of its members and of the members of staff who have been instrumental during the whole process culminating in the production of this report.

HON. VINCENT JAGONGO,
COMMITTEE CHAIRPERSON.

TERMS OF REFERENCE

Following dictates of the statement, the committee was guided by the following terms of reference;

- i. How much money the county has received,
- ii. Areas that the fund have been spent on/ Detailed report on how the money has been spent,
- iii. Provide this House with detailed Summarized data for the transactions above,
- iv. Any challenges so far encountered in the process of implementation of the said fund.

Mr. Speaker and Honourable Members, the committee communicated to the Chief Executive Committee Member (CECM) for Health and Sanitation, copied to the CECM for Finance and Economic Planning vide letter referenced CAK/CGK/CS/VOL.V/8/20(45) dated 14th August, 2020 requesting a detailed response to the items on the statement sought after in the House by Hon. Johnson Guya.

The Office of the CEC Member for Finance and Economic Planning honoured the request and responded on Tuesday 18th August, 2020 via a letter referenced KC/FIN/C.ASSMBLY/VOL.III/85 giving a summary report on COVID-19 Emergency Response Fund

From an attachment that accompanied the above, the department stated that, 'Although the County Assembly appropriated Kshs. 200 million, the controller of Budget (CoB) approved Kshs. 150 million for COVID-19 response due to resource constraints. Out of this, only Kshs. 50 million has been disbursed to the Fund Account letter.

EXPENDITURE OF COVID-19 EMERGENCY RESPONSE FUND.

How much money the county has received.

Mr. Speaker and Honourable Members, from the letter, the department gave the following breakdown of the fund received (**See annexure 4**).

Date	Source of Funding	Amount (Kshs.)
27/4/2020	Mbaka United Kingdom - Donation	10, 000
28/4/2020	Foundation PIP - Donation	10, 000
28/4/2020	SBM Bank - Donation	1, 000, 000
6/5/2020	Lupita Nyong'o - Donation	1, 581, 445
17/6/2020	Credit interest	2, 294, 549.46
8/7/2020	National Government Conditional Grant	159, 850, 000
20/7/2020	County Government Contribution	<u>50, 000, 000</u>
Total Cash Received		<u>214, 745,994.46</u>

Areas that the fund have been spent on/ detailed report on how the money has been spent.

Mr. Speaker and Honourable Members,

Out of this Kshs. 50 million, Kshs. 35, 690, 947.01 has so far been spent as shown below;

Date	Expenditure	Amount (Kshs.)
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27/7/2020	Daily subsistence for call Centers Operators	1, 170, 000
27/7/2020	Committee Secretariat Expenses	150, 000
27/7/2020	Call Center Operations	150, 000
27/7/2020	Supply of Personal Protective Equipment (PPEs)	33, 193, 666
	Bank charges (debits)	4, 935
	Total Expenses	<u>35, 690, 947.01</u>

FINDINGS.

Mr. Speaker and Honourable Members,

Following the committee's evaluation and scrutiny of the covid-19 expenditure report, the committee found;

- I. That the controller of budget had only disbursed Kshs. 50 million to the Covid-19 Funds account out of the Kshs. 150 million that had been approved by the same.
- II. That the total amount of money that the county had received in COVID-19 fund account is Kshs. 214 745 994.46.
- III. That the County has so far received funds from a number of donors as shown in annexure 4.

RECOMMENDATION.

Mr. Speaker and Honourable Members,

From the above observations the committee recommends the following;

- I. Aware that the county has received PPEs from some donors and to avoid a situation where these very PPEs are the same ones being accounted for in the above expenditure, the committee recommends that the CEC Member comes clear on;
 - a. The number and exact PPEs that were bought, where they were taken and which hospitals benefited from the same and;
 - b. A clear record of transactions resulting to the above expenditure.
- II. That the controller of budgets be probed to explain the Kshs. 200 Million that this House approved for COVID-19 response was reduced by Kshs. 150 Million without involving the Assembly.
- III. That there is need for the CECM for Health Services furnish the house with detailed plan on how they intend to use the remaining balance of Kshs. 179, 612, 393.71.

Mr. Speaker and Honourable Members,

- IV. The committee further recommends that the wards be included in the expenditure plan for remaining Kshs. 179, 612, 393.71. This whole amount was allocated to cater for COVID-19 and to this date the MCAs have been spending their salaries to purchase and/or provide facemasks, sanitizers, thermogenesis and even foodstuffs to their people. The expenditure of this money should be extended to the ward level.

CONCLUSION.

Mr. Speaker and Honourable Members,

In conclusion, I wish to express the need for this Honourable House to send an appreciation to these donors for their kindness and willingness to stand with us as a county in attempts for fight this pandemic.

Once again Mr. Speaker and Honourable members, allow me to send on behalf of the committee, our sincere gratitude to everyone who participated in making this task a success. May I call upon Hon. Rashid Miruka to second?

Hon. Miruka: Thank you Mr. Speaker. I stand to second the report. I was part of the committee that sat and deliberated on this. Allow me also to appreciate the Member for South East Nyakach who brought this matter before the House. Indeed, as Members of this Assembly, we sat and appropriated to Kshs. 200 million for the COVID-19 Pandemic. We understand that the amount released so far by the Controller of Budget is only Kshs. 50 million. If you look at the amount spent so far and the amount allocated then you realize that we are not using the money as purposed.

Mr. Speaker, I want to defend Hon. Jagongo that the recommendations he has read is truly what we deliberated and we agreed as a committee that we must know how much has been spent. We need PPEs. I want to say without mincing words that we agreed that the CEC Finance be brought on board to explain further and agree how best we can help people in this county. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Members. Health, Housing and Sanitation Committee Report on the Expenditure of the COVID-19 Emergency Fund has been moved by Hon. Jagongo and seconded by Hon. Miruka respectively. I now want to open it for debate.

The Temporary Speaker (Hon. Okumu): Yes Hon. Arao.

Hon. Arao: Thank you Mr. Speaker. I stand to support this report and thank Hon. Guya for finding it important to bring this report. As per this report, the Controller of Budget slashed the amount that was approved by this House to fight the COVID 19. Is that the responsibility of the

Office of Budget Controller (OCOB)? We must ensure that the allocation given to fight COVID-19 is used because people are suffering.

Mr. Speaker, we have also noted that there is slow pace in terms of expenditure of the fund. It is sad that money is in the bank and our people are starving. I have seen nurses going to work without masks and yet money is in the bank. I am spending a lot of money to support my people. I have gone as far as asking for support from the business community in my Ward to support the needy.

Mr. Speaker, I want to plead with you that at the end of this debate, you direct that the CEC Health and the CEC Finance to engage this arm of government so that our people can get the support they much need. I doubt if the Governor is aware of this because I have seen him in a number of activities that are geared towards fighting the pandemic. I support.

The Temporary Speaker (Hon. Okumu): Yes Hon. Steve Owiti.

Hon. Owiti: Thank you Mr. Speaker Sir. I want to congratulate the committee for having moved very first to prepare a report that was necessitated by the Statement that was raised on this Floor by Hon. Johnson Guya. When the pandemic hit our County, there was panic and at one point as an Assembly we had to sit down and review our budget because there was need to allocate resources to fight the pandemic.

Mr. Speaker, it is very disheartening as we sit here today that we are able to report comfortably that we have only spent Kshs. 35 million out of the Kshs. 200 million that the budget approved. What is even annoying and worrying is giving report to this Assembly that the Office of the Budget Controller decided to reduce the budget without informing this Assembly. The role of approving the budget is the prerogative of the Assembly and not the Controller of Budget. The Controller of Budget plays an advisory role and not the implementation of the budget. As far as this Assembly is concerned, we know the Kshs. 200 million was approved and if the Controller of Budget had issues then he ought to have written to the Governor and the Governor would not have appended his signature on the Supplementary Budget.

The alteration of the amounts by Kshs 50,000,000.00, we must raise a Supplementary Budget which this House must approve. Mr. Speaker, when we will be approving these figures, that means, we need to be aware where we are taking the Kshs 50,000,000.00 which initially had been approved for specifically from the Development Budget.

Mr. Speaker, I am inclined to believe that there is more concern on what the County is undertaking towards mitigating the effects of COVID-19 Pandemic. Our people are suffering, these are people who used to go to Jua-kali to earn a living, have been rendered jobless and are in their homes, because they cannot go to work and the County cannot afford to be keeping funds in the Bank accounts. Mr. Speaker, initially, our understanding of this funds was that there would be some little out of pocket that would be given to the vulnerable so that they would be

cushioned against the adverse effects of the Pandemic. We know that even the County like the National Government has been sending funds to certain class of people. The County Government of Kisumu would have devised some methodology or find a way of paying some stipend to the most vulnerable people in our society so that we would be able to reduce the statistics of deaths that this pandemic has put our people in.

Mr. Speaker, as we speak today, I want to plead with this House, that as Members of this County Assembly representing the people of this great County of Kisumu, we must not sit back and wait until we have lost more lives to lament or report. I want to urge Hon. Members that, we as an Assembly must compel the Executive Arms to spend these funds and spent it prudently on mitigating the effects of COVID-19 Pandemic.

Mr. Speaker, in that report, I have seen that the County received Conditional Grants to the tune of Kshs 159,820,000.00. It would also be important that the Executive to offer explanations to us as to why that Grant having been given to the County to fight COVID-19 Pandemic, why it is still Conditional. Mr. Speaker, are there any conditionalities attached to it indicating specific items that the funds can be spent on and not on the fight against COVID-19 Pandemic. I believe that some of the issues raised in this report and the House, the House Committee is very right to recommend that the County Executive Committee Member for Finance and Economic Planning and the County Executive Committee Member for Health and Sanitation be summoned to appear before this House and be compelled to ensure that further expenditures from this Fund Account be undertaken by the involvement of this Honourable House. Thank you and I am in concurrence with the Committee Recommendations.

The Temporary Speaker (Hon. Okumu): Hon. Members I said Hon. Samo.

Hon. Samo: Thank you Mr. Speaker for according this chance to contribute on this pertinent matter.

Mr. Speaker, the House Committee has done a good job in trying to come up with this report. The Hon. Guya did seek a very pertinent question in the floor of this House....

The Temporary Speaker (Hon. Okumu): What is it Hon. Arao?

Hon. Arao: On a Point of Order. Mr. Speaker, Hon. Samo is a good friend of mine who is very naked in the House. I will not allow him to contribute because the same axe befell me last week. Please rule on that.

The Temporary Speaker (Hon. Okumu): Thank you. The Office of the Serjeant-at-Arms please assist the Hon. Member dress appropriately.

The Temporary Speaker (Hon. Okumu): Hon. Members, I said after Hon. Samo, it will be Hon. Guya.

Hon. Guya: Thank you Mr. Speaker. Having consulted with the Leader of Minority, I have agreed to give him the slot first then I will contribute later.

The Temporary Speaker (Hon. Okumu): Hon. Member, you know very well that you are not the one to accord Hon. Members the permission to contribute in the House. You can only donate your time and that will slash the time that you will use for contribution. Hon. Member, if your submissions are not ready, then we can shelve it and give it to another Member. Are you ready with your submissions?

Hon. Guya: Yes Mr. Speaker, but I was relying on the nuggets and words of wisdom from the Leader of Minority.

The Temporary Speaker (Hon. Okumu): So, you are still waiting for him to contribute before you proceed?

Hon. Guya: Kindly.

The Temporary Speaker (Hon. Okumu): Thank you. Yes, Leader of Minority!

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker for according me this chance to contribute. I only implored on Hon. Guya to spare me part of his time because he is the seeker of the Statement so that he summarized after all the Members have contributed and that is the plea I made to him.

Mr. Speaker, the issues that were raised on the Expenditure of COVID-19 is of a lot of interest to the people of Kisumu County. We have seen the records and report presented by the House Committee of Health and Sanitation and we salute the work done but, the picture being painted in the report shows that we need to interrogate this report further. The report should not after tabling come to an end. Mr. Speaker, this House appropriated funds towards this endeavour to the tune of Kshs 200,000,000.00 and what we are being told is that, the Office of the Controller of Budget (OCOB) reduced this amount to Kshs 150,000,000.00. We are not being informed of the balance of Kshs 50,000,000.00 has been taken to. This is an issue that this House need to address.

Mr. Speaker, another issues of concern that needs to be addressed is the Kshs 150,000,000 that was approved by the Office of the Controller of Budget (OCOB) and only Kshs 50,000,000.00 has been disbursed to Kisumu County and for your information the Financial Year is over. Where is that balance of Kshs 100,000,000.00? The balance of Kshs 100,000,000.00 is omitted by the Committee in their computation. Mr. Speaker, the total amount so far received by the County for the COVID-19 is Kshs 214,745,994.00 less Kshs 35,000,000.00 the difference comes to around Kshs 179,000,000.00. So, that means that Kshs 100,000,000.00 is unaccounted for and that is not being explained in this Report. As a House we need to explore that.

Mr. Speaker, another issue of concern is that, the expenditures are tabulated here. We are being told of the Daily Subsistence to Call Centres is indicated at Kshs 1,170,000.00, which is good. Who are these? What does this expenditure of Kshs 1,170,000.00 entail? The National Government advised and ordered the County Governments to ensure preparedness they procure beds. In Kisumu County we were told that the County procured 401 beds. Mr. Speaker, when you look at the expenditure given, this item is not factored in. Were they just a donation and if

they were donations, which amounts is relates to them on the Kshs 214,745,994.00. We are only told that Supply of Personal Protective Equipments (PPEs) worth Kshs 33,193,666.00 and our Medical Personnel have been lamenting that they were supplies with sub-standard materials. Mr. Speaker, we need to interrogate this expenditure further.

Mr. Speaker, overall, this is not a matter that this House should take lightly because it touches directly on the health of our people. The Civil Societies have been demonstrating in Kenya, we also read of Kisumu County in the Social Media platforms that the COVID-19 Funds have been misappropriated. Considering the expenditure given to us here in this report, I am imploring this House, we don't close our eyes on this issue and assume that this report is exhaustive. Let us dig deep and find out if, what the Civil Society is highlighting out could hold water. Mr. Speaker, on that, I ask this House that the Committee could have demanded the Bank Accounts of this Funds because this is a Fund to ascertain the balances in the respective Accounts. In the absence of this Bank Accounts, we may not see the true picture of the position of this fund.

Mr. Speaker, with those few remarks, I beg that this matter needs not be left lying down. With your wisdom, let the House take the next step to establish the truth on this fund. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Leader of Minority. I want to go to Hon. Ogutu of West Nyakach.

Hon. Ogutu: Thank you Mr. Speaker. Let me take this rare opportunity to thank the Committee for the commendable work done. From this report we have questions that need to be responded to and some have been asked by Hon. Members.

Mr. Speaker, we cannot forget the Kshs 200,000,000.00 which was appropriated in this House. This has been stated clearly that this particular amount was money reduced from the Development Expenditure Budget of our County which was intended to benefit our Wards. We approved this Estimates so that it can cushion our constituents on the COVID-19 Pandemic. This is not a secret. I feel sad when I hear that this amount was reduced by the Office of Controller of Budget (OCOB) without the approval of the House which had approved this amounts. I believe that, Hon. Members can recall vividly when the National Government gave a Grant of Kshs 159,850,000.00 which was approved by this House.

Mr. Speaker, it is unique to be told that a certain body has reduced this amount from the Estimates and this Budget has not been brought back to this House for approval. This is a question that needs to be responded to and thus answer should come out clearly. Mr. Speaker, on page 5 of the report, it is stated that on 27th July, 2020 – Daily Subsistence for Call Centres is Kshs 1,170,000.00. The same date, there is Call Centre Operations is indicated at Kshs 150,000.00. Mr. Speaker, this House needs to be told what the Daily Subsistence for Call Centres and the Call Centre Operations entails because the way they are classified here, that mems that they are two different components. Mr. Speaker, as Hon. Members have clearly stated, it is sad when are told that the funds are being held or kept in and lying idle in an Account yet, our people are suffering.

Mr. Speaker, I believe that and at some point we were made to understand that part of these funds were to be sent to the vulnerable. I believe that at our Ward levels the Ward Administrators were informed to identify the vulnerable so that they be cushioned the way the National Government has been doing and we are all aware that the National Government through their kitty has been sending Kshs 1,000.00 to these vulnerable people.

Mr. Speaker, as we speak, Kisumu County is keeping in its Accounts Kshs 200,000,000.00 yet some people are suffering out here. This issue needs to come out clearly as to why such omissions are there. The element of involvement is lacking. You can recall and we are aware that that we are also in consultation with other Counties for example Kirinyaga County. Kirinyaga County involved Members of the County Assembly in the distribution of COVID-19 Commodities. Each Hon. Member of that County was given items to take to their constituents and the distributions were done without any hitches and even the Mama “Mbogas” down there received something and appreciated. This has never happened in Kisumu County and I would like to applaud this Committee for doing some serious work. I believe that this particular report only takes those who are ready to sacrifice to bring such a report to the House.

Mr. Speaker, I would like to fully associate myself with this report and the way-forward is for this House to dig deep as to why such anomalies are in this COVID-19 Expenditure Report. I don't believe that and I know Kisumu County is known for saving because I don't believe we are going to get COVID-19 Millionaires in Kisumu. The reason for saying this is because; we cannot save over Kshs 100,000,000 million in the bank at the expense of others who are suffering in the County.

The Temporary Speaker (Hon. Seth Okumu): Yes Hon. Samson Ameso, followed by Hon. Roy Samo, then Hon. Maureen Otiang’.

Hon. Ameso: Thank you Mr. Speaker, I first want to commend the Committee for completing the report and presenting it back to the House in time, because the statement was quite urgent. I also want to thank the donations from donors who aided the County of Kisumu in the fight against Corona Virus. Just to mention Lupita Nyong’o who comes from my ward, and made a good donation on the same. This shows the amount of care the donors had for this great County of Kisumu. The report presented to the House today is an eye opener as it shows that the Department in question is not ready and has no knowhow on the expenditure of these funds in the fight against COVID-19. It shows that the intended purpose of the donated funds cannot be achieved. It is saddening that without mentioning the Supplementary Budget that was passed by this House and that my colleague talked about earlier on the reduction, I am being particular on the expenditure of the Kshs 214,000,000 million, which is the total amount received.

Looking through the areas in this County, which the funds were spent, it clearly tells that much need to be done in this County. For instance the focus point in this case is the Call Centre which received close to Kshs 150,000,000 million. Mr. Speaker, another recommendation of the Committee and their findings...

The Temporary Speaker (Hon. Okumu): Order! Hon. Member. You have talked about Kshs150, 000,000 million for a Call Centre being in the Report. For the purpose of clarity could you ensure that you are talking about the right figures?

Hon. Ameso: Pardon me it is Kshs 150,000 thousand, and there is a point on the daily sub session of the Call Centre again at Kshs 1,170,000 million. The same case applies to the PPE's purchased. If you look into the statement sought by Hon. Guya, it requires areas that have not been complied to. Number 4 of his statement states that a detailed report of how the money is spent is needed. You will realize that there is a National Grant of Kshs 159,850,000.00 which has not been spent probably because of lack of strategy on how to spend it. My major concern is on the effect it has on our residents. So far there is no tangible furnished centre in my ward that I can say the County Assembly has established in the fight against COVID-19. We improvised through getting our own funds to at least get sanitizers that weren't even enough.

Mr. Speaker, it is challenging to tell our people to take precautionary measures yet these essential items needed are not available to them. The Department should be brought on board on how they affect people on the ground because money is available to them. Most people have been greatly affected by the pandemic, and even lost their sources of income yet money has just been kept at that expense, a move that is quite alarming. Otherwise, thank you.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Member. Hon. Roy, I had agreed to give you a chance but I am having Hon. Genga online and is claiming he just got the best place with good reception. Kindly allow me to give you the next chance. Sergeant-at-Arms could you kindly hand me the microphone?

Hon. Genga: (*Via Zoom*) Thank you Mr. Speaker, I just wanted to echo what my colleague has said about the Expenditure of the Covid-19 funds. Despite the report being a good one, the issue on how the funds are spent is matter of concern.....

The Temporary Speaker (Hon. Okumu): Order Hon. Genga!! You are breaking and we cannot hear much of your contribution further. Let us try again when the reception is better that it is now. Nevertheless, we can get your written submissions and give the Clerk to take to the Executive over the same. Thank you Hon. Member.

The Temporary Speaker (Hon. Okumu): Yes Hon. Roy Samo.

Hon. Samo: Thank you Mr. Speaker. The Hon. Members have delved into this matter exhaustively, and wouldn't want to repeat. Hon Guya sought for a very important statement, and if you look at this Report from page 7, it is our Report as a Committee. However, we only have about 2 pages of the CEC of Finance, who has given us what he thinks is best for us. In agreement with Hon. Ameso's submissions, it is true that some officers do not understand their roles by trying to bring the statements back to us in the name of a Report. A report needs to be detailed, and if you present it to the public since it is a public document, the people will be

prompted to ask us questions. For instance they would ask that if we bought PPE's worth Kshs 33,000,000 million, where were they taken, and to which specific hospitals? This is because the wards we come from most of us have not seen them.

Mr. Speaker, we will request the Minister to be compelled to bring into details so that these people can know how their taxes are being spent. With Kshs 150,000,000 million available to us, we could have done much as the National Government is doing such as 'Kazi Mtaani'. The roads in our areas have been destroyed by the rains, and this amount could be used to open up some of them. The National Government is also concentrating on the informal settlement of this Country but you find that in the rural areas such as East- Kajulu where I come from, nothing is going on because they say that they are only handling informal sectors. I was watching a video clip today of two young boys of junior primary who were almost being burnt to death due to mobile phone theft. Why are children engaging into such activities? Could be that the bread winner's income was affected by the pandemic outbreak and the businesses have gone under, therefore there is nothing to eat at home.

Mr. Speaker, the Government has told us that they have spent Kshs 33,000,000, if you deduct this figure from the Kshs 214,000,000 million that was received, about Kshs 170,000,000 is still at the bank. What is this balance doing?

Consequently, the Hon. Members have talked about Call Centers that Kshs 150,000.00 has been spent to establish, but where are these Call Centers save for the one at Sunset with about 20 personnel only. Mr. Speaker, I request you to speak candidly about this. Hon. Pete Oiko was very clear that there is about Kshs 100,000,000 million that cannot be accounted for. I am requesting the Chair of Health Department that when this matter goes back to the Committee they should delve on it deeply. We need to know which Companies are these that gave us PPEs worth Kshs 33,000,000 as indicated on page 5 of the Report. The Hon. Johnson Guya asked for a detailed report on the financial transaction, is it even found anywhere? No!

Mr. Speaker, we are aware of several donations that were made in relation to COVID-19 Personal Protective Equipment (PPEs). For instance a company such as Kibos Sugar Company contributed substantially on the same, but they have not been captured by the County Government. Why can't the County Government tell us the reason for not doing so, and if they had other measures taken to use the funds to do some other issues relate to COVID-19 because the PPEs have already been donated. Unfortunately, the KEBS has rejected our masks because they are substandard yet Kshs 33,000,000 has been spent to purchase these PPEs. I want to agree with Hon. Guya on the provision of a detailed financial report of the same. Lastly, if you read Annex 5, as at 17th August, 2020, when they visited the bank, Kshs 179,612,393 million was still in the bank. Can they give us a detailed report on how they intend to spend this amount so that we can also have answers to questions asked by the people we represent?

Today there was a major function on Gender Based Violence (GBV) in Kajulu Ward, which the Hon. Her Excellency was to attend. I left before she came and I am not sure whether she attended, but the people were asking about the monitored issues of gender violence in the area. The main reason was due to both parties finding themselves affected so greatly by the pandemic and the frustrations of lack of money due to job losses has greatly taken a toll on them. With these millions still lying in the bank at the expense of helping the affected is very crucial and has to be considered for the greater good of the Governor's Manifesto. Otherwise I want to thank and commend you Mr. Speaker, because your seat is very important as it has powers to compel the CECs of Finance and that of Health to account for the expenditure of the Kshs. 33,000,000 million intended for COVID-19 Pandemic. In addition they can tell us why the remaining Kshs 179,612,393 million is not being used.

Lastly, there is no authority that the Controller of Budget has over Budget making process. They can therefore not just sit and decide to reduce a budget from Kshs 200 million to Kshs 150 Million without the Assembly passing a Supplementary Budget. If that then happens, then that is an illegality and the person needs to resign because you cannot just decide to hive off Kshs 50 million from a budget. Why then was it put there in the first place? The Controller of Budget, needs to be brought to book to answer to these anomalies and illegalities perpetuated. Thank you very much.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Samo.

The Temporary Speaker (Hon. Okumu): Yes Hon. Maurine Otiang'.

Hon. Otiang': Thank you Mr. Speaker. I wish to echo what my colleagues have said. I am impressed by Members of Kisumu County Assembly because even if we were not receiving anything from this kitty, the Members were so much involved with the communities; we gave out masks and sanitizers so that the community can feel safe. But even as I congratulate Members, we have donors who also contributed to help as fight the pandemic. What I dislike is somebody asking for money which he cannot absorb. The Department asked for money and that is why we did the Supplementary Budget of Kshs 200 million. After giving them the go – ahead to spend the Kshs 200 million the money is still stuck at the bank. Our people are still suffering. MCAs are still suffering because we have to get money from our pockets to give out to the communities yet somebody is sitting pretty and not using the money they requested for this cause. That is quite mind boggling for me and I feel the people have to be brought to the House to explain why they asked for money and then decided to keep the money in the bank.

Secondly, every government officer must follow the rules. If the Office of the Controller of Budget hived off Kshs 50 million without the knowledge of the Assembly, then that is an illegality. But the Department has not produced evidence to show that the money was hived off. Let them provide us with the evidence that the Controller of Budget communicated with them and the law he used to hive the Kshs 50 million from the approved amount of Kshs 200,000,000.

It is in line with those observations that we need thorough investigations to be undertaken otherwise, our constituents will feel we are just sitting pretty as they suffer. As a member of the Health committee, we were really not impressed with the response given because it was very shallow. Thank you.

The Temporary Speaker (Hon. Okumu): Yes, Senior Member, Hon. Prisca Misachi, the Chief Whip.

The Chief Whip (Hon. Misachi): Thank you Mr. Speaker. The report is ours and it is from our own House Committee. But from the look of things, they were not given enough material to dig deeper into this matter and to establish how the Department procured the materials. This House has the powers of the High Court and can even call for Audit of the funds. To the Department, this is what they can give us; but based on the donations they received and the money that was appropriated by the Assembly; we are not satisfied with the response from the executive. We can as well call for the Audit of the COVID-19 funds for us to be satisfied and know what to tell the people of Kisumu County regarding this matter. Even in the National Assembly, it is all hue and cry regarding the use of COVID-19 funds. There are some COVID millionaires in this county who we are not sure of, when we come to the bottom of this, we can only establish that if the funds are properly audited. Thank you.

The Temporary Speaker (Hon. Okumu): yes, Hon. Johnson Guya.

Hon. Guya: Thank you Mr. Speaker. You have heard the contributions of Members. I had sought for a very clear Statement.

First, I want to thank the committee for the effort they have made. However, I am personally not satisfied with the response given here. If you look at the issues I raised, they were 5. From the report presented, only two – the 1st and the 2nd – have been answered. There is no response for the remaining three. I once served in the County Assembly Service Board and as the County Assembly of Kisumu, we diverted some of our funds amounting to Kshs 50 million to the County Government of Kisumu to help fight the COVID-19 Pandemic in the County. Going by this report, it is like it is only the County Assembly that gave funds towards this cause – because what we approved as the Board and as the Assembly was Kshs 50 million. The argument then was that all the monies allocated for Domestic and Foreign Travels be diverted, to COVID-19 Kitty. So we can see the executive never allocated even a single cent from their budget. ..

The Temporary Speaker (Hon. Okumu): Order, Hon. Member. I just want to give you guidance. The Executive does not have powers to appropriate money. It is the Assembly. So if money was not appropriated as you claim, then it is the Assembly. Proceed with that guidance.

Hon. Guya: Thank you. I have understood you well. Assume that we had not appropriated those funds; assume that there was no COVID-19, we would be travelling as Members of the County Assembly. And if we travelled, would we be paid? The answer is yes. The Executive would be

travelling doing their functions everywhere - within and outside the country. If they did would they be paid? The answer is yes. That is a confirmation that the money would have been there. But having gone even to the extent of approving a budget of Kshs 200 million in this House, which to me comprised of Kshs 50 million from the Assembly and Kshs 150 million from the Executive. Today we are being told the Controller of Budget went ahead and did another budget - now of Ksh150 million – which is different from what was approved here. If you dig deeper, you are being told that the National Government has only remitted Kshs 50 million out of the Ksh150 million. What does that imply? As we speak, it is in the public domain that the County Government of Kisumu, among other counties has received all their allocations from the National Government, including the one that came late in June. If by June they had put aside Kshs 50 million and there are other funds that came later, why it that in the COVID account there is only Kshs 50 million to be spent?

Mr. Speaker, if you go to the page where the Executive gave us the expenditures, the figures don't add up, even if you try adding them manually. They are less than Kshs 35 million that is indicated here. What does that show? That the issue we are trying to address here could be deeper than we think. If you add the figures, it is far much less than the Kshs 35 million. I want to ask any member to try adding them up. We have been given expenditures here as at 27th July but we are being given a bank balance as at 17th August, implying that between 27th of July and 17th August, there has not been any transaction in this fund account. We want to assume so, because if there are expenditures incurred, the balance here should have been less. If this is the balance and there were expenditures incurred, then it means the incomes were much more than this.

As my colleagues have stated, the County Government of Kisumu received donations, which does not necessarily mean cash. There donations in kind. The one we can easily recall is that of Kibos Sugar Factory which distributed sanitizers and masks everywhere. I don't see those being reflected here despite the fact that all those were donations to the County Government of Kisumu. By that time we were told that there was a structured way of dealing with COVID-19 and the donations had to be channeled to the committee in charge. My Statement required that the Committee should investigate, interrogate and report back. Did they interrogate? I can say No. if they did, they would able to explain to us first, why the Controller of Budget decided to reduce the budget from Kshs 200,000,00.00 to Kshs 150,000,000.00. Secondly, where the Ksh100,000,000.00 has been taken to. Thirdly, what the Kshs 33,000,000.00 has been spent on - because we are being told PPEs were procured. How many were procured? Where were they distributed to and to which facilities? In the past one or two weeks, we heard that the County Government of Kisumu - I think it was official – realized that the masks that were procured were substandard and were all recalled. Who supplied them and what happened thereafter?

Looking at this report, what I can ask of you is to order the committee to do a thorough report before they report back to this House. I have seen the recommendations of the committee. If you

look at some of the recommendations, they are the same questions we are asking here. The purpose of the Statement was for the Committee to seek response from the respective CEC Members on the same questions they have put in their recommendations. A clear record of transactions resulting to the above expenditure; if you look at that at the recommendations and if you compare it with one of the questions I raised here: provide this House with a detailed Summarized Data for the transactions above. The question that is being sought here is a recommendation by the committee. They are again recommending to us that we need to ask the CECs to come clear on the same thing that we have asked.

Mr. Speaker, I want to request that if possible, and I know that there might have been a timeline and the committee might have been in a hurry to ensure that they adhere to the timeline of two weeks that your Chair had given to the committee. I would like to implore Chair to accord the Committee more time for them to interrogate and bring to this House very clear answers to the statements that were sought.

Mr. Speaker, the figures need to add up, we need to know what the PPEs that were procured were. Who much they procured them, where did they take them? I represent a ward called South East Nyakach Ward and I want it to be clear in this House that if you say PPEs; I don't know what they are because, in that ward there was not even a single mask that was provided. Mr. Speaker you can recall that in the County Assembly of Kisumu after giving the Executive Kshs 50,000,000.00 we only remained with Kshs 5,000,000.00 to procure some protective devices. If you go to the County Assembly of Kisumu you will find that a booth, masks and thermos-guns were procured and provided; but what about this Kshs 369,000,000.00? What can we see and say that money was given? If you go to the Assembly you will only find one booth at 33 million. So the committee needs to come clear on this and I want to humbly request you that you give them more time for the purposes of our citizens, this Assembly and this County so that we get the truth about this.

Finally Mr. Speaker if you are keen to look at matters happening in the Country, you will realize that issues of COVID-19 fund and KEMSA are everywhere. I want to request that we also take this issue seriously just the same way that today when the President was addressing the Nation he has given KEMSA 21 days to give full details on how those funds were spent. I want to humbly request that you give the committee more time to come up with a good document for this House and the County at large.

The Temporary Speaker (Hon. Seth Okumu): Yes Hon. Olang'o.

Hon. Olang'o: Thank you Mr. Speaker, I wish to call the mover to reply.

The Temporary Speaker (Hon. Seth Okumu): Yes Hon. Jagongo.

Hon. Jagongo: Thank you Mr. Speaker. You have heard the debate for the discussion on the issues that are there before us. Mr. Speaker I want to conclude by saying that I would want to

join my colleagues by saying that we need to probe more. In our recommendation, the first item is that we are all aware that we get PPEs from different donors and that is why we stated clearly that we need to get to know how these PPEs were procured and how many were given and to which hospitals benefited from these PPEs. That was not clear in the reply that we got from the CEC Finance.

On to the issue of the 200 million; you have heard Members pointing fingers at the Office of Controller of Budget on how he decided to reduce it to 150,000,000 without the approval from the County Assembly. We are being told that the funds that were disbursed from the National Treasury are only Kshs 50,000,000. If we subtract Kshs 50,000,000 from 150,000,000 they still have a balance of Kshs 100,000,000 unaccounted for. We are in another Financial Year and we are not sure whether we will get another Kshs 100,000,000 or not. I would like to plead with the Speaker and with the powers bestowed upon you we need to get more clarification and information about the issues that were raised.

Mr. Speaker, yesterday when I was in my office in my ward, I had the privilege to received a huge delegation from Faith-based-Organization asking me as the Chairperson on where we have placed them because initially they were not going to church; at the moment they were allowed to go to church and they also need these PPEs and equipments that they can use to sanitize and also to measure the temperature of their believers. So I believe that we need to have a good plan for the 179 million that is remaining, we need to be involved as an Assembly, as leader of this County so that we also share with them our feelings because when we are in our wards we face a lot of challenges; people come to us asking for masks and PPEs. We also need to be consulted so that we can give our observations on how we feel the money should be spent. I would like to thank the committee once more for the good work that they have done.

Mr. Speaker the committee worked day and night to come up with this report. We would like to thank them so much for the effort that they have made so that we can come up with the report that we are having. We would still want to plead that the Committee be given more time so that we question the issues that have been raised in the floor of this House with regards to the expenditures on COVID-19 . The 2 weeks were not enough to come up with a comprehensive report on the same. Otherwise thank you and God bless the House.

The Temporary Speaker (Hon. Okumu): Thank you. Pursuant to the provisions of our Standing Orders which stipulate that once a motion has been moved, seconded and debated the next step that the Speaker takes is to put a question. Hon. Members a statement was sought in this House on 10th August 2020 by Hon. Guya to the Chairperson, Committee on Health Housing and Sanitation...

The Temporary Speaker (Hon. Okumu): What is it Hon. Guya.

Hon. Guya: On a Point of Order. Thank you Mr. Speaker. I believe that going by the mood of the House and the request that has been sought by Chairperson of Health and other Hon. Members; we are humbly requesting you by your powers bestowed upon you in Standing Orders No. 1 that you allow the Committee to work on the report because if you go that direction to put a question then our fear is that...

The Temporary Speaker (Hon. Okumu): Thank you Hon. Guya. Just like I said that, we are a House of Procedures and Rules and that is what is required and in putting the question we will consider the recommendations that the Members have put. Hon. Members a Statement was sought in this House on 13th August 2020 by Hon. Guya to the Chairperson, Committee on Health Housing and Sanitation and the statement came to this House by a reply through Hon. Jagongo seconded by Hon. Miruka, debated upon and several recommendations made on that report.

Hon. Members I want to put a question and the question will cover the adoption of the recommendation that has been put by Hon. Members before I give my directions immediately after. The report on the on Health and Sanitation on the statement sought by Hon. Guya be adopted with the recommendations from the House therein.

(Question put and agreed to)

The Temporary Speaker (Hon. Okumu): The report is hereby adopted today Wednesday 26th August 2020 at 16:09 hours. Therefore I direct that; the Committee on Health, Housing and Sanitation go back and seek statements for questions number 3, 4 and 5 that were sought by Hon. Guya. The question will give us the detailed summarized transaction of the funds that we have talked about whereby we will know exactly what was bought as PPEs and where they might have been taken. He also sought details on how money has been spent and any challenge so far that has been encountered. Those three questions were not answered appropriately and those are the recommendations that you are leaving the House with.

Hon. Members, I want to give the committee another one week to bring the report to the House so that we stick to the expenditure of those amounts or tell the Executive to cut the expenditure of those amounts since we are not sure if the funds are being appropriated correctly. That is the report should come back to the House Thursday next week.

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

ADJOURNMENT

The Temporary Speaker (Hon. Seth Okumu): There being no any other business to transact, the House stands adjourned to tomorrow Thursday 27th August 2020 at 2.30 p.m.

(House rose at 4.09 p.m.)

Addendum

Hansard Team

Zablon Otiende – Head of Department

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Denis Onyango – Hansard Reporter

Jesca Otieno – Hansard Reporter

