

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – FIFTH SESSION

Tuesday, 23rd November, 2021

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

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

PRAYERS

The Speaker (Hon. Oraro): Good Afternoon Hon. Members. I want to refer to the provisions of County Assembly Standing Orders No. 32 (2) and I direct the Serjeant-at-Arms rings the quorum bell for the first five minutes.

(Quorum bell is rung for five minutes)

The Speaker (Hon. Oraro): Lead of Majority, please confirm if we have quorum.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I confirm that there is quorum. Thank you.

The Speaker (Hon. Oraro): Mr. Clerk, please take us through the order of the day.

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

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Hon. Members, welcome again to this afternoon session. It's one of the sessions towards that end of the Fifth Session of this Second Assembly. I have the following communication to make. I want to remind Hon. Members that on Thursday, 02nd December, 2021 at 02:30 p.m. there shall be a State of the County Address by the Governor, Kisumu County. The venue shall be Tom Mboya Labour College. I want to request on behalf the County that all Hon. Members be seated by 02:00 p.m. this is because it will be an afternoon session to enable the Governor have adequate time to give his address which shall be followed by a debate that will not last for more than four sittings in line with the provisions of our Standing Orders. Thank you.

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

STATEMENT

The Speaker (Hon. Oraro): Hon. Members, it is Statement Hour.

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

MOTION

REPORT FROM THE STANDING COMMITTEE OF PUBLIC WORKS, ROADS AND TRANSPORT ON A BENCHMARKING EXERCISE WITH ITS SISTER COMMITTEE OF MOMBASA COUNTY ASSEMBLY.

BY

HON. SETH KANGA

(CHAIRPERSON)

(STANDING COMMITTEE OF PUBLIC WORKS, ROADS AND TRANSPORT)

The Speaker (Hon. Oraro): Yes, Hon. Kanga.

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

Hon. Agolla: Thank you Mr. Speaker. Pursuant to the provisions of our Standing Orders, I beg to move the report on behalf of my Chairperson. Mr. Speaker being a Member number nine in the Standing Committee, if you permit me I will proceed and move the report. Thank you.

The Speaker (Hon. Oraro): Please proceed.

Hon. Agolla: Thank you Mr. Speaker. Mr. Speaker and Hon. Members. PURSUANT to the provisions of the Kisumu County Assembly Standing Orders No. 193 read together with S.Os No.

194(2) (c) which mandates House Committees to prepare programs and activities to be undertaken in each Fiscal Year, the Committee on Public Works, Roads and Transport prepared its Annual Work Plan for FY 2020/2021 detailing programs to be transacted which amongst them, was the approved Study Tour with its sister committee of Mombasa County Assembly.

Following the approval of the Liaison Committee, the Speaker of the Kisumu County Assembly permitted the committee to conduct the benchmarking exercise to enable the two committees share and learn on best practices for the betterment of smooth running of the committee in an efficient and effective manner.

This 5-day event took place between the dates of *Wednesday 15th September, 2021 and Tuesday, 21st September, 2021.*

Establishment and Mandate of the Committee

Mr. Speaker and Hon. Members, the Committee on Public Works, Roads and Transport derives its explicit mandate in the provisions of the County Assembly Standing Orders No. 193 Second Schedule which stipulates as follows:

That the Sectoral committee shall investigate and inquire into all matters relating to County Transport including; county roads, street lighting, traffic and parking, public road transport, ferries and harbors. This excludes the regulation of international and national shipping and matters related to; county public works and services including storm water management systems in built-up areas; firefighting services and disaster management.

Composition

The committee is currently constituted of the following Honorable Members:

- | | | |
|--------------------------|---|------------------|
| 1. Hon. Seth Kanga | - | Chairperson |
| 2. Hon. Johnson Guyah | - | Vice Chairperson |
| 3. Hon. Kenneth Onyango | - | Member |
| 4. Hon. Paul Okiri | - | Member |
| 5. Hon. George Abaja | - | Member |
| 6. Hon. David Arao | - | Member |
| 7. Hon. Jacktone Ogendo | - | Member |
| 8. Hon. Kennedy Ageng'o | - | Member |
| 9. Hon. Erick Agola | - | Member |
| 10. Hon. Nancy Owiti | - | Member |
| 11. Hon. Beatrice Odongo | - | Member |
| 12. Hon. Steve Owiti | - | Member |
| 13. Hon. Habil Nyasuna | - | Member |
| 14. Hon. John Atieno | - | Member |
| 15. Hon. Maureen Otiang` | - | Member |

Secretariats

The technical staff facilitating the committee`s errands are as follows:

1. Belinder Owino - Committee Clerk
2. Fanuel Okode - Hansard Reporter
3. Silas Kapesa - Sergeant-at-Arm
4. Bill Omondi - Legal Counsel

In Attendance

Mombasa County Assembly Committee Members of Public Works, Roads & Transport and its secretariat

The committee is constituted of 9 Members namely:

1. Hon. Prischilla M. Mumba - Chairperson
2. Hon. Mwaka M Bakari - Vice-Chairperson
3. Hon. Ali .Shomari - Member
4. Hon. Moses A. Oindo - Member
5. Hon. Fadhili M. Makarani - Member
6. Hon. Ibrahim Omondi - Member
7. Hon. Hamisi Mwidani - Member
8. Hon. Kibwana Baya - Member
9. Hon. Amriya B.Juma - Member

Secretariat

1. Mr. AbdallaKhamis - Senior Clerk Assistant
2. Mr. Nasra Omar - Hansard Reporter
3. Mr. Zedekiah Khan - Sergeant-at-Arms

ACKNOWLEDGEMENTS

Firstly, may I take this utmost opportunity to thank all the Committee Members of Public Works, Roads and Transport for their profound and valuable contribution during the entire benchmarking study tour which occurred in Mombasa County?

Secondly, I would wish to extend my forthright appreciation to both sister committee of Mombasa and its technical staff attached to it for the hospitable reception throughout this important exercise.

Thirdly, the committee is also deeply indebted to the Offices of both the Speaker and that of the Clerk of the County Assembly and would wish to thank them for always being supportive and approving when it comes to matters committee's activities. It has never been a walk in the park but with these offices often in the upfront, work seemingly tend to take an affirmative direction.

Lastly, the committee wishes to applaud its technical staff's efforts in ensuring this report is tabled on the Floor of this August House for consideration and adoption.

Many Thanks.

BACKGROUND INFORMATION

Mr. Speaker and Hon. Members. Roads are the veins through which the economy strides on. As such, when roads fall into disrepair or simply non-existent, the economy slows down to a crawl. Transport-Road network provides an overall connectivity both along the main National, International highways and in access to individual towns, workplaces and homesteads throughout the country. This is among the major benefits of road networks but the broader perspective of its importance includes the following: When we make roads in our devolved units, we enjoy a myriad of essentials like for instance emergence of social amenities (learning institutions, hospitals, markets, and tourist attraction centers etc.).

With these benefits, a number of efforts are felt like poverty alleviation rural areas, increase revenue, improved GDP, ease on transportation of goods and services, improved literacy, diversification of agricultural activities, boosts rural and overall economic growth of the county. However, there are countless of setbacks facing the sector that continue to heighten largely from procurement, construction, maintenance, development and even management which ultimately impacts negatively on the members of the public who cry foul for utterly not accessing public services because of poor road networks.

Roads department is a devolved function but still the shortcomings that were faced by the National Government before devolution still linger on in the counties and Kisumu County is not an exception. So what could be the solution to these seemingly extractable issues? It is in view of this that the committee envisaged to conduct a benchmarking visit on matters concerning roads with its counterpart and gauge how best we as Kisumu County can emulate their ideologies in making amends to issues we have been grappling with i.e. what makes Mombasa County stand out in its own unique way and what Kisumu County can also bring on the table to resolve the crucial issues at hand.

SCOPE OF WORK

Mr. Speaker and Hon. Members. The committee was guided by the following Terms of Reference in its quest of conducting the benchmarking exchange program.

1. Road Networks in Mombasa County No. of Kms of road networks implemented for Fiscal Year 2019/2020, underway plans for FY 2020/2021 and sub-sequent financial years.
2. Status of County Roads Projects i.e. KeRRA, KURA and County Access Roads and the extent to which they have been implemented
3. Mechanisms employed to make Mombasa County roads and unique programs undertaken.
4. Policies put in place to ensure the functioning and performance of an effective transport system.
5. Milestones achieved and the hurdles faced during implementation of the road projects.
6. Solutions to the problems experienced.
7. Cross-cutting issues and way forward.

Status of County Roads Projects i.e. (National: KeNHA, KeRRA, KURA) and County Access Roads and the Extent to which they have been implemented

Mr. Speaker and Hon. Members, the committee was provided an insight of the infrastructural activities in the region. One of the Key points unveiled included:

- a) That over the past couple years, mega road and transport developments have been taking shape in Mombasa County which are geared towards enhancing its image as the gateway to East and Central Africa and as the tourism capital of the region. Prior to these multi-billion roads` projects, the county this is known as the hub for shipping activities, experienced setbacks in terms of traffic flow of cargo, in and out of the port of Mombasa.
- b) The sister committee however went ahead to inform us that the construction of the new roads and upgrading of existing ones has helped reduce travel time, improve connectivity as well as improve social-economic activities in the coastal counties of Mombasa, Kwale and Kilifi.

Mr. Speaker and Hon. Members, the following are just but a few of instances of roads projects that have been constructed in Mombasa County:

A. Mombasa Southern ByPass- DongoKundu (Miritini-Mwache)

Mr. Speaker and Hon. Members. This 8.9km dual carriageway project was budgeted to cost Kshs. 25billion and involved major road works including the construction of an interchange at the Likoni-Lunga highway. Phase one of the project costing Kshs. 11billion was completed in 2018. The project was designed to ease traffic pressure on the Likoni Ferry and decongest Mombasa Island. Phase 2 of the project involves the erection of two bridges: one at Mwache-spanning 660 metres and another at Mteza straddling 1.440 metres. The Kenya Ports is also set to establish a Special Economic Zone at DongoKundu which will coincide with the construction of phase 3 Dongo-Kundu project expected to be completed in March, 2021.

B. Port Reitz/ Moi International Access Road

Mr. Speaker and Hon. Members. This road project was jointly funded by the British government through Trade Mark East Africa and the national government to the tune of Kshs. 5.2 billion. Since

its construction, the access road has enhanced efficiency and reduced congestion as well as reducing operation costs and improved turnaround time at the port of Mombasa. Construction of the road entailed the expansion of the road to a dual carriageway in order to improve the existing Port Reitz and Moi International Airport Access roads covering 6.4 Km. Additional works undertaken entailed the installation of road drainage facilities and sidewalks along Port Reitz road and Moi Airport Access roads.

C. Magongo-Jomvu-Miritini Road

This was planned to allow passengers easy access to the Standard Gauge Railway (SGR) passenger train terminus in Mombasa. The 2.7km road plan aims to provide a reliable link and safe access to Mombasa SGR terminus. The social impact studies entail the relocation of utilities and implementation of resettlement action plans to enable works on the project to proceed.

Mr. Speaker and Hon. Members. Other road projects that are currently ongoing include the construction of Bitumen Standards of Old Nairobi Road-Jomvu-Kuu-Mazeras at a cost of Kshs. 11 Billion. Their government portal indicates that the contractor has resumed works with the construction of two box-culverts. Also in progress is the Mombasa-Mariakani Road Lot 1: Mombasa-Kwa Jomvu which is getting a facelift to a tune of Kshs. 8.5 Billion. The project is 78%. Also in progress is the dualling of Magongo Road phase II (Kshs. 2.4 billion) which is currently at 68 %.

Mr. Speaker and Hon. Members. Proposed roads that are yet to commence include the GR Link road (Jomvu-Mkupe Jetty (2.7km) Kshs 410 Million, The Mombasa Southern bypass package and the construction of Mteza-Kibundani Section (6.86km) Kshs. 4.1 Million. Planned projects are the construction of Mombasa Northern Bypass (Dual carriageway bypass from Mtwapa to Miritini and Bamburi Link road to the Bypass) for Kshs. 30 billion and the Mombasa Southern bypass package 2: construction of Mwache-Tsunza-Mteza Section (8.96km) costing kshs. 24.2 billion

Transport Policies, Acts, County Assets, Status of Mombasa County Roads Projects and the No. of Kms of Implemented Roads.

Mr. Speaker and Hon. Members,

One of the notable policies put in place to ensure performance of effective transport system is the infrastructure investment which entails building of new transport infrastructure i.e. County Access Roads across the entire Mombasa County, upgrading existing links and technology and improving transport services. Regulations have also been put in place to organize the transport sector (buses and “Matatu”) and to reduce fuel emissions standards.

Mr. Speaker and Hon. Members. The Status of Mombasa County Roads are more less the same with the Kisumu County ones with some ongoing, stalled, unimplemented while other programs/projects awaiting to be rolled out. In FY 2019/2020, a total of 191Kms out of 340Kms

have been implemented. This clearly explains why Mombasa County has vast roads with less budgetary allocation on roads year in year out.

Mr. Speaker and Hon. Members. The table below summarizes the assets owned by Mombasa County.

Machinery	No.	Status	FY Procured
Excavator	3	2 functional and 1 grounded	2018/19
Motor Grader	2	Both are operational	2018/19 & 2019/20
Drum Roller	3	2 functional & 1 stalled	2018/19
Bull dozer	2	All operational	2018/19
Low bed	1	Dysfunctional(needs maintenance)	2015/16
Pick up	3	2 operational & 1 needs servicing	2016/17
Lorries	2	Functional	2016/17
Bachoe	2	Both are operational	2017/18
Tippers	4	All functional	2018/2019

Lastly on this section, Mombasa County Assembly has enacted 2 Acts (*on matters roads, transport and public works*) since its inception namely: The Mombasa County Roads Act, 2016 and The Mombasa County Transport Act, 2016

Beaches in Mombasa

Mr. Speaker and Hon. Members, there are a number of public beaches, ferries and harbors but they do not form part of the county transport however there were plans to have a water transport network but its implementation never saw the light of the day up to date.

MILESTONES ACHIEVED

Mr. Speaker and Hon. Members. The sister committee of County Assembly of Mombasa stated that as a county they have managed to achieve the following breakthroughs as featured below:

1. Timely submission of reports, response on statements by the Committee

2. Renovation of the current constructed County Assembly of Mombasa with more office space established
3. The department of Transport, Infrastructure and Public Works with the cooperation of the traffic police has installed the first Variable Message Sign Board (VMS) at one of the roads(*Sheik Abdullah Farsy Road*)The VMS compliments the Happy Hour Traffic Decongestion model by providing motorists with information about timings of the Happy Hour. It also provides for other crucial road traffic information like accidents data and congestion levels.
4. A physically challenged and a visually impaired pedestrian crossing at Bondeni in Mvita Sub-County has been constructed. This is a new idea and is among the first incentives in East Africa.

FINDINGS AND OBSERVATIONS

Mr. Speaker and Hon. Members. The committee`s findings and observations are basically founded on the comparison made between the two sister committees

1. Kisumu County Roads are indeed in pathetic and dilapidated conditions and needs serious intervention
2. Mombasa County is tenfold better than us on matters roads and transport networking
3. Mombasa County strictly employs contracting method to make their roads. Outsourcing of their roads is done by contractors who do this work using their machineries and equipment.
4. Lethargy on matters committee`s work by the Members is overall.
5. Department has taken the County Assembly for granted hence making legislative work meaningless.
6. Budget of County Assembly of Mombasa is in a pool unlike Kisumu County where each committee is allocated its plan.
7. Mombasa County Assembly committee has a composition of 9 Members whereas that of Kisumu County Assembly sums up to a total of 15 Hon. Members.

CHALLENGES FACING MOMBASA COUNTY

1. Inadequate cooperation from the line department. Often times the CEC Member deliberately fails to honor invitation by the committee citing engagements. Further, the department frequently delays in submitting statements on request.
2. Lack of transparency. What is provided by the Executive as the implementation status of the road projects does not reflect the true picture of what is on the ground. Information submitted to the committee is unfounded and this makes the committee to often question the credibility of the department.
3. Uneven distribution of roads` projects in wards.
4. The committee is dormant and rarely meets on several occasions. Members have lost interest in delivering in their mandate

5. Clash between the National Government Agency and the County. Duplication of the county government programs by KeRRA.
6. Constrained Budget coupled with ineffective oversight on development projects. The activities should inform the budget and this has led to serious allegations that the public works generate wrong bill of quantities. There are completely no access roads or rather impassable ones in instances where a funeral has happened. Upon requesting for the road to be opened, the department often times takes edges to create one that leads to the burial home.
7. The department many at times amends projects proposed by the constituents after public participation processes of budget cycle(ADP, Budget Estimates) to suit their plan.

RECOMMENDATIONS

Mr. Speaker and Hon. Members, with the aforementioned revelations and challenges, the committee has listed realizable recommendations that might be able to remedy the problems facing Kisumu County as stated. They include:

1. Earth roads should be left to County Government to handle and manage.
2. There is need for leasing of plant and equipment (*Wet rate system*) for the case of Machine Based. Unlike owning of machineries by the county government which is very dear because it requires manpower employed to operate them and maintenance costs, hiring is cheaper when the supplier is reliable. It should also be noted that counties are not good custodians of assets at their disposable.
3. Effective and Efficient Public Participation Processes should be adhered to by both the Executive and the County Assembly and no changes to be done without consultations.
4. The department to fully reconsider the old system of contracting roads in wards since its benefits outweighed its failure unlike the Machine Based Initiative which tremendously failed on the onset of piloting.
5. There is need to heighten the committee`s budgetary allocation to assist in running its errands and achieve its mandate.
6. The department should be submitting to the Committee comprehensive, authentic and detailed quarterly reports on projects status The committee has learnt that long overdue periodic reporting (i.e. annual or 7 –month reporting) is voluminous and full of errors.
7. There is need for the department to invest in new plant equipment considering the fact that the machines acquired from the National Government have aged and are susceptible to frequent breakdowns. This hampers provision of services in maintenance of roads. It should also be noted that the repair costs of most of these machineries are high as the assets have depreciated to nearly zero book value.
8. The County Assembly to stamp its authority by undertaking effective and thorough oversight of projects i.e. the committee should be at the heart of everything the department

does. This would only be practical if it is a continuous process and a realistic budgetary allocation attached to it. That includes all Roads and Public Works projects.

CONCLUSION

Mr. Speaker and Hon. Members. Improved Rural Access Roads are key to helping society's most vulnerable. That means, if we have limited access to roads infrastructure, it not only inhibits mobility but it also limits their access to development benefits, disproportionately impacting most disadvantaged. Most of Kisumu Residents still live in rural areas and therefore we must continue expanding the rural road networks and ensuring that this expansion boosts the economy exponentially.

In a nutshell, if the county can recognize, prioritize, position rural connectivity at the heart of rural development, and close the resource gap by ensuring adequate and committed investment in the sector, then Kisumu County will be able to move an inch higher on matters economic development.

Without much ado, it is therefore my honor and privilege on behalf of the Committee on Public Works, Roads and Transport to table this report before this Honorable House for consideration and adoption. Mr. Speaker, I hereby call upon Hon. Leader of Majority who is also a Member of this Standing Committee to second this motion. Thank you.

The Speaker (Hon. Oraro): Yes, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. I second the motion. Thank you.

The Speaker (Hon. Oraro): Hon. Members, now that the Standing Committee of Public Works, Roads and Transport has presented its report on its Benchmarking Exercise with its counterparts Mombasa County Assembly. The is a motion that has been ably moved by Hon. Agolla on behalf of the Chairperson Hon. Seth Kanga and seconded by the Leader of Majority.

Hon. Members, I now propose a question that the Report from the Standing Committee of Public Works, Roads and Transport on the Benchmarking Exercise with its counterparts Mombasa County Assembly is open for debate?

The Speaker (Hon. Oraro): Yes, Hon. Miruka.

Hon. Miruka: Thank you Mr. Speaker and the Hon. Members. Foremost, allow me to appreciate the Members of this Standing Committee of Public Works, Roads and Transport for the effort that managed them to reach and visit its sister counterpart Mombasa County Assembly.

Mr. Speaker, I arise to support the adoption of this Committee Report but with a few reservation. Mr. Speaker, I am looking at what Mombasa is doing in comparison with Kisumu. I did not manage to see where the Committee during its study tour visited roads in the rural setup of Mombasa County. I am only seeing the long roads which are the highways that the Committee has

highlighted. Mr. Speaker, my major worry here is that I am finding the amounts spent on the roads network to be colossal. I would like to implore the mover of the motions that during his response/replies to take this House through the issues to do with Own Source Revenue. Where did the County access such huge amounts of money to undertake roads that we as a County cannot access in Kisumu?

Mr. Speaker, what we need to know is, we need to go for value and items that can bring a difference on what we as a County can undertake to enhance value to our revenue streams and state of the road networks. Mr. Speaker, I must state that I am very pleased, if we can emulate this in Kisumu County, then I believe that, the issues of us running away when we mention bad roads will be a thing of the past. Mr. Speaker, I have witnessed the Dual Carriageways which are many that we have in Mombasa County, which really assist in decongesting traffic in that town. Mr. Speaker, if we can borrow a leaf and apply this in Kisumu, I believe it can save us a lot in terms of traffic snall-ups.

Mr. Speaker, I have had the privilege to look at the issues of the Machine-based Programme. At the moment, Mombasa has managed to recruit youths which in the real sense has not been fully implemented in Kisumu. I would wish to appeal to my fellow Hon. Members that, you have witnessed how best Machine-based-Programme in Road Management is assisting Mombasa. If we can imitate that and undertaken fully, then I am seeing as if it will assist this County.

Mr. Speaker, the Challenges encountered by Mombasa County which the Committee has highlighted are similar to ours. The Committee has not informed us how they intend to address the uneven distribution of Road Projects in the electoral wards of Kisumu County. I believe that, this should have come out strongly. This is because, this has been a challenge that affects Kisumu County as a whole. Mr. Speaker, we have witnessed other wards getting more roads in comparison to the others. So, when responding, I believe that the mover of the motion will expound on these areas.

Mr. Speaker, another obstacle that I have noticed which I believe is similar to that of Kisumu. The Committee has explicitly stated that House Committees are dormant. I must acknowledge that, that is undeniably true. Even in this House where we are today, I can only see two Members of this Standing Committee of Public Works because a majority of the Committee Members are not here, honestly speaking. So, the Committee should take up this matter seriously and help support this Standing Committee. Otherwise, I support. Thank you.

The Speaker (Hon. Oraro): Hon. Otiang’.

Hon. Otiang’: Thank you Mr. Speaker. I arise to support this committee report. As we have noted, most of the challenges that both Kisumu and Mombasa are encountering are similar in nature. Kisumu County started the Machine-based-Programme with a view of improving our roads and this was not absorbed very well and we didn’t do as expected thereby, we reverted back to

Contracting. Similarly, Mombasa County started doing the same and faced similar challenged and also reverted to Contracting.

Mr. Speaker, I believe that, there is a problem between the County Assembly and the County Executive. This is because as we can see, these Committees stating that, the line Department in both Counties do not honour Committee invitations and this happens everywhere. So, I don't know if we could engage further and identify solutions as Counties on how to address this perennial problem faced by House Committees.

Mr. Speaker, Mombasa equally face similar problems in relation to distribution of roads in rural wards where you find some of the Wards get more roads than others. I can attest that this is also happening here in Kisumu. Mr. Speaker, as Wards, we may have been allocated the same amount but, you find out that some wards end up have more roads than others and we don't understand how this happens. I believe that most of these comparative studies are usually good so that to enable us come up with concrete solutions to issues affecting Counties.

Mr. Speaker, I likewise noticed that, the County has concentrated the improvements of roads in town and we are also doing the same in Kisumu. Therefore, making the rural roads left behind in relation to infrastructure and I believe that this is where all the consumables products come from to support towns in Counties. So, I believe that majorly, the problems encountered by both counties are similar and we can only sit down and have a discourse on how we can improve on this or come up with suitable and workable solutions to take care of our issues.

Mr. Speaker, likewise, we also have a problem of roads being taken care of by KeRRA, KURA and the County Government. This is where you will find that there is a blame game even in our own Wards. This is because we are not aware which ones are taken care off by KeRRA or KURA and therefore this brings a lot of issues because sometimes you may neglect doing a road which is supposed to be a County road. These roads should be marked. We can only do that by requesting these authorities to mark these roads so that they are well defined and we are aware that a certain road is taken care off by which body.

Mr. Speaker and Hon. Members, there was a dialogue that, these bodies are to be collapsed so that we have just one national roads body/authority to take care of all roads in Kenya. I am not aware how far this conversation has gone but, even before then, we should converge and identify solutions to these so that failure and passing of the buck is minimized. Otherwise, our challenges are similar and I know as Counties, we are going to get into serious conversations to be able to take good care of our constituencies in a better way. I beg to support. Thank you.

The Speaker (Hon. Oraro): Hon. Oiko, Leader of Minority.

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker for according me the room to also air my views on this committee report. Mr. Speaker, this was a benchmarking by the Standing Committee of Public Works Roads and Transport of Kisumu County Assembly with their sister

counterpart of Mombasa County Assembly. The picture one would wish to see is that one of Mombasa Town verses the Rural Roads unless Mombasa County is mainly composed of the town and the rural is scanty and that is the picture portrayed in this report.

Mr. Speaker, when you look at Mombasa County, it is majorly a town County and the rural seems to be scarce. The roads being done in the County from the picture being given is here is that, they are being undertaken by the National Government through development partners and that is the reason we see colossal amounts being appropriated. Mr. Speaker and Hon. Members, when you look at page seven of the report, the Kshs 25 billion being spent on the Mombasa - Southern Bypass, this is not an amount that the County Government can raise from its coffers. The picture portrayed is that, this is donor funded project which is done through the National Government.

Mr. Speaker, when we go to (b), Kshs 5.2 billion gives the same picture, point (c) similarly. When we look at page seven the end part of it, Kshs 11 billion, these are donor funded roads and they are not rural access roads and that is the picture one would interpret. This implies that, the Government is undertaking a lot to improve the road network in Mombasa County, in particular Mombasa town and may be it could be because of the tourism factor and other economic benefits.

Mr. Speaker, when we go to page eight, I believe that this is just a typographical error. On the third paragraph where we are being informed that, this clearly explains why Bungoma County has vast road network with meagre budgetary allocation on roads year-in, year-out. The coming in of Bungoma County could have been a clerical error that needs to be corrected.

Mr. Speaker, when we move to page nine of this report, under the findings and observations. We are being informed that roads in Kisumu County are in pathetic and dilapidated conditions and required serious interventions. These are the observations of the Roads Committee informing us that, our roads situation in Kisumu County. Roads in Mombasa County are tenfold better than those of Kisumu County. Mr. Speaker, we have witnessed how much the National Government is appropriating on roads in Mombasa County. Mr. Speaker, Mombasa County is not adopting the Machine-based-Programme, but they are contracting building of their roads. Mr. Speaker, when the Roads Committee gives us this picture, one would ask, what have they done on the ground to improve the situation by taking the Department of Roads to task on why the roads network in Kisumu is in a pathetic situation? Mr. Speaker, once this Committee has informed us on that, that the roads network in Kisumu is in pathetic state, the same Standing Committee is informing this House of inadequate cooperation with the line Department.

Mr. Speaker, when the Standing Committee talks of inadequate cooperation from the line Department of Roads, this is an issue that should have been raised with your office for necessary action to be taken. This is because, when a line Department fails to co-operate with a House Committee, which in our case the Committee Chairperson is construed to be the Shadow Minister to oversee what the Department is doing. The Committee needs to take this matter seriously and bring to your attention so that necessary action is taken.

Mr. Speaker, the Committee has also highlighted the Lack of Transparency. When the Committee talks of lack of transparency, as a Committee, what have they been doing all along? Have they been interrogating the line Department? The Committee has also touched on the erroneous Bills of Quantities (BQs)? Mr. Speaker, has the Committee taken the department to task on the erroneous BQs? Mr. Speaker, if this is brought to this House in black and white the way it has been raised, then, the picture shows that, there is something amiss with our systems.

Mr. Speaker, from this report, it is time the Standing Committee of Public Works, Roads and Transport needs to sit down and interrogate itself on works that they have been doing for the County Government of Kisumu since this Committee was constituted to date. If the Committee is condemning the department which is not bad and which I believe is the true position, the work done by the department, when they go to do benchmarking with other sister committees, then, when the Estimates has been approved, what activities do they do?

Mr. Speaker, good attention is required on this report and this is a challenge to this Standing Committee to enhance their oversight role. I beg to submit. Thank you.

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

Hon. Okumu: Thank you Mr. Speaker. I arise to oppose the adoption of this report. However good English has been presented in this report, it has a lot of mix-up as expressed by my colleague the Leader of Minority.

Mr. Speaker, if you look at what the Committee has indicated as their Scope of Work, which are seven in number and one was; Road Networks in Mombasa County No. of Kms of road networks implemented for Fiscal Year 2019/2020, underway plans for FY 2020/2021 and sub-sequent financial years.

Mr. Speaker, Scope of Work number two; Status of County Roads Projects i.e. KeRRA, KURA and County Access Roads and the extent to which they have been implemented.

Mr. Speaker, number three was; Mechanisms employed to make Mombasa County roads and unique programs undertaken.

Mr. Speaker, this goes up to number seven which is cross-cutting issues and way forward.

Mr. Speaker, if you look at the Scope of Work and the findings which are equally seven in number, as they were looking at roads in Mombasa, they found out that roads in Kisumu were in pathetic and dilapidated conditions. Mr. Speaker, I am not aware whether the Scope of Work was to compare road networks in Mombasa and then they found out the roads in Kisumu were in pathetic conditions, I don't know how this was arrived at in comparison with roads in Mombasa?

Mr. Speaker, the Committee further found out that there was lethargy in Committee work by the Committee Members. This is something that was not captured in their Scope of Work.

Consequently, the Committee went further to give us recommendations which are not in sync with their findings and unrelated to their scope of works. Mr. Speaker, one of them is recommendation number three. That; Effective and Efficient Public Participation Processes should be adhered to by both the Executive and the County Assembly and no changes to be done without consultations. I don't know why this Committee is recommending that. The Committee never attended any Public Participation foras and I don't see that in any of their findings but, they are recommending that, we conduct public participation both at the Assembly and the Executive level.

Mr. Speaker, I believe that this Assembly usually undertakes Public Participation exercises, be it on the following; the Budget Estimates, ADP, CIDP and on Legislative Proposals (Bills). I believe that the guidance of the author of this report was not verified by the Committee and if the Committee did that, then, I don't believe that the level of knowledge of the Members of this Standing Committee can bring a report of this nature to this House for us to adopt.

Mr. Speaker, I implore the Hon. Members that we throw this report out and accord the Committee an opportunity to go back and reflect on themselves and see if they can do a better report and bring before the House for debate and adoption. Mr. Speaker, those are my submissions. Thank you.

The Speaker (Hon. Oraro): Yes, Hon. Otura.

Hon. Otura: Thank you Mr. Speaker. Looking at the mood of the House, I want to call upon the mover to reply. Thank you.

The Speaker (Hon. Oraro): Hon. Agolla, the mover!!

Hon. Agolla: Thank you Mr. Speaker. First, I want to appreciate your office of according this Committee the opportunity to visit Mombasa County Assembly to discuss and deliberate on this report.

Secondly, I want to concur with Hon. Members for their wise insight and inputs as per their comprehension. Mr. Speaker and Hon. Members, I would like to bring to the attention of this Hon. House that, if you look at the mandate of this Standing Committee, which I believe I read earlier highlighted in page three of this report which states that;

“The Sectoral Committee shall investigate and inquire into all matters relating to the County Transport including County Roads, Streetlights amongst other”

Mr. Speaker, it has been a norm and tradition in this County that, we only look at and we only consider access roads as County roads and the mandate of this Committee is beyond that. The mandate of the Committee is to look at Streetlights, Ferries and Harbours and all roads. Mr. Speaker, this design can inform the County Department of Roads on how they can improve on the designs of their access roads. That is the reason why we are expected to dig deeper into how

Mombasa County road network is. Mr. Speaker, if you look at Mombasa County, it is a very unique County, and quite similar to Nairobi City County.

Mr. Speaker, Kisumu is a City like Mombasa as well as Nairobi. If you hear Hon. Seth Okumu speaking, you are aware that he comes from a Rural Ward. So, when it comes to matters urban, at times, he is challenged and not very easy for him to comprehend issues to do with urban road network. Mr. Speaker, you are equally aware that the Leader of Minority, Hon. Oiko Pete also comes from the Rural Ward. The Leader of Minority was on the same token concerned with the appearing of Bungoma County in the report. Mr. Speaker, I want to admit that, “error is to human” and that was a typo and should be expunged and correction made to read Mombasa.

Mr. Speaker, without much ado, I want to categorically state that this County, when it comes to challenges, there a number of issues that Kisumu County and Mombasa County are sharing in terms of challenges encountered and especially when it comes to strict adherence to priority projects that were derived from the public through public participations. Mr. Speaker, you will find out that, members of the public will propose “Road A” and when it comes to execution/implementation at times “Road X” is what is implemented. So, that is the concern that is also faced in Mombasa and correspondingly appearing in Kisumu County. Mr. Speaker, you find that now Kisumu is implementing Machine-based-Programme (MbP) and unlike Mombasa County, where they are Contracting. When they want to use the Machine-based-Programme, they don’t acquire their own machines but they hire or source from outside as a result of the cost of maintenance and other related costs.

Mr. Speaker, this is very true in Kisumu County where you find that we are facing challenges where at times, there is breakdown of these machines there are issues to don with fuel and maintenance, at times plant operators go on strike and such kind of things.

Mr. Speaker, I want to beseech Hon. Members that, they kindly accept to adopt this Report so that his County Assembly may take it as a resolution for implementation to improve our road network. Mr. Speaker, again it is indeed true that, the discord between the County Executive Department of Roads and the Standing Committee of these two Houses are there. So, something should be done to enable our people get ease access to various destinations. Otherwise, I implore Hon. Members to adopt this report for the furtherance of execution.

Mr. Speaker, are you aware that Hon. Seth Okumu is a hired gun to fight the City County of Kisumu. So, Mr. Speaker, kindly protect this City County from Hon. Members like Hon. Okumu who come from the Rural Wards. Thank you.

The Speaker (Hon. Oraro): Hon. Members, the Standing Committee on Public Works, Roads and Transport Report on a Benchmarking Exercise with its counterpart Mombasa County Assembly has been presented by Hon. Agolla, seconded by the Leader of Majority and debated by Hon. Members with amendments and comments therein. Hon. Members, as per our Standing Orders, I

want to put a question? I put the question that, as many that are of the opinion that the report from Standing Committee on Public Works, Roads and Transport Report on a Benchmarking Exercise with its counterpart Mombasa County Assembly be adopted?

(Question put and agreed to)

The Speaker (Hon. Oraro): Hon. Members, and the Report from Standing Committee on Public Works, Roads and Transport Report on a Benchmarking Exercise with its counterpart Mombasa County Assembly has been adopted today Tuesday, 23rd November, 2021 at 15:44 hours.

Hon. Members, I direct that the Hansard report be prepared forthwith containing comments and recommendations therein be forwarded to the line Department for further action. Thank you.

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

MOTION

ADJOURNMENT OF THE COUNTY ASSEMBLY FOR URGENT DEFINITE MATTERS OF COUNTY IMPORTANCE.

HON. MEMBERS ATTEND THE 7TH ANNUAL DEVOLUTION CONFERENCE PURSUANT TO THE PROVISIONS OF COUNTY ASSEMBLY STANDING ORDERS NO. 31.

BY HON.

KENNETH ONYANGO

(LEADER OF MAJORITY)

The Speaker (Hon. Oraro): Yes, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you so much the Hon. Speaker. Pursuant to the provision of County Assembly Standing Orders No. 31 (1) which states that;

“Any Member may at any time rise and seek leave to move the Adjournment of the County Assembly for the purpose of discussing a definite matter of urgent county importance”

Mr. Speaker, further aware that, the 7th Annual Devolution Conference has been convened in Makeni County commencing from 23rd to 26th November, 2021.

Now therefore, this Assembly urges Hon. Members to adjourn the House to allow the Assembly to attend the Devolution Conference until Wednesday, 01st December, 2021.

Mr. Speaker, this is an Annual Conference that brings together all Members of the forty-seven County Governments from across the forty-seven Counties. It is a conference where we try to

retrospect how far Devolution is working on our Counties. Therefore, it is a meeting that is very important and which I would like to beseech Hon. Members to attend and that is the essence of this Motion of Adjournment. Please allow me to call upon the Leader of Minority, the Hon. Benny Pete Oiko to second the Motion on Adjournment. Thank you.

The Speaker (Hon. Oraro): Yes, Leader of Minority.

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker. I arise to second the Motion on Adjournment so that Members of County Assembly of Kisumu may have time to go and attend the 7th Annual Devolution Conference to enable them experience the challenges and milestones of Devolution since inception of the County Governments.

Mr. Speaker, this will similarly accord them wayforward as they continue to be the leaders of this great County. Thank you.

The Speaker (Hon. Oraro): Hon. Members, now that the Motion on Adjournment of the County Assembly has been moved by the Leader of Majority and seconded by the Leader of Minority, as per our Standing Orders, I want to propose a question that the Motion on Adjournment is now open for debate?

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

Hon. Agolla: Thank you Mr. Speaker. May I call upon the mover to reply? Thank you.

The Speaker (Hon. Oraro): I have heard you Hon. Agolla but, I can see Hon. Otura on his feet. What is it Hon. Otura?

Hon. Otura: Thank you Mr. Speaker. As you are aware that, the motion at hand is a very important motion and I would not allow Hon. Agolla to just run away with it like that. Mr. Speaker, it is out of this Devolution Conference that we mirror ourselves on matters development that is between the previous regime and the regime of Devolution.

Mr. Speaker, I want to say that, it is important that, we adjourn the Assembly for this important exercise for after coming out of the meeting, we shall have a discourse on our status as a County. We shall be comparing ourselves with other Counties given the facts that various Counties do display their achievements from their respective Counties. Mr. Speaker, I support the Motion of Adjournment to enable Member attend the 7th Annual Devolution Conference scheduled to take place in Makueni County on the above mentioned dates. Thank you.

The Speaker (Hon. Oraro): Leader of Majority, I can see that there is no further debates on this matter, you can now reply.

Leader of Majority (Hon. Onyango): Thank you so much the Hon. Speaker. I don't want to say much. I want to thank the Hon. Members for supporting the Motion of Adjournment. Please allow

me to wish Members a safe travel to Makueni and let us meet there and see what Devolution is doing to our Counties. Thank you.

ADJOURNMENT

The Speaker (Hon. Oraro): Hon. Members, the Leader of Majority has moved the Motion of Adjournment, seconded by Leader of Minority and ably debated by Hon. Members.

Hon. Members, I want to refer us to the provisions of Standing Orders No. 26 (3) which stipulates that;

“for a day which the County Assembly is scheduled to adjourn to a day other than the next normal sitting which is in accordance with the County Assembly Calendar, the Leader of Majority Party or the Leader of Minority Party or another Member of the County Assembly House Business Committee shall move a motion for Adjournment of the County Assembly which shall be debated for not more than three hours after which the County Assembly shall adjourn without a question being put”

Hon. Members, in that regards, this House stands adjourned until the Thursday, 02nd of December, 2021 at 02:30 p.m.

(House arose at 16:25 hours)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Jesca Otieno – Hansard Reporter

Vallery Achieng’ – Hansard Reporter

