

## COUNTY GOVERNMENT OF KISUMU



### COUNTY ASSEMBLY OF KISUMU

### **THE HANSARD**

### SECOND ASSEMBLY – FIFTH SESSION

Tuesday, 08<sup>th</sup> June, 2021

**House met in the Main Chamber at 2:30 p.m.**

**(The Temporary Speaker (Hon. Caren Muga) in the Chair)**

### **PRAYERS**

**The Temporary Speaker** (Hon. Muga): Hon. Members, I want to request that pursuant to the provisions of County Assembly Standing Order No. 32 (2) that the Serjeant-at-Arms rings the quorum bell for five minutes.

*(Quorum bell rung for five minutes)*

**The Temporary Speaker** (Hon. Muga): Hon. Kennedy Ageng'o, could you please confirm if we have quorum.

**Hon. Ageng'o**: Madam Speaker, we have quorum. Thank you.

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

**The Temporary Speaker** (Hon. Muga): Next order!!

**COMMUNICATION FROM THE CHAIR**

**The Temporary Speaker** (Hon. Muga): Honourable Members, you are all aware that the Covid 19 pandemic is with us and we need to be extra cautious to curb the spread of the disease. Let us also inform the public that the pandemic is real and they need to observe the Ministry of Health protocols.

**The Temporary Speaker** (Hon. Muga): Next order!

**PAPERS LAID**

**The Temporary Speaker** (Hon. Muga): Hon. Vitalis Otura.

**Hon. Otura:** Thank you Madam Speaker. Allow me to lay the following Papers on behalf of the Leader of Majority.

**The Temporary Speaker** (Hon. Muga): Proceed.

**Hon. Otura:** Thank you Madam Speaker, Pursuant to the provisions of the PFM Act 2012, I wish to lay today Tuesday 08<sup>th</sup> June, 2021, the Proposed Kisumu County Supplementary Budget Estimates for FY 2020/202. Thank you.

**The Temporary Speaker** (Hon. Muga): Honourable Members, I confirm the receipt of the Proposed Kisumu County Supplementary Budget Estimates for FY 2020/202. I therefore commit this document to the Budget and Appropriations Committee. Thank you.

**The Temporary Speaker** (Hon. Muga): Next!

**Hon. Otura:** Thank you Madam Speaker. Pursuant to the provisions of the PFM Act 2012, I wish to lay today Tuesday 08<sup>th</sup> June, 2021, County Assembly of Kisumu Financial Report for the period ending 31<sup>st</sup> December, 2020.

**The Temporary Speaker** (Hon. Muga): Honourable Members, I confirm the receipt of the County Assembly of Kisumu Financial Report for the period ending 31<sup>st</sup> December, 2020. I therefore commit this report to the Finance, Trade, Cooperatives and Enterprise Development Committee. Thank you.

**The Temporary Speaker** (Hon. Muga): Next!

**Hon. Otura:** Thank you Madam Speaker. Pursuant to the provisions of the PFM Act 2012, I wish to lay today Tuesday 08<sup>th</sup> June, 2021, County Assembly of Kisumu Financial Report for the period ending 30<sup>th</sup> September, 2020.

**The Temporary Speaker** (Hon. Muga): Honourable Members, I confirm the receipt of the County Assembly of Kisumu Financial Report for the period ending 30<sup>th</sup> September, 2020. I therefore

commit this report to the Finance, Trade, Cooperatives and Enterprise Development Committee. Thank you.

**The Temporary Speaker** (Hon. Muga): Next!

**Hon. Otura:** Thank you Madam Speaker. Pursuant to the provisions of the PFM Act 2012, I wish to lay today Tuesday 8<sup>th</sup> June, 2021, County Assembly of Kisumu Financial Report for the period ending 31<sup>st</sup> March, 2021.

**The Temporary Speaker** (Hon. Muga): Honourable Members, I confirm the receipt of the County Assembly of Kisumu Financial Report for the period ending 31<sup>st</sup> March, 2021. I therefore commit this report to the Finance, Trade, Cooperatives and Enterprise Development Committee. Thank you.

**The Temporary Speaker** (Hon. Muga): Next!

**Hon. Otura:** Thank you Madam Speaker. Pursuant to the provisions of the PFM Act 2012, I wish to lay today Tuesday 8<sup>th</sup> June, 2021, County Government of Kisumu Quarterly Report and Financial Statement for the quarter ended 31<sup>st</sup> March, 2021.

**The Temporary Speaker** (Hon. Muga): Honourable Members, I confirm the receipt of the County Government of Kisumu Quarterly Report and Financial Statement for the quarter ended 31<sup>st</sup> March, 2021. I therefore commit this report to the Finance, Trade, Cooperatives and Enterprise Development Committee. Thank you Hon. Members on the segment of laying of papers.

**The Temporary Speaker** (Hon. Muga): Next order!

## STATEMENTS

**The Temporary Speaker** (Hon. Muga): Hon. Vitalis Otura.

**Hon. Otura:** Thank you Madam Speaker. It is important to note that we are in the pandemic period. We have got circular from the Ministry of Health. Yesterday, the Governor did give a Press Statement and it is in this line that I wish also to express a concern from my Ward regarding the same.

Madam Speaker, we have had several deaths in my Ward in the past one week. I am afraid that the pandemic is currently ravaging my Ward. We have had 14 deaths in my Ward over the period I have mentioned. I want to state that let us take the statement by the Governor seriously by spreading the gospel of taking precautions where possible. It is our tradition and a culture that we have to celebrate but the virus is purely spread by gathering and crowded places.

Madam Speaker, in as much as we are putting on the mask, let us also spread the gospel of putting on the mask properly. The directive is that the funerals must have a maximum of not more than a

hundred people. I have been receiving calls from my people that I need to give an assistance of Two Hundred chairs for the funeral. We must explain to our people that they need to avoid crowded places.

Madam Speaker, I want to say that we celebrate deaths but we also enjoy spending. We are spending a lot on preservation of the bodies in morgues. We need to dispense with the dead bodies within the 72 hours as directed by the government. It is not a crime or curse to do it within the shortest time possible. It is my prayer that it shall be a common practice even after the pandemic. Thank you.

**The Temporary Speaker** (Hon. Muga): Hon. Samo.

**Hon. Samo:** Thank you Madam Speaker. Today is the 08<sup>th</sup> June, 2021. Madam Speaker, I arise while citing the provisions of Standing Orders No. 42 to give my Personal Statement. The Implementation of the Budget Estimates is sluggish. I have had the time to walk through the corridors of the Prosperity House to find out when our ward Projects are going to be implemented. We have even raised a Statement pertaining to that, there was a time it was taken and they brought us back the information that was sought stating that there was still time and it will be done. Unfortunately, quite a number of projects have not been initiated.

Madam Speaker, I would wish to draw your attention to the fact that, you could be able to communicate this through your esteemed office that we need to be informed that today is 08<sup>th</sup> June, 2021 and we are soon passing another Budget for the Fiscal Year 2021/2022 and if most of the Ward Projects are not undertaken then, the Community will not want to know that it is them who are causing the delays. Madam Speaker, they will have that assumption that it is Hon. Members who are given the funds and we embezzle.

Madam Speaker, I am specifically speaking about my Ward which is Kajulu because on several occasions in all these Fiscal Years that I have been here as an MCA, you will realize that three or four major projects are not done and I am able to enumerate them from year one which is FY 2017/2018. As the committee of Implementation, we have always invited the executive here over the same but it has always been promise after promise. You need to exert some little pressure so that we can see change.

This is a precursor of what we normally have of pending bills. I think the implementation of the projects is being deliberately delayed so that they are not paid. There are three projects in my ward in which even the LSO has not been given – the procurement process is not yet over.

We are ending the financial year and wondering when some of the pending payments we have in the Assembly will be sorted out – you well know that on matters allowances when they are not paid within the financial year then we forfeit them. I am requesting that you good office can look into that.

Finally, due to the pandemic that some members were talking about, Kajulu is now one of the leading areas where we are witnessing a lot of deaths – I think partly because of the coming of the President and the former Prime Minister and the Governor who came to my ward with a huge crowd and the aftermath is regrettable. The Governor should now give us money as Kajulu ward so that we can have mitigation measures.

**The Temporary Speaker** (Hon. Muga): Hon. Roy Samo, you mean it is the President and the former Prime Minister who brought Covid?

**Hon. Samo:** The large crowd – I talked about the large crowd.

**The Temporary Speaker** (Hon. Muga): Before that our people were not affected at all?

**Hon. Samo:** Yes.

**The Temporary Speaker** (Hon. Muga): Are you serious?

**Hon. Samo:** I am very serious.

**The Temporary Speaker** (Hon. Muga): I am sorry. What is it Hon. Pamela Odhiambo?

**Hon. Pamela Odhiambo:** Thank you Madam Speaker. We have been living with this pandemic. It is the President and the former Prime Minister who always tell people to take precautions. When I went to the stadium, I learnt you could not get in without a mask. Attendees were being sanitized and chairs we arranged to allow for Social Distance. So I don't believe it is the crowd or the President and the Former Prime Minister who brought Covid-19 in this county. So Hon. Samo should apologize.

**The Temporary Speaker** (Hon. Muga): Hon. Roy Samo, as the Hon. Member has said, you need to withdraw and apologize. Before you do that, Hon Otura had said before this House that there were so many deaths caused by this pandemic in his area. So, if people in Kajulu are dying and I believe that it is not only in Kajulu that people are dying as result of this pandemic.

Secondly, before His Excellency the President Uhuru Kenyatta and the Right Hon. Prime Minister, Raila Amollo Odinga visited Kisumu, Kisumu County could be read in the dailies and it was clear in the news outlets that the infection rate of this pandemic was already within us. So, as Hon. Members have reiterated, can you please withdraw and apologize of the sentiments that you have made.

**Hon. Samo:** Madam, Speaker, I believe that you were keen enough to listen to my statement. I don't want to disparage you on that. Madam Speaker, for those two Hon. Members who have just spoken, I believe that we need to open an English class for them...

**The Temporary Speaker** (Hon. Muga): Hon. Members, in simple terms, can you please apologize and withdraw.

**Hon. Samo:** Madam Speaker, please listen to what I have to say....

**The Temporary Speaker** (Hon. Muga): Can you please apologize and withdraw.

**Hon. Samo:** Madam Speaker, what do I apologize and withdraw for? Why don't you listen to what I have to say? I did say that when the President visited Kisumu, the Prime Minister was there including the Governor and they were accompanied by a large crowd which the net effect was the surge in numbers. Then, I requested for the COVID-19 Funds, how is that connected with projects? How is that connected with the deaths that are happening in Kajulu? Madam Speaker, I categorically stated that, when the President visited Kisumu, he came with a large following...that is plain English. With the large crowds, brought the surge in the number of Corona Infections which translated to more deaths. Madam Speaker, I followed by stating that, can the COVID-19 Funds be released. How is it then connected with Ward projects? Madam Speaker, what do I have to apologize for?

**The Temporary Speaker** (Hon. Muga): Hon. Pamela Odhiambo is on her feet, please allow her to inform you.

**Hon. Samo:** Madam Speaker, we are on Statement Hour which does not require Point of Information.

**The Temporary Speaker** (Hon. Muga): Order!! Hon. Member, can you please allow her to speak.

**Hon. Pamela Odhiambo:** Madam Speaker, I need to inform this House.

**The Temporary Speaker** (Hon. Muga): Please proceed.

**Hon. Pamela Odhiambo:** Thank you Madam Speaker. We are all aware that COVID-19 was here with us even before the president and his entourage visited Kisumu. Madam Speaker, it is not right for Hon. Samo whose Ward was the host of this event because the Mamboleo Stadium is situated in his Ward and he was ecstatic about it.

Madam Speaker, before that event was brought to Kisumu, COVID-19 was amongst us. Madam Speaker, people are dying and they are from all our wards and some are still hospitalized, some tested positive even before the event took off because they were never invited to the Madaraka Day event. So, that is the reason Hon. Samo should apologize for stating that, Corona Virus infection escalated after the visit of the President to Kisumu. I believe that is not right. Thank you.

**Hon. Samo:** Madam Speaker, the Point of Information is still the same. I am still saying this and I don't regret repeating the same. I continue stating that when the President and the Prime Minister visited this count for this Celebrations, there was a huge crowd that gathered in my ward and that

has seen the surge in infection of the pandemic in Kisumu County. Madam Speaker, I have further gone ahead and stated that, if the COVID-19 Funds can be released to mitigate this situation in the ward then I would really appreciate. Madam Speaker, that is plain and straight.

Madam Speaker, how do we again connect it with the Stadium which was opened unless you don't fathom what you are saying? Madam Speaker, it is pertinent for Hon. Members to comprehend plain English...

**The Temporary Speaker** (Hon. Muga): Order!!Order!! Hon. Member. What is it Hon. Otura?

**Hon. Otura:** (On a Point of Order). Thank you Madam Speaker. Foremost, I would like to forgive Hon. Samo for using unparliamentary language in this House. I believe that when we refer to the relevant annals of records, they will reveal the levels of appreciation of the Queens's language.

Madam Speaker, I cited the provisions of Standing Order No. 89. This is because it is captured in the Hansard where we did request Hon. Samo that, who is alluding to the fact that the coming of the President and the Prime Minister is what caused the surge in deaths in Kajulu? The Hon. Member responded in affirmative.

Madam Speaker, I would like to inform Hon. Samo that, I don't usually react to rhetorics but he responded in affirmation. So, I know that he is responding by raising the issues of language he is talking about but the fact remain that he responded in affirmative and this is captured in the Hansard. Madam Speaker, I have forgiven the Hon. Member for the use of unparliamentary language but let the Hon. Member be informed that it is not accurate to demean the status of other Hon. Members when expressing their views.

Madam Speaker, in some sister Assemblies, they even forget and use their mother tongue, but, they communicate. Madam Speaker, what is pertinent here is communication. Is the point understood or not, but, the response from Hon. Samo when he was asked if it was true is what prompted my quoting the provisions of Standing Orders No. 89. Hon. Samo did accept which is captured in that Hansard. It is only that clause that we want you to withdraw because it is not right to say that the visiting of the President and the Prime Minister is what made you people die.

**The Temporary Speaker** (Hon. Muga): Can you withdraw and apologize!

**Hon. Samo:** Before I withdraw, let me speak in our native language. I have not diminish the status of any Hon. Member. Madam Speaker if you go to Turkana they do speak their own language.

**The Temporary Speaker** (Hon. Muga): Hon. Samo you are becoming notorious in the House. Hon. Samo can you approach the Chair!

**Hon. Ngeta:** Madam Speaker we have rules and regulations in this House. Hon. Samo cannot come before this House and say that he wants to speak in our native language. That is total impunity. Let him withdraw and apologize so that we can move on.

**Hon. Pamela Odhiambo:** Madam Speaker Hon. Samo cannot stand and claim that people don't understand English in this House. We only use two language in this House that is English and Kiswahili.

**Hon. Samo:** Madam Speaker the senior Member has just stood without you giving her the opportunity to speak. I want to withdraw and apologize on that note. When I say that we understand plain English I didn't mean to disparage any Member. It was the statement that is said that when the coming of the President and the crowd was huge. I did not say that anybody did not go to school.

Madam Speaker this again brings me back to the point that I was saying that if the Covid funds would then be availed to some of the wards that are going through this pandemic and I say so because I know we appropriated some funds to a tune of about Kshs 300 million. I am not saying that money has been spent but I am just using your office that if a letter of notice can be written to the Executive that the wards which are going through hard times right now should be looked into and some of the funds should be used on them. We can by providing sanitizers, protective gears and others. I heard the doctors lamenting that if we can have more doctors in hospitals then that would be great. I am also making the same appeal to my ward that, if we can have a doctor since we don't have any in the hospital but at such times when extra ordinary measures are being taken into consideration then that would also be taken into consideration. Otherwise I would beg to complete my statement and I would wish that the three would be taken into consideration. Thank you.

**The Temporary Speaker** (Hon. Muga): Next Order!

### ADJOURNMENT

**The Temporary Speaker** (Hon. Muga): There being no any other business to transact, the House stands adjourned to Wednesday 09<sup>th</sup> June 2021 at 9.00 a.m.

*(House rose at 3.12 p.m.)*

*Addendum*

**Hansard Team**

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