

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – FIFTH SESSION

Wednesday, 12th May, 2021

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

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

PRAYERS

The Temporary Speaker (Hon. Okumu): Madam Clerk, take us through the Order Paper of the day.

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

PAPER LAID

The Temporary Speaker (Hon. Okumu): Yes, Hon. Rashid Miruka.

Hon. Miruka: Thank you Mr. Speaker. Pursuant to the provision of the County Assembly Standing Order No. 182 (6), I wish to lay today Wednesday 12th May, 2021, the Labour and Social Welfare Committee Report on the position of Mr. Zacchaeus Okoth Oketch and Management of Gulf and Nyanas Water Companies. Thank you.

The Temporary Speaker (Hon. Okumu): Honourable Members, I confirm the receipt of the Labour and Social Welfare Committee Report on the position of Mr. Zacchaeus Okoth Oketch and

Management of Gulf and Nyanas Water Companies. I direct that this report be taken to the House Business Committee for scheduling for debate.

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

NOTICE OF MOTION

The Temporary Speaker (Hon. Okumu): Yes, Hon. Rashid Miruka.

Hon. Miruka: Thank you Mr. Speaker. Pursuant to the provision of the County Assembly Standing Order No. 45, I wish to give a Notice of Motion for the Labour and Social Welfare Committee Report on the position of Mr. Zacchaeus Okoth Oketch and Management of Gulf and Nyanas Water Companies Thank you.

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

STATEMENT

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

Hon. Guya: Thank you Mr. Speaker. Last week, I sought for some Statements that took too long and Hon. Agolla promised to respond to the Statement today and he is here.

The Temporary Speaker (Hon. Okumu): Hon. Erick Agolla.

Hon. Agolla: Thank you Mr. Speaker. I did communicate the concerns raised by Hon. Guya. I am waiting for a slot by the House Business Committee. Our report is ready.

The Temporary Speaker (Hon. Okumu): Thank you Honourable Member. Hon. Guya, I believe that you stand guided. I want to request the House Business Committee to give Hon. Agolla a slot to enable him present the reply.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker. This morning I did receive a call from Aboge area in West Kisumu Ward. The caller congratulated the Assembly for the kind of work being done by the Assembly. He also went further and explained to me that his main intention of his calling was that to bring to the attention of this House on the current calamities necessitated by the ongoing floods. Mr. Speaker, it has been raining in the whole County and this matter ought to have been presented as a substantive motion but this is a personal statement and I want to implore the County Government of Kisumu to reach all the citizens affected by the floods and offer assistance during this hard time. Thank you.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Erick Agolla.

Hon. Agolla: Thank you Mr. Speaker. As a Member who was elected to represent the public in this House, I want to bring to the attention of the Honourable Leader of Majority as the Leader of Government Business in this House that the flood is everywhere. As a County...

The Temporary Speaker (Hon. Okumu): Order!! Order!! Honourable Member. Under which Standing Order are you giving this Statement?

Hon. Agolla: Thank you Mr. Speaker. I wanted to prepare a written Statement but I couldn't wait because there was heavy down pour. This is a matter of Topical Concern and we need to discuss and advice the government to take action. I am aware that I ought to have written a Statement prior to my Statement but, if you could give Hon. Members a window through the leave of the House, I will appreciate and contribute on my Statement.

The Temporary Speaker (Hon. Okumu): Honourable Member, I asked you a question under which Standing Order are you giving your Statement? Hon. Members, even without replying, you just went ahead and proceeded without responding and now you want me to come to your rescue. To open your statement for discussion.

Hon. Agolla: Thank you Mr. Speaker. I am just requesting you to allow the House debate on the Statement because I didn't put it on Paper procedurally as required in our Standing Orders.

The Temporary Speaker (Hon. Okumu): Honourable Member, I get your frustrations but because this is a House of Order and we don't want to set a precedent that we might not be able to catch up with next sessions, I want to request that you do a Statement and we discuss it in the next session of the Assembly.

Hon. Agolla: Thank you Mr. Speaker. You understand the schedule of the Assembly that we shall not sit tomorrow and it will be too late because this is a disaster and correspondingly an emergency.

The Temporary Speaker (Hon. Okumu): Honourable Member, if you knew that, you would have done the Statement because it doesn't take a lot of time.

The Temporary Speaker (Hon. Okumu): Yes, Hon. George Olwal.

Hon. Olwal: Thank you Mr. Speaker. I rise on Standing Order No. 41 (2) (d). As the Chair of Planning Committee, I would like to request that the House discusses the flood that is currently happening in our County.

The Temporary Speaker (Hon. Okumu): Honourable Member, could you please check the Standing Order No. 41 (2) (d)?

Hon. Olwal: Standing Order No. 41 (2) (b), it states that, *the Leader of the Majority Party, or the Leader of the Minority Party as the case may be, or their designees may make a Statement relating to their responsibilities in the County Assembly or the activities of a Committee.*

The Temporary Speaker (Hon. Okumu): So, you being the Chair of the Committee what are your responsibilities.

Hon. Olwal: It is about County Planning and Surveys. It is therefore necessary that I put it to the Members that we are having floods and we need to discuss this because it is affecting our people.

The Temporary Speaker (Hon. Okumu): Hon. Olwal, I know you really want to help your people but you have not told us your responsibility as envisaged and how it is connected to floods so that...

Hon. Olwal: My responsibility is survey. You all know that flood is both a Survey and Planning issue.

The Temporary Speaker (Hon. Okumu): What surveys have you done that Members can discuss.

Hon. Olwal: We have not done survey and that is why I want us discuss.

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

Hon. Agolla: Thank you Mr. Speaker. It is very much in order that you understand that there so many ways of killing a rat and you allow me to move a motion on support what Hon. Olwal is saying that on Standing Order No. 41 (2) (b), as the Chair of the Implementation Committee, you are aware that this County did appropriate money for emergencies.

(Laughter)

The Temporary Speaker (Hon. Okumu): Order!! Honourable Member, are you giving a Statement again or are you trying to help Hon. Olwal.

The Temporary Speaker (Hon. Okumu): What is it Hon. Leader of Majority?

The Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. You sometimes the Speaker....

The Temporary Speaker (Hon. Okumu): Order!! Leader of Majority, we are on Statement.

The Leader of Majority (Hon. Onyango): Mr. Speaker, I am building my statement. I wish you should give me time.

The Temporary Speaker (Hon. Okumu): Just tell us the Standing Order you rising on then you proceed.

The Leader of Majority (Hon. Onyango): Of course, Standing Order No.41 (2) (d).

The Temporary Speaker (Hon. Okumu): Proceed.

(Laughter)

Leader of Majority (Hon. Onyango): Mr. Speaker, you know today, in the morning, Hon. Paul Okiri was stuck in his home. He could not move. Hon. Pete Oiko has not managed to come to this Assembly because floods are all over Kabonyo Kanyagwal. Hon. John Atieno was not able to attend the Board Meeting in time because he was stuck at home.

Mr. Speaker, yesterday it rained throughout the night and the effect of that rain is being felt all over most parts of our county and especially in places which are flood prone. It would be important for this House to debate on this issue of the ragging floods and its aftermath. So, that a mitigation measure can be found so that we don't wait unnecessarily to long until our people start suffering is when the Assembly is able to come in. So, I would wish that this is a very important issue. An issue that needs to be discussed in this House and as a House we find ways in which we can remedy the situation especially on mitigation. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Leader of Majority. Like I said this is a House of order and referring to Standing Order No. 41 (2) (d), it doesn't state whether the statement raised can be discussed or be opened for debate but you have made the request. That is why I want to refer to our Standing Order No. *1 In all cases where matters are not expressly provided for by these Standing Orders or by other Orders of the County Assembly, any procedural question shall be decided by the Speaker.* Honourable Members, on that note, I want to open the Statement by the Leader of Majority for debate.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker for your wise ruling over this matter. As we speak, the crops and houses are nowhere. You are all aware that MCAs are the leaders at the ground and we are receiving a lot of calls from the people asking for help. Today, children are not going to school because of floods and yet we have a short school calendar given by the Ministry of Education. The production of County will go down because people are not able to go to their places of work in time.

Mr. Speaker, this drives us to what the County Government of Kisumu does with the funds on the Mitigations, the Emergencies that often appear in our Budgets Estimates. When do they expect to use these funds if they can't be used during this time of need? The County government should come out clearly on when they usually use these funds...

The Temporary Speaker (Hon. Okumu): Hon. Guya can you behave maturely?

The Temporary Speaker (Hon. Okumu): Order!! Hon. Guya, can you allow Hon. Okiri to finish his submission?

Hon. Guya: A point of order, Mr. Speaker.

The Temporary Speaker (Hon. Okumu): What's your point of order?

Hon. Guya: *(On a point of order)* Mr. Speaker Standing Order No. 41 (4); states that no member making a statement under this Standing order shall speak for more than 5 minutes but Hon. Okiri has spoken for more than 5 minutes.

The Temporary Speaker (Hon. Okumu): Could you finish reading the last part of that Standing order Hon. Guya?

Hon. Guya: 'Unless with the permission of the Speaker, which you haven't...

The Temporary Speaker (Hon. Okumu): Thank you, and that's the reason why I have granted Hon. Okiri more time, when I told you to allow him finish his submissions.

Hon. Okiri: Thank you Mr. Speaker, there are certain issues you should consider addressing such the dress code and the official language spoken in this August House. Hon. Guya isn't dressed properly for this House, and he should know that there are only 3 languages accepted in this House; that is Kiswahili, English and Sign Language. So, the use vernacular is left for his home 'baraza'. Mr. Speaker, as I was saying earlier, the County government should tell us when they usually intend to use the emergency funds, thank you.

The Temporary Speaker (Hon. Okumu): Yes, Hon. Erick Agolla

Hon. Agolla: Asante sana Mheshimiwa Spika kwa nafasi hii ambayo umenipa. Swala la gharika limekumba Kaunti hii yetu ya Kisumu, na inapaswa tuweze kutangamane tukijadiliana ili kupata suluhusho ambalo litadumu. Bwana Spika, pia natoa shukurani kwani umeweza kutupa nafasi ya kujadiliana kuhusu jambo hili. Tumeweza kutenga fedha za dharura kila mwaka ili ziweze kutumika kusaidia Kata zetu na Kaunti kwa jumla wakati wa janga mbalimbali.

Leo asubuhi, nilipokuwa nikijiandaa kuja huku Bungeni, nilikutana na wanafunzi ambao walikuwa pia wakielekea shuleni. Jambo lililonisikitisha ni kwamba, walikotoka kule majumbani kwao, mafuriko yaliwakumba na kusababisha matatizo ya usafiri katika kata langu la Kusini-magharibi mwa mkoa wa Kisumu. Tatizo langu kuu kama mwakilishi wa bunge katika Kaunti hii ya Kisumu ni kwamba, tukitenga fedha za dharura kila uchao, tutanatarajia afisi ya gavana iweze kutumia fedha hizi wakati kama huu ambao kuna janga la gharika katika maeneo mbalimbali. Halikadhalika, hadi sasa fedha hizo hazijatumika ilhali imesalia mwezi mmoja tu tuweze kuandaa bajeti ya fedha ya mwaka mpya. Basi lini fedha hizi zitatumika? Nimesikia Mheshimiwa Kenneth Onyango akitaja maeneo ambayo yanaathirika kutokana na mafuriko lakini akakosa kutaja maeneo ya Seme, na kusini-Magharibi mwa Kisumu ingawa hata sisi tunapata athari. Hatimaye, hatupati msaada wowote wakati wa janga kama hili la mafuriko. Ningependa kuhimiza kwamba sisi pia kama walipa ushuru katika Kaunti hii ya Kisumu, tuna haki ya kupata huduma na msaada kukitokea janga lolote lile. Kwa hayo basi ningependa kujua wanakopeleka hela za dharura, na iwapo zimetumika, ni sehemu zipi zimepata msaada na ni kwa sababu gani sehemu zingine

hazijasaidika? Ama kweli wanakata wengine wanalalamika kutopata usaidizi wowote. Nitawachia hapo kwani ratiba yetu inahimiza kila mmoja asipitishе dakika tano za kutoa maoni. Asante.

The Temporary Speaker (Hon. Okumu): Asante sana Mheshimiwa Agolla, ambaye ni mwakiishi kata la Kusini-magharibi mwa Kisumu, kwa mchango wako. Ninajua umepoteza wanabunge si haba kwa lugha sanifu. Hata hivyo, nimeona mheshimiwa Seth Kanga amesimama labda awezw kutafsiri kwanza kwa lugha ya kimombo kisha aendelee. Nafasi kwako Mheshimiwa Kanga.

Hon. Kanga: Thank you Mr. Speaker, I will not be contributing in Swahili language but I assure you that I am well conversant because majorly it is the language used in various rallies and campaigns. Nevertheless, I rise in contribution to the statement raised by the Leader of Majority.

Mr. Speaker, despite my ward not being affected by the current floods, I am quite astonished by some contributions by Honorable Members who appropriated funds for the purpose of Disaster Management. Mr. Speaker, the last FY the county government appropriated Kshs. 30 million towards Disaster Management. The department was headed by Adhiambo Odinga, and Ksh.100 million was domiciled in the Finance Department in the name of Emergency Funds. We need to ask ourselves whether or not the Kshs. 130 million can help mitigate disasters such as floods, wind storm and the like, in the entire county. Hon. Paul Okiri has put it well that we should inquire from the department on their expenditure of the Emergency Funds.

We all know that Kshs. 130 million is quite insufficient to address the Disaster Management in the entire County. So, as an Assembly we should be able to liaise with the various departments when we make the next appropriation, so that we increase this amount to about Kshs. 500 million. This is because, as at now, the entire Nyando Sub-county is submerged in water and the issue of mitigating this doesn't just lie on distilling rivers but also evacuation, food distribution, medical equipment, tents, blankets and all these cannot be done by just Kshs. 100 million.

Hon. Okiri: A point of information Mr. Speaker

The Temporary Speaker (Hon. Okumu): Who do you want to inform Hon. Member?

Hon. Okiri: I want to inform the House Mr. Speaker

The Temporary Speaker (Hon. Okumu): Let Hon. Kanga to finish before you inform the House, thank you.

Hon. Kanga: Mr. Speaker, I don't want to dwell much on my submission because this is just a statement and I do not believe that it will take as far, just like the last time I brought one in this House, and the Hon. Paul Okiri challenged me, which I obliged. Therefore, I want to urge this Honorable House that this is our last FY, after which we will be campaigning really soon. I sympathize with my friends or my colleagues from the affected areas because some of them campaigned vigorously and made several promises to the people while knowing that their mandate

is limited to Oversight, Legislation and Representation. Some of us promised to deal with flood issues if elected.

In the current regime, floods have really affected the County of Kisumu. In the final financial year, I urge this House to take up this issue with relevant departments so that we do something on floods.

We have had several discussions and recommendations on the issue of floods. Today, the Leader of Majority who should take government business seriously and who should follow up recommendations of the House with the County Executive is the same person lamenting in a statement that the county is not moving well.

The issue of floods, windstorm, and fire are domiciled in Emergency and Disaster Department. I urge this House to increase the funds. Thank you.

The Temporary Speaker (Hon. Okumu): Hon Paul Okiri, you had a point of information?

Hon. Okiri: Thank you Mr. Speaker. I wanted to inform the House and it has been overtaken by events.

The Temporary Speaker (Hon. Okumu): Thank you. I want to guide that this is an opportunity for Hon. Members to also advise those kids who like crossing rivers going to schools. As you contribute, don't limit to the budget but also advise as leaders.

The Temporary Speaker (Hon. Okumu): Hon. Jecktone Ojwang Ogendo, Deputy Leader of Majority.

Deputy Leader of Majority (Hon. Ogendo): Thank you Mr. Speaker. First, allow me to thank my friend, Hon. Seth Kanga for reminding the House that there is need to increase funds that go to emergencies this financial year. It has come at the right moment that when we are in the Budget Making Process for the FY 2021/2022 and it's fortunate that we have the Vice Chairperson of the Select Committee on Budget and Appropriations, Hon. Khan. I request Hon. Khan to take that into consideration.

This government needs a lot of prayers. As you have heard Hon. Kanga lament, the residents who are doing business in town reside in the wards. It is unfortunate they come from the wards that are flooded and equally meet floods in town. It is like these wananchi are jumping from the frying pan into the fire. This matter should be taken seriously.

But it is not only the issue of emergencies. This is the financial year that we passed the Budget Estimates FY 2020/2011 in a record time. The department of water is sleeping on its job. There was a budget for desiltation in my ward. Today, nothing has been done – the project has not been awarded.

This afternoon, the media visited the only two primary schools in my ward. The schools were opened just the other day and it is very sad that the pupils are being sent back home because of flooded school compound. We had allocated funds for desiltation of Auji River which is neighbouring the two schools.

I urge the Chair, Committee of Water to ask the department what is happening to our projects. Thank you.

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

Hon Guya: Thank you Mr. Speaker. The issue of floods is so serious in this county. South East Nyakach Ward is not exceptional. Today, a road that passes through my gate was swept away. Right now, there is no road and people are unable to cross the river. Today, the pupils of Kibwon Primary School didn't go to school because there is no bridge that connects the pupils and the school.

Mr. Speaker, if you look at the reports from various wards in the county - I want to disagree with Hon. Kanga that his ward is exceptional- the floods are everywhere. The other day we saw the situation at the main bus park. I sympathize with my colleagues from Nyando Sub-county and Lower Nyakach where Hon. Rashid Miruka comes from. In fact in Hon. Miruka's ward, several schools were not opened today. The schools and the roads leading to those schools were all submerged.

Mr. Speaker, I believe that the Leader of Majority should have told us where the funds we appropriated for Floods and Emergency Response could have gone to. If they have been spent, then where? In which projects, in which areas? And if they have not been spent, why do we continue to have those disasters?

Mr. Speaker, we all know that during rainy seasons, there are areas that are flooded. Why should we wait until the rains start beating us it's when we start lamenting here and there? We have all the machinery and equipment in Kisumu County. What else do we need to control floods in the county? If it has to be controlled then we need to do that during dry seasons.

Hon. Ogutu of West Nyakach is not here because people are migrating from their homes because of floods. They don't have anywhere to stay. They don't even have Evacuation Centres. In Kabonyo/Kanyagwal, the Leader of Minority Hon. Oiko Pete has been walking up and down following up on those funds that we had allocated as a House to help the residents.

Mr. Speaker, I would be happy if the Leader of Majority told us the actions the government has taken since the deluge started. Are we serious with the lives of the residents of Kisumu County? You want MCAs to be running up and down yet we have allocated funds to the people who are supposed to be implementing those projects? I urge the Leader of Majority to tell us that we

allocated this, we have spent this, and today because there are floods we have done this and this in these areas. Otherwise, we don't need to be talking here just for the sake of talking.

Mr. Speaker, today, I pass through Hon. Ageng'o Ward, people are migrating. People are residing on the roadside. That is the state where this county is today. It simply implies that we are unable as a county to help our people. I urge that before we appropriate more funds – I have heard Hon. Kanga request that we put more money – Before we put more money into that account, we need to be told how the other monies have been spent and where. Mr. Speaker, Kshs 130 million is not small money as somebody may imagine. It can do wonders in this County. Otherwise it is very sad Mr. Speaker and if you look at the weather, it is going to rain heavily again even more than the one that happened last night. So, what will we be talking about here tomorrow? What about next week maybe a whole ward or three quarters of the ward shall have been submerged by the waters?

Mr. Speaker, you go to West Nyakach today, people and animals are being ferried on boats. Utensils and furniture's are floating on water heading to the lake. Where will we start again? Even if you want to go and give them blankets, can you do that every rainy season? That should not be the case. Otherwise I do not want to speak much but it is a very sad day for the county, thank you.

The Temporary Speaker (Hon. Okumu): Yes Hon. Pete Oiko. Hon. Members, we are almost passing the time for statement hour and I will only give Hon. Rashid and Hon. Olwal after which we shall have finished contributing.

Leader of Minority (Hon. Oiko): Mr. Speaker sir. I want to air my views on the issue of flooding in Kisumu County. Kabonyo/Kanyagwal Ward is most affected ward when it comes to the flooding issue in Kisumu County. Surprisingly enough, when you go to the Disaster Management Department and you inquire about the management of flood in that ward or Kisumu County, none is there. On this ground, the Assembly stands to blame. This Assembly passed the Disaster Management Emergency Fund in 2015. Just listen and go to the record. Let this one also come clear that this Assembly passed the Disaster Management Fund in the year 2015 which was under the previous regime and it is on the record.

Mr. Speaker, in the year 2018, this Assembly passed the Emergency Act Kisumu County 2018. Did you reconcile them? Were you people aware of these two Acts exists? What motivated this other fund for the year 2018? I am sure that the sitting and the Substantive Speaker were the ones on chair in the year 2018. At Kisumu County Assembly, were we being enlightened when we were passing this one of the year 2018? We need to look at those two Bills and find out whether the intention was good or ill motivated. That is because, when you go to that Disaster Management Department, they refer you to the Finance Department. When you go again to the Finance Department, they are looking at the Disaster Management Department.

Mr. Speaker, what is the financial position of this County? When you pass Budget Estimates in this House in the financial year 2019/2020, we appropriated a budget of Kshs 130 million; Kshs

30 million for Disaster Management Project and Kshs 100 million for Emergency Department. Mr. Speaker, where is the Emergency Department domiciled? Who is the Accounting Officer for these monies? We need to know all these because that is where we have problems.

However, when you condemn them you are viewed as if you are attacking yet that is in record within Kisumu County. We need to know whoever is managing the emergency funds in this County. Who is the Minister In-charge as the Accounting Officer? That is because, Kshs 30 million is in the Disaster Department and they are crying stating that that is too little for disaster management which is true.

Mr. Speaker, in the FY 2019/2020, that was the money allocated and when you read the COVID 19 report whereby the Kisumu County was being accused of misappropriating Kshs 210 million. The Auditor General said that Kshs 50 million of that fund came from the Emergency Fund. Who approved that? We need to take the County Executives to tasks. These records are there plus the audited record; we pass the budget here then close our eyes. The implementation is the work of the County Executives that we do not need to bother and that is our undoing.

Mr. Speaker, in the Financial Year 2021/2021, the same amount was appropriated in this House. Kshs 130 million in and Kshs 100 million for the Finance Department while the other Kshs 30 million for Disaster Management Department. Now that the floods are here with us, what effort had been made to help Kisumu County?

Personally from February, I have been doing a follow up on how my ward can be helped and let me tell you my colleagues, it is a tall order. When an excavator is taken to the ward, it takes two to three days and the contract is over. When you ask them the program as they take the excavator out of the ward, it is like stepping on the toes of some people.

It means therefore that the problem is with this Assembly as we do not do proper oversight to the County Executive. The Assembly is taken for granted and let us all demand to know how these two Acts are being used.

We need to start from the person responsible for those ones of 2015 and the other one of 2018. Mr. Speaker sir, it is never channeled on your table as the Chairperson of Administration of Law, Justice, Constitutional Affairs Good Governance and Security Committee. These two Acts are in your Committee, unless you want us to bring a motion in this House challenging them. Go and sit down with your House Committee Members, get the two Acts and be explained to us their operation in this County.

My colleagues, our people are in pathetic situations. For instance; in my ward (Kabonyo Kanyagwal), the backflow of water has been there for over two years. Currently, it is flooding while last week we experienced a backflow. The whole ward is affected. This is the only time you that you will see the Disaster Management Officers on the ground. People are now questioning what they are coming to do and where were they? The people who are being blamed are the elected

leaders; the MCA and the Governor, not the Accounting Officer. The Accounting Officer has too much power that if you happen to go to his office, you will look so useless.

Mr. Speaker, let me narrate to you my ordeal this week. The Hon Guya was saying “I have been walking up and down. Six schools from my ward have been submerged. On Saturday, the MP Nyando Constituency noted me that there is something ongoing in Nairobi that he wanted to go and try his luck with one of the schools from my ward. He wanted a note from the County Executive. On Monday by 8:00 am I was in the office of the Secretary. He rang the Chief Officer Lands Department who gave the impression that he was on his way to the office. I was told to go back in the afternoon and that is what I did. The Chief Officer was in Nairobi yet he gave an impression of him coming to the office.

That is how the Chief Officers work in this County. What does that one show? They have no regards for the County Secretary. I managed to reach him and we talked. He told me that he was going to be in his office by 3:00 pm yesterday. Yesterday at that time I was in his office and stayed there for two good hours up to 5:00 pm in the evening.

He then told me that let us meet tomorrow at the County Secretary’s office. Today, I was here very early and went there. I did not get him but only managed to talk to him through the *Waziri* of lands. What he was then telling me is that there are procedures to be followed. I also got annoyed and asked him, why didn’t you tell me those procedures yesterday even since morning? Yet I told you how agent the matter is”

So colleagues, let us take the County Executive head on. That is when Kisumu County people will benefit.

(Applause)

When you hear a fellow member condemning a Minister or a Chief Officer, then you sneak there to talk silly, we shall start naming you. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Okumu): Thank you Hon. Leader of Minority for that. I still want to guide that as we plan to do what we should be doing, do not forget to also advice the people who are affected by flood on the Do’s and Don’ts as the rains are causing havoc almost in every part of the County. For instance, in Hon. Jagongo’s Ward (South West Kisumu), they are not affected by flood but the Houses are falling because of underground seepage.

The Temporary Speaker (Hon. Okumu): Yes Hon. Rashid Miruka then followed by Hon. George Olwal.

Hon. Miruka: Thank you Mr. Speaker sir. I also rise in support of the statement and the items that have already been raised by my colleagues. For a very long time since the year 2018 to date, we

have been talking about flood effect in the County. We have made recommendations, but what happened to these implementations? Do we have any remedy?

Mr. Speaker, today I am a very sad man because as has been echoed by my colleague Hon. Johnson Guya many schools in North Nyakach are inaccessible. Pupils going to Oremo, Bwaja, Rae Mixed, Ochwado, Kanyalwal and Kasao have no road and every place is flooded and we have talked of Kshs 130 million that has been appropriated which we say is meager. It were good if the areas it had covered can be enumerated. If we need to add more money we must also know that the little that we have can do this work. Otherwise, I want to say on behalf of my constituents and the people living around the wetlands that we have suffered enough and we need a solution. I wonder whether distillation would solve anything and must we wait until rainy season start that we talk about this disaster issue? Must we wait for the time that we are not seeing good things done that we start complaining? I want to ask the County Government and more so the department handling the issues of Social Program that they should come up and do right identification and you should not attend to areas that are friendly to some of you. You should visit the entire County and enumerate the areas that are affected and then we develop what we can do. For how long are we going to evacuate the people in Central Nyakach? For how long are we going to call upon the NGOs and other stakeholders to provide food for the affected?

Finally, I would like to say that we should develop a lasting solution that can mitigate this once and for all. I also want to request the Chairperson, Committee on Implementation that the Committee should follow up on the recommendations that we put across so that we can see what happens. We don't need narratives but we need action. Thank you.

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

Hon. Olwal: Mr. Speaker, I represent a ward which is also prone to floods and I do agree with fellow Hon. Members that it is true that finances follow functions and it is the duty of the Assembly to appropriate funds especially during Budget making process.

Mr. Speaker, it is true that we as an Assembly have not done much especially in executing our authority on issues to do with Budget making. The Budget is the control tool for the Assembly and in as much as we might make noise about the floods, the main reason why we have the floods in our areas is because of our topography. We are living in a Lake basin, if nothing much is done, especially to do with dams then we will be having perennial floods year in year out.

The Bill that we passed in 2019 that Hon. Leader of Minority was talking about; section 18 talks about the sources of funds and it is not only the County funds, it also gives opportunity to the County to partner with donors and other National funds so that we come up with a lasting solution on this issue of flooding. Disiltation alone cannot help us in a Lake Basin. So, I would urge that we also take proper physical responsibility in our Budget Making Process so that the little that we give we make sure that they are used in prudent manner especially to help our people. As we speak

people are displaced in my ward and pupils cannot go to school. Some schools are closed and it is a serious issue. We have to properly interrogate the next Budget to ensure that we appropriate according to our mandate as an Assembly.

The Temporary Speaker (Hon. Okumu): What is it Hon. Steve Owiti? I thought that we agreed that I will be finishing with Hon. Olwal.

Hon. Steve Owiti: Thank you Mr. Speaker. I also want to add my voice to the ongoing menace of floods. It is very unfortunate that as an Assembly, I remember last year we had a series of meetings with the County Executive and I recall that we had the Chief Officer In-charge of Agriculture, Roads and others plus other CECs present. One of the things that we had agreed on based on the advice that was given was that, we are supposed to buy a Water Mast that would go a long way in desilting the rivers from the Lake because the advice was that if we are doing Disiltation then we need to start desilting from upstream. This is something that we even allocated money to and in the course of the process this Water Mast was never procured. At that particular time floods was a problem because the waters in Lake Victoria had risen to unprecedented levels and a number of our people living next to the lake had been displaced.

Mr. Speaker, to date, our people still stay in schools. When these rains started today as we speak my ward has four schools that have been closed. The people living around these schools have been displaced. So, the situation is dire and I believe that when leaders sit down we are advised to buy mast. I don't know at what particular point the idea of the mast was squashed away. Some of us as leaders who come from the flood prone areas find it so difficult; you are called in the middle of the night that people's houses have fallen down and you as an individual you are also helpless. I believe that as a County, when something is agreed upon the implementation should be done. Thank you.

The Temporary Speaker (Hon. Okumu): Yes Chief Whip.

Chief Whip (Hon. Misachi): Mr. Speaker as we speak I believe some people have abandoned their duties. It was the responsibility of the municipality then that Wigwa; there were permanent employees in that place. In those days there was no overflow in Nyamasaria or River Auji. We would want to say that we should go back to what the municipality used to do. Let us have the people who are desilting the Wigwa Channel which is going into the lake on daily basis. I support the statement.

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

MOTION

2ND READING OF THE KISUMU COUNTY REGULARIZATION OF LAND OWNERSHIP AND DEVELOPMENT BILL, 2021

BY HON. GEORGE OLWAL

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

Hon. Olwal: Thank you Mr. Speaker. Pursuant to the provisions of the Kisumu County Assembly Standing Orders No. 49 I wish to inform the House that the motion was withdrawn and deferred to Wednesday, 2nd June 2021. Thank you.

The Temporary Speaker (Hon. Okumu): Hon. Members that means that the motion that was moved by Hon. Olwal has been withdrawn.

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

ADJOURNMENT

The Temporary Speaker (Hon. Okumu): There being no any other business to transact, the House stands adjourned to transact, the House stands adjourned to Tuesday, 18th May 2021 at 2.30 p.m.

(House rose at 3.55 p.m.)

Addendum

Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Reporter

Fanuel Okode – Reporter

Patrick Okoyo – Reporter

Jackline Otieno – Reporter

Jesca Otieno – Reporter

Dennis Ogolla – Reporter