

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – THIRD SESSION

Tuesday, 13th August, 2024

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

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

PRAYERS

The Speaker (Hon. Oraro): Clerk kindly take us through the Order of today.

The Speaker (Hon. Oraro): Next Order!

PAPERS LAID

REPORT OF INFRASTRUCTURE, ENERGY AND PUBLIC WORKS ON THE MATTER OF
MACHINE-BASED PROGRAM

BY

HON. RAKWACH, MCA, EAST KOLWA

(CHAIRPERSON, STANDING COMMITTEE OF INFRASTRUCTURE, ENERGY AND
PUBLIC WORKS)

The Speaker (Hon. Oraro): The floor is yours, Hon. Rakwach.

Hon. Rakwach (MCA, Kolwa East): Thank you Honorable Speaker. Honorable Speaker, pursuant to provisions of Orders 182, (6), and 183, (2) of the Standing Orders, I wish to table

today Tuesday, 13th August 2024 Report of Infrastructure, Energy, and Public Works on the matter of Machine-based Program in Kisumu County. Thank you.

(Hon. Rakwach lays the report before the House for consideration)

The Speaker (Hon. Oraro): Honorable Members, the Standing Committee on Infrastructure, Energy, and Public Works report on the matter of Machine-based Program in Kisumu County is properly laid before the House. I direct that the House Business Committee to consider this report for purposes of scheduling for debate. Thank you.

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

NOTICES OF MOTION

REPORT OF INFRASTRUCTURE, ENERGY AND PUBLIC WORKS ON THE MATTER OF
MACHINE-BASED PROGRAM

BY

HON. RAKWACH, MCA, EAST KOLWA

(CHAIRPERSON, STANDING COMMITTEE OF INFRASTRUCTURE, ENERGY AND
PUBLIC WORKS)

The Speaker (Hon. Oraro): Hon. Rakwach.

Hon. Rakwach (MCA, Kolwa East): Thank you Mr. Speaker, I wish to give a Notice of Motion that pursuant to the provisions of Standing Orders Number 45, (1) of the Kisumu Country Assembly Standing Orders, this House adopts the Report of the Standing Committee of Infrastructure, Energy, and Public Works on the matter of Machine-based Programs. Thank you.

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

STATEMENTS

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

The Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you very much Honorable Speaker. Honorable speaker, I rise, pursuant to Orders No. 42, (2)(C) of the Kisumu county Assembly, which mandates me as the County Assembly Majority Leader to present and lay on floor of the County Assembly a statement informing the County Assembly of the business coming before the House on the following week. Honorable Speaker, this is therefore to bring to the attention of Members and the County Assembly that for the week commencing Wednesday, 14th August to Tuesday, 20th August, 2024, the Select Committee on Assembly House Business at its last meeting approved the following tentative businesses to appear in the order paper as follows;

Wednesday, 14th August, 2024, at 09:00 a.m.

APPROVAL HEARINGS OF NOMINEES TO BE VETTED TO VARIOUS POSITIONS BY
THE SELECT COMMITTEE ON APPOINTMENTS

1. Approval Hearing the Nominee to the position of County Executive Committee Member for Water, Environment, Natural Resources, and Climate Change,
2. Nominees as Members of the Kisumu City Board.

Thursday, 15th August, 2024, at 02.30 p.m.,

Approval hearings continue that is nominees to the Kisumu City Board.

Tuesday, 20th August, 2024, at 02.30 p.m.,

The Leader Majority will issue a statement, pursuant to Orders No 41, (2)(C) of the Kisumu County Assembly Standing Orders, on the business coming before the County Assembly for the coming week commencing Wednesday, 21st August, 2024. Thank you.

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

MOTION

ADJOURNMENT ON DEFINITE MATTERS OF URGENT COUNTY IMPORTANCE
UNTIL TUESDAY, 20TH AUGUST, 2024

BY

HON. KENNEDY OOKO, MCA, AHERO

(LEADER OF MAJORITY).

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

The Leader of Majority (Hon. Ooko, MCA, Ahero): Thank you very much Honorable Speaker. AWARE THAT, pursuant to section 6 and section 7 of the Public Appointments (County Assemblies) Procedures Act 2017, I tabled before this Honorable House on Tuesday, 06th August, 2024, the Nomination Notices of His Excellency, the Governor nominating the following persons to be vetted to occupy various positions in the County;

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|-----------------------------------|---|-----------------------------------|
| 1. Fredrick Ochieng Mariwa | - | CEC Member, Water and Environment |
| 2. Amb. Michael Adipo Okoth Oyugi | - | Member, Kisumu City Board |
| 3. Eng. Kenneth Nyangaga | - | Member, Kisumu City Board |
| 4. Mr. Joseph Muga Awuor | - | Member, Kisumu City Board |
| 5. Dr. Edwin Ochieng Okul | - | Member, Kisumu City Board |

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- | | | |
|---------------------------------|---|---------------------------|
| 6. Mr. Lawrence Omondi Obat | - | Member, Kisumu City Board |
| 7. Ms. Caren Atieno Onyango | - | Member, Kisumu City Board |
| 8. Ms. Maryanne Amondi | - | Member, Kisumu City Board |
| 9. Ms. Vivian Akoth Otieno | - | Member, Kisumu City Board |
| 10. Mr. Samson Obwanga | - | Member, Kisumu City Board |
| 11. Dr. Silvanice Onyango Abeka | - | Member, Kisumu City Board |

AWARE THAT, pursuant to section 7 of the Public Appointments (County Assemblies) Procedures Act 2017, the County Assembly is obligated to conduct the vetting of the suitability of the nominees and report to His Excellency the Governor within 21 days.

FURTHER AWARE THAT, pursuant to this strict timeline, the Select Committee on Appointment is compelled to conduct the vetting exercise within the County Assembly Business hours, which by extension will affect the normal plenary sittings of this house.

COGNIZANT THAT, the County Assembly has placed an advertisement for the vetting exercise as from Wednesday 14th, August 2024, and Thursday 15th, August 2024.

NOW THEREFORE, I wish to pray that this House, pursuant to Orders No. 25, (3) of the Kisumu County Assembly Standing Orders, resolves to adjourn its plenary sittings to Tuesday 20th, August 2024. This is to allow the County Assembly to conduct the vetting exercise as per the requirements of the law. I therefore wish to ask the Chief Whip to second. Thank you.

The Speaker (Hon. Oraro): Yes Majority Whip.

The Majority Whip (Hon. Kanga, MCA, Market Milimani): Thank you Mr. Speaker. Mr. Speaker, I rise to second the Motion on Adjournment as read by the Majority Leader. Mr. Speaker, you are aware that the Governor submitted names of the proposed County Executive Committee for Water, Environment and natural resources and Climate Change and Members of the Kisumu City Board. Mr. Speaker, it will be prudent that we adjourn so that the Select Committee of Appointments dispense on the matter.

Mr. Speaker, you are aware that the Kisumu City Board is currently dealing with this matter for the second time. As the prior submissions were challenged in court, the High Court issued an order directing the Kisumu county administration to follow the laid down procedures outlined in the statute. I believe that the Kisumu county administration, through the Governor, has attempted to follow the established rules by submitting to true people of this County, Members of the highest team, to serve on the city board.

I am urging all members, particularly the Appointment Committee, to adhere strictly to the established laws so that we don't end up in a position where a judicial review in the High Court overturns an earlier decision made by this County Assembly and the County administration.

So, I urge the Members of the Appointment Committee to ensure that the established protocols are followed under the supervision of the Honourable Speaker, who is also the Chairperson of the Select Committee on Appointments, so that we do not find ourselves in that scenario. Otherwise, Mr. Speaker, I support the adjournment of the House. Thank you, Mr. Speaker.

The Speaker (Hon. Oraro): Honorable Members, now that the Leader of Majority has moved a Motion of Adjournment for Matters of County Importance, seconded by the Majority Whip, as per our Standing Orders, I want to propose a question. And I propose that the Motion on Adjournment for Matters of County Importance is open for debate.

The Speaker (Hon. Oraro): Hon. Oiko.

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Mr. Speaker, we must adjourn in order to address a county-wide issue, namely the approval of the proposed nominee to the position of County Executive Committee for Water, Environment and Natural Resources and Climate Change and proposed Members to the Kisumu City Board. Mr. Speaker, there were several reasons why the other members of the Board were eliminated. So it is up to the Members to investigate who these community members are who have been nominated by the Governor. Let's obtain a true image of these community members.

Mr. Speaker, if there are petitions lodged against this process or proposed nominees, make them available to the Honourable Members. So that when we make a decision as a House, it would be praised by the people of Kisumu County. Mr. Speaker, I recall reading in the press that in some situations, officers should have revealed their interests while vetting was underway. And this was never completed, Mr. Speaker. So let's put everything on the table. We evaluate them based on the information before us to ensure that the same thing does not happen again. I beg to contribute.

The Speaker (Hon. Oraro): Yes Hon. Kelvin Oraro.

Hon. Oraro (MCA, Kolwa Central): Thank you, Mr. Speaker. I also wish to speak on this special motion. But first, I'd want to congratulate the Leader of the Majority on his presence in the House today. I've missed seeing him for a long time. I've always seen Hon. Owade around. So I am happy.

Mr. Speaker, the vetting procedure is quite crucial, given the Assembly's openness on topics; some of these debates will be aired live. In addition, we will have the opportunity to assemble Kisumu residents to observe and report on what is going on. But my prayer is that when it comes to the proposed Members of the City Board, I feel that the city's boundaries are adequately set, with 14 wards, and that the majority of the people that come from Kisumu are properly represented. And when you say it, I believe you will all believe on behalf of the other Members.

I shall start looking for names that can at least stand in for the face of our people within the municipal limits. If not, I'd like to wish this House Committee well. The adjournment motion is necessary since the assembly premise will be used. We, as Honourable Members, are eagerly waiting to see how well the Select Committee on Appointment performs. I endorse the motion.

The Speaker (Hon. Oraro): Yes Hon. James Omollo.

Hon. Omollo (MCA, West Nyakach): Thank you, Mr. Speaker. Going by the mood of the House, I wish to call the mover to reply.

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

The Leader of Majority (Hon. Ooko, MCA, Ahero): Honorable Speaker, I'm in total agreement with the Honorable Members that have contributed. That it is very important for all the Members to find time and attend the vetting exercise that will start tomorrow 14th August, 2024 so that we are all in contact with the persons that have been nominated.

Mr. Speaker, I believe that there is a significant amount of work to be done while the Kisumu City Board is being constituted. As a result, as a House we must confirm these nominees. According to Honourable Oraro, I believe we are still in the early stages of determining where each nominee came from.

Again, it is my belief that one, we will know when we are in this House for the vetting exercise. Otherwise, Mr. Speaker, I do reply. Thank you.

The Speaker (Hon. Oraro): Honorable Members, I want to refer the House to Order No. 26 of the Kisumu County Assembly Standing Order and to be specific on 26 (3) which stipulates that;

On a day when the County Assembly is scheduled to adjourn to a day other than the next normal sitting day, in accordance with the County Assembly Calendar, the Leader of Majority, or a Member of the House Business committee, shall move a motion of adjournment, which shall be debated for not more than three hours, after which the County Assembly shall adjourn without putting question.

So, while relying on that Standing Order, and before we adjourn, I want to request that the Members of the Select committee on Appointment meet immediately after this session at the Chambers.

ADJOURNMENT

The Speaker (Hon. Oraro): Honorable Members, going by the provisions of Kisumu County Assembly Standing Orders No. 26, this House stands adjourned until Tuesday, 20th of August 2024 at 02.30 p.m. Thank you.

(House rose at 03.05 p.m.)

Addendum

Hansard Team

Zablon Otiende - *Senior Hansard Reporter (Acting Editor)*
Edward Odanga - *Hansard Reporter*
Fanuel Okode - *Hansard Reporter*
Patrick Okoyo - *Hansard Reporter*
Jesca Otieno - *Hansard Reporter*
Jacklyne Otieno - *Hansard Reporter*
Valery Achieng' - *Hansard Reporter*
Jactone Obonyo - *Attache'*