

GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

SECOND ASSEMBLY-FOURTH SESSION

NBI CA. PLC. 2020 / (001)

19th february, 2020.

PAPER LAID

Pursuant to Standing Order 191 (6) I beg to lay the following Paper on the Table of the Assembly, today Wednesday 19th February, 2020.

THE REPORT ON THE STUDY VISIT TO THE COUNTY ASSEMBLY OF KAKAMEGA

(Leader of the Delegation)

Copies to:
The Speaker
The Clerk
Hansard Editor
Hansard Reporters
The Press

Approved
Balewa
20/02/2020

Paper laid by
Hon. Nancy Amos
on 20/2/2020
Kwesi
20/2/2020

THE GOVERNMENT OF NAIROBI CITY COUNTY



**NAIROBI CITY COUNTY ASSEMBLY
SECOND ASSEMBLY – (FOURTH SESSION)**

**REPORT OF THE COUNTY ASSEMBLY DELEGATION THAT CONDUCTED STUDY VISIT
TO THE COUNTY ASSEMBLY OF KAKAMEGA**

16TH TO 18TH JANUARY, 2020

*Approved
Blair*

**CLERK'S CHAMBERS,
NAIROBI CITY COUNTY ASSEMBLY
CITY HALL
NAIROBI.**

JANUARY 2020

1.1 PREFACE

1.1.1 Background

Members of the County Assembly and eight (8) Officers of the County Assembly took part in the study visit to Kakamega County Assembly to share experiences in the area of conduct of Assembly business, constitution and number of Committees, conduct of oversight and legislative role, visit to various their sites and relationship between the County assembly and the Executive. The visit was part of the continuous stakeholder engagements by the County Assembly with realization that such interactions enriches the exercise of Assembly's mandate. This specific visit was conducted from 16th to 18th January 2020 led by the Hon. Speaker. The engagements with the Kakamega County Assembly was aimed at exposing the Members to alternative approaches to Assembly working environment and learn from one another.

The visit enabled the Members to hold one on one-engagement officials in the Assembly. To actualize this, the delegation met officials from the following entities:

- a) The Speaker of the Assembly
- b) Clerk of the Assembly
- c) Chairperson, Liasion Committee
- d) Directors of Committees Services and L&P Services

1.1.2 Composition of the delegation

- 1) Hon. June Ndegwa, MCA
- 2) Hon. Millicent Mugadi, MCA
- 3) Hon. Melab Atems, MCA
- 4) Hon. Rosemary Masitsa, MCA
- 5) Hon. Carolyne Mayunzu, MCA
- 6) Hon. Alvin Palapala, MCA
- 7) Hon. David Ayoi, MCA
- 8) Hon. Clarence Munga, MCA
- 9) Hon. Nicholas Okumu, MCA
- 10) Hon. Emapet Onsongo, MCA
- 11) Hon. Jared Akama, MCA
- 12) Hon. Stazo Omung'ala, MCA
- 13) Hon. Paul Shilaho, MCA
- 14) Hon. Mary Ariviza, MCA
- 15) Hon. Michael Ogada, MCA
- 16) Hon. Fredrick Okeyo, MCA
- 17) Hon. Rose Ogonda, MCA
- 18) Hon. Wilson Ochola, MCA
- 19) Hon. Osman Khalif Abdi, MCA
- 20) Hon. Cecilia Ayot, MCA

- 21) Hon. Geoffrey Majiwa, MCA
- 22) Hon. Maina Njoka, MCA
- 23) Hon. David Okello, MCA
- 24) Hon. Catherine Okoth, MCA
- 25) Hon. Lawrence Otieno, MCA
- 26) Hon. Millicent Okatch, MCA
- 27) Hon. Jared Okode, MCA
- 28) Hon. Kennedy Obuya, MCA
- 29) Hon. Jirus Omayya, MCA
- 30) Hon. Esther Nyangweso, MCA
- 31) Hon. Nancy Muthami, MCA

Members of Staff

- 1) Mr. Inyundele Austin – Clerk Assistant
- 2) Mr. Rashid Esenjia – Sargent- At- Arms
- 3) MS. Elizabeth Njuguna – Sargent- At- Arms
- 4) Ms. Bertha Malesi – Speaker’s Secretary
- 5) Mr. Kennedy Mayaka – Speaker’s Driver
- 6) Ms. Beryl Oguta - Office Assistant, Speaker’s Office
- 7) Mr. Philip Ng’etich – Speaker’s Aid
- 8) Mr. Kioko Watuka - Speaker’s Aid

1.1.3 Programme summary

The main activity day was on 18th January 2020 and the delegation was to give a courtesy call on the office of the Speaker, Leaders of Majority and Minority Party, Chairperson for Liaison Committee, hold discussions with the Clerk of the Assembly, Directors of Committees/L&P and proceed to site visits.

1.1.4 Acknowledgement

The delegation wishes to sincerely thank the Offices of the Speaker and the Clerk of the County Assembly for the support offered that enabled Members to undertake the study visit to Kakamega County. Many thanks to the Members and staff who participated in the visit, your interrogations, arguments and insights enriched the discussions with the counterparts.

SIGNED *Elachi*

HON. BEATRICE K. ELACHI, CBS
(SPEAKER AND LEADER OF DELEGATION)

DATE..... *23/01/2020*

2.0 INTRODUCTION

2.1 Summary of programme

The delegation travelled to Kakamega on 16th January 2020. On 17th August 2018, the delegation gave the Speaker of Kakamega County courtesy call. The meeting was attended by the Clerk of the Assembly where matters to do with general conduct of business of the Assembly were discussed. Afterwards, the delegation held a meeting with the Chairperson of Liaison Committee on their role with respect to Committees and later the delegation held further discussions with the Directors of Committees and L&P regarding day to day operations of Committees and Plenary Services. The Committee later visited one street lighting project, hospital, stadium and school.

2.2 About Kakamega County

Kakamega County is one among the 5 Counties in the larger Western Regions and covers an estimated 3051 KM with a population of approximately 2.7 million people. In terms of boundaries, the County is divided into twelve (12) constituencies and 60 electoral Wards.

The County Government, like the rest, is divided into two arms, the County Executive led by H.E Gov. Wycliff Ambetsa Oparanya and the County Assembly under the leadership of Speaker Rt. Hon. Morris Indakwa Buluma.

3.0 SESSIONS

3.1 COURTESY CALL TO THE OFFICE OF THE SPEAKER

On 17th January 2020, the delegation met the Speaker of the Assembly who welcomed the delegation to Kakamega County Assembly. The delegation was informed that the County Government is composed of two arms and that the County Assembly, like others and pursuant to Article 185, carries out the oversight, representation and legislative roles.

He stated that the Assembly's activities, processes and engagements are guided by the Constitution, subsidiary legislations relevant to the devolved governments and the County Assembly Standing Orders.

In view of the foregoing, the Speaker mentioned that to enable the Assembly properly deliver on its mandate and operate in an organized manner, the Assembly, pursuant to the Standing Orders, has established the offices of the Majority Party Leader, Minority Party Leader, Majority Party Whip and Minority Party Whips and their

deputies who are charged with distinct roles drawing from their respective parties and in line with the Constitution.

The Delegation was informed that the Assembly is made up of 12 departments, including Clerks, Hansard, Internal Audit, Procurement, Legal, Finance, Budget, Accounts, ICT, Human Resources, Sergeant-at-Arms and Communications departments. The offices carry out distinct roles in the Assembly as a service to enable the Assembly exercise its mandate effectively and efficiently.

Further, the Speaker mentioned that the Assembly among others, had considered and passed a number of Bills and among them, budget related Bills to allow the County appropriate funds for recurrent and development expenditures. He mentioned that the County was looking forward to passing more Bills and Motions for effective service delivery.

- As regards the composition of the Assembly, the delegation was informed that the Assembly is composed 89 Members where 60 MCAs are elected in different Wards and 29 MCAs are nominated with regards to affirmative action.

- The Hon. Beatrice Elachi mentioned that the structure of the Assembly does not deviate much from the Kakamega's except that being the Capital City Assembly, the Assembly finds itself in unique circumstances and situations that determine how it operates. For instance, the Assembly has considered and passed more Bills into Acts and Motions and the Committees are expected to be more vigorous in the oversight to force the Executive act in a certain way for the benefit of the people. She also mentioned the leadership crisis in the County and how the Assembly was trying to navigate the same to have service delivery continue. It was therefore her assurance that everything will settle in due course since the Assembly Committees have resumed business and Plenary would resume in February to ensure that business goes on as usual in the City Government. She also urged her counterpart that Counties need to have more of such interactions on experience sharing in order to inspire one another in areas of shortcomings for effective operations.
-

She thanked the Speaker, the Leadership and the Clerk for hosting the delegation. The Kakamega Speaker appreciated the delegation for having found it appropriate to visit the Assembly for experience sharing and wished the delegation fruitful engagements afterwards.

3.2 TOUR OF THE ASSEMBLY

The Office of the Clerk facilitated the delegation's tour of the Assembly where the Members toured the various Assembly Departments including Clerks, Procurement, Hansard, Sergeant-at-Arms, Committee rooms and the Assembly Chamber. It was

observed that the general setup of the Chambers was more or less similar to the Nairobi Assembly only that the Nairobi's Theatre arrangement complete with digital multimedia congress system elevated its stature. The delegation was not able to attend the Plenary sessions and meet specific Committees because the Plenary was still on Recess and the Committees were yet to resume activities.

3.3 MEETING THE CHAIRPERSON OF COMMITTEES

From the office of the Speaker, the delegation was met by the Chairperson of Committees also the Chairperson of Liaison Committee. It was noted that the Chair's role was to preside over the meetings of the Assembly Liaison Committees which oversees the activities of the Assembly Committees. From time to time, the Liaison Committee meets to deliberate on the the key business before Committees and how effective the Committees process their business. The Committee allocates resources for the activities of the Committees and guide and give directions on how Committees proceeds with dispensing with critical business, for instance policies.

The delegation was informed that the Assembly Committees are composed of 23 Committees where there are 9 Sectoral Committees, 7 Standing Committees and 7 Housekeeping Committees as elaborated below:

| | SECTORAL COMMITTEES | STANDING COMMITTEES | HOUSEKEEPING COMMITTEES |
|-----|--|---------------------------------|--------------------------------|
| 1. | Physical Planning, Lands, Housing and Urban Area | Implementation and Monitoring | Powers and Privileges |
| 2. | Health Services | Delegated Legislation | Liaison |
| 3. | Agriculture, Livestock, Fisheries and Cooperatives | Public Accounts and Investments | House Leadership |
| 4. | Transport, Infrastructure and Public Works | Ward Development Fund | Speaker's Panel |
| 5. | Public Service and County Administration | Appointments | Procedure and Rules |
| 6. | Environment, Natural Resources, Forestry, Energy, Water | Justice and Legal affairs | Selection |
| 7. | Labor, Social Services Culture, Youth and Sports | Budget and Appropriations | County Assembly Business |
| 8. | Education, Science, Technology and ICT | | |
| 9. | Trade, Tourism and Industrialization | | |
| 10. | The Committee of Supply, which is the Committee of the Whole Assembly during budget process. | | |

The delegation was informed that the quorum for the Select Committees is half of the Membership and that sittings are guided by the guidelines by the Salaries and Remunerations Commission. The Membership of Sectoral Committees is 15 and the rest have composition as provided for by the Standing Orders.

The delegation was further informed that Committees are operate within their specific mandates and that the following are the areas where Committees draw most of their business:

1. Budget documents
2. Statements
3. Petitions
4. Bills
5. Site visits
6. Study visits
7. Inquiries
8. Quarterly reports from the Executive departments.

The delegation was informed that Committees work hand in hand with the Sargent-At-Arms, Hansard and Communications Departments in the discharge of their mandates. Often, Committees deal with their business which culminate into reports that are processed for Tabling in the House and exposition on the Assembly Website. In conducting their meetings, Committees are encouraged to adhere to open policy where interested Members of the public can attend that media may be allowed access to record and public proceedings.

During the budget cycle, budget documents are Tabled in the Assembly and committed to Sectoral Committees and Budget Committee for scrutiny and reporting. For instance, in 2019/202 FY, the County Executive submitted a budget of Ksh. 14 billion which the Assembly considered pursuant to the Public Finance Management Act, 2012 and the Regulations and passed the same together with accompanying legislative instruments for implementation the Executive. It was of note that the Health sector received the lion's share of the budget. In view of this, through Sectoral Committees, the Assembly is monitoring the implementation of the same for optimal benefit to the people of Kakamega County.

3.4 MEETING THE HEADS OF COMMITTEE AND L&P DEPARTMENTS

The respective Principal Clerk Assistants (PCA) administered the session and led the delegation through the day to day running of their departments. The PCA informed then delegation that the office is charged with overseeing the activities of the Committees and the running of the Chamber and that under his leadership, there are Clerk assistants who are in touch with Members on day to day basis. The responsibility of the office of PCA is to ensure that Members are facilitated optimally by the Clerk Assistants and other support departments to enable them discharge their mandates

effectively. At the centre of office's mandate is quality assurance of the processes, their outcome in the interest of Members and Members of the public. The office also provides advisory to the Committees on matters that are beyond the handling of Clerk Assistants for effective running of Committees. As a standard procedure, the office receives and reviews reports from C.As regarding businesses before Committees for onward Tabling. For instance, The delegation was informed that upon completion of site inspection visit, Committees are expected to file reports whose drafts are presented to the office for reviewed and later Tabled for debate and passage with recommendations.

As regards Legislative and Procedure area, the office coordinates with Clerk Assistants, Office of the Speaker and Office of the Clerk, the business that are ready to be transacted on day-to-day basis on a sitting day upon scheduling by the Assembly Business Committee. The draft Order Paper is prepared and approved by the Clerk for circulation. The office also coordinates the officers to attend the Chamber duties. The office also ensures that the resolutions passed by the Assembly reaches the respective institutions and offices in time for action. On carrying out these responsibilities, the office holder reports directly to the Clerk of the Assembly.

3.5 SITE INSPECTION VISITS

3.5.1 Street lighting

The street lighting projects were a culmination of the Motion passed by the Assembly on Report of the Transport and Infrastructure urging the County Executive to liaise with respective Members to identify areas for installation of the lights. This is came with the advent of conversation on embracing solar street lighting technology. The Committee visited to witness the street lighting and observed remarkable work done to spur 24-hour economy.

3.5.2 Social Services

The Committee visited Bukhungu Stadium. The face lifting of the stadium was undertaken in two phases to accommodate 25,000 people. Phase 1 was completed in 2017 at a cost of Ksh. 400m and the second phase worth of 600 million would see the stadium have conference facilities, indoor gymnasiums, media centre, recreational park, swimming pool, warm-up pitches, banks and shops among other facilities. The delegation observed that the stadium's first phase facelifted it remarkably and that it was already hosting events and sports and upon completion, the County looks forward to hosting bigger events and sporting activities and competitions.

4.0: TAKE HOME LESSONS

Following the visit to Kakamega County, the delegation was able to pick the following lessons:

- 1. Interaction of devolved units-** the delegation noted that continued interactions among the Counties provides a platform for self-assessment and this would spur information and idea sharing on effective governance;

2. **Impact of committed leadership** –the Committee witnessed firsthand that when the leadership of the County works in harmony with proper oversight, development can take place with minimal hitches. For instance, in just under 7 years since the advent of devolution, the Committee observed remarkable changes in environment and infrastructure development that has taken place in Kakamega County ;
3. **Integrity and openness of Assembly:** The delegation noted that legislatures that are open to scrutiny by the public are much likely to achieve greater approval because people are able to observe the Assembly transact business especially on issues of public interest hence the assembly becomes more accountable;
4. **Executive VS Legislature:** The delegation observed harmonious working relationship between the two arms of County Government is key to effective service delivery. That when the two arms are conflicting over exercise of their mandate, running of the County becomes affected negatively hence poor service delivery. All this should happen while observing the principle of separation of powers to allow assemblies carry out oversight and the executive to implement policies.

