

COUNTY ASSEMBLY OF NAKURU

THE HANSARD

Third Assembly (Second Session)

Wednesday 11th October 2023

Assembly Building

The House met at 3:25 PM

[The Speaker (Hon. Joel Karuri) in the Chair]

PRAYER

PAPER(S)

NAIVASHA WATER AND SANITATION COMPANY LIMITED

The Speaker (Hon. Joel Karuri): There is a Paper to be laid by the Chairperson Committee on County Public Accounts and Investments.

Hon. Simon Kamau: Thank you Mr. Speaker. I wish to lay a Paper on the Report of the Committee on Public Accounts and Investments on the Auditor General's Report on the Naivasha Water and Sanitation Company Limited for the year that ended 30th June, 2021. I beg to lay the Paper.

NOTICE(S) OF MOTION

NAIVASHA WATER AND SANITATION COMPANY LIMITED

The Speaker (Hon. Joel Karuri): There is a Notice of Motion by Honorable Chairperson Committee on County Public Accounts and Investments.

Hon. Simon Kamau: Thank you Mr. Speaker sir. Cognisant that the County Assembly of Nakuru has gone Digital, of course until when, as the Chairperson Committee on Public Accounts and Investments finds under the guidance of this House, a proper name so that I can go completely Digital so that I stop carrying the Physical Paper. Until that happens, I wish to use the Physical Paper that I am holding here.

Mr. Speaker, I wish to give a Notice of Motion that this House adopts the Report of the Committee on County Public Accounts and Investments on the Auditor General's Report on Naivasha Water and Sanitation Company Limited for the year that ended 30th June, 2021. I beg to give the Notice of Motion.

The Speaker (Hon. Joel Karuri): Thank you Chairperson. The Notice is properly given.

STATEMENT(S)

PREPAREDNESS FOR EL NINO RAINS

The Speaker (Hon. Joel Karuri): There is a Statement response by Hon. Chairperson Disaster Management and Emergency Services.

The request for Statement was done by Hon. Anthony Kanyere concerning County preparedness for the expected El Nino rains. The Chairperson.

Hon. Moses Koros: Thank you Mr. Speaker sir. On 20th September, 2023, Hon. Anthony Kamau Kanyere, MCA Nakuru East Ward sought a Statement from the Chairperson on the Sectorial Committee on Disaster Management and Emergency Services regarding the County's preparedness for the forthcoming El Nino Rains.

The Committee further sought more information on the following issues;

1. The County Government's preparedness for the upcoming El Nino rains projected to be around in October and December 2023.
2. We also sought from the Department, the Mitigation Measures that the County Government has put in place to decrease the menace that could be posed by the upcoming El Nino rains.

Mr. Speaker, the Executive Member Committee on Public Service, Devolution, Citizen Engagement and Disaster Management responded to our request for the answer and they have reported as follows. Just like the rest of the Country, the County Government of Nakuru received alerts from the Metrological Department indicating a thread of extreme rainfall in line with the El Nino Phenomena.

To enable the Country to prepare and adequately mitigate and respond to the harmful effects of the anticipated phenomenon, the County Government has taken the following measures;

1. Establishment of El Nino Preparedness and Report Structure and the Structure has been organised as follows;

We have a Steering Committee, which has been established to provide Disaster Preparedness and Response Direction. This Steering Committee is charged with the task of setting goals, objectives and to ensure that the Development and Implementation of a joint Work Plan, including its Monitoring, Tracking and Reporting of the performance of a Comprehensive Work Plan. The Steering Committee is convened jointly with County Secretary and Head of Public Service plus the County Commissioner.

So Mr. Speaker, both of them convene such a meeting and the Committee includes County Executive Committee Member for Infrastructure, County Executive Committee Member for Public Service, Devolution, Citizen Engagement and Disaster Management; County Executive Member for Education, ICT, e-Government and Public Communication. County Executive Committee Member for Environment, Water, Energy, Climate Change and Natural Resources,

County Executive Member for Health, County Executive Member for Lands, Physical Planning, Housing and Urban Development, The City Manager, Municipal Managers for Gilgil, Naivasha and also Molo.

We have the Committee on Security also included, the Kenya National Highways Authority, The Kenya Urban Roads Authority, The Kenya Rural Roads Authority, The Kenya Railways, The Kenya Power and Lighting Company and the Water Resource Management Authority.

The Steering Committee meets regularly to consider progress in implementing the joint Work Plan and find solution to any emerging or potential challenges to the Disaster Preparedness and Response Initiative.

Mr. Speaker, to ensure the effectiveness and efficiency of the Disaster Preparedness and Response Plan, the Steering Committee is working along three Sub-Committee as follows;

- I. The Surveillance Team. This team works with all structures of the County Government of Nakuru to gather, analyse and disseminate data to enable decision making by Steering Committee. Such information includes sets of proposed actions.
- II. The surveillance efforts relate to the areas that are covered, including blocked Water Ways and Storm Water drainage, Water Levels on all Water bodies including Lakes, Rivers, Dams, Water Pans and even incidences and risks of falling rocks and Landslides. The Team also monitors disease outbreaks, the potential risk of displacement or any actual displacement; risk and virtual destruction of Public Infrastructure including bridges, ECD Centers, Hospitals and any other areas.

We have got also risks and substantial destruction of KPLC posts that may pose further danger to life and property.

Mr. Speaker, another area that is looked into includes risk and virtual destruction of roads by rainfall, including the appearance of Fault Lines and even blocked Culverts. The potential threat to Food Security, Human Vulnerability Assessment.

The Sub-Committee will provide daily briefs to the Steering Committee on progress in implementing these Terms of Reference.

The Sub- Committee includes:

- County Executive Committee Member, Public Service – Team Lead
- Chief Officer for Public Service and Devolution
- Chief Officer for Livestock, Fisheries and Veterinary Services
- Chief Officer for Public Health

- Chief Officer for Environment, Energy, Climate Change and Natural Resources
- Nakuru City Manager
- Liaison Officer – Office of the Governor
- Director Administration
- Sub-county Administrator, Nakuru Town West representing Sub-County Administrator
- Convener of the Ward Administrators –Ward Administrator, Subukia
- Assistant County Commissioner coordinating the Nyumba-Kumi initiative
- The Water Resources Management Authority
- The National Youth Service.

ii. The Public Education and Citizen Engagement Team

This Sub-Committee is Developing and Implementing a Work Plan enabling robust and meaningful citizen engagement in the spirit of Publication and Civic Education.

The Public Education Sub-Committee is constituted as follows:

From the County Government;

- County Executive Committee Member for Education, ICT, e-Government, and Public communication – Team Lead
- Chief Officer for Education
- Chief Officer for Public Participation
- Chief Officer for Agriculture
- Chief Officer, Social Services
- Director Communication
- Director ICT
- County Access to Information Officer 9 Also Sub–County Administrator, Kuresoi North
- Convener of the Ward Administrators – Also, Administrator, Subukia Ward
- Representative of the County Commissioner
- National Youth service

- Kenya Wildlife Service
- The Water Resources Management Authority

iii. The Response Team

This is the engine of the El Nino preparedness and response initiative.

This Sub-Committee will apply all resources within and beyond the County Government to ensure that data obtained from the Surveillance and Public Education Team is utilized, to enable the County to mitigate against and respond to any threats emanating from the impending El Nino phenomenon.

The Sub-Committee is;

- Undertaking Rapid Results Initiatives on the unclogging and desludging drainages and culverts.
- Repairing damaged infrastructure, including roads and bridges.
- Unburdening any Water Pans and Dams that may be at risk of breaking under the weight of flood water.
- Working with Stakeholders to open up any blocked Waterways.

Mr. Speaker, the Membership of the Response Team includes:

- County Executive Committee Member for Infrastructure -Team Lead
- Chief Officer, Roads
- Chief Officer, Public Works
- Chief Officer, Disaster Management
- Chief Officer, Social Services
- Chief Officer, Public health
- Chief Officer, Water
- Chief Officer, Environment
- Representative of the County Commissioner
- Representative of the NYS
- The Kenya National Highways Authority

- The Kenya Urban Roads Authority
- Kenya Railways
- The Kenya Power and Lighting Corporation
- The Water Resources Management Authority

From Non State Actors

- Kenya Red Cross
- World Vision

Mr. Speaker, the County Government has cascaded these teams to the Sub-County and Ward Levels. The teams include all sectors and team Members represented at the Headquarters Level and the National Government Team Members.

The Teams are cross-referencing, ensuring that alerts received are actioned within a reasonable time.

Mr. Speaker, the budgetary constraints also have made the Committee prioritise mitigating the highest disaster risks as Medium and Long-Term and are laid to resolve broader challenges. Because of the budgetary constraints the dangers or threats have been categorised into High-Risk Areas, Medium and Long-Term, so that they can be addressed differently.

Mr. Speaker sir, I would like to encourage our Honorable Members that because this is an issue that is cutting across all the Departments and is affecting everybody, let us be involved in mitigating and also reporting all issues of threats to human life. The work of the Committee has been cascaded down to the Ward level so we are encouraging the Honorable Members as Team Leaders at the Wards, to take the lead and ensure that we do not lose lives in the event of the El Nino rains. Committees have already been established in some of the Wards and I know the program is ongoing for those Wards that have not formed the Committee, you will soon be involved. I am requesting that you take the lead in deciding who the Committee Members will be and will help in straightening everything at the Ward level.

Mr. Speaker, as I conclude, I hope that the Honorable Member who requested this Statement has been dully answered. Thank you.

The Speaker (Hon. Joel Karuri): Thank you the Honorable Chairperson. Is the Member who had requested for that Statement in the House? You can say whether you are satisfied with that Report.

Hon. Anthony Kanyere: Thank you so much Mr. Speaker. Let me take this opportunity to thank the Chairman for Disaster Committee for the job well done but I have some concerns. My only concern is that you have said that the Committee has been cascaded down to the Ward level, it is good to involve Members of the County Assembly so that they can know. We hear that these Committees are in place and as Members of the County Assembly from the Ward, we have not

been involved. What I wanted to hear from that Report is, if you have the Budget and if there is a Budget then how much do you have? Thank you.

The Speaker (Hon. Joel Karuri): Thank you. Any other Member with views or comments on that response? The Honorable Member for Kihingo?

Hon. Simon Kamau: Thank you Mr. Speaker. From the onset and as Honorable Member from Nakuru East has said, I want to commend the Chairperson for the Committee on Disaster. I have a few reservations on the same because as long as the Chairperson is saying that the Members of the County Assembly from specific Wards were involved, I want to confirm that I was not involved, instead it has gone to another step of tainting my name negatively.

Mr. Speaker, the person who was directly involved was the Ward Administrator. In Kihingo Ward, the Administrator who is currently there is standing in for the deceased Ward Administrator. Therefore, this Ward Administrator does not even have a clue of what Kihingo looks like or even the people in Kihingo. What this Ward Administrator did was to share the names of the Village Elders across the Ward but luckily or unluckily, the said Ward Administrator shared names of the Village Elders from where I come. I was getting this information from the Social Media.

And of course Mr. Speaker, now you can try to guess as a politician; you can guess what was happening because I was told El-Nino is only in where I come from specifically. It does not affect other areas in Kihingo. It was that bad Mr. Speaker and I want to say it has tainted my name. Yesterday; I was trying to clean my name because of something I was not involved in. If this had happened before and the Members of the County Assembly, the 55 elected Members of the County Assembly were involved, I believe this would not have happened.

So Mr. Speaker, it is good to inform the Chairperson, if he is not aware that in some instances and in some Wards, the Members of the County Assembly were not involved at all and it is good to involve them because they know the areas of concern in as far as this Disaster Management Response is concerned.

Mr. Speaker, if we are involved then I believe everything and even the Chairperson himself, things will be easy but if it goes the other way round, I am sorry, I do not want to be part and parcel of something that I was not involved. I am going to disown like nobody's business. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you the Hon. Member for Kihingo; the Honorable Member for Turi Ward.

Hon. John Mwangi: Thank you Mr. Speaker, I concur with what *Mheshimiwa* for Kihingo is saying because also in my Ward, I did not receive any communication. I just heard in the Ward there that all those activities were being conducted by the Ward Administrator together with the members of Provincial Administration. Therefore, I think that the Chairperson for the Committee

on Disaster should take this right and communicate to the relevant Department that the Honorable Members were never involved, and bearing in mind that when the Disaster or El Nino comes, it is the Honorable Members who will be given information by the electorates and therefore I think something requires to be done so that we can be part and parcel of that particular plan that is in progress. Thank you.

The Speaker (Hon. Joel Karuri): Thank you; The Honorable Member for Kapkures.

Hon. Robert Rutto: Thank you so much Mr. Speaker, for record's sake I represent the good people of Kapkures Ward. It is very unfortunate that the Committee on El-Nino did not involve us as the County Assembly Members, because in my case in Kapkures, I came to hear that there is some Committee working on the same. Unfortunately Mr. Speaker, they are not conversant with our Wards. That is why we are the chosen people to represent our various Wards and we should be informed of anything going on in our Wards.

Mr. Speaker, a great Greek Philosopher by the name of "Socrates" once said *"Human Wisdom begins with the recognition of one's own Ignorance."* Mr. Speaker, my opinion is that this is a turning point in our Assembly. We have to be informed and know what is going on in our Wards because for heaven's sake, if anything happens with this rain of El-Nino phenomenon, we might be held liable by our constituents. Unfortunately, we were not involved in the decision-making process which is against the law. I wish we could revisit this issue and be given a chance to represent our people properly. Thank you Mr. Speaker.

The Speaker (Hon. Joel Karuri): Thank you, the Chairperson; your response?

Hon. Moses Koros: Thank you Mr. Speaker, I have heard.

The Speaker (Hon. Joel Karuri): Chairperson come in front.

Hon. Moses Koros: Thank you Mr. Speaker, once again, I am the Chairperson for the Committee on Disaster Management and Humanitarian Assistance. The contributions of Honorable Members to this phenomenon is of paramount importance and the Members have a role to play and they must be involved at that level of the Ward. If there are Members who have not been contacted, I am asking that as we go ahead, they contact the Sub-County Administrator who is in charge, but we are going to take this matter to the Executive to ensure that all the Members are involved.

Further to this Mr. Speaker, we are also insisting that whenever there is any disaster menace at the Ward level, whenever any assistance is being given, the Honorable Member of that respective Ward should be made aware of the presence of the team in the area. That is what we have done in the past; there was some kind of a lapse but as much as possible, when the assistance is being given, the Honorable Member should be available or if you are not in, send your representative just to stomp your foot in everything that is taking place in the Ward. Soon we are going to have a Consultative Meeting between the Executive and the Disaster Committee Members so that we can also come up with, especially on the issue of budgetary allocation to the El-Nino. From now

on, I thank the Honorable Members for your sentiments and I am also requesting before we have the Consultative Meeting, I would like you to give us suggestions that we will give to the team so that we can have an effective Disaster Management Team across the Ward.

Otherwise, thank you Members for your contribution, we are going to take this one seriously and the Committee Members are serious about this and we thank everybody for their contribution. Where situations or Members have not been taken seriously, where they have not been involved, we want to say that is not the right thing but it will be rectified. Thank you Mr. Speaker.

Thank you the Hon. Chair; next order?

Hon. Anthony Kanyere: Mr. Speaker sir; I stand on Standing Order 205(2) Mr. Speaker, if you can allow me to...

The Speaker (Hon. Joel Karuri): What about it?

Hon. Anthony Kanyere: There is a Petition that was laid in this Honorable House sometime back in February 2022 and this Petition concerns my area whereby the Petitioners sought the intervention of this Honorable House on matters to do with the Quarry in my area. I would like to request the Committee on Environment, Water and Natural Resources to give us the status of that Petition because up to now, we have never heard about it Mr. Speaker. Thank you.

The Speaker (Hon. Joel Karuri): The Chairperson Committee on Environment or Vice-Chairperson?

Hon. Isaac Rottok: Yes, I am present

The Speaker (Hon. Joel Karuri): What is the status of that Petition?

Hon. Isaac Rottok: Mr. Speaker I request to be given several days to follow up about the situation and bring back the Report.

The Speaker (Hon. Joel Karuri): Thank you, the Hon. Vice-Chairperson, it is good to reiterate the reason why Members of the public that we represent in this House, the reason why they had engaged this House in a manner of a Public Petition, is because they believe that this House represents the best interests of their welfare. However, I am sad that you have not lived up to that expectation in that particular Petition because a Petition is given a maximum of 60 days for the public to get a response and now this one is more, from the month of February. That is up to nine Months. The Chairperson of the Environment, Energy and Natural Resources Committee needs to present a detailed status Report to this Honorable House on Wednesday next Week. The Vice-Chairperson note and pass that information to the Chairperson of that Committee. We will be expecting a full status Report on Wednesday.

Hon. Isaac Rottok: Thank you, Mr. Speaker.

The Speaker (Hon. Joel Karuri): Welcome; we are done with Orders of the day.

ADJOURNMENT

Hon. Members this House stands adjourned until next week on Tuesday at 9.30 AM

The House rose at 4.05 PM