

REPUBLIC OF KENYA



THE COUNTY ASSEMBLY OF SIAYA

THIRD ASSEMBLY

NOTICE OF MOTION

AWARE THAT the Senate Special Committee investigating the motion on Removal from Office of the Deputy Governor of Siaya County – William Oduol, by Impeachment, found the Deputy Governor, **GUILTY** of the following charges:

1. Gross Violation of the Constitution and other laws, on the allegation of interference with Procurement Process
2. Abuse of Office and Gross Misconduct. on the allegation of misleading the Public by Giving False information

NOTING THAT the Senate Plenary voting on the Report of the Senate Special Committee failed to remove from office the Deputy Governor – William Oduol by Impeachment.

CONSIDERING THAT the decision of the Senate did not exculpate the Deputy Governor Siaya - William Oduol from culpability

THE HOUSE THEREFORE RESOLVES;

1. That a Constitutional Petition be filled by the County Assembly of Siaya, at the High Court of Kenya at Siaya, to find the Deputy Governor, Siaya County, William Oduol unfit to hold Public Office.
2. THAT pursuant to the findings of the report of the special committee of the Senate on the proposed removal from office, by impeachment, of William Oduol, the Deputy Governor, Siaya County dated **26th June 2023**, the County Assembly of Siaya do Petition the Ethics and Anti-corruption Commission to investigate and establish that the Deputy Governor, William Oduol is culpable for Violation of **Article 10**, and **232(1)(f) of the Constitution** as read with **Section 29 of the Leadership and Integrity Act, 2012**, **Section 19 of the Public Office Ethics Act, 2003**.
3. THAT pursuant to the findings of the report of the special committee of the senate on the proposed removal from office, by impeachment, of William Oduol, the Deputy Governor, Siaya County dated **26th June 2023**, the County Assembly of Siaya do Petition the Director Criminal Investigations to investigate and establish, with a view of Prosecution, the role of the Deputy Governor, William Oduol in interfering with the procurement of Seeds and

Fertilizer contrary to **Article 227 (1) of the Constitution** as read with **Section 176(1)(d) of the Public Procurement and Asset Disposal Act, 2015.**

4. **THAT** County Assembly of Siaya do Petition, with a view of prosecution, the Director Criminal Investigations to investigate and establish the role of the Deputy Governor, William Oduol in the process of the renovations and purchase of furniture of the office of the Deputy Governor, Siaya County without budgetary provisions.
5. **THAT** the County Assembly of Siaya do recommend that the following actions be taken during the pendency of the aforesaid Investigations;
 - I. **THAT** the CEC Member, Finance and Economic Planning, Siaya County Government do ensure that no payments are made to the Suppliers and contractors for the renovations and purchase of furniture for the Office of the Deputy Governor, Siaya County Government, pending the completion of the investigations.
 - II. **THAT** the Chief Officer, Governance and Administration, Siaya County Government do ensure that the current office of the Deputy Governor, Siaya county be vacated (Never to be occupied) together with the furniture to be preserved (not to be used) pending the completion of the aforesaid investigations.
 - III. **THAT** apropos to the aforesaid, the Deputy Governor of Siaya, William Oduol be provided with an alternative office pending the completion of the intended investigations by the Ethics and Anti-Corruption Commission and the Directorate of Criminal Investigations.
 - IV. **THAT** the Governor, County Government of Siaya do revoke the letter to the Acting Chief Officer Finance dated **6th October 2022** and any such letter to County Officers requiring and or directing the said officers to report and or brief the Deputy Governor, William Oduol and that the reporting and or briefings by the officers in the establishment be as law established.
 - V. **THAT** until the final conclusion of the aforesaid investigations, the Governor, County Government of Siaya, do stop assigning the Deputy Governor, William Oduol any roles in the management of the county affairs of Siaya County Government pending the conclusion of the investigations.

SIGN : **DATE:**

HON. PETER ODUOR, MCA

(UKWALA – WARD)