



## **COUNTY ASSEMBLY OF KISUMU**

### **THE HANSARD**

#### **SECOND ASSEMBLY – THIRD SESSION**

**Tuesday, 12<sup>th</sup> February, 2019**

**House met in the Main Chamber at 02:30 p.m.**

**(The Speaker (Hon. Onyango Oloo) in the Chair)**

### **PRAYERS**

**The Speaker** (Hon. Oloo): Good afternoon Hon. Members and welcome to this afternoon session of the first sitting of the Third Session of the Second Assembly. Madam Clerk, please take us through the Order Paper of the day.

### **COMMUNICATION FROM THE CHAIR**

**The Speaker** (Hon. Oloo): Your Excellency the Governor, Prof. Peter Anyang' Nyong'o, Honourable Members, members of the clergy, business community, the political class, professionals and all invited guests present, it is my pleasure and privilege to welcome you during the official opening of the Third Session of the Second Assembly of Kisumu County scheduled for today Tuesday 12<sup>th</sup> February, 2019.

Your Excellency the Governor, Honourable Members this is in accordance with our Standing Orders No. 25 that provides that we commence our new session on the second Tuesday of February each year. Honourable Members and invited guest, the Second Assembly come into existence after the last General Elections during a truly tumultuous time and a time when issues of elections were issues in the forefront and it took time to settle down.

In the course and during those challenging times, Your Excellency the Governor and Honourable Members, the Second Assembly has strived to do the much it could not withstanding the

challenges before it, notwithstanding the fact that issues to do with elections were still fresh in their minds and during the currency of that period, the Second Assembly started on Wednesday 6<sup>th</sup> September, 2017 and proceeded on long recess as from Friday 8<sup>th</sup> December, 2017 to Monday 5<sup>th</sup> February, 2018. It was such a short period bearing in mind issues of induction to Members, we none the less as an assembly we were able to push through and pass the following legislations;

1. The Kisumu County Supplementary Act 2017-2018
2. The Kisumu County Finance Act 2017

The Second Session which commenced on 6<sup>th</sup> February, 2018 to Thursday 6<sup>th</sup> December, 2018, the following legislations were enacted by this Assembly despite the myriad challenges and with the support of your administration;

1. The Kisumu County Appropriations Act 2018-2019
2. The Kisumu County Attorney Office Bill, 2018
3. The Kisumu County Economic and Social Bill, 2018
4. The Kisumu County Administration (Village Units) Bill, 2018
5. The Kisumu County Emergency Fund Bill, 2018
6. The Kisumu County Trade Fund Amendment Bill, 2018
7. The Kisumu County Enterprise Fund Bill, 2018
8. The Kisumu County Lake Region Economic Bloc Bill, 2018
9. The Kisumu County Finance Act 2018

Within that short period and the challenges, this House rose to the occasion and was able to push these legislations and become laws that were supposed to improve the lives of our people. As mention your Excellency, this House will always rise to the occasion notwithstanding minor differences that might exist from time to time which are of course normal in any society where people live.

Your Excellency, Honourable Members and invited guests, as we begin the Third Session, we are having before us a tray that is full, that has been brought to our attention which I am persuaded and convinced that the Members are up to the task to consider in details, discuss and pass the following legislative proposals;

1. The Kisumu County Crop Bill, 2018
2. The Kisumu County Fisheries and Aquaculture Management Bill, 2018
3. The Kisumu County Transport Bill, 2018
4. The Kisumu County Law Enforcement Service Bill, 2018

Your Excellency, I have no doubt in my mind that the Honourable Members in this House are up to the task and will rise to the occasion to ensure that those legislations are passed within time to improve services to the people of Kisumu.

As far as this House is concerned in terms of its legislative role, we would say it has performed exceedingly well and we are still waiting, ready and able to support your government to ensure that the legislations passed through this assembly are scrutinized with the toothcomb to ensure that they serve the interest of the people of Kisumu County and not a section of the people of this county.

As to the role of this House in terms of representation, this House has equally performed to the expectation. We have passed several motions in this House that are meant to benefit our people in terms of various sectors that define us as a county and in terms of issues that our people would naturally be interested in.

I must however, admit that on issues of implementation of motions that we have passed, we have not so far achieved much and this calls for a collaborative approach between the Executive and the Assembly to ensure that motions that are passed by this House are not just left to rest but that they are given the effects of law to ensure that they transform the lives of our people to whom they are attached to.

Your Excellency and Honourable Members, these tasks have been performed despite the myriad challenges some of which are before you and we are reminded when you did open the First Session because I can see the Honourable Members using papers to just keep off the heat. You did promised and you have reminded me a few minutes ago that you are committed to ensuring that this House constructs ultra-modern assembly that will accommodate many of our people and will ensure that Members have a proper debating chamber as well as committee rooms that will facilitate and enable their work to be achieved.

We are convinced that you are committed to that and that beginning this session God willing this will become a reality in this second assembly. This was given emphasis by none other than the Hon. Rt. Prime Minister Raila Amollo Odinga when he paid courtesy call to us. Consequently together in collaboration with the assembly, we need to improve the work environment for these Honourable Members to discharge their responsibilities within an atmosphere that is conducive in delivering the tasks that is before them , which is largely representation, legislation and oversight.

Your Excellency, getting into this Third Session of the Second Assembly, our Members are now very well inducted into matters of law, legislation but we are now straining our eyes to put more emphasis on matters of oversight. For the best interest of our people, we expect going forward that this Assembly is going to be more assertive in terms of oversight to ensure that resources that are allocated for various responsibilities and tasks are utilized for purposes to which they have assigned and going forward we as an assembly do commit ourselves to ensure that pilferage and corruption become things of the past within Kisumu County borrowing from your commitment that you want to eradicate corruption, pilferage and ensure that task performed and

tendered out are done to the expectation and perfection as expected by our country men who are before us.

I as I conclude my communication, I do call upon all the Members of the County Assembly of Kisumu to unite and work together as a team for the betterment of this great County of Kisumu not forgetting that at any given time you are allowed to express any divergent opinion and that divergence of opinion does not necessarily mean lack of unity amongst our people.

Finally, let me take this opportunity to recognize the presence of the following people who have been magnanimous enough to grace this occasion and be part of us in this momentous day of the opening of the Third Session of the Second Assembly of Kisumu County. In our midst we have the Deputy Governor of Kisumu Dr. Mathews Owili, The County Secretary Dr. Olang Onudi, several Executive Committee Members, almost all the Members of the Kisumu County Assembly. This demonstrates that they are ready for the task ahead of them.

Let me also recognize the presence of former Members of the Kisumu County Assembly led by Hon. Samuel Ongo’w, Madam Pamela Jossy, and Hon. Osumba Olum. These are the Members of the First Assembly who did lay the foundation of this assembly. We do not take you for granted for the task you undertook.

Several religious leaders have graced this occasion. We have Bishop Onginjo of ACK, Bishop Otieno, Hindu Leader, Gugu Parnesa, Joseph Omollo of ACK. I have seen my friend Father Felix Atinda, Bishop Abongo of CCA, Hassan Hussein and I also recognize the presence of the members of Chamber of Commerce and business community. The Regional Commander is also around here or his representative, the County Commander, the National Intelligence Service. We do not take your role for granted.

We also have the City Manager Madam Doris Ombara, City Board members led by Mr. Elijah Adul, the Kisumu Residents Association Leader, Kisumu Water and Sewerage Company members. I can also see former MP for Muhoroni Constituency Hon. Ayiecho Olweny as well as the leadership of the Orange Democratic Movement Party within Kisumu County. We do not take it for granted that you found time to come and grace this occasion. Those and many others whose names I may not have mentioned directly take it from us our sincere and genuine compliment and thanks for finding time to be with us. Thank you so much and be welcome at Kisumu Assembly at all time.

Sorry some of our Members have just come. Hon. Ochieng Daima former MP for Nyakach Constituency is also around and not to forget less I have sleepless nights my dear wife is also around here.

*(Applause from the Members)*

Other than that, I think we do not take you for granted for your presence. Thank you and welcome. Next order Madam Clerk?

**His Excellency, the Governor** (Prof. Peter Anyang' Nyong'o):

OFFICIAL STATE OF THE COUNTY ADDRESS BY THE GOVERNOR OF KISUMU  
COUNTY

BY PROF. PETER ANYANG' NYONG'O

Mr. Speaker Sir,  
Honourable Members,  
Distinguished Guests,  
Ladies and Gentlemen.

I am delighted to address you at the opening of this third session of the second Assembly. It is my hope that members have had opportunity to connect with the electorate and to take a well-deserved rest during the recess that has just ended.

Let me begin by wishing you Mr. Speaker and Honourable Members, success in your plans for the new year. Our people have great hope and expectation on both the Assembly and the Executive for service delivery in 2019.

Mr. Speaker,

We appreciate the partnership and support that my government has continued to receive from this Assembly. You have performed your duties according to your representation, oversight and legislation functions honourably and diligently, in line with Article 185 of the Constitution as read together with Sections 8 and 9 of the County Governments Act, which outline the functions of the County Assembly.

In particular, we thank this Assembly for enacting the following pieces of legislation in the last session:

1. The Kisumu County Emergency Fund Act, 2018;
2. The Kisumu County Lake Region Economic Bloc Act, 2018;
3. The Kisumu County Enterprise Fund Act, 2018;
4. The Kisumu County Office of the County Attorney Act, 2018: and
5. The Kisumu County Trade Fund (Amendment) Act, 2018.

This Assembly also passed two other Bills namely: The Kisumu County Village Councils Bill, 2018, and the Kisumu County Economic & Social Council (KECOSOC) Bill. I referred these two Bills back to the Assembly with a memorandum outlining my reasons for the referral. I hope

that the Assembly will expeditiously look into those referrals and in due course pass the bills into acts to enable the County Government to continue with the necessary responsibilities entailed in the two pieces of law.

Noting the importance of these Bills to our collective agenda to deliver services to the people of Kisumu County, I urge the House to expeditiously attend to them and make amendments taking into consideration the issues I have raised therein.

We have, while the Assembly was in recess, submitted two transformative legislative proposals namely, the Kisumu County Transport Bill and The Kisumu County Law Enforcement Bill. I have no doubt that the Assembly will dutifully attend to them. Many other Revenue Bills are in the pipeline. Therefore, I guarantee you a busy session ahead of you.

Mr. Speaker,

My government's Vision for this County is well known to members of this House and the public. However, let me, for the avoidance of doubt, clarify that we are guided by the 10-point development agenda in my Manifesto, namely:

1. Revitalizing Agriculture or food security and promotion of agribusiness
2. Ensuring a healthy population living in a clean environment;
3. Building modern physical infrastructure;
4. Promoting skills development and innovation;
5. Opening the Kisumu lakefront for business and investment;
6. Providing decent housing in inclusive towns, semi-urban areas and villages;
7. Promoting sports and culture;
8. Promoting tourism driven by culture and heritage alongside new products;
9. Promoting industrialization and a vibrant service sector; and
10. Deepening structures of devolution while improving the efficiency and productivity of the county government.

The implementation of this agenda has involved setting goals for the short-term and the medium term. In the short-term, we focused on:

- i.** Establishing the Kisumu City Management Board;
- ii.** Improving sanitation in the city including relocation of *Kachok* dumpsite;
- iii.** Renegotiating the Kisumu Urban Programme (KUP) and reviving projects under the programme including Kibuye, Otonglo and Jubilee markets;
- iv.** Carrying out a census of Community Health Volunteers and providing modest rewards to make them Community Health Workers (CHWs);
- v.** Initiating the rejuvenation of the sugar and rice sub-sectors; and

vi. Commencing the establishment of Village Councils, Kisumu County Roads Maintenance Teams (KCRMT) and Kisumu Economic and Social Council (KECOSOC).

This is a summary of the ten (10) things we committed to achieve in the short-term.

Mr. Speaker,

All of these short-term goals are either fully achieved or almost done. The City Board is in place. We have successfully renegotiated the KUP grant for a no-cost extension to complete the projects envisaged under that program. Payments for Community Health Workers have been factored into our current budget. Our work in the sugar industry is in public domain, having succeeded to obtain block grants for the factories from the national government about a year ago and persuaded the national government to establish the taskforce currently looking into industry affairs. Admittedly, the grants from the national government could not alleviate the decay in the sugar industry and may have been only a drop in the ocean, but we are hopeful that the taskforce will propose sustainable solutions to the industry. Indeed draft recommendations of the Task Force envisage far reaching and radical changes in the sugar industry.

I would want to add that our Chairman Governor Oparanya and I have consistently not just in the task force but within the framework of the Lake Region Economic Bloc to ensure sustainable revival of the sugar industry.

I have already made reference to progress made in establishment of the Village Councils and the Economic and Social Council in the legislative agenda. Once the Village Councils are in place, they will drive implementation of the County Roads Maintenance Teams, in accordance with policy that has already been drafted by the Department of Roads, Transport and Public Works. We will finalize the relocation of *Kachok* dumpsite in the next three (3) months and conclude negotiations with relevant national government agencies for revival of rice milling by the turn of the financial year. A waste to energy, waste to fertilizer initiative is in the works.

Mr. Speaker,

At the beginning of this year, I issued a government circular, copied to your office and members of this Assembly, in which I listed seventeen (17) projects that we plan to complete in the medium-term. All these projects have been budgeted for in the current Supplementary Budget and will be driven by a Rapid Results Initiative (RRI) within the remaining portion of the current financial year. Implementation of some of these projects will extend into the next financial year, as part of our medium-term plans.

Mr. Speaker,

I do not want to reproduce the list of the projects here, since this information should already be available to Members. Nonetheless, let me mention some of the key projects in the list, including modernization of Jaramogi Oginga Odinga Teaching and Referral Hospital (JOOTRH), establishment of the business incubation and innovation centre at Rotary Youth Polytechnic, improvement of Moi Stadium, establishment of the County Land Bank, reclamation of Mboha and Nyamthoi wetlands for agricultural production and preparations towards *Africities* in November 2021.

Mr. Speaker,

Going forward, we will streamline county planning and budgeting processes to give full opportunity for participation by the people and their elected representatives and provide ample time for preparation of documents as required by the law. This Assembly has been very supportive. Together we can achieve even more participatory and responsive planning and budgeting processes. I have already discussed this with the Chair of Budget and Appropriations Committee as well as the Majority Leader on what needs to be done to rejuvenate the process on public participation in the planning process.

That is the way to conceive and implement large-scale projects in the medium-term. Let us have a common understanding on the balance between community-based projects for the proximate needs of our people and large-scale projects for generation of employment and livelihoods at the county-wide level for sustainable development. Ultimately, all of these are for the benefit of our people. In this regard, it may be necessary to review and make amendments to the County Integrated Development Plan (CIDP II). When we reach that decision, we will enlist the support of this Assembly in accordance with the law.

Mr. Speaker,

On the 6th of September 2018, I delivered the first *State of the County Address* to this honourable Assembly. We also published the first *State of the County Report* for Kisumu County, elaborating the successes, challenges and plans of the government.

There have been key developments after the *State of the County Report*, which need our collective action to push forward. Let me highlight only four of these developments as part of our agenda in the medium-term:

First, the Republic of Kenya won the bid to host *Africities Summit 2021* in Kisumu City. *Africities* is the largest gathering of leaders of Cities and Local Governments in Africa, organized every three years by the United Cities and Local Governments in Africa (UCLGA). This is a big feat and a monumental challenge at the same time. We expect about 5,000 international delegates

visiting Kisumu in November, 2021 and about 4,000 local/Kenyan delegates. That includes Members of the County Assemblies from across the nation.

While the national government and the Council of Governors (CoG) will be highly involved in preparations and hosting of the Summit, we bear primary responsibility to ensure logistical preparedness as host city. Soon, we will host a private sector roundtable to discuss preparations for the Summit, especially for accommodation, energy and local transportation services. In this regard, I would like to call upon the members of the City Board and the City Management to come forth and help in the effective preparation for *Africities*. I will be addressing them soon in that regard.

Secondly, Universal Health Coverage (UHC) was launched in Kisumu County by His Excellency President Uhuru Kenyatta on 13<sup>th</sup> December last year. As a pilot County, we have to maximize the benefits for our people while raising emerging issues in implementation of the UHC programme. For the UHC to be successful, the referral system must work. This requires public education and sensitization of our people to seek basic care at the lower level facilities. Otherwise, increased patient turnover at the higher level facilities will compromise quality of services at those levels. I was going to add that it is important in this public education system that we are going to unleash that every person who register for UHC identify the primary unit where he/she is registered for the purposes of accessing health care in the county as a whole. We intend to initiate an electronic patients record which will be available in each and every facility that anybody seeks health care in the county.

Thirdly, we launched the geo-physical planning and zoning of Kisumu City, being undertaken by a consortium of international and local firms. This is an important exercise whose products will guide development in the city for generations to come. The plans we have for opening up the lakefront for business and harnessing the blue economy cannot be realized without solid plans for land and space utilization for sustainable development. Again, public education will be required once we have zoned the city for various activities in different locations. Public and private investments will have to adhere to these regulations and we will rely on the working partnership with this Assembly to sensitize our people on this matter.

Fourth, His Excellency President Uhuru Kenyatta and the Right Honourable Raila Amollo Odinga have launched a new project to reverse the degradation of Lake Victoria and establish port services in Kisumu, supported by extension of the railway line from Nakuru to Kisumu. This project will change the economy of Kisumu County, the Lake Region Economic Bloc (LREB) and the rest of the country in unprecedented ways. We must begin to prepare our people to engage in agricultural production, vocational training and development of the service sector to take reap the economic dividends in local employment generation and sustainable livelihoods.

Honourable Members, you remember that in our manifesto we emphasize the need to revitalize our maritime transport in Lake Victoria and during the Jamuhuri Day address last year, I did mention that the year 2019 is the year that we must remove hyacinth from Lake Victoria and at that point in time of making statement there was leap of faith but fortunately the President and the Prime Minister has come to our aid and launched a major project for dredging the lake so that maritime transport can take place in a gulf that has become shallow over the years so that the hyacinth can also be removed once and for all.

These activities can only be driven by the private sector with support of the national and county government. Again, this Assembly will play a key role in enacting legislation to create the environment for business and investments. Not just in maritime transport but in the county as a whole.

Mr. Speaker,

There are many challenges facing both the Executive and Legislative arms of County governments. I highlighted some of these challenges in the *State of the County Report* and I will not repeat them here. However, at this point in time, we are faced with the challenge of the Nurses' strike. It is important for this Assembly and the people of Kisumu County to understand that the nurses' strike was called by the National Union of Nurses and that negotiation to resolve the issues are taking place at the national level, with involvement of the Salaries and Remuneration Commission (SRC) and the Council of Governors (CoG) on behalf of County governments.

At the County level, we can only discuss with local union representatives modalities of implementing agreements reached at the national level. Indeed the CoG was called to order by the Salaries and Remuneration Commission for having signed a back to work agreement with the Nurses Union without a reference to the Salaries and Remuneration Commission. The Chairperson of the commission has drawn our attention to the Constitutional provisions giving sole responsibility to the Salaries and Remuneration Commission as the only body that can only vary the salaries and remuneration of all the public servants including nurses.

Therefore, in the CoG there is little we can do until this is settled by the treasury. The SRC and the CoG, to alleviate the suffering of our people, the County Government has moved to enlist nurses until the impasse is resolved. This action needs to be understood for its good intention to save lives rather any form of intimidation or any form of striking nurses. We will not delay to implement directives from the National Government as soon as an agreement is reached between the union and the government agency.

Indeed as I speak there is a court order demanding that a reconciliation process be carried out in the next sixty (60) days to try and find an amicable solution to this crisis.

Finally Mr. Speaker,

The establishment of performance management, monitoring and evaluation as well as delivery systems in the executive arm of government will be strengthened by the institutionalization of oversight by the Assembly. I am glad that you did emphasize in your address the important role of the assembly as an oversight institution. Let us work together to streamline communication, consultation and mutual accountability between the County Assembly and the Executive in the context of separation of powers as prescribed by the law.

Mr. Speaker Sir, I would assure Honorable Members that within very short time we shall have our long standing retreat and getting together between the Assembly and the Executive. I apologize for the delay in making sure that that happens but now that the past is under the bridge, let us make sure that we build the bridges to bring us together in this retreat. That should happen sooner rather than later.

Mr. Speaker, Honourable Members, Ladies and Gentlemen,

There is Work to be done. Let's Do It!

Thank you for listening to me!

*(Applause from the floor)*

#### PAPER

#### OFFICIAL STATE OF THE COUNTY ADDRESS BY THE GOVERNOR OF KISUMU COUNTY, PROF. PETER ANYANG' NYONG'O

**The Speaker** (Hon. Onyango Oloo): Proceed Hon. Leader of Majority.

**Leader of Majority** (Hon. Kenneth Onyango): Thank you Mr. Speaker. Pursuant to County Assembly Standing Orders No. 22 (4), I wish to table before this House today Tuesday 12<sup>th</sup> February, 2019 the Official State of the County address by the Governor of Kisumu County, Prof. Peter Anyang' Nyong'o. Thank you.

#### NOTICE OF MOTION

#### THANKS OF THE COUNTY ASSEMBLY BE RECORDED FOR THE EXPOSITION OF PUBLIC POLICY CONTAINED IN THE ADDRESS OF THE GOVERNOR

**The Speaker** (Hon. Onyango Oloo): Yes Leader of Majority.

**Leader of Majority** (Hon. Kenneth Onyango): Your Excellency the Governor, Mr. Speaker, Pursuant to County Assembly Standing Orders No. 22 (5), I wish to give a notice of motion that

the thanks of the County Assembly be recorded for the exposition of public policy contained in the address of the Governor.

May I call upon the Deputy Leader of Majority to second?

**Hon. Pamela Odhiambo:** Thank you Mr. Speaker. I second that the thanks of the County Assembly be recorded for the exposition of public policy contained in the address of the Governor. Thank you.

**The Speaker** (Hon. Onyango Oloo): Order Honourable Members. Yes Hon. Leader of majority.

### ADJOURNMENT

**Leader of Majority** (Hon. Kenneth Onyango): Mr. Speaker Sir, I wish that we adjourn this Assembly up to Tuesday 19<sup>th</sup> February, 2019 at 2:30 p.m. Allow me to call Chair of Chairs to second.

**Liaison Chair** (Hon. Samo): Thank you Mr. Speaker. I second.

**The Speaker** (Hon. Onyango Oloo): Thank you Honourable Members, as is the tradition of this event, the Speaker together with the Governor is going to host a cocktail on behalf of the Members and for all of our guests and visitors today at the Grand Royal Swiss. We implore all our guests and the Honourable Members to join us for a cocktail at the said facility. His Excellency the Governor will lead us there. This House stands adjourned to Tuesday 19<sup>th</sup> February, 2019 at 2:30 p.m.

*The House rose at 3:40 p.m.*