

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – SIXTH SESSION

Thursday 26th May, 2022

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

(The Temporary Speaker (Hon. Inviolata Adhiambo) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Inviolata): Mr. Clerk, please take us through the Order Paper of today.

The Temporary Speaker (Hon. Inviolata): Next order!!

COMMUNICATION FROM THE CHAIR

The Temporary Speaker (Hon. Inviolata): Good afternoon Honourable Members, with us today are students from Ematsuli Secondary School, Umuhaya Sub County in Vihiga County. They are accompanied by their teachers Mr. Shikuku and Mr. Mugathia. Welcome to County Assembly of Kisumu and please feel at home.

Honourable Members, I also want to take this opportunity to remind the Honourable Members that the County Assembly will be conducting Public Participation on Monday on Kisumu County Health Amendment Bill. You are therefore expected to invite the residents from your respective Wards to attend this function. The venue will be the County Assembly of Kisumu. At this juncture, I will allow some welcoming remarks to our guests before we proceed to other businesses.

The Temporary Speaker (Hon. Inviolata): Yes Hon. George Ogotu.

Hon. Ogotu: Thank you Madam Speaker. I stand to welcome the guests into the House. These are students from our neighboring county and I want to believe that they will be able to learn a lot during this short visit to the Kisumu County Assembly. This is to inform our visitors that, we are in the electioneering period and most aspiring candidates are moving up and down seeking for votes. Therefore, it is in order for our guests to know exactly how debates are conducted here in the Assembly. This will help them learn the procedures and rules of debates. You will notice that unlike the National Assembly, this County Assembly has fewer number of Members. We are urging you to take your studies seriously so that those who would want to pursue their careers in politics would manage to represent their wards and Counties at large. Otherwise, I highly welcome you to this House.

Madam Speaker, in your earlier communication, I didn't capture the venue for the public participation as scheduled. Kindly clarify so that Members could be equipped with the information and prepare for it amicably. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you Hon. Ogotu, I am being informed by the Clerk that the venue for the Public Participation Exercise will be here at the Assembly grounds, and invitation is to at least 5 members of the public per ward. Thank you.

The Temporary Speaker (Hon. Inviolata): Next Order Mr. Clerk!!

STATEMENTS

The Temporary Speaker (Hon. Inviolata): Honourable Members, its statement hour. Is there any Member with a Statement?

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Ogotu.

Hon. Ogotu: Thank you Madam Speaker, this is a personal Statement.

The Temporary Speaker (Hon. Inviolata): Proceed.

Hon. Ogotu: Madam Speaker, I have a concern as Hon. George Ogotu Oluoch, MCA for West Nyakach Ward. When I joined this Assembly in 2017, I gave out my Title Deed as collateral to the County Assembly to advance me a loan as a Member.

Madam Speaker, while keenly checking through my statements, I realized that I had completed my loan three months ago. I have been visiting respective offices on the same so that my Title Deed is returned back but to no avail. Madam Speaker, this is a respected institution and it is important for the institution to know that our term in this Assembly is only 5 years and they should put everything in place when the time for us to exit comes. It is really disappointing to be told that

the release of these the Deed will be delayed because of certain ends that needs to be tied. Some people are sleeping on their jobs at the expense of competency in service delivery.

The Temporary Speaker (Hon. Inviolata): Thank you honorable Ogutu, since it was a Personal Statement, I believe the Clerk has noted it down and it will be followed up by the respective offices in charge. If there are no more Statements we shall proceed.

The Temporary Speaker (Hon. Inviolata): Next Order!

MOTION

REPORT FROM THE STANDING COMMITTEE OF CHILDREN, GENDER, CULTURE AND SPORTS ON BENCHMARKING EXERCISE WITH ITS SISSTER COUNTERPART THAT MOMBASA COUNTY ASSEMBLY

BY

HON. MAURICE NGETA, AWASI/ONJIKO WARD.

(CHAIRPERSON, COMMITTEE OF CHILDREN, GENDER, CULTURE AND SPORTS)

The Temporary Speaker (Hon. Inviolata): Yes, Hon. Rashid Miruka

Hon. Miruka: Thank you Madam Speaker, allow me to present the Report by the Committee on Children, Gender, Culture and Sports on behalf of Hon. Ngeta, the Chairperson.

The Temporary Speaker (Hon. Inviolata): Proceed

Hon. Miruka: Thank you. Mr. Speaker and Hon. Members, PURSUANT to the provisions of the County Assembly of Kisumu Standing Order No. 194(2) (c) which mandates Sectoral, Select and House Committees to prepare programs and activities to be undertaken in each Fiscal Year, the Sectoral Committee on Children, Culture and Community Services prepared its Annual Work Plan for FY 2021/2022 detailing errands to be transacted which amongst them, was the approved benchmarking exercise with its sister Committee of Mombasa County Assembly.

Following the approval of the benchmarking exercise with the Mombasa County Assembly by the Liaison Committee, the Speaker of the Kisumu County Assembly permitted the Children, Culture and Community Services Committee to carry out the exercise from the 14th November 2021 to 19th November 2021.

LEGAL FRAMEWORK, AND MANDATE OF THE COMMITTEE

Mr. Speaker and Hon. Members, The Committee draws its mandate pursuant to the provisions of the Standing Order 193(5), the Committee on Culture, Children and Community Services shall among other supervisory duties:-

- (a) Investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned department.
- (b) Study the programme and policy objectives of the department and the effectiveness of the implementation.
- (c) Study and review all County legislation referred to it.
- (d) Study, assess and analyze the relative success of the department as measured by the results obtained as compared with their stated objectives.
- (e) Investigate and inquire into all matters relating to the assigned department as they may deem necessary, and as may be referred to them by the County Assembly.
- (f) To vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 187(Committee on Appointment).
- (g) Make reports and recommendation to the County Assembly as often as possible, including recommendation of proposed legislation.

Further, pursuant to the provision of the Standing Order 193(Second schedule), the Committee is mandated to inquire into, investigate and report on;

All matters relating to cultural activities, public entertainment, public amenities, including betting, casinos and other forms of gambling, racing, liquor licensing, cinemas, video shows and hiring, libraries, museums, sports and cultural activities and facilities and county parks, beaches and recreation facilities; children's welfare; and control of drugs and pornography.

COMPOSITION OF THE COMMITTEE

The Committee on Children, Culture and Community Services is constituted in line with the provisions of Standing Orders No. 193 (6) as follows;

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|----------------------------|---|------------------|
| 1. Hon. Maurice Ngeta | - | Chairperson |
| 2. Hon. Olga Aoko | - | Vice Chairperson |
| 3. Hon. Linet Muga | - | Member |
| 4. Hon. Florence Olango | - | Member |
| 5. Hon. Jackton Ojwang | - | Member |
| 6. Hon. Beatrice Pamela | - | Member |
| 7. Hon. Consolata Ollows | - | Member |
| 8. Hon. Vincent Jagongo | - | Member |
| 9. Hon. Inviolata Adhiambo | - | Member |
| 10. Hon. Pamela Odhiambo | - | Member |
| 11. Hon. Jane Manuche | - | Member |

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|--------------------------|---|--------|
| 12. Hon. Julius Genga | - | Member |
| 13. Hon. Rashid Miruka | - | Member |
| 14. Hon. Jennifer Obonyo | - | Member |
| 15. Hon. Carren Oguok | - | Member |

SECRETARIAT

- | | | |
|---------------------|---|------------------------|
| 1. Annebelle Wabuge | - | Senior Clerk Assistant |
| 2. Allan Otieno | - | Clerk Assistant. |
| 3. Rose Baraza | - | Serjeant-at-Arms |
| 4. Jesca Otieno | - | Hansard Reporter |

OBJECTIVE OF THE BENCHMARKING EXERCISE

Mr. Speaker and Honorable Members, the objective of the committee during the visits was:

- To compare notes on how the sister committee conducts its activities and achievements so far made in regards to matters public entertainment, children, youth, gender and PWDs welfare, sports management and policies and the measures put in place to enhance cultural activities and delivery of community services.

In attendance

In attendance from the Counterpart Committee were as below:

Mombasa County Assembly, Youth, Gender, Sports and Cultural affairs Committee;

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|------------------------|---|-------------|
| 1. Hon. Gibson Lugulu | - | Chairperson |
| 2. Hon. Rafael Bwire | - | Member |
| 3. Hon. Omar Abrari | - | Member |
| 4. Hon. Benard Ogutu | - | Member |
| 5. Hon. Charles Kitula | - | Member |
| 6. Hon. Thobias Samba | - | Member |

Secretariat:

- | | | |
|-----------------------|---|-------------------------|
| 1. Ms. Cebbie Anyango | - | Clerk Assistant |
| 2. Mr. Daniel Mbuthia | - | Senior Serjeant at Arms |

ACKNOWLEDGEMENT

Mr. Speaker and Hon. Members. May I take this opportunity to thank all the Members of the Committee for their invaluable input and contribution during the entire benchmarking exercise which took place in Mombasa County Assembly?

Equally, the County Assembly of Kisumu Committee wishes to convey its utmost and sincere gratitude to their counterpart Committees and staff of the Nairobi County Assembly for their amiable welcome and full cooperation during the study tour. Besides, they provided us with relevant and useful information on matters pertaining to Children, culture, sport, and the youth which the Committee is very grateful for.

The Committee also wishes to thank the Offices of the Speaker and the Clerk of the County Assembly for offering support, good will and serene environment to gauge with their counterpart Committee.

In addition, Hon. Speaker, it is worth noting that during the Committee Sessions, despite the Covid-19 infection rates being low at the time, Members complied with the WHO and the Ministry of Health directives regarding the COVID-19 where the Committee ensured that sessions were conducted in strict adherence to Ministry of Health decrees such as maintenance of Social Distance, Wearing of Masks, washing of hands using soap and water or use of Sanitizers where necessary to ensure that safety is guaranteed.

On behalf of the Sectoral Committee on Children, Culture and Community services, pursuant to the provisions of the County Assembly Standing Orders no. 163 (c) and 182; it is therefore my honor and privilege to present to this House the Report on the Benchmarking Exercise by the Committee with the Mombasa County Assembly.

YOUTH, GENDER, SPORTS AND CULTURAL AFFAIRS COMMITTEE OF MOMBASA COUNTY ASSEMBLY

Committee membership

The sectoral Committee on youth, gender, sport and cultural affairs comprise of 11 members.

Functions of the Committee

1. Investigate, inquire into and report on all matters relating to the mandate, management, activities, administrations, operations and estimates of the Department;
2. Study the programs and the policy objectives of the Department and the effectiveness of the implementation;
3. Study and review all County legislation referred to it;
4. To vet and report on all appointments where the Constitution or any law requires the county Assembly to approve, except those under Committee on Appointment; and
5. Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

Subject area of the Committee in Mombasa County Assembly.

The third schedule to the County Assembly Standing Orders provide that the Committee is to consider all matters related to cultural activities, public entertainment and public amenities,

including, racing, liquor licensing, cinemas, video shows and hiring, libraries, museum and cultural activities and facilities and county parks and recreation facilities; firefighting services and disaster management, control of pornography and sports activities and facilities and ensuring and coordinating the participation of communities and location in governance at the local level and assisting communities and locations develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.

COMMITTEE FINDINGS AND OBSERVATION

The Committees held an interactive session with the members involved in discussion which sought to look into the various issues which were of interest to the two Committees. The following were the Committee findings pertaining to the issues discussed;

Sports Management and Policies

Mombasa County has constructed 3 seven aside football pitches and 2 mini stadium in majengo, Kizingo, Kisauni, Kongowea and Bomu which has provided a conducive atmosphere for the young people to nurture their talents. The committee is also making efforts to ensure that all the wards in Mombasa County have at least a football pitch so as to help keep the youths busy and help them avoid involving themselves with the societal ills.

The Mombasa County Assembly is also working on a sports policy that will help enhance matters sports in the County. This policy will help promotes sporting activities within the County in various ways such as the youths using the playing fields without being charged while also maintaining proper management of the facilities.

The County Government has also undertaken to renovate several small pitches in the County and this has also come a long way in promoting sports and nurturing of talents.

Children, Youth and Gender Welfare

The Mombasa County Assembly in collaboration with the Kenya Alliance for the Advancement of Children (KAACR) set a process in motion to work with children aged 8 years to 18 years to enable them add their voices to conversations of national concern. This they achieved through activities such as the Pwani Children Voices conference and participation of children and youths at the Mombasa County assembly and their engagement with the Speaker of the Assembly and Committee members.

The objective of the above initiative was to include children and youths from Mombasa County in national development issues and empower them to be civically engaged in their communities.

In regards to adolescents and the young people, Mombasa County has greatly invested in this priority population through the Mombasa County Adolescent and Young People (AYP) Strategy. The County came up with this initiative due to the realization that there is a high number of child marriages, gender based violence, teenage pregnancies, high rates of school dropouts and youth

involvement in sex tourism. The strategy will be implemented over a period of 5 years (2018-2023) and will attempt to provide a holistic approach to addressing the needs of adolescents and young people in Mombasa County.

The strategy seeks to boldly tackle socio-economic, behavioral and health care system based determinants while meaningfully engaging AYPs. The document has four key strategic objectives;

1. To improve HIV/SRH outcomes for adolescents and young people.
2. To improve the social and economic status of adolescents and young people.
3. To strengthen AYP participation and leadership in HIV/SRH planning and programming at all levels
4. To strengthen County leadership and coordination of multi sectoral partners engagement for AYP health and wellbeing.

Enhancing Cultural Activities and Protection of Cultural Sites.

Mombasa County has the annual Mombasa international cultural festival which is used to enhance cultural activities among the residents as well as foreign and local tourists. Such festivals greatly help in promotion of the people's culture as well as celebrate the diversity among them.

Mombasa County Assembly also passed the Mombasa County Heritage Bill, 2017 which has since been enacted. The Act aims to identify, protect and promote cultural activities in Mombasa; to promote the knowledge, protection enhancement and transmission of cultural heritage of Mombasa.

Children's Rights

The County Assembly has also put into consideration the rights of Children living within Mombasa County. The County Government is working with child rights organizations through partnerships to ensure strict enforcement of the existing laws on Child abuse and neglect. Through this, Mombasa County has managed to reduce the cases of child exploitation as was in the recent past where children were hawking goods in the C.B.D and others being used as domestic workers (maids).

Mr. Speaker and Honorable members, as can be seen there are several activities and legislations that Mombasa County has put in place and has greatly enhanced the lives of its people in different ways. We as Kisumu County can borrow a leaf from them and implement or even come up with greater and better ideas that will come a long way in enhancing the lives of our youths, Children and the Community at large.

Hon. Miruka: Madam Speaker and Honourable Members, we in Kisumu County can borrow a leaf from our counterparts and implement or even come up with better and transformative ideas that will go a long way in changing the lives of our youths, children and our community at large.

THE COMMITTEES' RECOMMENDATIONS.

Madam Speaker and Honourable Members.

1. THAT, Kisumu County Assembly puts in place relevant regulations to help enhance Sports within the County. This should be Acts and Policies as reflected in Mombasa County
2. THAT, the Department to ensure that at least each Sub-county is equipped with a playground that is to the required standards. This can be done through renovation of existing playgrounds or the construction of new sports facilities. Madam Speaker, you recall that in Mombasa, they have quite a number of playgrounds notably, Kongoweha, Kizingo just but to mention a few.
3. THAT, Kisumu County Assembly should adopt a Policy on Gender Mainstreaming that will enhance the in cooperation of both gender and its activities in the County.
4. THAT, the County Government should endeavour to engage the youths and children in foras especially the youth so as to empower them.
5. THAT, Kisumu County Assembly should pass legislations that will ensure the protection of children from exploitationary child labour, hawking and being used as domestic workers. The County Assembly should equally enter into a partnership with Child Rights Organizations in the ensuring of compliance to strict enforcement of existing laws.

CONCLUSION

Madam Speaker and Honourable Members, this Standing Committee would like to implore this August House to deliberate and consider adopting this report and ensure that the resolutions passed by this House is communicated to the respective line department for implementation as appropriate.

Madam Speaker and Honourable Members, once again, please allow me to convey my sincere gratitude to each and every one who joined us to make the tour a success.

Madam Speaker and Honourable Members, therefore, please allow me to call upon Hon. Joyce Oguok to second this report. Thank you.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Oguok.

Hon. Oguok: Thank you Madam Speaker. I second.

The Temporary Speaker (Hon. Inviolata): Honourable Members, A motion on the Adoption of the Report from the Standing Committee of Children, Culture, Arts and Sports on the Benchmarking Exercise with its sister counterpart of Mombasa County Assembly has been moved by the Chairperson – Hon. Miruka on behalf of Hon. Ngeta and seconded by Hon. Oguok. I now therefore want to propose it open for debate.

The Temporary Speaker (Hon. Inviolata): Yes George Ogutu, MCA, West Nyakach Ward.

Hon. Ogutu: Thank you Madam Speaker. Once again, I want to say that the report before the House is noble. Madam Speaker, what makes me glad are the findings made by the Standing Committee and these are finding gathered by the Committee on their visit to Mombasa County Assembly.

Madam Speaker, I can see that in the first finding which is Sports Management and Policies. It is very clear that Mombasa County has done much by constructing three Seven-aside Rugby Pitches. For those who may not be aware this seven-aside. These are pitches used to play Rugby. It is my belief that, this could be special cases in this County. Madam Speaker, when we reflect on our own County, I have never witnessed anywhere where the County Government of Kisumu has constructed the Seven-aside Rugby Pitch to help promote Rugby in Kisumu. Madam Speaker, the most important thing here is that, the objects of benchmarking is to undertake a comparative analysis of one county against the other, milestones which other counties have achieved since the inception of devolution.

Madam Speaker, you are aware that, today as these Honourable Members are packing up their bags, and we are equally aware that a majority of them are going back home in expectations of the coming of new crop of leaders. Madam Speaker, it is now ten years into devolution. It is my belief that we should have left this place proud of the achievements that we have made as a County through the ten years since the inception of devolution. Madam Speaker, if we go further, you will realize that Mombasa County has constructed two additional soccer pitches which is lacking in Kisumu County. I believe that Members know very well what happened to our one and only Moi Stadium which this House gave a budgetary allocation of over Kshs 100 million. Madam Speaker, if you visit that site, then, you will conclude definitely that something is amiss.

Madam Speaker, if this county can borrow a leaf from other Counties, because let us take for example Mombasa has constructed three pitches within a span of ten years since the inception of devolution, then, the blame should be on us. Madam Speaker, if it were not by the Grace of God, that if the Right Honourable Raila Amollo Odinga had not shook hands with the sitting President Uhuru Mwigai Kenyatta then I don't believe that we could have had anything to show off or smile about. It is only after that, it is when the Mamboleo Sports Grounds was constructed and for your information, this was not a county initiative but a national initiative.

Madam Speaker, we are all aware that, it is both in Western and Nyanza Provinces where football legends emanate from and we cannot grow this talent if we don't have the facilities like good pitches. It is now high time for us as a County to venture into different sporting activities and Rugby being one of them.

Madam, Speaker, just to reflect a little bit on our neighbours here, the people of both Kakamega and Vihiga have a talent for Rugby and if you can recall because I can only recall one person from Kisumu County, the rest are coming from the western hemisphere of our Country. It is high time for this County to take Sports seriously. Madam Speaker, Sports is an equal opportunity employer

and a very big employer. If you visit Counties where sports is being taken seriously, then revenue realized from sports is massive and I believe that this is the route which the County Government of Kisumu should take.

Madam Speaker and Honourable Members, you are aware that, for us to develop our County, talents from the youth should be nurtured and this is the areas where we can nurture these talents. Sometimes it is amusing because it is in this House that, and it is my belief that some of the Members allocated funds for the Purchase and Distribution of Sports Gears to the Youths in our Wards.

Madam Speaker, to my surprise, it is the Hon. Members who are aware of the need to have those sports gears and where they should be distributed to. Unfortunately and since we don't care, somebody at the Executive decided to use the Village Administrators to distribute these sports gears which was an initiative of a Hon. Member in this House. If we want to nurture talents then, we should follow the right procedures.

Madam Speaker, finally, there is a section which I have to highlight on which is Gender Mainstreaming. This has been lacking in Kisumu County. I am aware that some of us here might not come back to this Assembly after the August, 2022 General Elections but those who will be lucky to come back should take this matter on Gender Mainstreaming seriously. Today, I don't know what has happened to Hon. Beatrice Pamela who has always been steadfast in this House to agitate for gender mainstreaming policies. Let this House Committee take seriously that particular bit of it.

Allow me to congratulate this House Committee for the recommendations they have put forward that is from number 1 to 5. If they can be implemented then, I believe Kisumu County will soar with eagles. Thank you.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Obonyo.

Hon. Obonyo: Thank you Madam Speaker I wish to call the mover to reply.

The Temporary Speaker (Hon. Inviolata): Yes Hon. Miruka.

Hon. Miruka: Thank you Madam Speaker, allow me to applaud the Members for the robust contributions towards this report. I know that everyone wants things that have value and can do some good transformation to the community. In this regard, comparing to what we witnessed in Mombasa County Assembly and what we expect to see in Kisumu County then I believe that this will be a milestone to use. From the report and the sentiments that I have gotten from you, the right Regulations and Policies would make us develop this County.

Madam Speaker and Honourable Members, I would like to say that if we develop regulations and policies that we want and adopt the recommendations as presented in this report then, I believe all

our wards will have playing fields and talents in our community will be improved. Almost all the wards in Mombasa County have their playing fields. Mombasa County has entered into partnership with other Non-governmental Organizations and it is my prayer that we emulate that. I want to believe that today if we resolve that we go this direction, then, our County would change for the better. If we endeavour to invest in sports and include all sporting activities then I believe our County will be moving into the right direction.

Madam Speaker and Honourable Members, I would like to request our Speaker of the day that the resolutions that we have if adopted then in future Kisumu will be a County in as much as sporting activities is concerned. Remember all the sporting activities including rugby, football and netball originated from this part of the region. They are not hear at this moment because we lack facilities. If we can put the little money that we have to good use as we saw in Mombasa then, the talents will come back to this region. I would like the Members to adopt this report for to enable us change Kisumu County. Thank you.

The Temporary Speaker (Hon. Inviolata): Thank you. Honourable Members. A report from the Standing Committee of Culture and Sport on its Benchmarking exercise with Mombasa County Assembly has been moved by Hon. Miruka on behalf of Hon. Ngeta, seconded by Hon. Carren and debated by Hon. Members I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

The Temporary Speaker (Hon. Inviolata): The report from the Standing Committee of Culture and sports on its Benchmarking Exercise with Mombasa County Assembly is hereby adopted today 26th May 2022 at 1519 hours.

Honourable Members, further, I direct that the recommendations and resolutions made by this House be forwarded to the relevant line department for implementation as appropriate. Thank you.

The Temporary Speaker (Hon. Inviolata): Next Order!

ADJOURNMENT

The Temporary Speaker (Hon. Inviolata): Honourable Members, there being no any other business to transact, this House stands adjourned to Tuesday 31st May 2022 at 2.30 p.m. Thank you.

(House rose at 03.22 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Jesca Otieno – Hansard Reporter

Vallery Achieng’ – Hansard Reporter