



THE COUNTY ASSEMBLY OF KISUMU 3 RD ASSEMBLY	
DATE: 25/09/2024	Time: 9:00 am Day: Wednesday
TABLED	Hon. Ralib Bororo
CLERK AT THE	A. Ojwang

COUNTY ASSEMBLY OF KISUMU
THIRD ASSEMBLY – (THIRD SESSION)

DATE: 24TH SEPTEMBER 2024

NOTICE OF MOTION

APPROVAL OF SEMI-AUTONOMOUS STATUS OF THE CITY KISUMU

AWARE, that Article 184 of the Constitution of Kenya provides for the governance and management of urban areas and cities through the Urban Areas and Cities Act, 2011

FURTHER AWARE that Sections 20 and 21 of the Urban Areas and Cities Act, 2011, empowers County Governments to transfer certain functions and powers to City or Municipal Boards for efficient service delivery and urban management;

COGNIZANT that the County Government of Kisumu vide Gazette Notice No. 6298 dated 15th April 2024 transferred specific functions and powers to Kisumu City Board, thereby creating the need to operationalize and give effect to the functions and powers of the City Board as listed therein;

FURTHER COGNIZANT, that the functions that have been transferred to the Kisumu City Board includes:

- a) Promotion, regulation, and provision of refuse collection and solid waste management services;
- b) Promotion and provision of water and sanitation services, excluding areas served by the Water and Sanitation Provider;
- c) Construction and maintenance of urban roads and associated infrastructure;
- d) Construction and maintenance of storm drainage and flood controls;
- e) Construction and maintenance of walkways and other non-motorized transport infrastructure;
- f) Construction and maintenance of recreational parks and green spaces;
- g) Construction and maintenance of street lighting;
- h) Construction, maintenance, and regulation of traffic controls and parking facilities;
- i) Construction and maintenance of bus stands and taxi stands;

- j) Regulation of outdoor advertising;
- k) Construction, maintenance, and regulation of City markets and abattoirs;
- l) Construction and maintenance of fire stations;
- m) Provision of fire-fighting services, emergency preparedness, and disaster management;
- n) Promotion, regulation, and provision of cultural activities;
- o) Promotion, regulation, and provision of animal control and welfare;
- p) Development and enforcement of City plans and development control;
- q) City administration services (including construction and maintenance of administrative offices);
- r) Promoting and undertaking infrastructural development and services within City;
- s) Pollution (water, air, noise, and soil) control; and
- t) Any other functions as may be delegated by the County Government.

RECOGNIZING that Kisumu City Board requires semi autonomy to effectively perform these transferred functions, in order to enhance service delivery, foster accountability, and promote good governance;

ACKNOWLEDGING that the establishment of the Kisumu City Board as a semi-autonomous body will ensure that the residents of Kisumu City receive timely and efficient services, while also promoting local economic development and sustainable urban management;


NOW THEREFORE, I wish to give a Notice of Motion that this Assembly resolves to:

1. Approve and grant semi-autonomy status to the Kisumu City Board as delineated in the Gazette Notice No. 6298.
2. Mandate the County Executive Committee Member responsible for the Department of Lands, Physical Planning, Housing and Urban Development and Finance and Economic Planning in consultation with all relevant stakeholders, to facilitate the smooth transition of functions, assets, liabilities, and staff to the Kisumu City Board, and ensure all necessary frameworks are in place for the full operationalization of the City Board.
3. The County Government through The County Executive Committee Member for Finance and Economic Planning shall ensure the timely transfer of all funds allocated to the City Board in the County Approved Budgets
4. Direct the Kisumu City Board to develop comprehensive policies, regulations, and guidelines to govern the provision of services within its jurisdiction, in line with the powers and functions outlined in Gazette Notice No. 6298.

5. Provide necessary oversight over the Board's Powers, Functions and Responsibilities to ensure transparency, accountability, and effective service delivery to the people of Kisumu City.

Hon. Speaker Sir, I urge all Honorable Members of this Assembly to support this motion.

**MOVER: Hon. RATIB BOITONE, MCA
CHAIRPERSON, LANDS, HOUSING, PHYSICAL PLANNING AND URBAN
DEVELOPMENT**

SIGN: 

Date: 24th September 2024

**SECONDER: Hon. JOACHIM OKETCH, MCA
CHAIRPERSON, BUDGET AND APPROPRIATIONS**

Client deal available 5/9/24

COUNTY GOVERNMENT OF KISUMU CITY OF KISUMU

Tel Nos: *Kisumu*
Office: (057) 202 3812
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City Hall, Court Road
P.O. Box 105-40100
Kisumu, Kenya



CGK/COK/ADM/VOL.1/09/2024
Our Ref:
Your Ref:

4th September 2024
Date:

The Clerk
Kisumu County Assembly
P.O Box 86 -40100
KISUMU



*1 Hon. Mr. ...
Prepare a draft Bill/Motion
for further action*

Dear Sir,

RE: FORMALIZATION OF THE SEMI-AUTONOMOUS STATUS OF THE CITY OF KISUMU

Following the resolutions of the Kisumu County Assembly approving the Local Physical and Land Use Development Plan, and the subsequent recognition of the City as a global intermediary city thus position it for massive development and orderly planning, please note that the County Government of Kisumu has gazetted the City of Kisumu as a Semi-Autonomous agency in order to facilitate financial and operational efficiency.

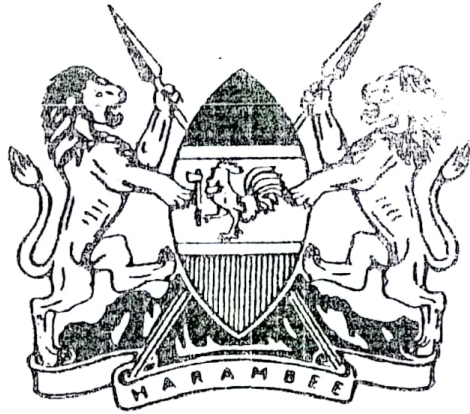
The purpose of this letter is to seek the indulgence of the Assembly to present a motion and a Bill on the foregoing for considerations and approval of the Assembly.

Please find attached Gazette Notice dated 24th May 2024, Vol. CXXV1 and Cabinet minutes approving transfer of Functions to the City Board for your action.

Thank You.

Aba'a M. Wanga (Mr.)
City Manager

- CC:
- ✓ Speaker of the County Assembly
 - ✓ The Leader of Majority
 - ✓ Hon. Boiton Ratib-Committee Chairperson



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GAZETTE NOTICE NO. 6297

THE URBAN AREAS AND CITIES (AMENDMENT) ACT

(No. 3 of 2019)

COUNTY GOVERNMENT OF KISUMU

DESIGNATED MARKETS

IN EXERCISE of the powers conferred by the Urban Areas and Cities (Amendment) Act, 2019, I, Prof. Peter Anyang' Nyong'o, Governor of Kisumu County notify the general public that the following markets are gazetted within the City of Kisumu:

- | | |
|---------------------------|-------------------------------|
| 1. Jubilee Market | 22. Migosi Market |
| 2. Kibuye Market | 23. Nyawita Market |
| 3. Otonglo Market | 24. Kowino Market |
| 4. Nyamasaria Market | 25. Kiboswa Market |
| 5. Mowlem Market | 26. Chiga Market |
| 6. Uhuru Business Park | 27. Kibos Market |
| 7. Mamboleo Market | 28. Rabuor Market |
| 8. Azimio Market | 29. Riat Market |
| 9. Dunga Beach Market | 30. Otonglo Market |
| 10. Manyatta Peace Market | 31. Obambo Market |
| 11. Nyamasaria Market | 32. Jubilee Fresh Fish Market |
| 12. Migosi Market | 33. Maendeleo Market |
| 13. Chichwa Market | 34. Lower Ojino Okew Market |
| 14. Kisian Market | 35. Ojola Market |
| 15. Chuth Ber Market | 36. Ulalo Market |
| 16. Ongalo Market | 37. Osikonyodho Market |
| 17. Sida Market | 38. Ogal Market |
| 18. Sabako Market | 39. Pundo Market |
| 19. Tieng're Market | 40. Gonggo Market |
| 20. Ong'wano Market | 41. Akingli Market |
| 21. Nyahera Market | 42. Orietiende Market |

Dated the 15th April, 2024.

PETER ANYANG' NYONG'O,
Governor, Kisumu County

MR/6166995

GAZETTE NOTICE NO. 6298

THE CONSTITUTION OF KENYA

THE URBAN AREAS AND CITIES ACT, 2011

(Amended 2019)

COUNTY GOVERNMENT OF KISUMU

TRANSFER OF FUNCTIONS

IT IS notified for general information of the public that pursuant to Article 184 of the Constitution of Kenya, as read with sections 20 and 21 of the Urban Areas and Cities Act, 2011 (amended 2019) and the First Schedule of the said Act, that the County Government of Kisumu has transferred all the functions and powers to the Board of the city of Kisumu with effect from the 1st April, 2024.

All the resources currently used in performing the said functions including Human Resource Management, payroll, budget, financial management and assets are transferred accordingly. The urban areas shall therefore offer all the functions listed below:

1. Promotion, regulation and provision of refuse collection and solid waste management services;
2. Promotion and provision of water and sanitation services and infrastructure (in areas within the City not served by the Water and Sanitation Provider);

3. Construction and maintenance of urban roads and associated infrastructure;
4. Construction and maintenance of storm drainage and flood controls;
5. Construction and maintenance of walkways and other non-motorized transport infrastructure;
6. Construction and maintenance of recreational parks and green spaces;
7. Construction and maintenance of street lighting;
8. Construction, maintenance and regulation of traffic controls and parking facilities;
9. Construction and maintenance of bus stands and taxi stands;
10. Regulation of outdoor advertising;
11. Construction, maintenance and regulation of City markets and abattoirs;
12. Construction and maintenance of fire stations;
13. Provision of fire-fighting services, emergency preparedness and disaster management;
14. Promotion, regulation and provision of City sports and cultural activities;
15. Promotion, regulation and provision of animal control and welfare;
16. Development and enforcement of City plans and development control;
17. City administration services (including construction and maintenance of administrative offices);
18. Promoting and undertaking infrastructural development and services within City;
19. Pollution (water, air, noise and soil) control; and
20. Any other functions as may be delegated by the County Government.

Dated the 15th April, 2024.

PETER ANYANG' NYONG'O,
Governor, Kisumu County.

MR/6166995

GAZETTE NOTICE NO. 6299

THE URBAN AREAS AND CITIES (AMENDMENT) ACT

(No. 3 of 2019)

COUNTY GOVERNMENT OF KISUMU

MARKET DAYS

IN EXERCISE of the powers conferred by the Urban Areas and Cities (Amendment) Act, 2019, I, Prof. Peter Anyang' Nyong'o, Governor of Kisumu County notify the general public that the following markets shall have market days on Wednesdays and Fridays, every week.

1. Otonglo Market, Wednesdays.
2. Uhuru Business Market, Fridays.

Dated the 15th April, 2024.

PETER ANYANG' NYONG'O,
Governor, Kisumu County.

MR/6166995

GAZETTE NOTICE NO. 6300

THE LAND REGISTRATION ACT

(No. 3 of 2012)

ISSUE OF A PROVISIONAL CERTIFICATE OF TITLE

WHEREAS Matungulu Farmers Company Limited, of P.O. Box 6, Makuyu in the Republic of Kenya, is the registered proprietor of all that piece of land known as L.R. No. 11931/10, situate in the north east of Thika Municipality in the Machakos District, by virtue of a

REPUBLIC OF KENYA



THE COUNTY GOVERNMENT OF KISUMU

Office of the County Secretary, Head of County Public Service and Secretary to the Executive Committee

CGK/CS/ADM/18/VOL.1/92

31/07/2024

**CITY MANAGER
KISUMU**

RE: CABINET MINUTES APPROVING TRANSFER OF FUNCTIONS TO THE CITY OF KISUMU

Reference is made to your letter Ref: CGK/COK/ADM/VOL.1/6/2024 dated 18th June 2024 concerning the above subject matter.

The purpose of this letter is to forward the document requested for your ease of reference.

Attached herewith please find the said minutes.


CS. HESBON HONGO
Ag. COUNTY SECRETARY

(Encls.)

REPUBLIC OF KENYA



THE COUNTY GOVERNMENT OF KISUMU

SPECIAL EXECUTIVE COMMITTEE MEETING HELD ON 24TH OCTOBER 2023

MEMBERS PRESENT

S/N	NAME	DEPARTMENT
1	H.E Prof Peter Anyang' Nyong'o	Governor-Chairman
2	Dr Mathew Owili	Deputy Governor
3	Hon. George Okong'o	CECM –Finance, Economic Planning and E-government
4	Hon. Judith Oluoch	CECM- Public Service, County Administration and Participatory Development
5	Hon. Kennedy Hongo	CECM-Lands, Physical Planning, Housing and Urban Development
6	Hon, Farida Salim	CECM-Trade, Industry and Marketing
7	Hon John Awiti	CECM Education, Technical Training, Innovation and Social Services
8	Hon Salmon Orimba	CECM Infrastructure, Public Works and Energy
9	Hon Marylyn Agwa	CECM Water, Environment, Natural Resources and Climate Change
10	Hon Beatrice Odongo	Sports, Tourism, Culture, Gender & Youth
11	Gregory Ganda	Medical Services, Public health and Sanitation
12	Kenneth Onyango	Agriculture, Irrigation, Livestock and Fisheries

Absent with Apology:

1. Mr Edris Omondi- County Attorney

In attendance:

1. Daniel Opiyo - Chief of Staff.
2. Mr. John Oywa - Governor's Advisor - Taking Minutes.
3. Mr Abala Wanga- Ag. City Manager
4. Mr Ouma Njoga- Legal Advisor

Agenda

1. Transfer of Functions to Kisumu City and Ahero/Awasi municipalities.

Calling the meeting to order:

The Governor called the meeting to order at 3:05 PM.

**MIN 01/CGK: HANDING OVER FUNCTIONS TO KISUMU CITY AND
AHERO/AWASI MUNICIPALITY**

Cabinet Memo:-

1.1: The Cabinet Memo dated 24th October, 2023 sought the Cabinet's approval on the transfer of services from the County Government of Kisumu to Kisumu City and Ahero-Awasi Municipality.

1.2: The cabinet Paper states that for the City of Kisumu and Ahero-Awasi municipality to qualify for the Kenya Urban Support Project (KUSP 2), all the functions currently being performed by the County Government should be transferred to the two urban entities.

1.3: That all the other conditions set out for the qualification framework to make them qualify for the project be met.

1.4: That for Ahero, a specific budget vote should be created and adequate staff deployed.

1.5: That both Kisumu City and Ahero-Awasi municipality have a deadline of 30th October 2023 to meet the conditions set by the KUSP II.

RESOLUTIONS:

The request to the Cabinet was approved for implementation.

The transfer of functions to be published in the Kenya Gazette on Friday, 27th October, 2023.10.26

Any other document prepared for gazettment on the same should be discarded. The legal advisor, CECM finance and City Manager to meet over the matter.

Advertisement for KUSP II staff

The meeting was told that an advertisement for the recruitment of KUSP II staff was erroneous.

It was stated that the KUSP only wanted 5 technical staff yet the advertisement was seeking the recruitment of 14 employees.

The Cabinet was further told that the advertisement did not pass through the County Secretary's office.

It was suggested that the recruitment for Five staff needed by KUSP II should continue as the rest be put on hold. The County Attorney and CS to further discuss the matter.

The Governor to meet the County Public Service Board over the KUSP employment concerns.

The Cabinet noted that the Board should consult the Executive before advertising vacant positions.



**HON. JUDITH OLUOCH
SECRETARY**

REPUBLIC OF KENYA



THE COUNTY GOVERNMENT OF KISUMU

MINUTES OF THE EXECUTIVE COMMITTEE MEETING HELD ON APRIL 20, 2023

MEMBERS PRESENT

S/N	NAME	DEPARTMENT
1	H.E Prof Peter Anyang' Nyong'o	Governor
2	Hon. Judith Oluoch	CECM Public Service, County Administration & Participatory development
3	Hon. George Okong'o	CECM Finance, Economic Planning & e-Government
4	Hon. Kennedy Hongo	Lands, Physical Planning, Housing and Urban Development
5	Hon. Salmon Orimba	Infrastructure, Energy & Public Works
6	Hon. Ken Onyango	Agriculture, Fisheries, Livestock Development and Irrigation
7	Hon. John Awiti	Education, Technical Training, Innovation & Technical Services.
8	Hon. Beatrice Odongo	Sports, Culture, Gender & Youth Affairs
9	Hon. Farida Salim	Trade, Tourism, Industry Marketing
10	Dr. Gregory Ganda	CECM Medical Services, Public Health
11	Meryl Agwa	CEMC Water, Environment, Natural Resources and Blue Economy
12	Hon. Edris Omondi	County Attorney

Absent with Apology

- | | |
|-----------------------|--|
| 1. Dr. Mathew Owili | Deputy Governor. |
| 2. Hon. Faridah Salim | CECM Trade, Tourism, Industry & Marketing. |
| 3. Mr. John Oywa | Ag. Chief Officer Communications. |

In attendance:

- | | |
|---------------------|---------------------------------|
| 1. Mr. Daniel Opiyo | Chief of Staff (Taking Minutes) |
| 2. Mr. Abala Wanga | City Manager |

Agenda

1. Prayer
2. Reading and confirmation of the Minutes
3. Matters Arising from the previous meeting
4. Establishment of Independent City Land Administrative Units
5. Revocation of letters of offers on land issued by the defunct Municipal Council
6. Reframing City HR Infrastructure for Improved service delivery in the City.
7. Climate change Fund regulation.
8. Establishment of Grants and sponsored programs office.
9. Kisumu County Water and Sanitation Bill, 2023.
10. Update on File tracking system.
11. Village Administration Act.
12. County Government of Kisumu: Urban Areas Organogram, Service Delivery and Revenue Accountability Framework.
13. Update on:
 - A) KUSP Phase one and Progress of KUPS Phase 2
 - B) City-Wide Greening Initiative and Beautification.
 - C) City Public Transport Service Plan.
 - D) Increase of Insecurity in the City.
 - E) Partnering with Stanbic to improve Kibuye market.
14. Ratification of MOUs.
15. Kisumu School of Government.
16. LREB Land Purchase.
17. The Adhoc Committees's progress report on the Conferment/Establishment of Municipalities in Kisumu.
18. Preparations for 2023 ASK show.
19. HIV Transition Roadmap and preparation for Sub-Award and Government to Government funding.

CALLING THE MEETING TO ORDER

The Chairman called the meeting to order at 9.10 AM, followed by prayers from CECM for CECM Public Service, County Administration & Participatory development Ms Judith Oluoch. She then took the Cabinet through the previous meeting minutes.

MIN 20/10/CGK/ECM/2023: KUSP PHASE ONE AND PROGRESS OF KUSP PHASE TWO

The City Manager made a presentation on the progress status of implementation of KUSP Phase 1. In addition, he emphasized the need for compliance with all the Minimum Conditions and performance standards for inclusion in KUSP Phase 2 as per the self-assessment table presented.

Key Point to note:

To qualify for the participation into Phase 2 of the KUSP, and for the Urban Development Grant (UDG), the City MUST meet all the requirements of the UDG Performance Framework that has been developed, setting of the MINIMUM CONDITIONS to be complied with.

Besides the KRAs, payment of KUSP 1 multiyear pending bills should be approved by the County Executive Committee, from allocation of development pending bills in the County Budget for the Financial Year 2023/24.

The Key Result Areas/Conditions

1. The participating urban area has the minimum human resource structure to undertake its delegated functions;

Key staff have been designated and are in place in the participating urban area, at minimum: City/Municipal manager, registered engineer, registered planner, environment officer, social development officer, finance/accountant officer, procurement officer, human resources officer.

2. The participating urban area has budget assigned to it;

A. Urban budget vote is included in county budget as a program/sub-program-level for the participating urban area, which contains the urban board budget prepared by the Board. The urban budget is publicly available. County government reports spending to the Controller of Budget accordingly.

B. City/Municipal Manager designated as an accounting officer by the CECM Finance as permitted by section 148 of the PFM Act, performing the functions established in the PFM Act (including financial reporting in accordance with PSASB templates issued).

3. Urban service delivery functions transferred;

County has transferred functions (including human resources, financial resources, and assets) to the Urban Boards and urban service delivery charter developed in the prescribed form, adopted and publicly available [each function 2 points, up to max of 12]

4. Effective human resource and performance management;

The organizational structure (with job specifications) and staff establishment of the urban administration approved by the County Cabinet is authorized by the County Public Service Board, and implemented; and Performance agreement between the

Board and County Government and between the City/Municipal Manager and Urban Board is in place and renewed annually.

5. Financial management: allocation of resources;

The county has allocated budget to the participating urban area in compliance with Public Financial Management (PFM) Act section 173, (reflecting at least 25% of the maximum yearly UDG allocation) and has mandated municipal manager and board to execute.

6. Financial management: Own Source Revenue;

Increase in transparency and disclosure of municipality OSR – quarterly and annually municipality reports are prepared and published.

Request to the County Executive Committee:


For the City to qualify into the important programme, County Executive Committee should approve activities for compliance with the minimum conditions, including payments to all pending bills and completion of projects in KUSP Phase 1.

RESOLUTION:

The County Executive Committee approved all activities to be undertaken by various County Government organs, including the City, the Public Service Board among others, to ensure compliance with the minimum access conditions for KUSP 2.

Further, the County Executive Committee approved payment of multi-year KUSP 1 projects pending bills from the pending bills budget allocation in the Financial Year 2023/24.

There being no other business, the meeting ended at 5.00 PM


PROF. PETER ANYANG' NYONG'O
CHAIRMAN


HON. JUDITH OLUOCH
SECRETARY