

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – FOURTH SESSION

Wednesday, 24th September, 2025

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

(The Deputy Speaker (Hon. Nereah Okombo) in the Chair)

PRAYERS

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Members, in line with the provisions of Standing Orders No. 32 (2) of the Kisumu County Assembly Standing Order, we don’t have quorum. I direct the Sergeant-at-Arms to ring the quorum for the first five minutes.

(Quorum bell rung for the first minutes)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Deputy Whip, could you confirm if we have quorum.

The Deputy Majority Whip (Hon. Obonyo, MCA, South West Kisumu): Thank you Mr. Speaker, there is quorum.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Thank you the Deputy Whip. Clerk, can you take us through the order of the day.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next order!!

MOTION**INDUCTION OF THE COMMITTEE AND THE MUNICIPAL BOARD****BY****HON. RATIB BOITONE**

[CHAIRPERSON, DEPARTMENTAL COMMITTEE ON LANDS, HOUSING, PHYSICAL PLANNING, AND URBAN DEVELOPMENT COMMITTEE]

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Ratib Boitone.

Hon. Boitone (MCA, Nyalenda “A”): Madam Speaker, I arise to move a motion on the report of the Committee of Lands, Physical Planning, Housing, and Urban Development on the induction of the committee and the Municipal Board members 2025.

Madam Speaker, I want to use the moving notes as usual, but the report was posted on our assembly wall, which I believe all Members have gone through them, and allow me, Madam Speaker, at this juncture to use the said moving notes. Madam Speaker and Honourable Members, pursuant to Article 185 (3) of Constitution 2010, Section 8 and 9 of the County Government Act 2012, read together with Standing Orders No. 193 of Kisumu County Assembly Standing Orders, the committee on Lands, Physical Planning, Housing, and Urban Development has undertaken a comprehensive review of the resolution emanating from the capacity building workshop for Kisumu County Municipal Board held in Nakuru from 26th to 29th August 2025.

The workshop attended by the County Executive, the Chairpersons of the newly established Municipal Boards, and this committee produced a critical 10-point implementation matrix signed by all parties outlining a time-bound roadmap for the operationalization of the municipalities of Maseno - Holo, Kombewa-Bodi, Ahero-Awasi, Katito – Pap Onditi, and lastly Muhoroni-Chemelil.

The subject matter for consideration by the committee during the induction were as follows. Point number one, to examine the legal and regulatory framework underpinning the operationalization of the new municipalities. Two, assess the feasibility and strategic cohesion of the 10 resolution and the associated implementation matrix.

Three, determine the potential challenges and risks to the successful implementation of the resolutions and lastly, evaluate the role of County Assembly in providing effective oversight and legislative support to ensure the municipality become functional and effective centers of developed service delivery. Madam Speaker, substance of the inquiry, the induction and inquiry were necessitated by the emergency of five new municipalities, that is Maseno - Holo, Kombewa-Bodi, Ahero-Awasi, Katito- Pap Onditi and Muhoroni-Chemelil whose

operationalization is critical to the success of devolution in Kisumu County. The committee engaged in a joint workshop with the County Executive and the Municipal Boards in Nakuru, a deliberate choice of venue that removed local political pressure and enabled focused dialogue. Out of this workshop emerged ten binding resolutions supported by an implementation matrix covering such areas as gazettement of transferred functions, filling of vacant Board seats, preparation of budget and Integrated Development Plans, formation of land use plans, delineation of Municipal boundaries, establishment of citizen fora, registration of business and development of legislative framework to anchor devolved functions.

The inquiry, therefore, sought to not only review these resolutions but to evaluate their legal soundness, administrative feasibility and strategic importance in line with constitutional provision, the Urban Areas and Cities Act, the County Governments Act and the Public Finance Management Act.

COMMITTEE FINDINGS

Madam Speaker and Hon Members, during this exercise the committee found the following:

1. Gazettement of functions and staff is the foundation of municipal authority. Without it, Municipal Boards remain powerless.
2. Filling of vacant Board seats in Kombewa-Bodi and Maseno-Holo is urgent, as quorum deficiencies render them legally inert. This is the direct responsibility of the Governor with the Assembly vetting required.
3. Preparation of 2026/2027 budget by Municipal Board is indispensable but challenged by liquidity constraints and technical capacity gaps.
4. Preparation of land use plans for Katito and Kombewa is realistic within Financial Year 2026/2027 though constrained by limited GIS and planning capacity.
5. Delineation of boundaries is essential for legal clarity and revenue mobilization but politically sensitive and prone to disputes.
6. Registration and mapping of businesses is key for revenue mobilization but resource intensive and likely to face resistance from informal traders.
7. Development of legal and policy frameworks by October 2025 is highly ambitious. New Board lack drafting capacity and must rely on the County Attorney.
8. Preparation of legislation to operationalize functions is urgent but requires seamless Executive Assembly coordination to avoid a legal vacuum.

Madam Speaker, the committee further observed overreaching challenges of financing, sustainability, technical and human capacity gaps, intergovernmental coordination and the need to embed authentic citizen participation as condition for success.

RECOMMENDATIONS

Madam Speaker, the committee recommends the following:

1. THAT, the House should adopt a dedicated tracking mechanism for all the resolutions, updated monthly. The CECM for land, physical planning, housing and urban development must table quarterly progress report co-signed by Chairpersons of the Municipal Boards.
2. THAT, by annual oversight visits to the Municipalities should be scheduled combining Board meetings, staff engagement and public hearings.
3. THAT, the Assembly should initiate a review of existing County legislation on planning, finance, trade and environment to align them with the Municipal Framework.
4. THAT, the 2026/2027 County Budget must ring fence allocation for Municipality high debts, land use, plans, boundary delineation and business mapping.
5. THAT, the approval of Municipal budgets must be conditional on the inclusion of a costed plan for continuous capacity building for staff and Board Members.
6. That the CECM and Municipal Boards must furnish this committee with a detailed considered work plan within 30 days of adoption of this report.
7. THAT, biennial hearing should be scheduled where the CECM and Municipal Board Chairpersons appear before this House to testify on progress.

In conclusion, Madam Speaker, the operationalization of Kisumu 5 Municipalities is a constitutional test of devolution's promise. That is, to bring services, governance and economic development closer to the people. The Nakuru resolution represents a political compact between the County Executive, the Assembly and the Municipal Boards. On behalf of the Departmental Committee of Lands, physical Planning, Housing and Urban Development, I beg to move that this honorable House adopts the report on the induction of the House Committee and the Municipal Boards that was carried in Nakuru August 2025.

Honorable Speaker, at this juncture, may I now call upon my able deputy, Honorable Tom Nyaoke to second this motion. Thank you, Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honorable Nyaoke.

Hon. Nyaoke (MCA, North Nyakach): Thank you, Madam Speaker. The issue of municipalities that were established in Kisumu County were a well-thought-out idea that was done. The operationalization of these municipalities has not really taken place so well. Madam Speaker, from this particular meeting that we held in Nakuru, we tried to look at every angle, every reason, every step that we should follow and ensure that municipalities are operationalized.

Madam Speaker, there are a lot of issues that we were trying to explore, like issues of gazettements. There are also issues to do with the budgetary allocations to those expenditures that are supposed to go with municipalities. We had a time to converse with all the municipality representatives from all over the county. We heard their part, their limitations, the problems they were facing, the issues, and what they felt we should be able to do to assist the working of these municipalities. Madam Speaker, as has been read by my able Chairperson, Honorable Ratib Boiton, we came to several conclusions which have been given in this report.

Madam Speaker, this particular report is showing us the way and actually step by step on what we had deliberations on how to move forward to make sure that all our municipalities are in operation. Madam Speaker, it is therefore my humble wish that as we go to finish or if we come to the tail end of this report and the discussion, the debate, we should adopt, as has been requested by my Chairperson, this report so that we give the foundations of these municipalities to take up what they are supposed to do and start working. Madam Speaker, it is from this report that we are also going to be able to monitor and even work hand-in-hand with the relevant department to ensure that we realize what the intentions were in establishing all these municipalities. Madam Speaker, with that few remarks, I beg to second.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honorable members, a motion on the adoption of the report by the Departmental Committee on Lands, Housing, Physical Planning and Urban Development Committee on the Induction of this House Committee and the Municipal Boards has been moved, seconded. I therefore want to propose that this motion be opened for debate.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Honourable K’Omudho.

Hon. K’Omudho (MCA, Muhoroni/Koru): Many, many thanks, Honorable Madam Speaker and to my fellow colleagues. I rise in the afternoon session and I am privileged to share some little bit on the very good report presented by this House Committee on Lands and Urban Development. I specifically interested in this as one who comes from Muhoroni - Chemelil Municipality, and I am a great stakeholder in the process herein.

Madam Speaker, indeed, I am pleased that finally things seem to be taking some direction. Honorable Madam Speaker, you remember a bit that some days back I have been very frustrated

over the non-functional municipalities. These municipalities came into being in 2023 and it is good to know that we now see things are headed towards the right direction, especially as per the contents of the report presented to the House herein.

Honorable Madam Speaker, last week, we were privileged to meet the Governor of our country, His Excellency, Professor Peter Anyang' Nyong'o, together with his team of the County Executive. I remember the CECM for Finance and economic Planning and ICT clearly stating that the budget for the municipalities is clearly separated as we speak. That is a milestone, and I want to inform you that indeed, if these things are going to function, some of us would be relieved. The municipality takes a lot of care, I want to believe that some of the actions provided for, as I have seen as per the guidelines for the induction that took place in Nakuru, relating to the development of these urban centres, particularly Muhoroni-Chemelil. I imagine the situation is going to be very different. The face lift on the functions of the municipality shall come on board and things are going to be very, very different. To that effect, I greatly support this report so that we move on and things can only be better. Once more, good work by this House Committee and good progress and some positive signs being shown. Many, many thanks, Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Yes, Honourable Kennedy Ouko.

Hon. Ouko (MCA, West Kisumu): Thank you Madam Speaker. First may I take this opportunity to thank the Chairperson of this House Committee for coming out very clear on issues affecting our municipalities?

Madam Speaker, the municipalities were created to bring services very close to the people. It is part of the devolve system of government. It is also very important that now we have the municipalities in place and it was gazetted which was done for their creations. However, there are some other functions which have to be gazetted as well. Madam Speaker, gazettelement bestows legal authority and enforceability to a decision made probably by the municipalities and the board. However, before that, we have to develop legislative framework that will guide the operationalization of these municipalities. Therefore, it means a policy has to be developed by these municipalities. However, lack of personnel to do the policies may hinder our municipalities and we might not actually achieve what we want. Madam Speaker, after gazettelement, we should see the secondment of employees to these entities to develop policies that when brought here as Regulations now can be gazetted later. Without all these, we must be having a problem; Who will do the budgeting? Who will even do the boundary and mapping and such kind of measures without the employees? Madam Speaker, there was a time when we were in this House and we were informed that, some employees were seconded to these entities and they refused to go. We must be having some problems within the system.

Madam Speaker, truly if you want to devolve the services, developments and such kind of things which are very much explained in the mandate which is expected from the municipalities, we must second them employees. We must also accord these municipalities offices and budgetary allocations for them so that they know and they start planning for the municipalities as well. If we do not do this, we will be having a big problem.

Madam Speaker, we had a problem in FY2023/2024. We had a budget in the House, appropriated funds and it was quite unfortunate that the municipalities could not do their own budget. Meaning, they could not budget for their own and enforce it. Their budget was to be enforced within the department and when we went through such kind of budgets, the municipality managers confirmed very clearly that they never saw those items which were done by the department. So, there was a breakdown, we understand the breakdown was brought about as a result of no employees apart from the accountant and the City Managers or the Town Managers were seconded to these entities. So we need the personnel to make our municipalities work. I support.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Honourable Owade, the Deputy Leader of Majority.

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you, Madam Speaker. Sitting here and listening to the report being read and I go back to check on when the Urban Areas and Cities Act, 2011 was passed and I wonder whether this House has become a House of lamentation or it has become the House of oversight. Madam Speaker, the speed at which this Act was passed and we were told that there were some donors that were ready to fund these municipalities and that they will operate almost autonomously to deliver services to those living within those municipalities. What has turned out now is that they have become suckers and they are now sucking from the County Assembly. That is directly the opposite to what we expected or what was said.

Madam Speaker, even if you look at the whole thing, there were no Regulations. It is now two (2) year down the line yet, they are still lamenting that certain things are not put in place, when actually we expect a report in this House to show; what they are doing and what they have done to impress upon us to even avail some funds if need be. But, here is a case whereby the other time we appropriated money for these municipalities. Today, this year again, there is money allocated for them. What are they giving in return? Is it really proper to keep on funding municipalities yet they do not even have a role to play? Their roles are not even explained. We thought it would be like a devolved kind of a thing.

Madam Speaker, if you go to Katito town where I come from, there is nothing to show that this is the function or this is the duty. This is the work that has been done by the municipality. We are

talking about revenue collection which also ought to have been devolved to the municipality to make it easier for the County Government to collect revenue. Yet, there is nothing. In my view, we rushed into this noble idea and yet we were not ready for it and therefore there is no need of bringing this report here that we do certain things.

Let us discard these municipalities until such a time they are ready. That time when they said the money was to come from the donors...

(Hon. Nyaoke rises on his feet)

Hon. Nyaoke (MCA, North Nyakach): On a point of information, Madam Speaker. Thank you, Madam Speaker. What the Deputy Leader of Majority...

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Order!! Order!! Honourable Nyaoke.

Hon. Nyaoke (MCA, North Nyakach): Yes.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Honourable Nyaoke, are you seeking to inform Honourable Lumumba?

Hon. Nyaoke (MCA, North Nyakach Ward): Yeah Madam Speaker, I am seeking to inform...

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Honourable Lumumba, do you want to be informed?

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): No, I do need any information.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): Honourable Nyaoke, please resume your seat.

Hon. Nyaoke (MCA, North Nyakach Ward): Madam Speaker, allow me inform the House because it is very important that I inform the House if he does not need any information...

The Deputy Speaker (Hon. Okombo, MCA, Manyatta "B"): The Deputy Leader of Majority, please carry on.

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you, Madam Speaker. Actually, I was trying to shed the light on how this House was duped into passing a legislation with a promise that goodies were to come...

(Hon. Nyaoke rises on a Point of Order)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Nyaoke, on which Standing Order are you arising?

Hon. Nyaoke (MCA, North Nyakach): Statement of Facts, Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Which is Standing Order Number is that?

Hon. Nyaoke (MCA, North Nyakach): Madam Speaker, Orders No 89.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable member, have facts been misstated.

Hon. Nyaoke (MCA, North Nyakach): Madam Speaker, the Leader of Majority just alluded to the fact that this House was duped. Madam Speaker, the question of being duped in this House should not arise.

Madam Speaker, this report that has been brought here has got, in fact, it's containing the concerns that the member who is speaking is talking about. Like a statement of functions, Madam Speaker.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Order! Honourable Nyaoke. You seconded the motion. From your statement, you are not trying to clarify or seeking any clarifications to be made on a misstatement, but you are trying to debate and further explain your secondment.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable Deputy Leader of Majority proceed.

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you, Madam Speaker. Sometimes it is always religious or Christian kind of to own up when you know you have done wrong and confess.

It is what I'm saying. I am part of this House, and I know from the beginning, and I'm seeing what is happening now, and I'm admitting that through our participation into accepting or passing legislation, which is now not living up to our expectation. Madam Speaker, it is my honest submission that I oppose the report. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Honourable Okoyo.

Hon. Okoyo (MCA, Central Kisumu): Thank you, Madam Speaker. Let me appreciate the team which is led by the Chairperson, Departmental Committee on Land, Physical Planning, Housing and Urban Development for what they have brought to this House.

Madam Speaker, indeed, sometimes truth is a bit bitter. But, Madam Speaker, I want to say this with a lot of respect for the Deputy Leader of Majority that, what this House Committee has brought to this House will definitely change the narrative which may be heard before. Madam Speaker, I have also heard this, and it is now coming to reality that the municipalities were created for some donor fund, which was supposed to come.

However, Madam Speaker, the municipalities came at the right time. Their time to be created was right, and the purpose of having municipalities is working for the areas which were given the autonomy or power to have the municipalities.

Madam Speaker, the areas and people who are enjoying the services of municipalities, if they can hear us asking this House to disband the municipalities, I want to inform you that, we will definitely have demonstrations in this Assembly, because they would not allow us to disband these municipalities, Madam Speaker.

Madam Speaker, however much wrong we have or the county has done to the municipalities, but I want to say this, that Madam Speaker, we cannot throw the baby with the bath water. We have the baby with us, and these are the municipalities, and we must see how we can find a way of giving the baby life and see how the baby will grow. We have the powers. We have what it takes. Kisumu County, and specifically the County Assembly of Kisumu, can make the necessary laws which can guide the municipalities and let them grow.

Madam Speaker, it is, and I want to concur with my colleague who said, that by creating municipalities, we are giving services closer to the people. In our County which is Kisumu, we have the city, and I want to inform you that, the people or the 14 wards which are within the city, are enjoying the services which they get from the city, and so the municipalities will also act like what the city is doing. And if given the power to operate, then they will do what is required of them. So, Madam Speaker, I have said I would not want to disagree with the Deputy Leader of Majority, but because maybe the member is not getting this right, he would ask the Assembly to

disband the municipalities but that will not help us. We are waiting for the services of the municipalities and our people are in high spirit to see the municipalities operating Madam Speaker, I support.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Yes, Honourable Carren.

Hon. Carren (MCA, Kaloleni/Shaurimoyo): Thank you Madam Speaker, going by the mood of the House, may I call the mover to reply.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable members, does the House agree that Honorable Carren has judged the mood?

The Deputy Speaker (Hon. Okombo, MCA, Manyatta B): Honourable Ratib, proceed.

Hon. Ratib (MCA, Nyalenda “A”): Thank you, Madam Speaker. Allow me to begin with a word that has given many of us difficulty in pronouncing—operationalization. The key issue here is that this House Committee is urging the department to ensure our municipalities become fully functional.

Madam Speaker, the operationalization of municipalities rests on three critical pillars:

1. Bringing services closer to the people – this is central to devolution.
2. Enhancing revenue collection – a solution to the revenue shortfalls we always complain about.
3. Spreading development equitably – as Honourable Okoyo rightly noted, Kisumu City enjoys significant infrastructural development, but very little is happening outside the city. With municipalities operational, we will see development extending deeper into the wards.

Madam Speaker, I was taken aback when a senior and ranking member of this House, the Deputy Leader of Majority, stood before cameras and made remarks suggesting otherwise. Please I urge you that, let us be factual. These municipalities only came into existence in November 2023—barely one year ago. That is why this House Committee moved swiftly to conduct site visits, where we identified gaps and brought this report before the House.

The department itself acknowledged these gaps and has since initiated capacity building for Municipal Boards, involving the Departmental Committee on Lands, Physical Planning,

Housing, and Urban Development. Surely, it is only fair to allow time and see progress before the end of this year.

Unfortunately, Madam Speaker, some Members rise to debate without carefully reading the reports before them. This very report, on page 11, clearly outlines the resolutions:

Column 1 Lists the Resolutions,

Column 2 shows the required Input,

Column 3 gives Timeframes, and

The last column Assigns Responsibility.

For instance, the gazettelement of functions has a deadline of 30th September. If this is not done by then, the department will be held accountable.

This is a comprehensive and practical report. Anyone opposing it should carefully read it from the first to the last page, instead of picking isolated points and misrepresenting facts. If implemented faithfully, this report will ensure municipalities are fully operational, delivering services equitably to the people of Kisumu County. Madam Speaker, the small gaps identified does not mean wrongs were committed. Rather, they are issues this House Committee has taken up to rectify.

In conclusion, I thank all Honourable members who supported this report, and I also acknowledge the dissenting view—though clearly made without the benefit of full information. With those remarks, Madam Speaker, I beg to reply. Thank you.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable members, a motion on adoption of a report by Departmental Committee on Lands, Housing, Physical Planning and Urban Development on the Induction of this House Committee and the Municipal Board has been moved, seconded, and debated upon, I therefore want to put a question on the adoption of the same.

(Question put and agreed to)

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable members, the report by the Departmental Committee on Lands, Physical Planning, Housing and Urban Development on the Induction of the House Committees and the Municipal Board stands adopted today, Wednesday, 24th September 2025 at 15:29 hours.

Subsequently, I direct that the report together with the Hansard be forwarded the Department of Finance, Economic Planning and ICT, the Department of Lands. Further direct that the select committee on Implementation to make sure that the resolutions therein are implemented.

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Next order!!

ADJOURNMENT

The Deputy Speaker (Hon. Okombo, MCA, Manyatta “B”): Honourable members, there being no other business to transact, the House stands adjourned until tomorrow Thursday, 25th September 2025 at 02.30 p.m.

(House rose at 03.30 p.m.)

Addendum

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