

**MINUTES OF FULL BOARD MEETING OF THE MUNICIPALITY OF ELDORET
BOARD HELD ON WEDNESDAY 16TH SEPTEMBER, 2023 AT THE MUNICIPALITY
BOARDROOM, SOCIAL HALL, ELDORET WEST.**

1. Mr. Julis Kitur - Chairperson
2. Ms. Beatrice Kemboi - Vice Chair
3. Mr. Walter Ayot - Member
4. Dr. Job Ngetich - member
5. Mr. Richard Omanyala - Member
6. Mr. Peter Mwaniki - Member
7. Anthony Sitienei - Member
8. Julius Koech - Member
9. Mr. Tito Koiyet - Secretary

AGENDA

1. Opening Prayer
2. Reading of the notice of meeting
3. Quorum and apologies
4. Adoption of the agenda
5. Reading, confirmation of the minutes of the previous meeting and matters arising
6. To receive the report of the Audit Committee
7. To receive the report of Finance and Human Resource Committee
8. To receive the report of Environment Committee
9. To receive the report of Planning and Operations Committee
10. Any other business

MIN. FB/1/6/2023: OPENING PRAYER

The chair called the meeting to order at 8:30am followed by an opening prayer by Mr. Peter Mwaniki.

MIN. FB/2/6/2023: READING OF THE NOTICE OF MEETING

The notice of the meeting was read by the secretary

MIN. FB/3/6/2023: QUORUM AND APOLOGIES



The chair confirmed the quorum was sufficient for the meeting to start.

MIN.FB/4/6/2023 ADOPTION OF THE AGENDA

The members adopted the agenda presented before them. It was proposed by Mr. Peter Mwaniki and seconded by Dr. Job Ngetich.

MIN.FB/5/ 6/2023: READING, CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING AND MATTERS ARISING

The minutes of the committee meeting of 25th June 2023 were read by the secretary. They were proposed for adoption by Peter Mwaniki and seconded by Dr. Job Ng'etich. The minutes of the Audit Committee meeting held on 25th May 2022 were adopted as true record of the proceedings.

MIN.FB/6/6/2023: ADOPTION OF FINANCE AND HUMAN RESOURCE COMMITTEE REPORT

1.1. STAFF IN ACTING CAPACITY

The committee was notified of the following staff matters following the Municipal Manager's request to the County Public Service Board.

- That the Office administrator has been appointed Acting Chief Office Administrator from June 2023
- That the Principal Accountant has been appointed Acting Deputy Director Finance since 2018
- That the Principal Administrator has been appointed the Acting Deputy Director Administration from January 2023.

The committee agreed with the recommendation of management to seek confirmation of the officers into substantive positions they are currently acting in.

1.2. CASUAL EMPLOYEES

The committee was informed that prior to the stoppage of casual staff, the municipality had 37 of them who were contributing positively in the maintenance and cleanliness of our streets, highways, markets and government facilities within the municipality. Since their services were terminated on 1st July 2023, a big challenge has been experienced in terms of numbers

required to offer the services. To fill the gap, the current employees have to work extra time and their leave days suspended or differed, and some sometimes recalled.

The markets that are mostly affected and have no cleaning services are Bahati, Langas, Sogomo and Kahoya, as well as rural towns such as Burnt Forest, Cheptiret, Kesses, Ziwa, Moi's Bridge, Turbo among others.

The management sought the committee's approval to seek the re-employment of casuals to support the function. The committee approved the management's request.

1.3. STAFF REQUIRED UNDER KUSP:

The management brought to the attention of the committee the requirements of the Kenya Urban Support Programme which under its implementation framework for phase two has required certain critical staff for the municipality. These are:

- A registered engineer
- A registered planner
- An environment officer
- A social development officer
- A finance officer/accountant
- A procurement officer
- A human resource officer

In addition to these, the management proposed that to make the municipal departments fully operational and ready to take up its responsibilities, the following additional officers were recommended for the county public service board to consider providing. These are:

- A surveyor
- An ICT officer
- A quantity surveyor
- A records management specialist
- An internal auditor
- An economist
- An economic planner
- A public relation officer
- A physical planner
- A roads engineer
- A compliance and risk management officer

The committee approved the recommendations of management for full board consideration.

1.4 STAFF ESTABLISHMENT

The management informed the committee that the municipal staff establishment has been drafted and discussed with the county public service board. However, it has been a while and the board has not got back on the same.

The committee noted and asked the management to follow up with the board and provide feedback for the implementation of the staff establishment. There should be gender balance to ensure gender mainstreaming in the municipality.

1.5 PERFORMANCE CONTRACTING

There is need for the municipality to have a performance contract between the governor and the board, the board and the manager, and between the manager and the staff to enhance service delivery.

The committee recommended that the management liaises with the public service management to initiate the process.

1.6 COMPOSITION OF THE MUNICIPAL BOARD

The new County Executive Committee Member (CECM) for lands, Housing, Physical planning and Urban Development and the new Chief Officer (CO) Housing and Urban Development, by virtue of their positions and in accordance with urban Areas and Cities (Amendment) Act, 2019, should be adopted to the board to replace the immediate former office holders who served in the previous administration. The composition of the board must also observe a Third Gender rule as enshrined in the 2010 constitution of Kenya.

The committee approved the minute for full board consideration with a recommendation on the compliance with gender requirements.

1.7 FINANCIAL INDEPENDENCE OF ELDORET MUNICIPALITY

The office of the Auditor General has independently audited the books of accounts for the Municipality of Eldoret for the last two consecutive years. These are financial year 2021/2022 and 2022/2023

Financial independence for Eldoret municipality has been the issue in the management letter. Some factors that were observed that contribute to lack of envisaged semi autonomy include:

- I. Budget independency - It controlled by County Executive.
- II. Inadequate staffing: Personnel to be appointed has not been determined and no placement has been done
- III. Expenditure is controlled by county treasury
- IV. Lack of independent operational account

The committee noted that the full board should discuss this and request the executive to implement the audit recommendations and especially compliance with section 9(1) and 12 (a), (b) and (c) of the Urban Areas and Cities Act.

1.8. DEPRECIATION AMORTIZATION POLICY

The management has identified the need for a policy on depreciation and amortization of municipal assets. The assets include Civil works (roads, NMTs, drainages, streetlights), vehicles and office furniture) to facilitate consistency in presentation of financial statement.

The committee approved the preparation of the policy once funds are available.

MIN.FB/7/6/2023: PLANNING AND OPERATION COMMITTEE

1.9. THE MUNICIPAL SERVICE BOARD CHARTER

There is an urgent need for municipality to develop and have a service charter that will guide it in enhancing service delivery and carrying out its functions to the satisfaction of its residents.

The committee approved the development of a Municipal Service Charter

1.10. KUSP II

The Kenya urban support programme phase two is about to begin. the municipality has undertaken to fulfill the requirements needed for it to be eligible for the second phase of funding.

The committee formally, through the manager forwards to the cabinet the conditions to be met for the municipality to be eligible for funding for adoption.

1.11. TRANSFER OF MUNICIPAL FUNCTIONS, THE KENYA GAZETTE NOTICE NO 4724.

The Kenya Gazette Notice No 4724 stipulates all the functions that are supposed to be transferred to the municipality by the county government.

The committee noted that the cabinet to facilitate transfer of the said functions as well as all the municipal functions in the charter and the law.

1.12. COUNTY ASSEMBLY URBAN AND HOUSING COMMITTEE MEETING.

A meeting has been scheduled for Thursday 3rd August between the municipal board and the county assembly committee on housing and urban development.

The committee purposed to attend the said meeting.

MIN.FB/8/6/2023: AUDIT COMMITTEE MEETING

1.13. INDEPENDENT INTERNAL AUDIT FUNCTION

As per section 155 (1) of Public Finance Management, Municipality of Eldoret is required to establish an internal audit department to carry out internal audit function.

The committee agreed with the proposal for the establishment of an Municipal internal audit function and operationalize it as per the approved staff establishment.

MIN.FB/9/6/2023 ENVIRONMENT COMMITTEE BOARD PAPER

1.14. Solid Waste Management Policy and Plan.

During the early stages of inception of Municipality, as a requirement from the Kenya Urban Support Program was to have a Solid waste Management Plan and Policy. Therefore, the Municipality adopted the policy and Plan developed by the Department of Environment.

The board approved the review of the Policy and Plan since it is a requirement from Kenya Urban Support Program to suit the Municipality and enable its full implementation in the day-to-day solid waste management activities.

1.15. Environmental and Social Impact Assessment

Municipality is in preparation to construct a modern market and public transport terminus through Engineering, procurement, construction and financing framework. This will be implemented through Public Private Partnership with County Pension Fund (CPF)

In addition, the Municipality has earmarked installation solar lighting across Eldoret Municipality extending to the following centers: Kiplombe, Kuinet, Chepkanga, Cheramei, Airport, Simat, Kipkorgot and Cheptiret.

Environmental Management and Coordination Act provides that before projects are implemented, they are subjected to Environmental and Social Impact Assessment and a NEMA license is obtained.

The committee approved the request for consultancy services for Environmental and Social Impact Assessment be conducted.

MIN.FB/9/6/2023: ANY OTHER BUSINESS

There being no other business, the meeting was adjourned at 4.00pm by a word of prayer by Mr. Peter Mwaniki.

CONFIRMED:

BOARD SECRETARY..... *[Signature]*.....

DATE..... 25/10/2023.....

BOARD CHAIRMAN..... *[Signature]*.....

DATE..... 25/10/2023.....