



COUNCIL OF GOVERNORS



ANNUAL STATUTORY REPORT - 2018/2019





OUR VISION

Prosperous and democratic Counties delivering services to every Kenyan.

OUR MISSION

To be a global benchmark of excellence in devolution that is non-partisan; providing a supporting pillar for County Government as a platform for consultation, information sharing, capacity building, performance management and dispute resolution.

OUR VALUES

Our core values are: professionalism, independence, equality and equity, cooperation and being visionary.

OUR MOTTO

48 Governments, 1 Nation.





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Table of Contents

| | |
|--|-----------|
| ABBREVIATIONS & ACRONYMS | 6 |
| FOREWORD FROM THE CHAIRMAN | 7 |
| NOTE FROM THE CHIEF EXECUTIVE OFFICER | 8 |
| ACKNOWLEDGEMENTS | 9 |
| 1.0 CHAPTER ONE: INTRODUCTION | 10 |
| 1.1 Background | 10 |
| 1.2 Objective of the Report | 10 |
| 1.3 Mandate of the Council of Governors | 10 |
| 1.4 The Structure of the Council | 11 |
| 2.0 CHAPTER TWO: COG ACTIVITIES FOR FY 2018/2019 | 12 |
| 2.1 KEY CONFERENCES | 12 |
| 2.1.1 The Children's Devolution Conference | 12 |
| 2.1.2 County Executive Committee (CECs) Members Conference | 13 |
| 2.1.3 Annual Devolution Conference | 14 |
| 2.2 MAARIFA CENTRE | 16 |
| 2.3 COG'S MEMBERSHIP TO REGIONAL NETWORKS FOR SUB-NATIONAL GOVERNMENTS | 18 |
| 2.4 MAINSTREAMING OF SUSTAINABLE DEVELOPMENT GOALS (SDGS) | 18 |
| 2.5 INTERGOVERNMENTAL CONSULTATIONS | 18 |
| 2.5.1 National and County Government Coordinating Summit | 18 |
| 2.5.2 Transformative Leadership | 19 |
| 2.5.3 Human Resources, Labour and Social Welfare | |
| 2.5.4 Intergovernmental Budget and Economic Council (IBEC) | 20 |
| 2.6 INTERNATIONAL ENGAGEMENTS | 20 |
| 2.6.1 The 63 rd Session of the Commission on the Status of Women (CSW) in New York, USA | 20 |
| 2.6.2 The 73 rd Session of the United Nations General Assembly (UNGA) | 21 |
| 2.6.3 High Level Meeting on County-Led Knowledge Sharing in Bali, Indonesia | 22 |
| 2.6.4 Kenya USA Diaspora Alliance SACCO Annual General Meeting in Boston | 22 |
| 2.7 COMMITTEE REPORTS | 23 |
| 2.7.1 Health | 23 |
| 2.7.2 Agriculture | 26 |
| 2.7.3 Urban Development, Housing, Planning, Energy, Infrastructure & Lands | 27 |
| 2.7.4 Tourism and Natural Resource Management (T&NRM) | 28 |
| 2.7.5 Trade, Investment, Manufacturing and Cooperatives | 32 |
| 2.7.6 Education, Gender, Youth, Sports, Culture and Social Services | 33 |
| 2.7.7 Finance, Planning and Economic Affairs | 35 |
| 2.7.8 Information Communication and Technology | 36 |
| 2.7.9 Human Resources, Labour and Social Welfare | 38 |
| 2.7.10 Legal Affairs, Human Rights, Intergovernmental Relations, Security and Foreign Affairs | 39 |
| 2.7.11 Citizen Engagement Unit | 40 |
| 2.7.12 Arid & Semi-Arid Land (ASAL) | 43 |
| 2.7.13 Resource Mobilisation | 45 |
| 3.0 CHAPTER THREE: COG SECRETARIAT | 46 |
| 3.1 Finance | 46 |
| 4.0 CHAPTER FOUR: CHALLENGES AND RECOMMENDATIONS | 47 |
| 4.1 Challenges | 47 |
| 4.2 Recommendations | 47 |

Annex 1: Status of Litigation Matters Involving the COG

Annex 2: Communique on Children's Voices at the 2nd Children's Devolution Conference

Annex 3: Communique at the end of the 5th Annual County Executives Conference

ABBREVIATIONS & ACRONYMS

| | |
|--------|--|
| BRACED | Building Resilience and Adaptation to Climate Extremes and Disasters |
| CAF | County Assemblies Forum |
| CALCs | County Assets and Liabilities Committees |
| CARPS | Capacity Assessment and Rationalization of the Public Service |
| CCA | Climate Change Adaptation |
| CEC | County Executive Committee |
| CECM | County Executive Committee Member |
| CGA | County Government Act |
| CIDPs | County Integrated Development Plans |
| CRA | Commission on Revenue Allocation |
| CSW | Commission on Status of Women |
| CSP | County Spatial Plan |
| CoG | Council of Governors |
| CoK | Constitution of Kenya |
| CBA | Collective Bargaining Agreement |
| DRM | Disaster Risk Management |
| DRR | Disaster Risk Reduction |
| DORB | Division of Revenue Bill |
| EMCA | Environmental Management and Co-ordination Act |
| FCDC | Frontier Counties Development Council |
| FY | Financial Year |
| IBEC | Intergovernmental Budget and Economic Council |
| IATC | Inter-Agency Technical Committee |
| IAS | Inter-Agency Secretariat |
| IGRA | Intergovernmental Relations Act |
| IGRTC | Intergovernmental Governmental Relations Technical Committee |
| IGFs | Intergovernmental Forums |
| IATT | Inter-Agency Technical Team |
| KMPDU | Kenya Medical Practitioners and Dentists Union |
| KNUN | Kenya National Union of Nurses |

| | |
|---------|--|
| KCSAP | Kenya Climate Smart Agriculture Project |
| KCM | Kenya Country Coordinating Mechanisms |
| KSG | Kenya School of Government |
| KNAIP | Kenya National Agriculture Investment Plan |
| KeRRA | Kenya Rural Roads Authority |
| KURA | Kenya Urban Roads Authority |
| KeNHA | Kenya National Highways Authority |
| KICOSA | Kenya Inter-County Sports and Culture Association |
| KISP II | Kenya Informal Settlement Programme II |
| LREB | Lake Region Economic Bloc |
| M&E | Monitoring and Evaluation |
| MoDA | Ministry of Devolution and ASAL |
| MoH | Ministry of Health |
| NARIGP | National Rural Inclusive Growth Project |
| NDC | Nationally Determined Contributions |
| PHC | Primary Health Care |
| RA | Recognition Agreement |
| RSSH | Resilient, Sustainable Health Systems for Health interventions |
| RTWF | Return to Work Formula |
| SDGs | Sustainable Development Goals |
| SOCOA | Society of Crop and Agribusiness Advisors of Kenya |
| SRC | Salaries and Remuneration Commission |
| SUED | Sustainable Urban Economic Development Programme |
| TA | Transition Authority |
| THS-UC | Transforming Health Systems for Universal Care |
| T&NRM | Tourism and Natural Resource Management |
| UDC | Urban Development Committee |
| UNDP | United Nations Development Programme |
| UNGA | United Nations General Assembly |
| UNGA | United Nations General Assembly |

FOREWORD FROM THE CHAIRMAN

The 2018/2019 Financial Year (FY) marks the second year of implementation of devolution since the election of the second generation of County Governors. I would like to congratulate my peers for their continuous efforts in driving the devolution agenda forward and relentlessly fighting to ensure devolution is working.

In January 2019, the Council conducted elections for the new Executive where I was elected as the Chairman, H.E. Mwangi Wa Iria as the Vice-Chairperson and H.E. Prof. Kivutha Kibwana, EGH as the Chief Whip. I take this opportunity to congratulate the Executive as well as the Chairpersons of the various Committees for their election.

County Governments have continued to implement devolution with zeal and some of the notable highlights in the 2018/2019 FY include: development of County spatial plans; automation of building permit system in Kiambu County; use of mobile technology to collect health data by Community health volunteers in Mombasa County; and the youth unemployment initiative in Meru County. These are some of the successes in various Counties and others are highlighted in the report.

During the year under review, the Council together with the Ministry of Devolution and ASAL (MoDA), the Senate and the County Assemblies Forum (CAF) convened the 6th Annual Devolution Conference held on 4th to 8th March, 2019 at Kirinyaga University, Kirinyaga County. The overall conference was themed “Deliver. Transform. Measure. Remaining Accountable” and brought together seven thousand eight hundred and sixty four (7864) delegates. The overall objective was to take stock of development initiatives existing in Counties to provide delegates with an opportunity to examine the challenges and opportunities, share experiences and lessons derived from implementing the Big Four agenda. The Conference provided a platform for Counties to explore strategic partnerships in implementing the Big Four Agenda.

It was a successful conference that was graced by H.E. the President Uhuru Kenyatta as the Chief Guest. In his opening remarks, he noted that devolution was one of the reasons that made majority of the citizens’ support and vote for the 2010 Constitution. He further noted that the two-tier system was designed to foster National unity, promote accountability, and exercise power in decision affecting people with the view to ensure equitable development. In this regard, the country has made significant impact on the economic, social and political spheres due to devolution.

The achievements of the Council have been made possible through collaboration with key stakeholders in the devolution space. I would like to commend the National Government, the Senate and the County Assemblies Forum (CAF) for continued improved intergovernmental relations. Indeed the Council would not have achieved its objectives if it was not for the good working relationship.



The two-tier system was designed to foster National unity, promote accountability, and exercise power in decision affecting people with the view to ensure equitable development. In this regard, the country has made significant impact on the economic, social and political spheres due to devolution.

I would also like to recognize key institutions that have been instrumental in ensuring the success of devolution especially the line Ministries, Independent Commissions, the Civil Society, Private Sector and the Development Partners. Together, we have and continue to work collectively in entrenching devolved governance into institutions rather than into offices. The Council recognizes the importance of working with other State institutions to streamline service delivery to the citizens.

H.E. Hon. FCPA. Wycliffe Ambetsa Oparanya, EGH, CGJ
Chairman, Council of Governors

NOTE FROM THE CHIEF EXECUTIVE OFFICER



The Council has continued to lobby and negotiate for more resources for County Governments. Four (4) Counties received support through the Ford Foundation in a project titled “Strengthening the capacity of women- and youth-led Counties for improved public participation in budgeting processes and oversight of public resources in Kenya.” The project has provided technical support by hiring five (5) Project Coordinators and a Project Accountant whose role has been to ensure seamless implementation of the program. The project has also opened up employment opportunities to youths through the internship programme in the Counties.

The Council of Governors has continued to grow over the last six (6) years and currently has put in place institutional structures and enhanced capacity to support delivery of its mandate. All these have been made possible by the leadership of the Excellency Governors.

The elections for the Council leadership held in January 2019, brought about a few changes in the Committee structure of the Council where some of the Committees were merged to form 12 Committees. I would like to take this opportunity to congratulate the Chairperson, Vice-Chairperson, Whip and all Excellency Governors who took up the position of Committee Chair. Your exemplary servant leadership is what has steered the Council of Governors (the Council) to its current position.

Sadly though, even in its 7th year of implementing devolution, the Country is still grappling with laws and policies that contradict devolution and continue to be a bottleneck in the implementation of devolved functions by Counties. In order to streamline this, the Council in collaboration with the Kenya Law Reform Commission (KLRC) undertook an audit of National and County Policy and Legislation and published a report which was launched during the 6th Annual Devolution Conference by H.E. President Uhuru Kenyatta. In the next financial year, the Council will focus on actualizing the recommendations highlighted in the report so as to ensure devolution is entrenched and streamlined in both policies and legislation.

The Council has continued to lobby and negotiate for more resources for County Governments. Four (4) Counties received support

through the Ford Foundation in a project titled “Strengthening the capacity of women- and youth-led Counties for improved public participation in budgeting processes and oversight of public resources in Kenya.” The project has provided technical support by hiring five (5) Project Coordinators and a Project Accountant whose role has been to ensure seamless implementation of the program. The project has also opened up employment opportunities to youths through the internship programme in the Counties.

I would also like to appreciate our partners who have walked with us this far by supporting the programmes and activities of the Council. These include but are not limited to; UNDP, USAID through Health Informatics Governance and Data Analytics (HIGDA) Project and Agile Harmonized Assistance for Devolved Institutions (AHADI) Program, Bill & Melinda Gates Foundation, Ford Foundation, UN-Women, World Bank, National Government, County Governments, Independent Commissions, Civil Societies, Private Sector, Academia and the Media.

To the staff of the Council, I would like to acknowledge each and every one of you for your resilience and hard work in your various tasks. You have all gone out of your way to deliver nothing short of excellence in your daily tasks.

We look forward to another year of service delivery to the citizens while safeguarding the gains made in entrenching devolution.

Jacqueline Mogeni, MBS
CEO, Council of Governors

ACKNOWLEDGEMENTS

The Council is grateful to Excellency Governors, County Governments, and the National Government, the Civil Society, the Private sector, Development Partners and other stakeholders for their unwavering support throughout the year. Their efforts and commitments towards the realization of the goals of the FY 2018/19 is appreciated.

The Council also acknowledges the effort of the staff in preparation of this report. We sincerely thank members of Maarifa, Legal and Communication Departments for compiling and editing the report. Last but not least, the valuable contribution from the Management and Heads of Departments who made contribution in the preparation of this report is appreciated.

Gratitude

1.0 CHAPTER ONE: INTRODUCTION

1.1 Background

This report covers activities undertaken by the Council of Governors for the period of the Financial Year 2018- 19 (FY 18/19) i.e. between July 2018 and June 2019. This is the 6th annual statutory report since the inception of the Council of Governors.

The mandate and the day to day activities of the Council are undertaken by a technical team of staff. The Executive team of the Council, the respective Committee Chair Persons and the Full Council provides policy and strategic guidance to the technical team. The Council worked through eighteen (18) Committees until January 2019, when the Committees through a Council resolution were merged to twelve (12).

The activities documented herein have been spearheaded by the technical team.

1.2 Objective of the Report

The objective of the Annual Statutory Report is to provide a comprehensive assessment of the programs and activities of the Council in the FY 2018/2019 while highlighting successes, challenges, lessons learnt and opportunities for the implementation and success of devolution.

1.3 Mandate of the Council of Governors

The Council of Governors is a statutory body established under section 19 of the Intergovernmental Relations Act (IGRA). The mandate and specific responsibilities of the CoG are spelt out under section 20 of the IGRA 2012. The Council provides a forum for:

- a) consultation amongst County Governments;
- b) sharing of information on the performance of the Counties in the execution of their functions with the

objective of learning and promotion of best practice and where necessary, initiating preventive or corrective action;

- c) considering matters of common interest to County Governments;
- d) dispute resolution between Counties within the framework provided under the IGRA;
- e) facilitating capacity building for governors;
- f) receiving reports and monitoring the implementation of inter-county agreements on inter-county projects;
- g) considering matters referred to the Council by a member of the public;
- h) considering reports from other intergovernmental forums on matters affecting National and County interests or relating to the performance of Counties; and
- i) Performing any other function as may be conferred on it by this Act or any other legislation or that it may consider necessary or appropriate.

1.4 The Structure of the Council

The Council is headed by an Executive team comprising of: the Chairperson; Vice-Chairperson; and Whip, who are elected from amongst the members. The Executive serves for a term of one (1) year and are eligible for re-election for one further term of one (1) year.

The Council is currently working through twelve (12) Committees as shown below. Each Committee consists of a Chair, a Vice-chairperson and Committee members who give guidance on policy and legal issues relating to the respective Committee(s). These Committees are as follows:

| Committee | Chairperson |
|--|---|
| Liaison, Management and Resource Mobilization | H.E. Hon. FCPA. Wycliffe Ambetsa Oparanya, EGH, CGJ |
| Agriculture | H.E. Muthomi Njuki |
| Health | H.E. Dr. Mohammed Kuti, EGH |
| Education | The late H.E. Dr. Joyce Laboso |
| Tourism and Natural Resource Management (T&NRM) | H.E. Samuel Ole Tunai, EGH |
| Arid & Semi-Arid Land (ASAL) | H.E. Moses Kasaine, CBS, EBS |
| Human Resources, Labour and Social Welfare | H.E. James Ongwae, CBS, EBS, OGW |
| Finance, Planning, Economic Affairs and Information, Communication and Technology | H.E. Dr. Wycliffe Wangamati |
| Urban Development, Housing, Planning, Energy, Infrastructure and Lands | H.E. Hon. Lee Kinyanjui |
| Gender, Youth, Sports, Culture and Social Services | H.E. Prof. Paul Chepkwony |
| Trade, Investment, Manufacturing and Cooperatives | H.E. Martin Wambora, EGH |
| Legal Affairs, Human Rights, Intergovernmental Relations, Security and Foreign Affairs | H.E. Hon. Amason J. Kingi, EGH |

The Technical Team at the Council is responsible for the administrative and technical support to the Committees under the guidance and direction of the CEO and the management team. The following departments support the technical teams to manage its operations: Administration; Protocol; Finance; Procurement; Information & Technology (IT); Human Resource and Communication. There is also the Maarifa Centre which provides a platform for knowledge sharing and peer to peer learning among the 47 County Governments. The Technical Team is headed by the Chief Executive Officer who is also the accounting officer.

2.0 CHAPTER TWO: COG ACTIVITIES FOR FY 2018/2019



H.E. Prof. Paul Chepkwony Governor Kericho County and Amb. (Dr.) Amina Mohammed, CBS Cabinet Secretary Ministry of Sports Culture and Heritage during a plenary session at the 2nd Children's Devolution Conference

2.1 Key Conferences

2.1.1 The Children's Devolution Conference

The 2nd Children's Devolution Conference took place from 18th – 22nd February, 2019 at Nairobi Primary School in Nairobi County. The overall objective of the conference was to promote the gains, enhance the understanding and appreciation of devolution as a system of governance amongst children. A total of three hundred (300) children from each of the 47 County Governments attended the forum.

The children were able to air their views on the different pillars of the Big Four Agenda. To this end, a communique (annex 1) was developed which captured the resolutions made by the children concerning the following sectors;



H.E. Edward Mutahi Kahiga, Governor Nyeri County receiving the joint communique from the children's president during the 2nd Children's Devolution Conference held at Nairobi Primary in February, 2018

- **Trade and Manufacturing:-** That this sector should facilitate young people to access internships, career guidance and employment.
- **Universal Health Coverage:-** That the County Governments provide free nutritional foods and supplements to children infected with HIV/AIDs and those with nutritional deficiencies, in order to boost their immunities against infections.

- **Food Security:-** That the National Government and County Governments work with development partners to involve children in production through reintroduction of 4K Clubs and include them in agroforestry, water harvesting and environment conservation.
- **Affordable Housing:-** That the National Government ensures that children have access to decent housing in safe environments, spaces for play and rest, quality toilets, proper ventilation, safe water, adequate lighting and infrastructure that is friendly for children with disabilities.

2.1.2 County Executive Committee (CECs) Members Conference



H.E. Anne Waiguru, EGH, OGW, delivering her remarks during the CECs Conference held at Kenya Institute of Curriculum Development, Nairobi County in December 2018

The 5th Annual Devolution Conference by County Executive Committee Members acted as a precursor to the main conference.

Over the past five (5) years, save for 2018, County Executive conferences have provided a platform for the County Executives from across the 47 Counties to highlight and deliberate on the successes, challenges and opportunities presented through devolution with resolutions being presented at the main devolution conference for adoption and action.

At the end of the conference, a communique (annex 1) was developed which captured the resolutions made by the CECs concerning the following sectors;

- **Performance Management;** THAT the National Government will provide capacity building to County Governments in implementation of Performance Management.
- **Health;** THAT County Governments need to reorganize financing of the health care system by having separate finance streams for level 4 and 5 hospitals and pooling of funds for PHC.
- **Affordable Housing;** THAT County Governments shall be guided by research in identifying the beneficiaries of the affordable housing program.
- **Trade and Manufacturing;** THAT there is need to establish an intergovernmental forum for both National and County Governments on Trade.
- **Agriculture;** THAT County Governments shall support the establishment of community based irrigation schemes to cover at least three thousand (3000) acres per County.

2.1.3 Annual Devolution Conference



Photo session; H.E. the President, the Deputy President and Governors during the 6th Annual Devolution Conference, 2019 at Kirinyaga University in Kirinyaga County

The Annual Devolution Conference is an important event in the calendar of Kenya because it provides a platform through which all stakeholders in devolution evaluate performance of both levels of government in matters of policy, law, accountability, good governance, and service delivery among others. The Devolution conversation takes place during the Devolution Conference.

The 6th Annual Devolution Conference 2019 was held from 4th to 8th March, 2019 at Kirinyaga University, Kirinyaga County. The theme of the conference was, **“Deliver. Transform. Measure. Remaining Accountable.”**

The overall objective of the conference was to take stock of implementation of devolution and to provide delegates with an opportunity to examine the challenges and existing opportunities in devolved governance and to share experiences as well as lessons under the Big Four agenda in the Counties. The Conference provided a platform for Counties to explore strategic possibilities in implementing the Big Four Agenda through networking and benchmarking among Counties and showcasing the success stories of inter-County and regional blocs' agreements.

The conference brought together seven thousand eight hundred and sixty four (7864) participants (female=2324, male=5540) with four thousand seven hundred and twenty four (4724) conference delegates participating in plenary discussions. The delegates included among other dignitaries: H.E. President Uhuru Kenyatta, who was the Chief Guest; the Deputy President H.E. Dr. William Ruto, EGH, EBS; The former Prime Minister Rt. Hon. (Eng) Raila Odinga, EGH; Speaker of the Senate Hon. RT. Kenneth Lusaka, EGH, MP; Cabinet Secretary, Ministry of Devolution & ASAL Hon. Eugene Wamalwa, EGH; H.E. Nic Hailey – British High Commissioner to Kenya Chairpersons of Devolution Sector Donor Working Group among others; Governors; Deputy Governors, Senators; Members of Parliament; Members of County Assemblies; participants consisting of National Government representatives; County representatives; Development Partners; Civil Society Organisations; Private Sector; and other partners. There were also international delegates, ambassadors and heads of delegations.

The conference adopted a sector approach in line with the Big Four Agenda with focus on Health; Agriculture; Affordable Housing; and Trade & Manufacturing. The conference also

incorporated a Water and Sanitation session because water is an enabler in achieving the Big Four.

For each sector, the conference offered a platform for the National Government, County Governments, Independent Offices and Commissions, citizens, the Private Sector, Civil Society and Development Partners to:

- i. Assess the progress and status of the sectors and look at the best practices;
- ii. Examine the key enablers for the implementation of the Big Four Agenda that will determine achievement of desired results; and

- iii. Set targets for each sector for the next one (1) year.

To facilitate discussions, the conference organized breakaway sessions in which each sector engaged in panel discussions on key issues affecting devolution. This provided an opportunity for candid discussions and suggestions for practical solutions to the problems undermining devolution. At the end of the conference a communique which was endorsed by various stakeholders/actors for implementation was adopted.



1 Presentation of gift to President Uhuru Kenyatta, CGH, by H.E. Anne Waiguru, EGH, OGW during the 6th Annual Devolution Conference, 2019 in Kirinyaga County.

2 H.E. President Uhuru Kenyatta, CGH, delivering his remarks during the 6th Annual Devolution Conference held at Kirinyaga University in Kirinyaga County.



3 Rt. Hon. (Eng) Raila Amollo Odinga delivering his speech during the opening ceremony of the 6th Annual Devolution Conference held in Kirinyaga County.



4 H.E. Hon. Amason Kingi, EGH Governor, Kilifi County; Sen. Mutula Junior, Senator Makueni County and Archbishop Dr. Eluid Wabukhala, Chairman EACC during a panel discussion at the 6th Annual Devolution Conference, 2019.



H.E. Prof. Kivutha Kibwana, EGH delivering his remarks on the first day of the Governors Peer Learning mission at Kusyombungo hotel in Makueni County

2.2 Maarifa Center

The Maarifa Centre is a knowledge sharing and learning platform that captures lessons and experiences from the forty-seven (47) County Governments. The vision of the Centre is, “To be Kenya’s premier knowledge sharing and learning platform for effective governance and service delivery for sustainable development.”

It is through Maarifa Centre that COG collates, shares and promotes the application of best practices, experiences, lessons and innovations from all Counties in Kenya and from other Countries, for the purpose of improving service delivery and influencing policies that promote devolution and welfare of citizens. Maarifa Centre is therefore the one stop shop for sharing information and knowledge on devolution, innovations and best practices from Counties.

During the period under review, the Maarifa Centre held activities in the following key focus areas; peer learning, sharing of county best practices/innovations, training &

capacity building and operationalization of periodic reporting & feedback system.

In October, 2018 the unit in collaboration with the Urban Committee documented three (3) case studies on, “Demystifying County Spatial Plans’ in three Counties namely; Makueni, Kericho and Lamu. Case studies and videos were developed and uploaded on the Maarifa digital platform which can be accessed online. This have seen two (2) Counties (Lamu & Makueni) finalize their spatial plans and more Counties are have initiated development of their spatial plans.

In collaboration with World Bank, Maarifa trained fifteen (15) Committee focal persons and partners on knowledge management capturing. This led to more collaborative activities between Maarifa Centre and the Committees and increased documentation of activities in the Counties. One (1) Peer Learning Mission was held with the Citizen Engagement Unit, Documentation exercise for three (3) Counties held with the Urban Committee and two (2) Peer learning workshops held with the Health Committee on HIS and M&E.



Moments during the Governors peer learning mission on the Makeni public participation model and process

In the period under review, Maarifa Centre with support from World Bank sensitized thirty seven (37) Knowledge Management champions who were equipped to support the Council in facilitating documentation of County best practices and innovations. This led to creating visibility to the Counties and also the Knowledge champions acted as the focal persons in the Counties during documentation of best practices by JKUAT students.

In the period under review, Maarifa Centre trained the USIU/ JKUAT Faculty members and students on the Knowledge capturing methodology and also sensitized them on Maarifa Centre. This led to a collaboration with JKUAT School of Public Health which had their students on attachment document eleven (11) case studies on best practices in the health sector. The Unit is pursuing a Memorandum of Understanding between CoG and JKUAT to formalize the collaboration.

In the period under review, the Unit in collaboration with the HR department spearheaded the Semi-Annual and Annual review for the Council in line with Strategic plan. This led to the development of the institution's Annual Work-plan and also gave an opportunity to the Committees and Departments to undertake review of their plans and track progress.

In line with the Council mandate of sharing of information, the Maarifa Center has over the past two (2) years uploaded sixty (60) knowledge assets and fourteen (14) videos on the digital platform that can be accessed for information and reference through <https://maarifa.cog.go.ke/>.

2.3 CoG's Membership to Regional Networks for Sub-National Governments

The Council has maintained its membership to key international and regional networks for devolved governments, including: ORU Fogar, Regions 4 Sustainable Development, United Cities and Local Government (UCLG), and East Africa Local Government Forum (EALGF). The membership of CoG to the networks has increased CoG's visibility and recognition globally among its peers. CoG has increasingly been invited to attend international conferences such as COP 24 on climate change in Bonn Germany and High Level Political Forum (HLPF) on SDGs implementation to showcase and share the experience from County Governments' in addressing climate change and implementation of SDGs respectively.

ORU Fogar

ORU Fogar has provided a platform for Council of Governors to join other regional governments in having a unified voice in advocating for issues of priority to them and in facilitating knowledge exchange and learning between different regions. Key focus areas of ORU Fogar are: The 2030 Agenda on Sustainable Development Goals, the Paris Agreement on climate change, and the New Urban Agenda on Sustainable urban development. The Council is a member of the Executive Bureau and is represented by the Chairman of the Council H.E Hon. FCPA. Wycliffe Oparanya EGH, CGJ.

Regions 4 Sustainable Development

The Council of Governors has continued to be a member of the Network of regional governments for sustainable development (Regions 4) since 2016. Kenya focus areas for the network are: Agenda 2030, Biodiversity, and climate change. The network has facilitated information exchange between different regions. In this reporting period CoG has participated in Webinars on localization of SDGs and has shared Kenyan experience with the rest of world while also picking lessons. CoG has also participated in side events organized by Regions4 during international conferences such as the High level Political forum (HLPF) on SDGs implementation and COP 24 on climate change. Key commitments by the network members in this period such as engagement of regional governments in Voluntary National Review (VNRs) on the progress of SDGs implementation, multi-level governance, multi-stakeholder participation, and links with climate change coordination at the National level have also been implemented.

United Cities and Local Governments (UCLG)

The Committee participated in the Africities Summit held from 20th to 24th November, 2018 in Morocco. At this forum, statutory meetings of UCLGA were held and CoG, as mentioned above, successfully lobbied for a seat at the Executive Committee of the UCLGA. Further, the CoG side event on devolution and the CoG booth attracted participants from the continent thereby exposing CoG, County Governments and Kenya's devolved system to the rest of Africa. Additionally, it is at the 2018 Africities where it was announced that the next Africities Summit would be held in Kenya and in Kisumu County.

East African Local Governments Association and Forum (EALGA/F)

The association works to effectively position the Regional/ Local Governments role in development as part of the East African Community (EAC) Integration process. Key to this

role is the enforcement of Devolution/ Decentralization as key governance and development tools. During the period under review, the Council participated in the annual forums in Nairobi and Dodoma Tanzania and presented the case that Counties must be represented effectively in the EAC as Critical Partners. Together with other stakeholders in Kenya; Ministry of Devolution and ASAL (MoDA) and Counties Assemblies Forum (CAF) the Council is developed a report on localization of SDGs at County level in Kenya.

2.4 Mainstreaming of Sustainable Development Goals (SDGs)

The Council of Governors has supported County Governments to mainstream SDGs in their County Integrated Development Plans and are currently supporting strengthening of local coordination mechanism through establishment of County SDGs Units. In the period under review, the SDG Unit spearheaded training of forty seven (47) County SDGs champions and all Counties participated and the champions have been instrumental in mainstreaming SDGs in County planning and budgeting.

County Governments have been supported to develop SDGs indicator handbooks to support tracking and reporting on the progress on implementation. In this period seven (7) Counties have developed SDGs indicator handbook with several Counties currently in the process. The indicator handbook is going to be instrumental in supporting Counties report on the progress of implementation of SDGs.

Through the technical support from the Council, Counties have continued to demonstrate commitment towards tracking the progress of SDGs implementation. In this period five (5) Counties (Kwale, Busia, Kisumu, Marsabit and Taita Taveta) developed local voluntary reports on SDGs implementation guided by the UN guidelines for SDGs voluntary reporting. County voluntary reporting is intended to demonstrate County Governments' contribution towards realization of the SDGs. This is a global best practice and more Counties have indicated to emulate.

Implementation of the SDGs requires strong partnerships with the active engagement of government (National and County), Civil Society Organizations, Media, Academia, the Private Sector, Development Partners and the United Nations Agencies. In this period CoG has continued to build strong partnership with various organizations such as UNDP, UN Women, UNICEF, Ford Foundation, SDGs Kenya Forum and GIZ in deepening SDGs mainstreaming and tracking in the Counties.

2.5 Intergovernmental Consultations

2.5.1 National and County Government Coordinating Summit

The National and County Government Coordinating Summit is established under section 7 (1) of the Intergovernmental Relations Act (IGRA), 2012. The Summit is the apex body for intergovernmental relations. It is composed of the President and the 47 Governors.



H.E. President Uhuru Kenyatta, CGH, the Deputy President, H.E. Dr. William Ruto, EGH, EBS and CS Eugene Wamalwa, EGH, Ministry of Devolution and the Former Chairman of the COG, H.E. Josphat Nanok, EGH during a Summit session

It is in the Summit that the heads of the National and County Governments meet to deliberate and address emerging challenges in the implementation of devolution. As per section 9 of the IGRA, the Summit is required to meet at least twice a year.

In the period under review, the Summit was convened once on 4th March, 2019. The main agenda of the meeting was to discuss the volatile situation in the health sector. The Summit resolved that a framework for outsourcing health services by both levels of Government as provided for in relevant legislation be created and that any vacancies for recruitment of health workers arising from normal attrition or dismissal in both levels of Government be filled on contractual terms. It was further resolved that the Ministry of Health in conjunction with the Counties adopt a proactive approach to Human Resources of Health management. In this regard, the framework for engagement on contractual basis was to be developed by Public Service Commission.

2.5.2 Transformative Leadership

On 1st October, 2018, the Council Committee on Gender, Youth, Sports, Culture and Social Services in collaboration with the State Department of Gender developed an Intergovernmental framework for the sector. The meeting attended by thirty four (34) CECs and Chief Officers formulated a position paper on key elements on gender to be considered and incorporated in the joint gender intergovernmental mechanism. The mechanism will enhance coordination and harmonization of gender sector programmes between the National and County Governments.



Photo Session with participants during the Gender, Youth, Sports, Culture and Social Services Committee Intergovernmental meeting.

2.5.3 Human Resources, Labour and Social Welfare

In addition, the Human Resources, Labour and Social Welfare Committee on 24th April, 2019 held its intergovernmental Sectoral forum for Public Service Management at the Kenya School of Government (KSG) Nairobi to discuss challenges and some of the emerging issues in the sector. Key among the resolutions was the full implementation of the recommendations from the Capacity Assessment and Rationalization of Public Service (CARPS) Programme approved by the Summit.

2.5.4 Intergovernmental Budget and Economic Council (IBEC)



The Deputy President H.E. Dr. William Ruto, EGH, EBS, the Chairman Council of Governors H.E. Hon. FCPA. Wycliffe Oparanya, EGH, CGJ with other members of the Committee during an IBEC meeting

The Public Finance Management Act, 2012 establishes the IBEC under section 187 and its core mandate is to provide a forum for consultation and cooperation between the National and County Governments on financial related matters. Two (2) IBEC meetings (29th January, 2019 and 18th June, 2019) were held in the period under review. The following resolutions were reached.

1. **Own Source Revenue:** The Own Source Revenue Bill of 2018 infringed on County Government functions, as a result the Chair COG requested the Chair IBEC H.E. Deputy President to allow for further consultation between County Governments, National Treasury and Commission on Revenue Allocation to pursue a common agreement on the areas of divergence, before engagement with the National Assembly.
2. **Division of Revenue:** Since there was no consensus on the division of revenue proposal of the National Treasury and CRA, the issue was referred to Parliament and County Government Equitable share increased from the Ksh 310 Billion as recommended by The National Treasury to 316.5 Billion for the Financial Year 2019/2020.

3. The meeting resolved that the outstanding balance on Equitable share as at 18th June, 2019 for the Financial Year 2018/2019 be disbursed to County Governments immediately and Counties should prioritize clearing of eligible pending bills.

2.6 International Engagements

2.6.1 The 63rd Session of the Commission on the Status of Women (CSW) in New York, USA

The Sixty-Third (63rd) session of the CSW took place at the United Nations Headquarters in New York from 11th to 22nd March 2019. The Priority theme of the conference was: **“Social Protection Systems, Access to Public Services and Sustainable Infrastructure for gender equality and empowerment.”**

The Council in partnership with the State Department of Gender Affairs (SDGA) hosted a side event on “Challenges and opportunities in achieving gender equality and the empowerment of rural women and girls”. Four (4) Governors (the three women governors and the chair of the gender Committee) and the CEO of the Council were represented in the panel discussions.



H.E. Charity Ngilu, EGH during the planning meeting of the 63rd session CSW, New York, USA

2.6.2 The 73rd Session of the United Nations General Assembly (UNGA)

The United Nations General Assembly is the main deliberative, policy-making, and representative organ of the UN and it holds its sessions annually when the Secretary-General of the United Nations, receives reports and makes recommendations during the General Assembly.

The Council was part of the delegation that participated and represented County Governments in the 73rd Session of the UN General Assembly held on 17th – 27th September, 2018. The visit took place as part of annual sessions of the UN General Assembly where the Council hosted a side event together with the Ministry of Health, Gender and Social services and Ministry of Devolution and ASAL. The theme of the side event was **“strengthening government structures and arrangements for effective prevention, control and reduced impact of Non- Communicable Diseases among most vulnerable populations in Kenya”**.

The side event attracted the participation of several states who were invited to join the dialogue on reducing the Non-Communicable Diseases (NCD) burden in the devolved system of government. UN member states attending the 73rd General Assembly were urged to revitalize efforts on mitigating impact of NCDs on women and girls, learn and share best practices as well as draw attention to the challenges in dealing with this emerging health issue.

The side event demonstrated that the Country was making strides towards realization of quality health care to all citizens. The following were some of the achievements highlighted:

- Total allocation to the health sector both at the National and the County level has increased from 7.5% in 2014/15 to 8.2 % in 2017/18

- The allocation to health in the County budgets has increased steadily from an average of 21.5% in 2014/15 to 27% in 2017/18 attributed to devolution of health services
- Following devolution, there has been a seven-fold increase of women accessing screening services for cervical cancer in Kenya resulting in a 15-fold increase of those testing positive.
- Chemotherapy centres have been set up in Kirinyaga, Bomet and Meru Counties and another one is being established in Nyeri County.

Kenya's call to action from the side event

- Global community to support developing countries scale up and replicate proven and tested NCD advocacy programs
- Opportunities to invest in wellness, and use of simple technology for early detection is the most cost effective strategy of reducing impact of NCDs on women and girls.
- Kenya supports the call on greater attention of the global community on strengthening governance, leadership structures and systems to effectively reduce premature mortality from non-communicable diseases through prevention and treatment.



The Late Dr. Joyce Laboso (former governor of Bomet County) following proceedings during the High-Level Meeting on the Prevention and Control of Non-Communicable Diseases- UNHQ CR4 and ECOSOC Room C

2.6.3 High Level Meeting on Country-Led Knowledge Sharing in Bali, Indonesia



Jacqueline Mogeni, MBS, CEO Council of Governors participating as a panelist in a session during the High Level Meeting on Country-Led Knowledge Management in Bali, Indonesia

The Council participated in the 4th High-Level Meeting on Country-Led Knowledge Sharing (HLM4 on CLKS) from 15th to 18th October 2018 at Inaya Putri Hotel & Resort in Bali, Indonesia. The meeting's theme was "Local Innovation as a Driver of Global Development." The Kenyan delegation was represented by the Ministry of Devolution, the Senate and the Council with the support of the World Bank.

The purpose of the event was to highlight the growing importance of local innovation as a driver of global development, and to explore how country institutions can make more strategic use of successful local experiences and innovations for systematic scaling up, domestically and internationally.

The learning objective of the Kenyan delegation of seven (7) was in two-fold. First was to learn from global experiences and innovations through workshop program and market place. Secondly, to hold bilateral meetings and learn from the experiences of Indonesia's institutions in implementing decentralization, particularly focusing on decentralized planning, fiscal management and accountability mechanisms.

engagement which will focus on assisting Kenyans domiciled in the USA to directly access investment opportunities in Counties.

The Council organized a meeting with the executives of African Business Portal (ABP) in Raleigh, North Carolina on 5th June, 2019. The partnership with ABP resulted to five (5) Counties uploading over fifty (50) projects that can now be accessed globally.

2.6.4 Kenya USA Diaspora Alliance SACCO Annual General Meeting in Boston

In the period under review, the Committee participated in the Kenya USA Diaspora Alliance SACCO annual meeting in June, 2019. From this forum, CoG and the Kenya USA Diaspora SACCO kick-started the process of developing a framework of



H.E. Martin Wambora, EGH Chairman Trade, Investment, Manufacturing & Cooperative Committee at COG, delivering his remarks during the Kenya USA Diaspora Alliance SACCO Annual General Meeting in Boston

2.7 COMMITTEE REPORTS



H.E. Dr. Mohamed Kuti, Chairman of Health Committee during the Kenya Cancer conference organised by the Kenya Society of Haematology and Oncology

2.7.1 Health

During the year under review, the Health Committee held a total of twenty four (24) consultative meetings with Governors in the Health Committee, County Executive Committee Members for Health, Chief Officers Health, and County Directors of Health, Ministry of Health and other stakeholders in the Health sector as well as Development Partners in Health to discuss thematic issues relating to the following key focus areas; establishment and implementation of intergovernmental agreements, periodic reporting, capacity building, resource mobilization, sharing of best practices and achieved the following results/outputs:

1. Industrial Unrest and Workers Strikes

To ensure better management and availability of Human Resources for Health (HRH) in the Counties, and to curb discussed the impact of health workers industrial unrest on service delivery the Committee made recommendations which were adopted by the summit on 4th March, 2019 for the Public Service Commission to develop a Framework for Contract employment and for the SRC to come up with measures for containing Wage Bill in the public sector.

2. THS-UC Project

To enhance the capacity of County Governments to deliver the Health function and ensure successful implementation of the THS-UC project, the Committee participated in the project mid-term review exercise and gave recommendations on revision of the project design to facilitate faster flow of funds to Counties, revision of penalties imposed to facilitate implementation, recruitment of two additional county cluster coordinators

and a No Cost Extension of the THS-UC Project to cover for year one where the project did not begin as anticipated. All recommendations were adopted by the World Bank and an addendum to the Project Appraisal Document (PAD) drafted.

3. Global Fund

In defending devolution and to ensure compliance with the constitution of Kenya 2010 with regards to assignment of functions between the National and County Governments, the Committee engaged the Global Fund to ensure that the allocation of \$384 Million for the period 2018/2020 is implemented in a manner that reflects the n a devolved setting in the country.

The Committee further investigated complaints from Counties that microscopes procured under Global Fund Counter- part financing distributed by KEMSA in the 2017/2018 financial year were not functional, the COG undertook to gather comprehensive information on the status of functionality of the microscopes from all the 47 Counties which was shared with the PS Health who is also the chairperson of the Kenya Coordinating Mechanism. A decision was made by the KCM to have the faulty microscopes replaced/ repaired accordingly.

The Council through the Finance Committee and sought Senate support to ensure that FY 2019/20 County Allocation Revenue Act includes the Global Fund as Conditional Grant to Counties.

4. Microwave Medical Waste Project

To ensure better service delivery of quality health care in Counties by improved management of medical waste, the Committee supported ten (10) Counties to ensure the equipment supplied under the project were installed and functional. These included MTRH, KNH, JOOTRH, Nakuru, Machakos, Embu, Mombasa, Kisii, Kakamega and Nyeri County Referral hospitals. Phase I of the project was successfully completed and the Council is in discussions for Phase II of the project to be implemented in fifteen (15) Counties.

At a meeting to review the effectiveness of the machines H.E. the Chairman CoG proposed that all Counties should be provided with the machine.

5. UHC Pilot

During the period under review, the Committee coordinated the successful launch of the Universal Health Coverage pilot in four (4) Counties namely Kisumu, Isiolo, Nyeri and Machakos to ensure that Kenyans receive quality, promotive, preventive, and curative and rehabilitation health services without suffering financial hardship.

The Committee also discussed how County Governments could be better supported to play their role in strengthening systems for future scale up of

UHC beyond the four (4) Pilot Counties. The Committee gathered lessons from the four (4) Pilot Counties that shared experiences and challenges related to the implementation of the pilot. These were processed into reports and advisories for governors to inform the UHC scale up.

6. Legislation and Policy Review

To ensure adequate representation of County Governments in intergovernmental institutions, the Committee proposed legislative Amendments through written Memoranda to KEMSA Act (amendment 2019) with recommendations to increase County representation in the KEMSA Board, as well as to the National Hospital Insurance Fund (NHIF) to increase County representation in the NHIF Board.

The Committee also prepared memorandum and made submissions before the Senate and National Assembly Committees on critical issues touching on Counties including requirements for additional funds to increase Human Resources for Health including community health workers, improved quality of essential medicines supply and equipment for service delivery, strengthening level 2 and 3 primary health care facilities among others in the Miscellaneous Law Amendment Bill, 2018. It contained proposals to amend these pieces of legislation; Radiation Protection Act. Cap 243, the Pharmacy and Poisons Act.



H.E. President Uhuru Kenyatta, CGH Launching UHC in four (4) pilot Counties on 13th December 2018 at the ASK Grounds in Kisumu County



H.E. Prof. Peter Anyang' Nyong'o Governor, Kisumu County with Chief Administrative Secretary, Ministry of Health, Dr. Rashid Aman, during the Governors and CS consultative meeting on UHC in Naivasha on 9th April 2019

Cap 244, the Medical Practitioners and Dentist Act. Cap 253, the Food, Drugs and Chemical Substances Act. Cap 254, the Nurses Act, Cap 257, the Kenya Medical Training College Act. Cap 261, the Narcotic Drugs and Psychotropic Substances (Control) Act. 1994, the Nutritionists and Dieticians Act. No. 18 of 2007, Kenya Medical Supplies Authority Act. 2013, the Counsellors and Psychologists Act. 2014, Psychotherapist Act. 2014, the Health Records and Information Managers Act. 2016, Clinical Officers (Training, Registration and Licensing) Act. 2017, Kenya Food and Drug Authority Bill 2018, KEMSA Amendment (Senate) Bill, 20018.

In the year under review, the Committee ensured that Counties were involved in the development and review of the following Policy documents. County proposals was summarized into memoranda and submitted and adopted in: Community Health Strategy 2018-2023, Kenya Nutrition Action Plan 2018-2022, Review of systems policies and practices in the pricing of Pharmaceuticals and non -pharmaceuticals in the Kenya Public Health Sector, 2018.

7. Peer to Peer learning

During the year under review, the Committee worked with Maarifa center and coordinate the third structured inter-county HIS/Monitoring &Evaluation (M&E) peer to peer learning visit for three Counties Kakamega, Siaya and Kisumu as a follow-up to the peer to peer learning conducted in the Lake Region Economic Bloc (LREB) in August, 2018. The Counties learnt from Kisumu County how effective referral systems can be supported through efficient Health Information Systems (HIS).



H.E. Okoth Obado, Governor, Migori County during the Joint Agriculture Sector Steering Committee Meeting

2.7.2 Agriculture

During the period under review, the Committee held activities in the following key focus areas; capacity building, knowledge sharing and learning, resource mobilization and achieved the following results/ outputs:

1. Capacity Building

In defending devolution and increasing lobbying for delineation of functions between National and County Governments, the Committee developed and submitted a memorandum to the Senate on the maize crisis and an analysis of maize production cost to the Ministry of Agriculture, Livestock and Fisheries. The analysis was used to negotiate for the maize buying by NCPB. The analysis also was adopted by the maize taskforce as the template for calculating the cost of maize production in the country. As a result the government adopted Kshs. 2, 500 per 90kgs bag.

Further, the Committee in consultation with the County Governments through the CECs in charge of agriculture undertook technical review and developed memoranda on the Warehouse Receipts Systems Act, 2019, Irrigation Act, 2019, Coffee (General) Regulations, 2019 and Irish Potatoes Regulations. Parliament incorporated the proposals raised by the Council especially on issuance of sector licenses by County Governments and also functional delineation between National Government and County Governments.

The Committee also submitted legislative memoranda on the following Bills and Crops Regulations which are still pending enactment and has continued to monitor the progress in consideration of the Council's proposals with Parliament and the

Ministry of Agriculture, Livestock and Fisheries respectively: Food Security Bill (Senate Bills No. 12 of 2017), Tea Bill (Senate Bills No. 36 of 2018), Disaster Risk Management Bill (Sen. Bills No. 8 of 2018), draft Sugar Industry Regulations, 2019, draft Dairy Industry Regulations, 2019 and draft Nuts and Oil Crops Regulations, 2019.

2. Knowledge Sharing and Learning

In the effort to enhance County information sharing and learning, the Committee further developed a framework/template for County agriculture data reporting. This template was used to continuously collect information on County delivery of agriculture function. The data collected was used to develop the state of devolution address and used during the 6th Annual Devolution Conference.

The Committee mobilized resources and published one thousand (1000) copies of agriculture data booklet which was disseminated during the 6th Annual Devolution Conference.

The Committee also participated in the African Green Revolution Forum in Kigali, Rwanda whose discussions were on digitization of agriculture in Africa. A highlight of AGRF 2019 was the Agribusiness Deal Room where private and public sector stakeholders executed commitments worth over \$200 million to develop and strengthen several value chains in African agriculture. In addition, a Unilever-IDH partnership committed \$28.6 million towards investments in small and medium size enterprises (SMEs) working in variety of food related endeavours.

The Committee further documented and prepared a running list of fifteen (15) agriculture innovations and technologies which was shared to enhance peer to peer learning in the agriculture sector among Counties.



Governors and CECs Urban Development, Housing, Planning, Energy, Infrastructure and Lands Consultative Meeting held at the CoG offices in Westlands (Delta Corner Building)

3. Resource Mobilisation for Agriculture Sector

The Committee also held one stakeholder meeting to resource mobilise for the youth in agribusiness incubation and county that count. As a result FAO committed to support digitization of Counties that count which is currently in pilot for eight (8) Counties. Further, they committed 2.5M support to implement activities in the work-plan and also trained county staff, two hundred and thirteen (213) youth and women on agribusiness incubation.

In enhancing the capacity of County Governments to deliver the agriculture function the committee supported the implementation of projects; NARIGP, KCSAP, ASDSP II. In the FY 2018/19 the three projects disbursed 2.4 billion to the County Governments. Further the Committee participated in the development and negotiation for the Kenya Marine Project, Drought Resilience for Northern Kenya, East and Central Africa Agriculture Transformation Project. The Committee also participated in development, negotiated and coordination of the following joint projects; Kenya Marine Fisheries and Socio Economic Development Project (KEMFSED), Enable-youth project, ECAATP. Though these programmes, Counties will receive additional funding to support delivery of agriculture functions.

2.7.3 Urban Development , Housing, Planning, Energy, Infrastructure and Lands

The Committee in recognition of the opportunities and challenges facing the sector undertook activities in the following key focus areas: GIS based County Spatial Planning; Affordable Housing Agenda; Implementation of the Symbiocity programme, Governance and management of Cities, Municipalities and Towns; County Energy Planning; Design of phase II of the KISP. As a result, the Committee held several consultative meetings with the CECs, Chief Officers and Directors. The Committee also held one Executive Committee meeting where the implementation of the Kenya Urban Support Programme and Kenya Informal Settlements Programmes was discussed. Subsequently, Governors' held a retreat at which it was agreed that:

- World Bank was tasked to review the project design in line with the new Urban Areas and Cities Act.
- World Bank, the Council and the Ministry of Transport, Infrastructure, Housing Development was tasked to review the design of the Kenya Informal Settlements Programme II (KISP II) to address the foundational causes of slums and reconsider the fact that informal settlements are not only restricted to urban areas.
- Urban Institution Development grants that were delayed for over a year were released to Counties.

During the FY 2018/19, the Committee held twelve (12) quarterly CECs meetings, six (6) Directors' meetings, two (2) Municipal Board Chairpersons and Municipal Managers' meetings. The meetings provided a platform for consultations among the stakeholders to discuss pertinent issues affecting the Counties. Below is a summary of the key outputs

1. Through sensitization by the Committee, forty five (45) municipalities have established municipal boards.
2. The Committee held sensitization meetings with MCA chairs of the Committee to prioritize budgeting for County Spatial Planning. This led to Counties budgeting for the development of County spatial plans and two (2) Counties (Lamu & Makueni) now have approved Spatial Plans.

3. The Committee provided advisory on remuneration of municipal and town boards that led to SRC issuing a circular which guided the remuneration of the Municipal and Town board at the Counties.
4. Sensitization of Counties on Sustainable Urban Economic Development Programme (SUED) on which twelve (12) municipalities benefited from £70 million.
5. The Committee developed the County Spatial Plan Exemplar Format (CSP), Geographic Information System (GIS) guidelines and the Draft Aids and Disability Indicator guide which were disseminated during the Committee meetings.
6. Counties were sensitized on National Housing Policy and the Affordable Housing Agenda as a result the National Government signed Memoranda of understanding with twenty four (24) Counties for development of at least two thousand (2000) housing units in each County. Five (5) out of the twenty four (24) Counties have already identified land for comprehensive planning and project implementation.
7. Counties sensitized on clean energy programmes in which twenty four (24) County Governments have begun implementation.
8. The Committee together with the Ministry of Energy reviewed the Kenya Off-grid Solar Access project which has three components for renewable and sustainable energy as a result the project now benefits sixteen (16) Counties
9. The Committee undertook thematic capacity building on how to prepare energy actions plans which lead to the development of the draft Energy planning framework that Counties used as a guide to develop their own Energy

Plans. So far seventeen (17) Counties have Energy plans in place.

10. The Committee undertook technical capacity building on GIS and preparation of the County Spatial Plans. This resulted to the following Counties having operational GIS lab: Kitui, Makueni, Wajir, Nandi, Vihiga and Baringo.

The Committee reviewed the following pieces of legislation and the issues raised in the respective memoranda were incorporated by both Houses:

1. The Urban Areas and Cities (Amendment) Act 2018
2. The Kenya Roads Bill 2017
3. Sectional Properties Bill 2019
4. Land Value Index Bill 2018
5. Slum Upgrading and Prevention Bill
6. Construction Industry Policy 2019
7. Gender Policy in Energy

In collaboration with the Maarifa Centre, the Committee successfully documented the process of developing a county spatial plan with support from UNDP in three counties i.e. Makueni, Lamu and Kericho. Videos and case studies developed from this engagement can be retrieved from <https://maarifa.cog.go.ke/>

Implementation of the SymbioCity Kenya Programme

During the reporting period the Committee undertook activities to implement the SymbioCity Kenya programme whose development objective is to enhance inclusive and sustainable urban planning and development. Through the Programme the Committee developed some tools to guide Counties on inclusive and sustainable urban planning including "planning our towns" tool kit for inclusive urban development in Kenya." https://cog.go.ke/images/pdf/Urban_Development_planning_and_Lands_committee/Planning%20our%20Town%20Toolkit%20Nov%202019_WEB%20spreads.pdf



Group photo with the Governors committee members of the Tourism and Natural resource Management (T&NRM) during the retreat in Naivasha

2.7.4 Tourism and Natural Resource Management (T&NRM)

1. During the financial year one (1) consultative meeting between the Kenya Forest Service and the CECMs Environment and Natural Resources was held and resulted to development of

Certificate of Origin and Movement Permit for forestry products from farm and Community Forests, Counties will now be able to generate revenue from the devolved forest sector.

2. The Committee organized and coordinated CECMs consultative meeting dubbed "Towards Progressive Realization of Devolved Functions under Water, Environment and Forestry Sector" to review sector performance. As a result nominees of County Environmental Inspectors were trained in several Counties awaiting gazettelement.
3. The Committee held Tourism and Wildlife CECMs quarterly meeting to evaluate adoption of the National Tourism Blueprint 2030, Wildlife Management and Conservation Act 2013 and the unbundling of the museum functions. The Council developed and submitted a memorandum of issues to be incorporated. As a result, Counties have been consolidated into eight (8)

regional tourism councils that form an identical ecosystem for positioning and marketing purposes.



H.E. Prof. Paul Chepkwony the Governor Kericho County and his Deputy Governor H.E. Susan Chepkoech, OGW during the launch of Tilibei and Kericho Water and sanitation companies which was the first ever seamless merger process.

4. One (1) forum for County Directors in charge of Environment and Natural Resources Management was convened to deliberate on issues in the sector and conduct elections for the Directors Caucus Officials. As a result, data collection for the sector by COG has been conducted to assess sector performance as well. The review of the EMCA Act has also been initiated to seal the gaps highlighted in the sector.
 5. Moreover, the Committee convened one (1) meeting to develop the Water Sector Transition Plan. The transition plan was prepared as a strategic intervention to ensure smooth transition and provision of water sector services is uninterrupted. COG prepared and submitted a memorandum of proposals to be incorporated. The process of finalization of the plan is underway, the proposals are yet to be incorporated.
 6. In the period under the review, County Governments participated in the 7th edition of Magical Kenya Travel Expo at the KICC in Nairobi for the African gathering of the trade and tourism hosted by the Kenya Tourism Board. This resulted to twenty (21) Counties showcasing investment opportunities and tourism products which increased visibility of County Governments.
- In the period under the review, the T&NRM Committee through the support of key stakeholders and development partners achieved the following outputs in the various sectors;**
1. On Water and Sanitation; the Committee documented best practice in the water sector on Merging of Water Utilities i.e. Tilibei and Kericho Water and sanitation companies in Kericho County which was the first ever seamless merger process. The new company will attract more investment financing and increase economies of scale.
 2. The Committee documented best practice in the management of sanitation in Counties through countywide sanitation strategy i.e. Nakuru County wide sanitation strategy. Nakuru is the first in the country to develop this strategy. Sanitation has not been given the weight it deserves and this was a good learning practice for Counties to replicate this model. The Nakuru County Sanitation Technical Steering Committee (NACOSTEC) is also gazette.
 3. As a result of sensitization undertaken by the Committee to promote sector performance through replication of best models; Kakamega, Mombasa, Kericho, Nandi, Uasin Gishu, Muranga Water Master Plans have also been highlighted to enhance development of master plans.
 4. On Climate Change; Makueni, Kitui, Wajir, Garissa, Isiolo and Vihiga Counties have developed regulations that have enabled them to set aside 1% percent of their development budget to address climate change.
 5. As a result of COG sensitization to Counties; Kakamega, Turkana, Nandi, Turkana and West Pokot Counties have developed Climate Change Action Plans while Nakuru, Vihiga, Nandi Counties have developed Climate Change.
 6. As a result of experience sharing coordinated by COG on Forestry; Baringo, Kitui and Elgeyo Marakwet Counties have developed Charcoal Regulations. Kilifi and Vihiga Counties have developed Forest Policies while West Pokot, Bomet, Elgeyo Marakwet, Narok, Kiambu, Bungoma, Baringo and Migori have trained foresters. Additionally, Vihiga County has developed Agroforestry policy while Busia County has developed Biodiversity Policy.

During the period under review, the Committee undertook various training to equip committee focal persons and county officers on matters climate change and climate financing:

1. The Committee undertook the training of Maarifa Centre focal persons, Communication and ICT on knowledge management through the support of BRACED- X to enhance their capacities. As result the staff are applying the skills gained in promoting best practice sharing.
2. Training of the County Executive Committee Members and Chief Officers on Climate finance to equip them with Skills to develop bankable proposals to tap into existing climate finance sources. The Committee also developed regulations on operationalization of the County Climate Change units and the County Environment Committee with support from partners.
3. Through the support of World Bank (Kenya Accountable Support Programme) and the National Treasury, COG underwent organizational capacity support in preparation for accreditation under the Green Climate Fund (GCF).
4. Training of County Chief officers in charge of Natural Resources on Integrated Financial Management system and E-procurement. This has enhanced the efficiency of Chief Officers in delivery of their accounting mandate in respective Counties.
5. The Committee trained representatives from the tourism sector inclusive of the County Officials from thirty seven (37) Counties on creation of top experiences, product identification and packaging. Through this, Counties are now developing export ready tourism products to meet changing demands in the sector.



Celebrations during the Lamu Cultural Festival held from 22nd to 25th November, 2018

Inter-County activities coordinated

The Committee participated in the Lamu Cultural Festival that was held from 22nd to 25th November, 2018 in Lamu town with a theme “Tembea Lamu” meaning tour Lamu. This is one of the biggest cultural event in Lamu County that attracts thousands of visitors both foreign and local, and as a result the County now enjoys contemporary local and international tourism making it the preferred destination of choice.

The Mandera Somali Cultural Festival was organized by the County Government of Mandera and hosted at Moi stadium in Mandera town and held from 9th to 12th December, 2018. As a result of sensitization on cultural diversity, local trade has been boosted and promotion of cohesion between communities realized.



H.E. Capt. Ali Roba; Governor Mandera County with the Jacqueline Mogeni, MBS CEO Council of Governors during the Mandera Cultural Festival held from 9th to 12th December, 2018



H.E. Capt. Ali Roba; Governor Mandera County during the Mandera Cultural Festival held from 9th to 12th December, 2018

The Committee prepared and submitted memoranda on the following:

The Sustainable Solid Waste Management Bill: The general concerns that were raised by the Council included: administration fees for the waste handling trucks and licensing, representation of County Governments in the National Waste Management Council among others. The proposals raised by the Council were incorporated and the bill is at the office of the Cabinet Secretary's for approval.

The Natural Resource Benefit Sharing Bill: The Council had raised the following issues: the role of national agencies managing and licensing NRs exploitation/ use and high benefit sharing ratio to National Government. The Bill is before the National Assembly and the Committee together with Council's Legal Committee is following up to ensure issues highlighted in the memorandum are incorporated.

The National Water Policy 2019: The substantive issues raised by the Council in the memorandum shared with the Ministry were being incorporated. The areas that have not been considered are mainly on the policy directions/statements in which CoG laid emphasis on the need to implement some of the strategies in collaboration with County Governments.

The Tourism Act 2011: The Council recommended that the Tourism Act be amended to include the following proposals; Involvement of County Governments in the Kenya Tourism Board as Tourism is a devolved function. Most of the functions being carried out by the Board affect County Governments and therefore, the County Governments proposed that they should be represented in the Board. Another proposal by the Counties was Tourism levy should be collected by County Governments. The issues raised have been incorporated at the Senate.

The County Tourism Bill 2018: The principle objective of the bill is to provide for the development, management, marketing, promotion and licensing of local tourism by County Governments. The bill also seeks to amend the Tourism Act, No. 28 of 2011, in order to make provisions for local tourism and involve Counties in the development, management, marketing and regulation of local tourism. The concerns highlighted have been incorporated at the Senate.

The National Heritage and Museums Bill 2018: The Bill seeks to give effect to the Fourth Schedule of the Constitution on distribution of functions between the National Government and the County Governments. The Bill amends the National Museums and Heritage Act and thus outlines the functions of the National Government and the County museums. The Bill therefore affects the functions and powers of County Governments as provided under the Constitution. The Bill is pending before the Senate.



The Principal Secretary Trade Dr. Chris K. Kiptoo, CBS (PhD, AKIB, MEFMI Fellow) with the CECs Trade during the Intergovernmental meeting between the State Department and County Governments

2.7.5 Trade, Investment, Manufacturing and Cooperatives

In the period under review, the Committee held activities in the following key focus areas; Sensitisation of governors, strengthen intergovernmental relations and safeguard devolution and sharing of best practices and achieved the following results:

1. Sensitization of Governors

The Committee, in the period under review, held two (2) consultative meetings through which CECs in Charge of Cooperatives reviewed the Cooperatives policy and Non Deposit Taking SACCOs Regulations and consequently generated two (2) memoranda on the same. The policy review was thereafter submitted to the Ministry of Trade and Cooperatives with most of the County recommendations being incorporated including the definition of threshold of the SACCOs to be included in the regulations.

The committee also organized and coordinated one (1) consultative forum with regional economic blocs which meeting resulted in the development of gender sector working group guidelines. So far, one regional economic bloc has set up the working groups.

The Committee defended CoG position in two interagency committees i.e. the retail sector code of regulations and the taskforce on developing of Non Deposit Taking SACCOs regulations. In the code of regulations all of CoG recommendations were adopted while on the NDTs regulations 80% of the recommendations were adopted. CoG is lobbying for the adoption of the County proposals.

During the period under review the committee reviewed five (5) bills and developed memoranda on the same. Further the committee appeared thrice at the Senate Standing committee on Trade and once in the National Assembly. The memoranda and oral submissions resulted to most of the CoG recommendations being incorporated in the Public Private Partnership Amendment Bill. For the comments that were not incorporated, the Committee intends to engage the committee of Parliament to lobby for the incorporation of County proposals.

In the period under review, the Committee reviewed two (2) policies; the Cooperatives Policy and Regional Economic blocs' policy wherein most of the Councils position were adopted. On the Cooperatives policy, issues related to the structure of the Cooperatives movement, policy direction were resolved and currently negotiations are ongoing on the delineation of functions between the two levels of government through the Inter-Governmental Relations Technical Committee.

2. Strengthen Intergovernmental Relations and Safeguard Devolution

In the period under review the committee held one (1) intergovernmental meeting with the State Department for Trade which resulted in the development of a joint position on weights and measures, ease of doing business in the country, cross border challenges and joint loans board. Owing to this meeting, the verification exercise of the joint loans board funds has commenced so that funds can be transferred to County Governments. The consultative meeting with the State Department of Industry convened to discuss development and establishment of industrial parks in the Country resulted in four (4) Counties sharing available space for development of the parks.

3. Sharing Best Practices

The Committee successfully hosted the Trade Sector meeting during the 6th Annual Devolution Conference in Kirinyaga County from which a communiqué was generated. The communiqué has informed engagement with the private sector.

During the year under review, the Committee in collaboration with the Gender Committee developed the gender mainstreaming guidelines for regional economic blocs which were generic to all as well as specific for Jumuiya ya Kaunti za Pwani and disseminated them to the blocs. The guidelines will support the regional economic blocs to mainstream gender issues in planning and execution of activities/projects using gender lenses.



H.E. Prof. Paul Chepkwony, the Chair of the Education & Gender Committee and Governor Kericho County posing for a photo during a Consultative Meeting for CECs Education, Gender, Youth, Sports Culture and Social Services

2.7.6 Education, Gender, Youth, Sports, Culture and Social Services

During the period under review, the Committee held activities in the following key focus areas; knowledge sharing training & capacity building, establishment & implementation of inter-county agreements, accountability mechanisms and assessment of needs and strategic profiling.

The Committee held three (3) quarterly CECs meetings and two (2) quarterly Directors meetings attended by thirty seven (37) County Executive Committee Members and forty two (42) County Directors. These were to consolidate on the Counties position on various key sectoral issues as follows:

- County Governments committed towards supporting the attendance ECDE learners for the 2nd Children's Conference and all 47 County Governments supported the nomination of participants for the Conference planning team.
- Through consultation during the quarterly meetings, a consolidated Counties position was developed on the Draft National Education Sector Strategic Plan, Subsidized Vocational Training Centres Conditional Grant Guidelines, and the Draft Kenya National Youth Development Policy.
- Further the Committee provided updates on the implementation of the Joint Gender Sector Intergovernmental Relations Framework and Kuza Kazi Youth Empowerment Project.
- The Kenya Institute of Curriculum Development was tasked to provide technical support to the County Governments on teacher capacity building on the Competency Based Curriculum.
- Held a meeting with the directors in charge of vocational trainings on the revision of the Vocational Training Centres Support Grant Guidelines which has been a key

intervention for the revitalization of vocational training in the country.

- A consultative meeting was held on 24th April, 2019 with COG/Ford Foundation project team and NTA to discuss possibilities of engagement in a joint outreach in Nandi, Kitui, Kirinyaga and Bomet Counties to provide capacity building training and skills development in social accountability and social audit of county expenditures.

The Committee, with support from the Legal Committee, reviewed the following legislations and policies:

1. The Care and Protection of Older Members of Society Bill (Senate Bills No.17 of 2018)
2. The County Early Childhood Education Bill (Senate Bill No.26 of 2018)
3. The Sports (Amendment) Bill, 2018 (NA Bill No. 25 of 2018)
4. The National Youth Service Bill, (National Assembly Bill No.26 of 2018)
5. The Persons with Disabilities (Amendment) Bill (Senate Bill No. 1 of 2019)
6. The Higher Education Loans Board (Amendment) Bill, 2019 (NA Bill No. 9 of 2019)
7. The National Education Sector Strategic Plan 2018 - 2022
8. The Subsidized Vocational Training Centres Conditional Grant Guidelines
9. The Kenya National Youth Development Policy, 2018

In the 2018/19 FY, the Committee implemented 5 thematic capacity building initiatives at the County level as follows:

1. The transformative Women Leadership Trainings which resulted in four hundred and forty seven (447) Women County Executives and three hundred and thirty four (334) Women Ward Administrators being trained on transformative leadership.
2. Through a joint exercise with the Kenya school of



H.E. Charity Ngilu, EGH the Governor Kitui County; H.E. Susan Chepkoech the Deputy Governor Kericho County, Dr. Ludeki Chweya the DG Kenya School of Government, Ms. Zebib Kavuma the Country Director UN Women, Jacqueline Mogeni, MBS the CEO Council of Governors during the launch of the Women in Leadership Curriculum, ON 8th October, at the Intercontinental Hotel.

Government, the Committee reviewed the Women in leadership curriculum in order to align it to devolution. The curriculum has been institutionalised at the Kenya School of Government.

3. The Committee trained forty one (41) CECs in charge of finance and Gender on gender responsive budgeting (GRB). A gender responsive budgeting template was developed and disseminated to all the 47 County Governments to guide during planning purposes.
4. The Committee developed guidelines for mainstreaming gender with regional economic blocs. These guidelines were utilised in establishing the first gender working group in the Jumuiya ya Kaunti za Pwani Economic bloc.
5. The Committee engaged thirty five (35) supply chain managers on the statutory reporting timelines on the implementation of the Access to Government Procurement Opportunities (AGPO) in County Governments. Consequently, a policy brief detailing policy issues for consideration by both National and County Governments and procurement regulators based on feedback, suggestions and comments from AGPO interventions undertaken in the last six (6) months in twenty two (22) Counties on AGPO was developed.
6. Further, a total of five hundred and fifty four (554) women and youth were sensitized on the requirements to accessing AGPO in a training that brought on board both the buyers and sellers. Supply chain managers were provided with simple checklists to help them determine if they were progressing well towards compliance with AGPO requirements.
7. As a pilot project, the Committee developed County Specific Gender Datasheets and Summary Reports for

ten (10) select Counties. The County gender data sheets which will inform policy formulation and decision making were been disseminated to the ten (10) Counties and other stakeholders.

8. Further, the Committee trained total of four hundred and twenty (420) women and youth (320 women and 100 Men) on the basic concepts of agribusiness and value addition. This exercise informed the women and youth on potential financial services and markets as well as equipped the women and youth with skills for extension services they need for their Agri-business.
9. The Committee facilitated twenty-four (24) women from twelve (12) Counties to participate in the 6th Annual Devolution Conference. These women were provided with a platform to exhibit their innovations and inventions contributing to economic empowerment. The space, dubbed 'Women's Innovation Space' provided the women with an opportunity to educate other women as well as market their wares.
10. Additionally, the Committee engaged a total of three thousand and eighty eight (3,088) women and men in gender roundtable meetings. These meetings were conducted in twelve (12) Counties and they aimed at exploring opportunities for socio-economic empowerment of women as well as providing a platform for public participation. A Gender Based Violence working group was formed in Nyeri as a result of the gender roundtable meetings.

11. The Committee facilitated the attachment of thirty nine (39) youth including youth with disabilities to offices of women Governors, women Deputy Governors and the County Government. A total of eight (8) female mentees were absorbed in the County Public Service of the respective County Governments. Ten (10) males and ten (10) females benefitted from the internship and mentorship program in Bomet County, including two (2) males and one (1) female with visual impairment, one (1) male with hearing impairment, three (3) females and one (1) male with physical challenges.

2.7.7 Finance, Planning and Economic Affairs

During the period under review, the Committee held seventeen (17) consultative meetings spread across the four quarters of the financial year with the CECs in Charge of Finance, Chief Officers in charge of Finance and Directors in Charge of Budgets and Planning. Additionally the Committee engaged with key PFM institutions on key focus areas outlined. Key among the outputs on the consultative processes include:

1. **Operationalization of County Budget Implementation.** Through a joint exercise with the State Department of Planning, guidelines for the development of Counties annual development plans were developed and disseminated to the Counties. All the 47 Counties have adopted the guidelines.
2. **Equity in Horizontal Division of Revenue.** Sectoral proposals and CoG position paper on the third revenue sharing formula developed to inform the development Counties third revenue sharing formula. The formula once approved by the Senate shall seek to enhance equity in resource distribution among counties.
3. **Data Collection for Public Disclosure.** Tracked and reviewed all the 47 County Budgets for the FY 2018/19 to necessitate informed communication at the CoG, in which data have subsequently been used for the State of Devolution address.
4. **Accountability Mechanism to Improve County Audit Report.** Sensitization of thirty eight (38) County CECs and thirty three (33) Chief Officers on establishment of County Audit Committees which are structures to enhance

accountability. By the end of the financial year twenty seven (27) County Audit Committees were formed and gazetted by Counties.

5. **Expenditure Management through Budgeting and Prudent Financial Management.** With support from the UNDP, the committee provided technical support to twenty seven (27) Counties on developing sound financial statements. A template for self-assessment by Counties during the generation of financial statements was developed and adopted by the twenty seven (27) Counties for the development of 2018/19 financial year's statements.

6. **Operationalization of County Budgets Implementation Committees.** The Committee developed guidelines for the formation of County Budgets Implementation Committees to enhance efficiency and accountability in the management of public resources. By the end of the 2018/19 financial year twenty (20) Counties had established the Committees.

7. **Gender Responsive Budgeting.** The Committee sensitized forty one (41) CECs in charge of finance on gender responsive budgeting (GRB). A gender responsive budgeting template developed and disseminated to all the 47 County Governments to guide during planning process. Thirty (30) County Governments had their 2018 annual development plans gender mainstreamed.

The Committee reviewed the following legislation during the financial year;

1. The Budget Policy Statement 2018, Division of Revenue Bill 2018, County Allocation of Revenue Bill 2018. The Committee lobbied through a memorandum developed for an increment in allocation to Counties in the 2019/2020 financial year by twenty nine (29) Billion. Ultimately the Committee's proposals led to a mediation process that increased Counties allocation by two (2) billion.
2. The Committee reviewed the County Governments Revenue Raising Process Bill 2018 and developed a memorandum. Through this intervention the Bill is set to be withdrawn from Parliament as it infringed on County Governments' functions.



H.E. Hon. FCPA. Wycliffe Oparanya, EGH, CGJ the Chairman CoG and Governor Kakamega County with members of the CoG Finance, planning and Economic Affairs Committee before The National Assembly and Senate Budgets and Appropriations Committee on County Financing.



Photo session with County Directors of Communication during a consultative meeting held at Royal Azure Hotel

2.7.8 Information Communication and Technology

1. During the Financial Year, the Committee held three (3) consultative meetings and one (1) capacity building training for directors of communication which; Identified County communication gaps; Reviewed the Institute of Public Relations and Communication Management (IPRAC) bill that will govern the Communication and Public Relations practitioners across the Country and the prepared for Communication components of the 6th Annual Devolution Conference which included; development of a documentary, Branding, Media relations, exhibitions and social media engagements.
2. The Committee also held two quarterly CECs meeting and one Chief Officer and directors in charge of ICT meeting. The meetings provided a platform for consultation among the stakeholders to discuss pertinent issues affecting the Counties.
3. The Committee held a sensitization meeting with the Communication Authority of Kenya on the development of the Draft National Broadband Strategy 2018-2022, which gave an opportunity to the Counties to table their contribution and understanding their level of implementation in the strategy.
4. The Committee has been a key stakeholder in the development and implementation of the National Optic Fiber Backbone Infrastructure (NOFBI) and the Last Mile Connectivity Project (LCCP) which have been geared to provide free internet to County Governments. NOFBI has ensured that forty six (46) Counties are fully terminated while LCCP has extended the connectivity to twenty one (21) County Headquarters.
5. The Council of Governors in partnership with ADA Consortium held a capacity building workshop for County Directors of Communication on development of Communication strategies. As a result, six Counties have already developed and approved their communication strategies while three more are at different stages of development.
6. In September 2018, the Committee spearheaded coordination of the Second Devolution Sensitization Week in Mombasa County. More than three thousand (3000) County residents interacted with the County Officials and Council of Governors staff during the 3 days event. Owing to the success of the Sensitization week, the Council of Governors and the County Directors of Communication are working on a scale up framework so that the week is held at the 47 County Governments concurrently.

7. During this financial period, the Council of Governors news items got vast coverage on both broadcast and print media. The institution featured in various newspaper headlines forty (40) times on topical issues like Division of Revenue Bill 2019, Graft Charges against Governors, County audits, Devolution Conference 2019 and County health matters.
8. The Council of Governors through its social media platforms garnered a following of; one hundred and thirty seven thousand five hundred (137,500) on Twitter and twenty six thousand three hundred (26,300) on Facebook.
9. Additionally, through these platforms, the Committee steered trending conversations on the Council's elections through **#COG Decides**. Further, the Committee drove discussion on the 6th Annual Devolution Conference on **#DEVCON2019**.
10. In a bid to get the Supreme Court advisory on the contentious Division of Revenue Bill 2019, the Committee held discussions on **#Okoa Devolution** and **#More Money to Counties**. The Council also initiated a humanitarian campaign to support to Kenyans in drought stricken Counties through **#Counties for Counties**. Other key topical issues that gained a huge traction were; **Children's Conference KE**, Inclusive **Devolution KE** during the launch of the Braille Public Participation Guidelines, Governors Peer Learning and Transformative Leadership Programme Launch.



A session during the County Directors' capacity building workshop with the ADA consortium on development of communication strategies

Webinars

The Council of Governors participated in the Africa Business Portal Webinar hosted in June 2019. The webinar sought to address how access to quality projects creates a need and opportunity for African Diaspora to Connect. Through the webinar, the Council Communicated to the diaspora community of the available opportunities in the Counties and the procedure of entering into partnerships and investments. This is expected to scale up the number of investors from the diaspora and investment proposals at the County level.



H.E. Hassan Ali Joho the Governor Mombasa County during the Second Devolution Sentization Week (DSW) in September, 2018



H.E. Hon. FCPA. Wyclife Ambetsa Oparanya, EGH, CGJ the Chairman Council of Governors chairing a meeting with the Kenya Union of Nurses

2.7.9 Human Resources, Labour and Social Welfare

During the period under review, the Human Resources, Labor and Social Welfare held activities focusing in the following key focus areas; Performance management, National- County and Intercounty relations, training & capacity building and strengthen of sectoral working forums.

1. In July, 2018 the Committee in collaboration with the Health Committee and the Ministry of Health coordinated the induction training for ninety eight (98) doctors from Cuba to be deployed to Counties and 47 Kenyan doctors from Counties to travel to Cuba for postgraduate studies in family Medicine. The program intended to supplement County Governments with specialized skills in the health care sector. Two (2) Cuban doctors were deployed in each County, a specialized skill and another from family medicine. This has seen County citizens receive specialized care at no extra cost and has reduced the burden on locals to the limited referral facilities within the Country.
2. In October 2018, the Committee in collaboration with the Performance Management and Coordination Unit in the Office of the President, with support from UNDP, trained twelve (12) Council of Governors Secretariat staff on Performance Management Framework for the County Governments. The purpose of the training was to increase the numbers of trainers/Champions for Performance Management Framework to assist in sensitizing Counties on implementation of Performance Management Framework. The trained Champions supported fifteen (15) Counties on sensitization of Performance Contract

guidelines which enabled counties to develop their own Performance Contracts, Staff performance Appraisal systems which is improving accountability.

3. In November and December 2018, the Committee in collaboration with Ministry of Public Service, Youth and Gender, Public Service Commission coordinated the rollout of strategic resource documents to guide Counties in harmonization and comparable Management of Human Resource in the Public Service. As a result 47 Counties received the resource documents on Norms and standards in the Public Service.
4. In April 2019, the Committee held one consultative meeting with the County Executive Committee Members for Public Service and Administration. The meeting was attended by thirteen (13) female and fifteen (15) male participants. The meetings provided a platform for consultations among the stakeholders to discuss pertinent issues affecting Human resources issues in the counties. Below is a summary of the key outputs:
 - a) Through sensitization by Institute of Human Resources Management (IHRM) fifteen (15) Human Resources Officers in the Counties have registered with the Institute.
 - b) The Committee provided advisory on the tenure of the County Public Service Boards that was coming to a close and twenty three (23) Counties have established new Boards.
 - c) The Committee gathered updates on the status of implementation of Performance Contracting in the Counties and as a result the Committee through the support of UNDP sensitized fifteen (15) Counties.



2.7.10 Legal Affairs, Human Rights, Intergovernmental Relations, Security and Foreign Affairs

During the period under review, the following were achieved under the KPA on **'Good Governance'**, and under the Strategic Issue **'Continuous Analysis and Review of existing National and County laws and policies'**:

1. Increased awareness in Counties and at the CoG secretariat on Parliamentary matters was achieved in the FY under review through the Committee's continuous monitoring of Parliamentary Gazette Notices, Order Papers, Bill Trackers and Hansard reports. Summaries and advisories were developed and disseminated on a weekly basis to the technical committees and Counties.
2. The Committee reviewed seventy nine (79) bills and developed memoranda for the same. 8 oral submissions were made before Senate and six (6) oral submissions were made before National Assembly. This lobbying resulted in the incorporation of CoG proposals in various Bills which are now Acts of Parliament which include: the Assumption of Office of the County Governor Act, 2019; the Irrigation Act, 2019; Warehouse Receipt System Act, 2019; the Physical and Land Use Planning Act; and the Urban Areas and Cities (Amendment) Act, 2019. In addition, the Senate incorporated the Council proposals in the following Bills: the Food Security Bill (Senate Bills No. 12 of 2017); the Office of the County Attorney Bill (Senate Bills No 3 of 2018); the County Early Childhood Education Bill (Sen. Bill No. 26 of 2018); the Kenya Roads Bill (National Assembly Bill No. 47 of 2017); the County Boundaries Bill (Senate No. 6 of 2017); and the County Governments (Amendment) Bill (Sen. Bill No. 11 of 2017).
3. The Committee developed and launched one (1) Master Audit of Laws Report and seven (7) sector audit reports in Agriculture, Health, Urban Development, Trade and Investment, Public Finance Management, Land and Physical Planning, Natural Resource Management. The report was disseminated to all Counties and relevant stakeholders and has become a reference point for institutions working in the devolution

space. A framework for implementation of the report is being developed.

4. Further, two (2) County Attorneys meetings were held through which County Attorneys were sensitized on various issues including setting up of the County law offices. This will help Counties to be ready for the enactment of the Office of the County Attorney Bill.

During the period under review, the following were achieved under the KPA **'Sustainable Intergovernmental Relations'**, and under the KFA **'National- County and inter-County Relations'**:

5. The Committee prepared for and coordinated eight (8) Council meetings in the FY 2018/2019 resulting in the generation and dissemination of eight (8) press statements on the CoG position on key policy and legislative issues. In the FY under review, the Committee followed up and ensured that all Council resolutions were implemented.
6. The Committee spearheaded the finalization and adoption of the Summit Special Committee Report. The sub-committee had been established at the Summit of 22nd June 2018 and had been commissioned to look at intergovernmental relations issues. The report is ready and awaits Summit approval.
7. The Committee, as part of an inter-agency team, participated in the development of the Alternative Dispute Resolution (ADR) Regulations which were finalized and now await Summit approval. The CoG position on the regulations was incorporated.
8. The Committee organized and coordinated one (1) Legislative Drafting Training which resulted in sixty-five (65) County Attorneys from the Executive and Assembly arms being equipped in Legislative Drafting skills.

In the period under review, the following were achieved under the KPA **'Sustainable Intergovernmental Relations'**, and under KFA, **'Strengthen Intergovernmental Relations and Safeguard Devolution'**:

9. The Committee lobbied and successfully managed to have all CoG proposals incorporated into the ongoing Intergovernmental Relations Act (IGRA) amendment exercise.

| CASE NAME | JUDGEMENT/RULING/ORDERS |
|--|--|
| PETITION NO 67 OF 2017: FIDA VS KNUN & COG & OTHERS | The Court held that it does not have the powers to compel the Kenya National Union of Nurses (KNUN) and Council of Governors acting on behalf of the 47 Public Service Boards to take necessary steps to complete and sign the Collective Bargaining Agreement for the nurses. |
| PETITION NO. 56 OF 2016: JAMES GACHERU KARIUKI & 19 OTHERS VS. THE 47 COUNTY GOVERNMENTS & OTHERS | The Court held that County Governments are the legally mandated bodies to collect parking fees. |
| NAIROBI CIVIL APPEAL NO. 200 OF 2015: SENATE & OTHERS VS COG AND OTHERS | The Court of Appeal affirmed the decision of the High Court quashing the establishment of the County Development Boards via the County Governments Amendment Act, 2014 as it violates and alters the structure devolution. |
| CONSTITUTIONAL PETITION NO. 328 OF 2016: COUNCIL OF GOVERNORS VS. SALARIES AND REMUNERATION COMMISSION | A declaration was issued to the effect that the action by the SRC to deny Deputy Governors housing benefit is discriminatory and contrary to Article 27 of the Constitution. SRC was therefore compelled to set and regularly review housing benefit as one of the benefits due to a County Deputy Governor. |
| PETITION NO. 32 OF 2017: KELLY MALENYA VS. CS LANDS AND OTHERS | Section 2 of the Community Land Act was declared unconstitutional in its definition of community land for twelve months to allow Parliament to rectify the ambiguity. In default, the unconstitutionality shall take effect after expiry of the twelve month from 7th June, 2019 |

- Annexed in this report is a schedule of all the court cases.
- Increased visibility for CoG and its mandate was achieved through the Committee's participation in the 2018 Law Society of Kenya Justice cup tournament held on 29th July, 2018.

2.7.11 Citizen Engagement Unit

- The Committee defended CoG position as a member of i) the inter-agency team on intergovernmental sector forum regulations; and ii) the inter-agency team on Protocol for Legislation. In both cases, the CoG position was fully adopted.
- The Committee represented the CoG in various matters in court and received favorable judgements and orders in the following matters among others:
- Annexed in this report is a schedule of all the court cases.
- The relationship between the Senate and CoG continued to be strengthened. In April 2019, one (1) consultative meeting was held between the Senate's Legal/ Devolution Committees and the CoG Legal Committee. A joint communique was produced from this meeting whose recommendations are currently being implemented.

Under the KPA on **'Build a Strong CoG'** and the Strategic Issue **'Lobby for Clear Definition of CoG Identity'**, the Committee achieved:

- Increased visibility for CoG and its mandate through the Committee's participation in the 2018 Law Society of Kenya Justice cup tournament held on 29th July, 2018.
- All subscriptions for international organizations were paid. CoG secured an Executive Committee position in UCLGA because of being a paid up member.

During the period under review, the citizen engagement unit focused on enhancing County Governments' publication and sharing of core materials with the public; Enhancing efforts to rolling out of civic education activities by Counties; Counties setting up institutional structures, systems & process for Public Participation including peer learning and sharing best practices.

The unit is in the process of resource mobilizing to bring on board an RRI coach to support the nine (9) Counties to assess and evaluate their projects/initiatives. Priorities included;

- Establishing a structure and functional unit of public participation and civic education.
- Enacting policies and bills to anchor the public participation unit and civil engagement in law.
- To develop a complaints and grievances mechanisms.

- The Unit held two (2) quarterly meetings for directors in charge of public participation to provide a platform for consultation among the stakeholders to discuss pertinent issues affecting the Counties. Below is a summary of the key outputs;

- Increased awareness in Counties on 'Kenyans views and experiences on citizen participation and possible ways of strengthening it' was achieved in the FY under review through the unit's partnering with the Civil Society Organisation, Twaweza Kenya. The survey acknowledged that the public are 'interested but busy'. The findings can be found on <https://twaweza.org/go/szw-ke-citizen-participation>.
- Twenty nine (29) Counties were capacitated on preparing and publishing the approved citizen



Photo moments in the inaugural governors' peer learning exchange mission on Makeni county public participation model, practices and processes

county budget estimates for the period 2018/19-2020/21. As a result 16 Counties i.e Bungoma, Elgeyo Marakwet, Isiolo, Kajiado, Kakamega, Kericho, Kisii, Kitui, Laikipia, Mombasa, Nyeri, Samburu, Siaya, Uasin Gishu, Nairobi, West Pokot published simplified version of the FY 2018/19 budget and guide for the general public on revenues, spending and projects.

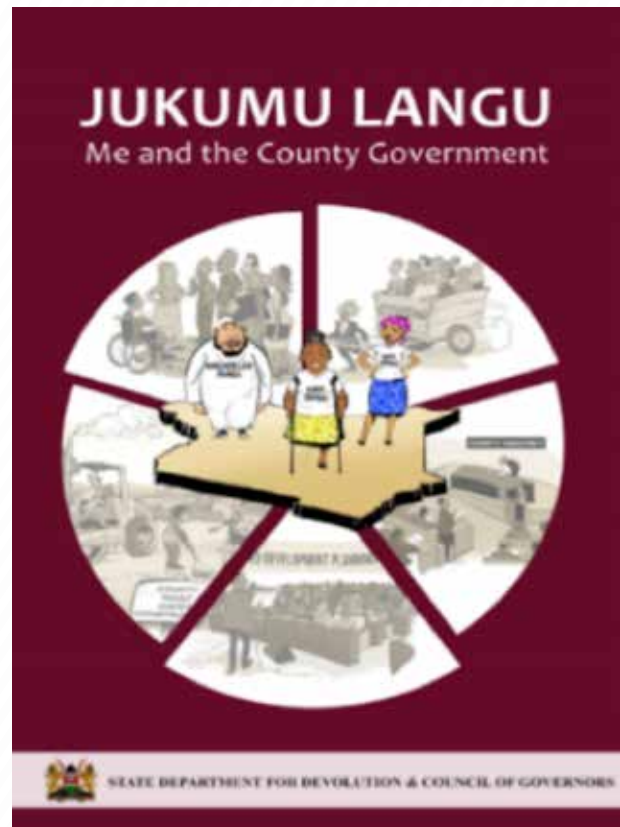
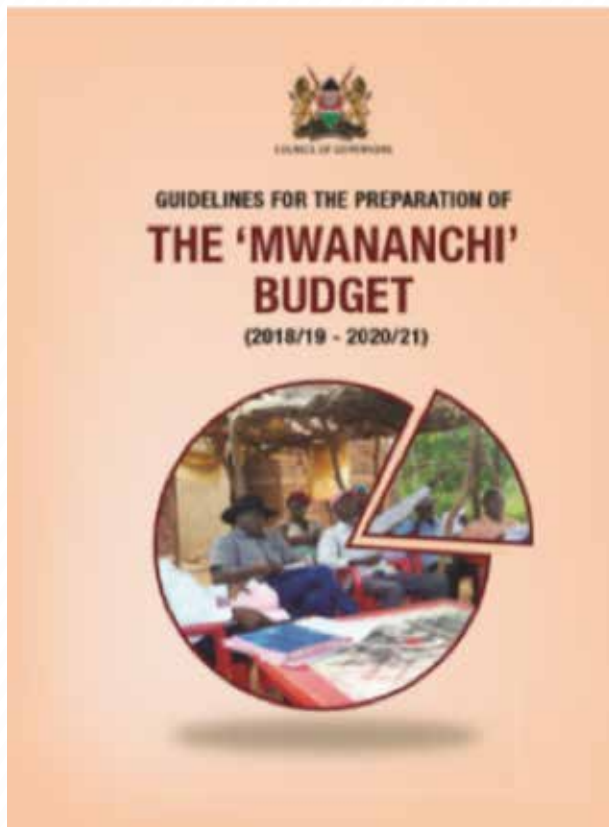
In efforts to fulfil resolution 16 of the 6th Annual Devolution conference, the period under review saw an increase of four (4) county legislation on public participation. This was as a result of collaborative work of the unit with the Kenya Law Reform Commission which reviewed sixteen (16) Counties, (Wajir, Vihiga, Garissa, Homabay, Mandera, Kitui, Kirinyaga, Lamu, Narok, Embu, Marsabit, Kilifi, Tana River, Taita Taveta and Kajiado), draft public participation bills and developed memoranda on the same which incorporated civic education and establishment of Civic Education Units in compliance with the County Governments Act. As a result, Mandera, Wajir, Narok and Tana River have assented to their County public participation acts.

3. The unit defended the COG position as part of the National Steering Committee on development of the Draft Kenyan Public Participation policy where access to information, funding of public participation, complaints and redress mechanisms, civic education and feedback and reporting back to the citizen proposals were incorporated. The Policy is currently at the Cabinet awaiting approval.
4. The Council made oral submissions and submitted a memorandum on the Senate Public Participation Bill (No.4 of 2018) where the Council came out strongly on

the need to align the bill to the practice of thirty four (34) existing county public participation bills and draft Kenya policy on public participation. The bill has since been passed and referred to the National Assembly with minimal amendments incorporated, this has spurred the Council to develop a joint memorandum with Civil Society Organizations working in the public participation space to strategically propose and lobby amendments to this bill.

5. The Unit in collaboration with the Maarifa Centre organized one (1) Inaugural Governors' Peer Learning Exchange Mission on Makeni County Public Participation Model, Practices and Processes. A total of one hundred and eighty (180) participants comprising of nine (9) Governors, nine (9) Deputy Governors and twenty one (21) County Governments in total, development partners and civil society organizations participated in the mission which gave the Excellency Governors a chance to listen first hand from the residents of Makeni County the impact of effective public participation on service delivery. This resulted in nine (9) County 100 day Rapid Result Initiative plans being developed to actualize the lessons learned from Makeni County Government.
6. The Unit developed the 'County guidelines for the preparation of the Mwananchi Budget in order to increase county preparation and publishing of citizen budget as required in section 131 (6) of the public finance act. This resulted in an additional six (6) Counties publishing the same during the year of review.
7. In addition, in collaboration with the Ministry of Devolution and ASAL, developed and launched Jukumu Langu the civic education manual, towards building

capacity the citizen as rights holders and increase the institutional framework for civic education in the Counties. Twenty two (22) received sensitization on the provisions of the manual in order to implement a robust program of informing citizens in their Counties.



9. The Unit developed the Council of Governors Stakeholder Engagement Framework to provide direction in stakeholder engagement and communication.
10. The Unit in collaboration with the Big Four sectors within the council, developed and disseminated Frequently Asked Questions (FAQs) during the 6th Annual Devolution Conference held in Kirinyaga which has resulted in clarity in the role of Counties in implementing the agenda.
11. In addition towards enhancing participation of women, youth and persons living with disabilities under the Ford Foundation programme, the Unit developed social audit reports of Bomet, Kitui and Kirinyaga Counties. This is expounded further under the Education, Gender, Youth, Sports Culture and Social Services Committee.



H.E. Hon. FCPA Wycliffe Ambetsa Oparanya, EGH, CGJ the Chairman Council of Governors, delivering a presser informing the state of drought in Kenya.

2.7.12 Arid & Semi-Arid Land (ASAL)

The Arid and Semi-Arid Lands (ASAL) Committee is among the twelve (12) Committees under the Council of Governors Secretariat. This is the youngest Committee out of the 11 and its geographical coverage are twenty three (23) Counties.

The Committee is mandated to exercise overall coordination over all matters relating to the twenty three (23) Arid and Semi-Arid Lands (ASAL) Counties and to establish mechanisms, either on its own or with stakeholders that will end vulnerabilities and inequalities.

1. In the period under review, the Committee undertook activities in the following key focus areas; capacity building for the Counties in performance and risk, expenditure management, resource mobilization; knowledge sharing and learning, ensuring sustainable national and inter-county relations and achieved the following results/outputs:
 - Counties sensitized on importance of setting aside the emergency fund as stipulated under the Public Finance Management Act 2012. As a direct immediate term result and achievement all twenty three (23) ASAL Counties allocated 0.8 per cent of their total revenue to emergencies/disaster responses.

- On expenditure management, the Committee held two meetings with the Counties to lobby for proposed plans that conform to devolution. Due to this, twenty three (23) ASAL Counties have set up county contingency plans. The Committee continues to transform the arid and semi-arid lands from relief to resilience through establishment and implementation of inter-county agreements
2. An Ad-hoc Committee on famine was established due to support Counties combat the issue of drought in the country. The Committee: mobilized Kes 3 million; coordinated County to County support (TransNzoia supporting WestPokot with 5,000bags of Maize); organized four (4) pressers done by the Chair of the Council of Governors H.E. Hon. FCPA Wycliffe Ambetsa Oparanya, EGH, CGJ to inform on state of drought in Kenya. The Ad-Hoc Committee on famine held its first meeting on 26th March, 2019 that deliberated on possible interventions and support to the thirteen (13) Counties affected by drought. Key among the interventions by the Committee was for County Governments to provide in kind support. Nakuru County donated dried foods to Baringo County, Trans Nzoia County donated tractors and drilling equipment to West Pokot County and Uasin Gishu County donated equipment among others.



Ad-Hoc Committee meeting on famine chaired by the Vice Chair of the Council of Governors H.E. Mwangi Wa Iria Vice Chair Council of Governors and Governor Murang'a County

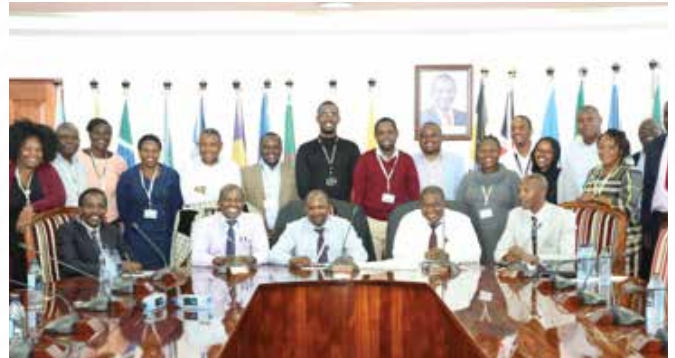


Photo session during the ASAL Committee Directors' quarterly meeting and consultation on IGRTC report on unbundling of disaster management functions

3. The Committee held a consultative meeting for the FCDC Governors from 11th to 13th September 2018 to reflect on the progress and challenges faced by the Council and to discuss the large infrastructure projects in the region and how to address some of the emerging issues. A major issue that was raised was on the Equalization Fund. Initially the fund was designed to benefit fourteen (14) Counties which are in the ASALs, but according to the revised policy by the CRA the fund will now benefit thirty four (34) Counties.
4. The Committee convened one (1) intergovernmental forum to address coordination, duplication of roles, scalability & reduce of gaps in programmes & projects. This led to the Committee being members of: Disaster Risk Management Taskforce, Inter-Governmental agency for Relief, Kenya Humanitarian Partnership Team among others.
5. The Committee together with Water Sector Trust Fund (WSTF) reviewed the Green Growth Employment Programme (GGEF) and as a result the programme now benefits 9 Counties that include: Mandera, Marsabit, Wajir, Garissa, Lamu, Tana River, Turkana, Isiolo and West Pokot.
6. On 2nd September 2019, the Committee developed a template and shared with the Counties vide a letter for data collection on drought mitigation and adaptation.
7. The Committee coordinated a forum for sharing,

documentation, and distribution of the best practices across the twenty three (23) ASAL Counties which were submitted and underwent a validation and data cleanup exercise with key stakeholders. As a result four (4) Counties were shortlisted for documentation.

8. A consultative meeting with Governors from the fourteen (14) ASAL Counties held on 28th September, 2018 on the Country Strategic Plan in order to develop a common understanding of the implementation plan, including the roles and responsibilities of various stakeholders. From the meeting key commitments and action plans were made and signed between the WFP and the fourteen (14) ASALs Counties.
9. The seven (7) ASAL Committee Governors (**Samburu, Laikipia, Turkana, Kwale, Narok, Mandera and Wajir**) were taken through by the technical ASAL Committee Team on the National Disaster Management Authority Bill, 2019 which led to oral submissions done to the National Assembly Committee with tracked County changes. The bill is now at second reading.
10. On risk management, the Committee in conjunction with the twenty three (23) ASAL Counties considered a report on unbundling of disaster management functions by Intergovernmental Relations Technical Committee (IGRTC). With immediate effect a memorandum was submitted with tracked County changes by 28th November 2019.



Governors during the consultative meeting on Frontier Counties Development Council (FCDC) Governors meeting

During the period under review, the Committee participated in the review of legislations, bill and policies including;

1. The Committee of the Council participated in the review and submissions of memorandum to the Irrigation Act No. 14 of 2019, Petroleum Act No. 2 Of 2019 and Energy Act No. 1 of 2019. The role of the County Governments in regulation and development of irrigations, petroleum and energy sectors have been recognized in the three Acts of Parliament as per at the provisions of Article 6 (2) and the Fourth Schedule of the Constitution.
2. The Committee also submitted legislative memorandums on the National Disaster Management Authority Bill, 2019, the Refugees Bill, 2019, the Equalization Fund Bill, 2019, the National Drought Management Authority (Amendment) Bill, 2019, the County Wards (Equitable Development) Bill (Sen. Bills No. 34 of 2018), the Natural Resources (Benefit Sharing) Bill (Sen. Bills No. 31 of 2018) to ensure that Bills are compliant to the Fourth Schedule of the Constitution. The said Bills are still being considered at various stages at Parliament. The Committee continues to monitor the progress in consideration of the Council's proposals with Parliament.

Rain Enhancement Technology Study

A team of ten (10) Governors and Deputy Governors went for a study tour in Jordan to understand the ionization technology that triggers rainfall. The technology has been tested in Jordan with success for the last three (3) years. The technology uses electro scavenging which is a scientifically proven method of increasing droplet collision efficiencies that translate to increased droplet size and subsequently increased rainfall.

2.7.13 Resource Mobilisation

During the FY 2018/19, the Resource Mobilization Committee sort to strengthen the Committee functions in ensuring a well resourced Council of Governors in line with the key focus area on mobilizing resources for the CoG and achieved the following results/outputs;

1. During the 6th Annual Devolution Conference, the Committee facilitated meetings with various partners that included roundtables with; development partners, private sector, UN Agency heads and other Civil Society Organizations with the main agenda of seeking partnership and targeted assistance to the CoG and County Governments. Through the initiatives, the 6th Annual devolution conference experienced growth in the number of partnerships and strengthened partner coordination.
2. The Committee held one (1) meeting with County Donor Liaison Officers from the 47 County Governments to discuss and share experience on resource mobilization strategies, opportunities and challenges for resource mobilization faced by Counties. The role of the donor liaison is more strengthened at the County level with clear roles and responsibilities.
3. Through collaboration with Human Resource and Social Welfare Committee, twenty four (24) Counties have taken up resource mobilization as part of the performance management tool.
4. The Committee has attracted new partners such as Child Investment Fund Foundation, SAVE the Children, Child Fund and World Vision among others who supported the the CECs , Children's and devolution conferences. To make use of the Committee staff within the respective Committees, Resource mobilization focal persons were identified and trained and though this a number of Committee focal persons are now able to raise resources for their respective Committee activities.
5. To ensure continued Institutional support to the COG Secretariat the Committee successfully developed a funding proposal submitted to the Bill and Melinda Gates Foundation. The proposal was approved and the secretariat received support for recruitment of two (2) staff and technical assistance to Counties to ensure improved family planning & reproductive health outcomes.
6. In partnership with the External Resources Department at the National Treasury, the team developed a thematic specific matrix indicating which donors are working in what specific areas and the tool is now available for partners to continuously update on the COG Maarifa website this increasing visibility and also aid in mapping of partners initiatives in the different Counties.



H.E. Mwangi Wa Iria Vice Chair COG Chairing Development Partners meeting ahead of the 6th Annual Devolution Conference

3.0 CHAPTER THREE : COG SECRETARIAT

3.1 Finance

The department plays a key role of coordinating and ensuring proper and efficient use of resources availed to the Council of Governors. The department supports the activities of all the Committees and departments within the Council.

In the FY 2018/19, the Council did receive support from the National Treasury through the Ministry of Devolution. The Secretariat did also receive financial support from development partners, private sector and County Governments. Notably, the Swedish Embassy, USAID, AHADI, UNDP, UNICEF, UNFPA, UNWOMEN and the WORLD BANK were among the key partners that walked with the Council in the year under review.

Below is the summary of the receipts and payments for the FY 2018/19

| | Notes | 2018-2019 Kshs | 2017-2018 Kshs |
|---|-------|--------------------|----------------------|
| Transfer from Government Entities | | 315,985,282 | 220,545,600 |
| Proceeds from Domestic and Foreign Grants | | 205,627,612 | 105,062,143 |
| Grants from the Ministry of Devolution | | 100,940,000 | 107,000,000 |
| Grants from Ministry of Devolution (Kenya Symbiocity Programme) | | 57,300,000 | 25,000,000 |
| Receipts in-kind | | 75,003,058 | 48,690,233 |
| Rent Receivable | | 30,460,873 | 21,024,903 |
| Other income | | - | - |
| Total revenue | | 785,316,826 | 527,322,879 |
| Expenses | | | |
| Use of goods and services | | 5,452,466 | 5,427,341 |
| Employee costs | | 117,401,936 | 115,876,227 |
| Depreciation and amortization expense | | 15,797,801 | 15,647,801 |
| Repairs and maintenance | | 5,211,883 | 10,651,379 |
| General expenses | | 381,232,055 | 457,884,882 |
| Kenya Symbiocity Programme | | 36,208,140 | 51,771,466 |
| Payments In-kind | | 75,003,058 | 48,690,233 |
| Total expenses | | 636,307,340 | 705,949,329 |
| Net Surplus/(Deficit) for the Year | | 149,009,486 | (178,626,450) |

4.0 CHAPTER FOUR: CHALLENGES AND RECOMMENDATIONS

4.1. Challenges

In fulfilling its mandate under the IGRA, the following challenges were experienced in the period under review:

Underfunding of the Secretariat

Lack of adequate funding meant that some planned activities did not get implemented and the Council was not able to provide support to Counties for Capacity Building requests.

Slow implementation of Summit decisions

In the period under review, the Council still witnessed Parliament table and discuss Bills that undermined devolution. For instance, the County Governments Amendment Bill that sought to interfere with the tenure of County administrators; the Water Bill; the Health Bill; and the Kenya Roads Bill. Such pieces of legislation infringed on the functions of County Governments. The Council has had to institute court cases in order to restrain operationalization of such legislation such as the Health Act which allows for KEMSA to be the sole institution providing pharmaceutical and non-pharmaceutical products to the two levels of Government.

4.2. Recommendations

The Secretariat of the Council needs to be anchored in law so that they can receive funding directly from the Exchequer. The legal department lobbied the Senate and MoDA for the amendment of the IGRA 2012 and submitted recommendations.

On matters legislation, Parliament must ensure that they consult the Council on legislation that affects County Governments. This engagement must be meaningful and qualitative. The legal department in collaboration with the KLRC spearheaded audit of laws and policies in seven (7) sectors. The report was launched in March 2019 and the Committee prioritised implementation of the recommendations in the FY 2019/20.

ANNEX

ANNEX 1: Status of Litigation Matters Involving the Council of Governors

| CASE NUMBER | STATUS |
|---|---|
| CAUSE NO. 1069 OF 2017- JOHN K. BIIY VS SETH PANYAKO AND 6 OTHERS (COG AS INTERESTED PARTY) | The Claimant filed an application seeking for orders that the strike be called off and an order restraining Panyako from interfering with the smooth running of the health care services in the country. |
| CAUSE NO. 1141 OF 2017 KNUN VS COG | The claimant moved to court to quash a circular (letter) done by CoG instructing counties to halt monthly subscription fees for KNUN members until a formal audit of each member is done. |
| ELRC CAUSE NO 2146 OF 2017 ALBERT NYAUNTU VS COG | The matter was filed by Claimant seeking damages for unlawful termination of his contract with CoG. |
| ELRC 1998 OF 2017 KNUN VS COG, SRC & OTHERS | The claim was filed by the Kenya Union of Nurses challenging the job evaluation undertaken by the SRC. |
| ELAM NGASE LUMWAJI VS COG | The Auctioneer has filed 5 applications for taxation of his bills of costs. |
| PETITION 144 OF 2018 LSK VS AG, MIN OF LANDS & OTHERS COG (INTERESTED PARTY) | The Petition has been filed by the LSK challenging the Notice by the Ministry of Lands which suspended manual transactions in filing of documents at the Lands Ministry which they claim undermine the integrity of the land registry system. |
| ELRC CONSTITUTIONAL PETITION NO. 42 AS CONSOLIDATED WITH PETITION 46 OF 2018 DR. SAMUEL NDUATI VS M.O.H, COG & OTHERS | The Petitioners filed the instant petitions challenging the decision to bring Cuban Doctors to the country. |
| ELRC 69 OF 2019 COG VS SETH PANYAKO & KNUN | The matter has been filed to challenge the nurses strike declared on various dates in the month of January and February 2019. |
| ELRC 94 OF 2019 KNUN VS COG | The matter was filed on the 15 th day of February 2019 to challenge a directive issued to Governors advising them to implement resolutions arrived at during a consultative meeting held on 11 th February 2019. |
| JUDICIAL REVIEW ELRC 5 OF 2019 KENYA NATIONAL UNION OF NURSES VS CPSBS & OTHERS | The matter was filed on 6 th March 2019 by the KNUN as against the 47 CPSBs whereby the union is seeking implementation of the 2 nd November 2017 agreement. |
| ELRC NO. 222 OF 2019: KNUN VS MANDERA COUNTY PUBLIC SERVICE BOARD & WYCLIFFEE A. OPARANYA | The matter has been filed by the KNUN seeking orders to quash a circular dated 15 th February 2019 directing County Governments not to deduct and remit Union dues to the KNUN and instead full salaries to be paid directly for the nurses. |
| KISUMU ELRC 42 OF 2019. KNUN VS KAKAMEGA COUNTY PUBLIC SERVICE BOARD, BUNGOMA COUNTY PUBLIC SERVICE BOARD & WYCLIFFEE A. OPARANYA | The matter has been filed by the KNUN seeking orders to quash a circular dated 15 th February 2019 directing County Governments not to deduct and remit Union dues to the KNUN and instead full salaries to be paid directly for the nurses. |
| KISUMU ELRC 41 OF 2019 KNUN VS KISUMU COUNTY PUBLIC SERVICE BOARD, BUSIA CPSB, TRANSNZOIA CPSB & WYCLIFFEE A. OPARANYA | The matter has been filed by the KNUN seeking orders to quash a circular dated 15 th February 2019 directing County Governments not to deduct and remit Union dues to the KNUN and instead full salaries to be paid directly for the nurses. |
| NYERI ELRC NO. 18 OF 2019. KNUN VS MURANGA COUNTY PUBLIC SERVICE BOARD, MURANGA COUNTY GOVT & WYCLIFFEE A. OPARANYA | The matter has been filed by the KNUN seeking orders to quash a circular dated 15 th February 2019 directing County Governments not to deduct and remit Union dues to the KNUN and instead full salaries to be paid directly for the nurses. |

| CASE NUMBER | STATUS |
|---|--|
| NYERI ELRC NO. 11 OF 2019 KNUN VS KIAMBU COUNTY PUBLIC SERVICE BOARD & 5 OTHERS | The matter has been filed by the KNUN seeking orders to quash a circular dated 15 th February 2019 directing County Governments not to deduct and remit Union dues to the KNUN and instead full salaries to be paid directly for the nurses. |
| NAKURU ELRC 31 OF 2019 KNUN VS NAKURU, NAROK COUNTY PUBLIC SERVICE BOARD & WYCLIFFEE A. OPARANYA | The matter has been filed by the KNUN seeking orders to quash a circular dated 15 th February 2019 directing County Governments not to deduct and remit Union dues to the KNUN and instead full salaries to be paid directly for the nurses. |
| PETITION NO. 98 OF 2019 KNUN VS COG & 4 OTHERS | The matter has been filed by the KNUN seeking compelling orders against the respondents for the payment of withheld salaries and allowances as agreed in the Return to Work Agreement. |
| NAIROBI ELRC 400 OF 2019 KNUN VS KERICHO, BARINGO, ELGEYO MARAKWET COUNTY PUBLIC SERVICE BOARDS & WYCLIFFEE A. OPARANYA | The matter has been filed by the KNUN seeking orders to quash a circular dated 15 th February 2019 directing County Governments not to deduct and remit Union dues to the KNUN and instead full salaries to be paid directly for the nurses. |
| MOMBASA ELRC 36 OF 2019 KNUN VS KILIFI COUNTY PUBLIC SERVICE BOARD & 4 OTHERS. | The matter has been filed by the KNUN against the Kilifi, Kwale, Taita-Taveta, Tana River Public Service Boards, Ministry of Public Service Boards, Ministry of Public Service, Youth and Gender, State Department for Public Service and Chairperson of the Council of Governors (in his personal capacity) seeking orders to quash a circular dated 15 th February 2019 directing County Governments not to deduct and remit Union dues to the KNUN and instead full salaries to be paid directly for the nurses. |
| CONSTITUTIONAL PETITION NO. 277 OF 2019 WANJIRU GIKONYO VS HON. ATTORNEY GENERAL & OTHERS. | The petitioner has filed the petition under certificate of Urgency to challenge the Constitutionality of the Appropriation Act as assented into law by H.E. the President on 28 th June 2019 in absence of the Division of Revenue Bill 2019. |
| CONSTITUTIONAL PETITION NO. 281 OF 2019. COUNTY GOVERNMENT OF TAITA TAVETA VS THE KENYA WILDLIFE SERVICE & 3 OTHERS. | The Petitioner filed the application under the certificate of Urgency on 12 th July 2019, seeking a declaration that the Kenya Wildlife Service has failed to fulfill its statutory obligation to develop a mechanism for benefit sharing with Communities living in wildlife areas as provided by the Wildlife (Conservation and Management) Act, cap 376 of Laws of Kenya among other prayers. |
| HIGH COURT PETITION NO.232 OF 2019 ON THE DIVISION OF REVENUE BILL KENYA HUMAN RIGHTS COMMISSION & 3 OTHERS -VS- THE HON. ATTORNEY GENERAL & OTHERS. | The Petitioners have filed a case challenging, among others, the reading of the budget statement by the Cabinet Secretary of National Treasury before the enactment of the Division of revenue Bill. |
| CONSTITUTIONAL PETITION NO. 21 OF 2018 THE COUNTY GOVERNMENT OF TAITA-TAVETA VS THE CABINET SECRETARY MINISTRY OF LANDS, NATURAL RESOURCES AND PHYSICAL PLANNING AND OTHERS | The Petitioner filed the matter under the Certificate of Urgency filed at Mombasa Law Courts for among other seeking conservatory order to issue staying the and/or suspending the running of the twelve (12) months period and eighteen (18) months period provided in the Regulation 27 and 12 respectively of the Community Land Regulations, 2017. |
| PETITION 353 OF 2019 COG VS NATIONAL ASSEMBLY AND AG | The matter was filed by CoG challenging the provisions of section 4 of the KEMSA Act which provides for Counties to prescribe drugs from KEMSA. |
| PETITION NO. 381 OF 2014:- THE COUNCIL OF GOVERNORS V THE SENATE & 3 OTHERS | This petition was filed by the Council of Governors on 31 st July 2014 for a declaration that the establishment of County Development Board is unconstitutional, null and void. |

| CASE NUMBER | STATUS |
|---|--|
| SUPREME COURT NO. 2 OF 2017 COG VS ATTORNEY GENERAL AND 7 OTHERS SUPREME COURT CASE ON INTERGOVERNMENTAL CONTRIBUTIONS | The Council of Governors is seeking for an interpretation at the Supreme Court on whether the intergovernmental contribution to the Council by counties is legal. |
| PETITION 272 OF 2016: COUNCIL OF GOVERNORS VS AG & 2 OTHERS EQUALIZATION FUND | The petition was filed by CoG as against the AG, seeking to challenge the manner in which the Ministry of Finance intends to utilize the Equalization Fund contained in Gazette Vol. CXVII No. 26. |
| PETITION NO 1025 OF 2015: KENYA NATIONAL UNION OF NURSES VS COUNCIL OF GOVERNORS | The memorandum of claim was filed on 15 th June 2015 seeking an order directing the 1 st , 2 nd , 3 rd & 4 th Respondents to stop implementing the new NHIF contributions inter alia. |
| KERICHO PETITION NO. 18 OF 2014: THE GOVERNOR KERICHO COUNTY VS KTDA & 27 OTHERS | The case involves the KTDA and the Tea Directorate, and the petitioners are seeking to stop these two agencies from collecting agricultural cess from farmers since Agriculture is fully devolved. |
| PETITION 291 OF 2016: COFFEE REGULATIONS CASE | The matter was filed to challenge the Gazettement of Coffee Regulations by the Cabinet Secretary without proper participation from the relevant stakeholders and approval by Parliament. |
| CONSTITUTIONAL PETITION NO. 552 OF 2015- COG V AFFA AND 13 OTHERS: AGRICULTURE SECTOR BASED PETITION | The bone of contention in the petition is that prior to the 2010 constitution, the Agricultural sector was managed by different Ministries, subsectors and corporations. |
| PETITION 178 OF 2016: WANJIRU GIKONYO & CORNELIUS ODUOR OPUOT VS NATIONAL ASSEMBLY & OTHERS | The Petition is challenging the allocation of funds to NGCDF as contemplated by the Division of Revenue Bill, 2016. |
| PETITION 252 OF 2016: COG VS ATTORNEY-GENERAL-DIVISION OF REVENUE SUIT | The Petition challenges the division of Revenue between the National and County Governments. |
| ELC PETITION 598 OF 2016: COG VS. CABINET SECRETARY, LANDS MINISTRY | The Petition challenges the constitutionality of the powers of the land control boards and indeed the entire Land Control Act itself. |
| HIGH COURT OF KENYA CONSTITUTIONAL PETITION NO. 523 OF 2016: COUNCIL OF GOVERNORS V THE ATTORNEY GENERAL & ANOTHER (CONSTITUTIONALITY OF THE WATER ACT, 2016) | The Petition challenges the Constitutionality of the Water Act, 2016 |
| PETITION NO. 35 OF 2017 | Petition challenges the Constitutionality of the Land Laws (Amendment) Act. |
| PETITION NO 32 OF 2017 | Petition challenges the Constitutionality of the Community Land Act 2016 |
| NAIROBI CONSTITUTIONAL PETITION NO. 277 OF 2017 COUNCIL OF GOVERNORS VS WATER RESOURCES AUTHORITY & 16 OTHERS | This matter challenges devolvement of Water management from the National Government to the County Governments. |
| OMNIBUS PETITION NAIROBI CONSTITUTIONAL PETITION NO. 278 OF 2017, COUNCIL OF GOVERNOR VS MINISTRY OF SPORTS & 19 OTHERS | This matter challenges devolvement of culture, trade and planning from the National Government to the County Governments. |
| NAIROBI CONSTITUTIONAL PETITION NO. 279 OF 2017 COUNCIL OF GOVERNORS VS ENERGY REGULATORY COMMISSION & 7 OTHERS | This matter challenges devolvement of functions related to the energy sector from the National Government to the County Governments. |

| CASE NUMBER | STATUS |
|---|--|
| NAIROBI CONSTITUTIONAL PETITION NO. 280 OF 2017 COUNCIL OF GOVERNORS VS NATIONAL ENVIRONMENTAL MANAGEMENT AUTHORITY & 6 OTHERS. | This matter challenges devolvement of functions relating to the environment sector from the National Government to the County Governments. |
| NAIROBI CONSTITUTIONAL PETITION NO.281 OF 2017 COUNCIL OF GOVERNORS VS MINISTRY OF HEALTH & 3 OTHERS. | This matter challenges devolvement of functions relating to the environment sector from the National Government to the County Governments. |
| PETITION NO. 24 OF 2018: THE A.G VS COUNTY ASSEMBLIES OF KISUMU & 14 OTHERS & COG (INTERESTED PARTY) | The AG has filed a petition against the County Government of Kisumu and 14 Others stating that the 15 County Governments that have established People's Assemblies are in violation of the Constitution and spending public resources on unlawful activities. |
| CIVIL APPEAL NO. 135 OF 2018: THE SENATE VS WYCLIFFE OPARANYA & OTHERS | The appeal emanates from Nairobi Petition No. 561 of 2015 Governor Wycliffe Oparanya vs DPP& Senate which was delivered by Odunga J and it emphasizes the centrality of devolution under Article 125 of the Constitution which gives the Senate powers to summon Governors to appear before it. |
| SUPREME COURT REFERENCE NO 1 OF 2014 BETWEEN THE COG AND THE SENATE | This is a Supreme Court Reference filed by CoG to get an interpretation of the court on various issues as to whether the County Assembly is under an obligation to serve upon the resolution to the Governor subject of the removal process and whether a Governor can be removed from office by virtue of the principle of collective responsibility over acts or omissions of members of the County Executive. |
| CIVIL APPEAL NO. 45 AND 65 OF 2018 , CIVIL APPEAL 57 OF 2018 AG VS COG, CIVIL APPEAL 23 OF 2018 | This matter challenges devolvement of functions relating to the environment sector from the National Government to the County Governments. |
| CONSTITUTIONAL PETITION NO.124 OF 2015 OKIYA OMTATA VS COG & OTHERS | The matter was filed by Omtata seeking declarations that Executive Order No. 6 of 2015 is constitutionally valid.Executive order no. 5 was issued by the President in the year 2015 which directed inter alia that all public officers who are charged with corruption to step aside pending the hearing and determination of their matters. |

ANNEX 2: Communique on Children's Voices at the 2nd Children's Devolution Conference



COMMUNIQUE

ON CHILDREN'S VOICES AT THE 2ND CHILDREN'S DEVOLUTION CONFERENCE

Held on 17th to 21st February, 2019

Nairobi Primary School,
Nairobi City County

THEME: Deliver. Transform. Measure.
SUB-THEME: Prosperous Counties for Children

PREAMBLE

We the 300 children from the 47 Counties in the Republic of Kenya, aged 18 years and below, from ECD centers, Primary and Secondary schools in Kenya, with representation from County Children Governments as well as Kenya Children's Assemblies, congregated at Nairobi Primary School in Nairobi County for the 2nd Children's Devolution Conference 2019 from the 17th -20th February, 2019 whose theme was "Deliver. Transform. Measure: Prosperous Counties for Children", focusing on the Big 4 agenda and where Kenya should be by 2030. The aim of the conference was to receive children's perspective on the implementation of the BIG 4 Agenda within the devolved functions.

His Excellency Hon. Uhuru Kenyatta, our President, launched the Big Four Agenda, which focuses on issues that are key to children's welfare, assuring us of His Excellency's commitment to improving the welfare and wellness of children. This focus and commitment has since cascaded to County governments as implementers of the same.

We sincerely appreciate Ambassador (Dr.) Amina Mohamed, EGH CAV, Cabinet Secretary for Education, Lady Justice Martha Koome and all other leaders and stakeholders who joined us. We now share our resolutions developed through county children's forums, discussions, gallery walks and the conference plenaries.

CHILDREN'S VOICES

Ultimately, addressing children's issues and their development in Kenya, as in the spirit of the Constitution of Kenya (2010) can only be achieved through a shared responsibility between national and county government, private sector, academia, Civil Society Organisations (CSO's) and all others working with all children in Kenya. This is why we participated in the 2019 Children's Conference to form resolutions that would ensure that holistic needs of children are prioritized by all sectors related to children's issues and the political class. We the children of Kenya would like to be involved in the implementation of the Big 4 Agenda as follows:

A. ENHANCING MANUFACTURING AND TRADE

- THAT the trade and manufacturing pillar should prioritize young people especially to access employment, internships or/and career guidance;



- THAT the Ministry of Transport, Infrastructure, Housing & Urban development and the Ministry of Environment and Forestry ensures that they check the air and noise pollution which affects children development and concentration in school and comfort when at home;

B. UNIVERSAL HEALTH COVERAGE

- THAT County Governments provide free nutritional foods and supplements to children infected with HIV/AIDs and those with nutritional deficiencies, in order to boost their immunities against infections and diseases;
- THAT County Governments focus on providing medical assistance, referral systems and medicines in all health facilities, which should be youth-friendly, equipped with supporting infrastructure such as ambulances, mobile clinics and public hotlines;
- THAT National and County Governments address Non-Communicable Diseases (NCDs) like cancer and diabetes which are affecting children by allocating more resources for early detection, treatment and management of NCD's.

C. AGRICULTURE (FOOD SECURITY AND NUTRITION)

- THAT the National, County Governments work with development partners involve children in production through reintroduction of 4K Clubs and include them in agroforestry, water harvesting and environment conservation;
- THAT both the National and County Governments ensure that children are free from drugs, harmful substances and negative influence in order to thrive and transform their communities;

D. AFFORDABLE HOUSING (Habitable, with proper lighting and sanitation)

- THAT the National Government, County Governments and the private sector fully consider child development needs of all children, including those with disabilities, when building the 500,000 homes;
- THAT the National Government ensures that children have access to decent housing in safe environments, spaces for play and rest, quality toilets, proper ventilation, safe water, adequate lighting and infrastructure that is friendly for children with disabilities.



Other pertinent issues

E. EDUCATION (Infrastructure, curriculum development, user-friendly classrooms, restrooms, kitchen, playgrounds; Technical and Vocational Education Training - TVET)

- That the National Government ensures that Children with disability are involved in the roll-out of the Competency Based Curriculum (CBC).
- THAT the County Governments ensures sufficient awareness of available courses in vocational centres

F. CHILDREN RIGHTS AND PROTECTION

Devolution is good for all children; Fourth schedule of the constitution of Kenya 2010 mandates County Governments to construct and manage child-welfare centres to ensure the most vulnerable children in the counties are safe.

- *THAT County Governments establish* child protection units in every police station in Kenya and the Ministry of interior and National Coordination enforces the correct procedure for handling all the categories of children in their care; children in need of care and protection, children in conflict with the law and those in contact with the law.
- THAT the National and County Governments ensure full implementation of the Anti-FGM Act and promote affirmative action and programmes for the girl child.
- THAT the National and County Governments ensure Child participation in decision making in issues affecting them;
- THAT the National Government and County Governments ensure protection of the boy child who are victims of sexual violence, or molestation;
- THAT the Ministry of Education and Teachers Service commission send more teachers to rehabilitation centres;

In conclusion, we wish to thank our President, His Excellency Hon. Uhuru Kenyatta, for launching the Big 4 Agenda, and seek to be involved when implementing the agenda. We also thank the Council of Governors (CoG) and all those who made the 2nd Children's Devolution Conference a success.



Endorsed on 20th of February, 2019, in Nairobi County - Kenya.

Asante



H.E Mutahi Kahiga
Governor, Nyeri County



H.E Ruqayya Omar
Children's President

ANNEX 3: Communique at the end of the 5th Annual County Executives Conference

COUNCIL OF GOVERNORS

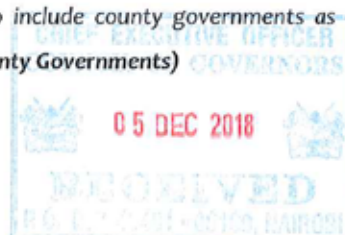
**COMMUNIQUE AT THE END OF THE 5TH ANNUAL COUNTY EXECUTIVES
CONFERENCE HELD ON 3RD - 5TH DECEMBER, 2018.**

On 3rd -5th December, 2018, County Executive Committees Members (CECMs), County Secretaries, County Attorneys, representatives of National Government, Development Partners, Civil Society Organizations and Private Sector convened at Kenya Institute of Curriculum Development (KICD) Nairobi to reflect on the gains and challenges in delivering the promise of devolution as a build up to the 6th Annual Devolution Conference to be held in March, 2019 in Kirinyaga County.

The CEC Conference made the following observations and recommendations in line with the theme of conference **“Deliver. Transform. Measure.”** with a clarion call of *remaining accountable*”:

FINANCE

1. **THAT** There is need to relook into the constitution provision on the criteria for allocation of equitable share of revenues to the counties. The current provision of the last audited and approved accounts by the National Assembly is not equitable to the counties due to backlog of un-approved accounts. **(Action: Senate & CoG)**
2. **THAT** there is need for harmonization of counties' taxes, fees, charges and levies through legislation to create an enabling environment for investment. **(Action: National Treasury, Senate, CoG & County Governments)**
3. **THAT** CRA should fast track the development of a new revenue sharing formula among counties as provided for by the Constitution to enable inclusion of service delivery needs that have been ignored in the current formula. **(Action: CRA, Senate, CoG)**
4. **THAT** the National Treasury should in consultation with County Governments' fast-track the amendments to the existing PPP legislations to include county governments as contracting authorities. **(Action: NT, Senate, CoG, County Governments)**



4. **THAT** the National Treasury should in consultation with County Governments' fast-track the amendments to the existing PPP legislations to include county governments as contracting authorities. (Action: NT, Senate, CoG, County Governments)
5. **THAT** the County Governments' should fast-track payment of the existing pending bills. (Action: County Governments', Controller of Budget, CoG & Senate)
6. **THAT** the Senate should provide leadership during the process of allocation of recurrent expenditure ceilings to both the County assemblies and county executives to support allocation of resources towards development. (Action: Senate, CoG, CECs & CAF)
7. **THAT** County Governments should integrate principles of gender responsive budgeting in the County plans and budgets for effective delivery of services (Action: CGs, CoG, DPs)

PERFORMANCE MANAGEMENT

8. **THAT** the National Government will provide capacity building to County Governments in implementation of Performance Management

(Action: COG, Ministry of Public Service, Youth and Gender Affairs, Public Service Performance Management Unit, County Governments)

9. **THAT** County Governments need to prioritize implementation of Performance Management as a tool for enhancing service delivery at the County Level

(Action: COG, Ministry of Public Service, Youth and Gender Affairs, Public Service Performance Management Unit, County Governments)

10. **THAT** both levels of Government will strive to address the emerging Human Resource challenges to enhance service delivery

(Action: COG, Ministry of Public Service, Youth and Gender Affairs, Public Service Performance Management Unit, County Governments)

HEALTH

11. **THAT** County government needs to reorganize financing of the health care system by having separate finance streams for level 4&5 hospital and pooling of funds for PHC. (Action: CGs, NT, MoH, CoG, Senate)
12. **THAT** the National and County Governments' need to prioritize funding towards achievement of the universal health care coverage (UHC). (Action: MoH, NT, CGs, CoG)

13. *THAT County governments need to refocus and invest in preventive measures more than curative measure. (Action: CoG, CGs)*
14. *THAT County government needs to address the existing human resource issues on all cadres of the health workers and create lasting mechanisms to handle the HR issues. (Action: CGs, CoG, NT, Senate)*
15. *THAT National government to provide training funds for the health workers that County governments' health workers can benefit. (Action: MoH, NT, CoG, CGs)*
16. *THAT Mandera County success story to be showcased in the next Annual Devolution conference as part of highlighting the theme "Deliver. Transform. Measure. (Action: Mandera county)*

AFFORDABLE HOUSING

17. *THAT County government shall be guided by research in identifying the beneficiaries of the affordable housing program.
(Action: County Governments, COG, Ministry of Transport, Infrastructure, Housing and Urban Development)*
18. *THAT there is need for engagement of all stakeholders including National Housing Commission in the financing of the housing program

(Action: County Governments, COG, Ministry of Transport, Infrastructure, Housing and Urban Development)*
19. *THAT County governments should leverage on the market opportunities for the locally available materials for affordable Housing.
(Action: County Governments, COG, Ministry of Transport, Infrastructure, Housing and Urban Development)*
20. *THAT there is need for disclosure by the National Government on how the housing programme is financed and how the County Government will benefit.
(Action: County Governments, COG, Ministry of Transport, Infrastructure, Housing and Urban Development)*

21. **THAT** County Governments will commit to partner with relevant institutions to reduce the long bureaucracies in the approval processes and ensure integration of all the processes.

(Action: County Governments, COG, Ministry of Transport, Infrastructure, Housing and Urban Development)

22. **THAT** Ministry of Lands and National Land Commission to fast track acquisition of legal documents for County land set aside for Affordable housing

(Action: County Governments, COG, Ministry of Lands, Ministry of Transport, Infrastructure, Housing and Urban Development, National Lands Commission)

TRADE (MANUFACTURING & BLUE ECONOMY)

23. **THAT** there is need to establish an intergovernmental forum for both national and county governments on trade.
24. **THAT** There is need to enhance the availability and accessibility of information by county governments through establishment and operationalization of one stop shops. (Action: CGs)
25. **THAT** County government should establish joint loans facilities to ensure sustainability of County investments and develop a structure to support SMEs, Women Groups and Youth Groups with start-ups to access both local and international markets. (Action: CGs, NT)
26. **THAT** County government shall learn from each other on the best practices in the different sectors through benchmarking exercises on locally available solutions that can be domesticated for the niche of each county. (Action: CGs)
27. **THAT** County government should partner with National government, private sector and non-state actors to support vocational training through provision of resources and creation of awareness about its importance in blue economies. (Action: CGs, CSOs, NG & private Sector)

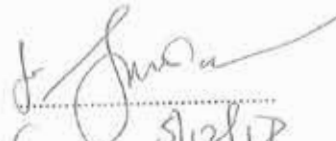
AGRICULTURE

28. **THAT** County government shall support the establishment of community based irrigation schemes to cover at least 3000 acres per county. (Action: CGs)
29. **THAT** Government (CGs & NG) and Development partners agreed to pursue extension models such as farmer call centers and use of ICT applications. (Action: DPs, NG & CGs)
30. **THAT** County government to enhance small scale farmers' participation in agriculture through the development of centers of Excellence. (Action: CGs)

31. *THAT County and National government to support the remodeling of the subsidy programs to improve efficiency. (Action: NG, CGs)*
32. *THAT County governments to have creative youth targeted messages to enhance a mindset change of the youth towards agriculture*
33. *THAT County government creates provision for innovative financial products that respond to farmer's needs*
34. *THAT County government need to create automated systems for taxes and agricultural*

Lastly, we confirm that Devolution is on course, and affirm that we shall continue gathering more momentum to see that our Counties flourish in the way Kenyans envisaged when they voted for a new Constitution in 2010.

SIGNED


Date: 5/12/18Chairperson
CECMs Caucus
Date: 5/12/18Vice Chairperson
CECMs Caucus
Date: 5/12/18Secretary
CECMs Caucus

Witnessed By


Date: 5/12/18
Kenton
County
Date: 5/12/18
Kenton
County

The Council of Governors (COG)

Delta Corner, 2nd Floor,
Opp. PWC Chiromo Road, Off Waiyaki Way
P.O. Box 40401-00100 Nairobi, Kenya

Email: info@cog.go.ke

Phone: +254 (020) 2403313/4

Mobile: +254 729 777 281

Website: <https://cog.go.ke/>

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