

**OFFICE OF THE CLERK
COUNTY ASSEMBLY OF KITUI**

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Kitui County
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Kitui, Kenya.

When replying please quote our ref:

Our Ref: CAK 4/15/ Vol. I (11)

H.E. Charity Kaluki Ngilu
The Governor
Kitui County Government
P.O Box 33-90200

KITUI



DATE: 29th June, 2018

**REF: VETTING OF THE NOMINEES TO THE KITUI MUNICIPALITY
BOARD AND THE COUNTY EXECUTIVE COMMITTEE MEMBER, PUBLIC
SERVICE MANAGEMENT AND ADMINISTRATION**

The above subject matter refers.

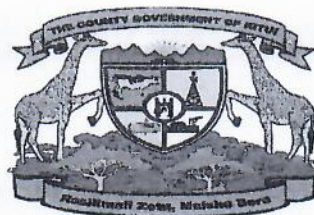
In compliance with Article 179 (2)(b) of the Constitution as read together with Section 9 and 10 of the Public Appointments (County Assemblies Approval) Act, 2017, the County Assembly vetted and approved the nominees to the above positions with the exception of Ms. Charity Mutanu Kyunguti during a sitting held on Thursday, 28th June, 2017.

Forwarded herewith please find a copy of the approved report with recommendations for your necessary action.

The votes and proceedings are also attached for ease of reference.

Yours faithfully,

**E.M.A. MUTAMBUKI,
CLERK OF ASSEMBLY
COUNTY ASSEMBLY OF KITUI.**

**COUNTY GOVERNMENT OF KITUI****THE COUNTY ASSEMBLY****SECOND COUNTY ASSEMBLY – (SECOND SESSION)****VOTES AND PROCEEDINGS****THURSDAY 28TH JUNE, 2018 AT 2.30 P.M.**

1. The House convened at Thirty minutes past Two O'clock.
2. The proceedings were opened with a prayer.
3. **PRESIDING:** Hon. Speaker on the Chair

4. STATEMENTS

The following statement was given pursuant to the provision of Standing Order No. 36;

- i. Schedule of Committee sittings & plenary for the Week ending on Friday 6th July, 2018. - *(Hon. Andrew Ndisya Lusa)*

5. MOTION ON ADOPTION OF THE REPORT BY THE COMMITTEE ON APPOINTMENTS - *(Designated Member, Committee on Appointments)*

Motion Made and Question proposed;

THAT, pursuant to the provisions of Article 179 (2) (b) of the Constitution 2010, Section 13 and 14 of the Urban Areas and Cities Act, 2011, and Section 9 and 10 of the Public Appointments (County Assemblies Approval) Act, 2017, this Assembly hereby adopts the report by the Committee on Appointments on Vetting and Consideration of the Nominees to the Kitui

THURSDAY 28TH JUNE, 2018

(049)

(192)

Municipality Board and the nominee for the County Executive Member, Public Service Management and Administration laid on the table of the Assembly on Thursday, 28th June, 2018.

(Hon. John Mbaki Kisangau)

Debate arising;

Question put and **Agreed** to.

6. MOTION ON ADOPTION OF THE REPORT BY THE COMMITTEE ON BUDGET AND APPROPRIATIONS

(Chairperson, Committee on Budget and Appropriations Committee)

THAT, pursuant to the provisions of Section 131 (1) of the Public Finance Management Act, 2012 and the provisions of Standing Order No. 206 (6), this Assembly hereby adopts the report by the Committee on Budget and Appropriations on consideration of the Kitui County Budget Estimates for the Financial year 2018/2019 laid on the table of the Assembly on Thursday, 28th June, 2018.

(Hon. Boniface Kilaa Kasina – M.C.A)

(Motion deferred by leave of the Assembly to Friday, 29th June, 2018)

7. ADJOURNMENT - And the time being Ten minutes past Ten O'clock, the Honorable Speaker adjourned the house.

7. ASSEMBLY ROSE - Ten minutes past Ten O'clock

MEMORANDUM

*The Honorable Speaker will take the chair on
Thursday, 28th June, 2018 at 2:30 p.m*

COUNTY ASSEMBLY OF KITUI
SECOND COUNTY ASSEMBLY - (SECOND SESSION)
MOTION

MOTION ON APPROVAL OF THE REPORT BY THE COMMITTEE ON APPOINTMENTS ON VETTING AND CONSIDERATION OF THE NOMINEES TO THE KITUI MUNICIPALITY BOARD AND NOMINEE FOR COUNTY EXECUTIVE COMMITTEE MEMBER, PUBLIC SERVICE MANAGEMENT AND ADMINISTRATION.

(Designated Member, Committee on Appointments)

Mr. Speaker. Sir

THAT, Pursuant to the provisions of Article 179 (2) (b) of the constitution, 2010, Section 13 and 14 of the Urban Areas and Cities Act, 2011 Sections 9 and 10 of the Public Appointment Act (County Assemblies Approval Act), 2017, this Assembly hereby adopts the Report by the Committee on Appointments on vetting and consideration of the nominees to the Kitui Municipality Board and nominee for County Executive Committee Member, Public Service Management and Administration laid on the table of the Assembly on Thursday, 28th June 2018



Hon. John Mbaki Kisangau - M.C.A

Date: _____

28/06/2018

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KITUI

INTERNAL MEMO

FROM: FIRST CLERK ASSISTANT (T.C. 4)
TO: THE CLERK OF ASSEMBLY
THRO: I/C L. P. & P.
REF: CAK/15/7/VOL. I (32)
DATE: 28TH JUNE, 2018

Mr. Speaker
Kindly approve
28/6/18

SUBJECT: REPORT OF THE COMMITTEE ON APPOINTMENTS ON THE VETTING AND CONSIDERATION OF NOMINEES TO THE KITUI MUNICIPALITY BOARD AND NOMINEE FOR COUNTY EXECUTIVE COMMITTEE MEMBER- PUBLIC SERVICE MANAGEMENT AND ADMINISTRATION

The above subject matter refers.

Forwarded herewith, please find the Report by the aforementioned Committee on Appointments on Vetting and Consideration of Nominees to the Kitui Municipality Board and Nominee for County Executive Committee Member- Public Service Management and Administration.

Kindly advise and facilitate its approval for tabling.

MERCY MBINYA

FIRST CLERK ASSISTANT

COUNTY ASSEMBLY OF KITUI

Approved
Gmmv
28/6/2018

COUNTY GOVERNMENT OF KITUI



COUNTY ASSEMBLY

SECOND ASSEMBLY – (SECOND SESSION)

COMMITTEE ON APPOINTMENTS

REPORT ON THE VETTING AND CONSIDERATION OF NOMINEES TO THE KITUI MUNICIPALITY BOARD AND NOMINEE FOR COUNTY EXECUTIVE COMMITTEE MEMBER- PUBLIC SERVICE MANAGEMENT AND ADMINISTRATION

Clerk's Chambers,
County Assembly Buildings,
Kitui, Kenya

June, 2018

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PREFACE

On behalf of the Members of the Committee on Appointments, and pursuant to the provisions of Section 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 184, it is my pleasure to present to the House the Committee's Report on vetting and consideration of the Nominees to the Kitui Municipality Board and the Nominee for County Executive Committee Member, Public Service Management and Administration.

Committee Membership

The Committee on Appointment was constituted by the House on 10th October, 2017 and comprises of the following Members:

- | | |
|-----------------------------------|-------------|
| 1. Hon George Ndotto | Chairperson |
| 2. Hon Peter Kilonzo | Member |
| 3. Hon John Mutuku Mbaki Kisangau | " |
| 4. Hon Jefason Kiruru | " |
| 5. Hon Ruth Kyene | " |
| 6. Hon Elizabeth Ndunge Peter | " |

Mandate of the Committee

Standing Order 184 mandates the Committee on Appointment to consider, for approval by the County Assembly, appointments under Article 179(2) of the Constitution.

Nominations and notification to the Speaker

On 31st May, 2018 and pursuant to Article 179(2)(b) of the Constitution, Section 30(2)(d) of the County Government Act, and Section 6 of the Public Appointments (County Assemblies) Approval Act, 2017 H.E. The Governor of Kitui County forwarded to the Speaker the name of a Nominee for the position of County Executive Committee Member- Public Service Management and Administration as below:

Ministry	Name	Sub County	Gender
Public Service Management and Administration	Bernard Ndolo Katungu	Kitui Rural	Male

Further, on 19th June, 2018 and pursuant to Section 13 and 14 of the Urban Areas and Cities Act and Section 6 of the Public Appointments (County Assemblies) Approval Act,

2017 H.E. the Governor of Kitui forwarded to the Speaker the names of nominees to the Kitui Municipality Board as below:

No.	Association	Nominee	Association Represented
1.	Umbrella Body Representing Professional Associations	Charity Musyoka	Kenya National Union of Teachers
2.	An association representing the private sector	Patrick King'ole Wambua	Financial Services Association
3.	A cluster representing registered associations of the informal sector	Charity Mutanu	Jua Kali Association of Kitui
4.	A cluster representing the neighbourhood associations	Florence Mueni Ndeti	CARITAS- Catholic Diocese of Kitui
5.	An association of urban areas and cities	Mrs Mary Mbandi Mukina	Association of Municipalities

On 20th June, 2018 and pursuant to Section 7 of the aforementioned Act, the Hon Speaker communicated the names of the nominees to the House and thereafter the names stood committed to the Committee on Appointments for vetting.

Notification of the nominees and the public

Pursuant to Section 7(4) and (5) of the Public Appointments (County Assemblies) Approval Act, 2017, an advertisement was placed in the Daily Nation on 21st June, 2018 inviting the nominees to appear before the Committee on Appointments on 27th June, 2018. Further, members of the public were expected to participate in the vetting process by submission of written statements on oath on the suitability or otherwise of the nominees by 25th June, 2018.

As at 25th June, 2018 no memoranda had been submitted.

Vetting of the Nominees

On Wednesday, 27th June, 2018, the Committee held two sittings during which the nominees appeared before the Committee and were vetted in accordance with the law.

In conducting the vetting process, the Committee examined the nominees against the following criteria, amongst others, in accordance with the Public Appointments

Parliamentary Approval Act and Article 73(2)(a)(b)(c) (d) and (e) of the Constitution and other applicable laws:

- i) Academic qualifications
- ii) Employment records
- iii) professional affiliations
- iv) potential conflict of interest
- v) knowledge of the relevant subject matter
- vi) overall suitability for the position
- vii) tax compliance
- viii) integrity

The Committee complied with the constitutional and legal requirements on vetting. As stated earlier, it ensured public participation and openness in vetting the nominees.

Acknowledgment

I wish to thank all Members of the Committee for their input and valuable contributions during the deliberations and vetting of the nominees.

The Committee wishes to sincerely thank the Office of the Speaker and the Clerk of the County Assembly for the support accorded to it during the vetting exercise.

The Committee wishes to record its appreciation for the services rendered by the staff of County Assembly attached to the Committee. Their efforts made the work of the Committee and the production of this Report possible.

On behalf of the Appointment Committee, I have the honour and pleasure to present the Committee's Report on the vetting of Nominees to the Kitui Municipality Board and nominee for County Executive Committee Member, Public Service Management and Administration.

SIGNED:.....

HON. GEORGE M. NDOTTO,

SPEAKER, KITUI COUNTY ASSEMBLY

CHAIRPERSON, COMMITTEE ON APPOINTMENTS

DATE..........

ANALYSIS OF THE NOMINEES QUALIFICATIONS, EXPERIENCE AND SUITABILITY

1. MRS CHARITY KATHATHI MUSYOKA

The nominee appeared before the Committee on 27th June, 2018. She was nominated to represent the Kenya National Union of Teachers under the umbrella body representing professional associations. Analysis of the nominee as outlined below:

	Criteria	Details
1.	Personal Bio- data	Born on 27 th August 1972 and is married
2.	Academic qualifications	Masters of Education and Administration, SEKU- 2015
		Bachelor of Education and Counselling, Methodist University
		Diploma Teachers Certificate, KISE- 2007
		KCSE St Angelas Girls- 1992
		KCPE Kaliakacha Primary- 1988
3	Employment record/ Work experience	20 years in public service as a teacher
		Has worked at Kitui Central, Kaliakacha and Mulutu Primary Schools
4	Professional affiliations	Represents PWD teachers of the 8 Sub Counties
		Kenya National Union of Teachers (KNUT), Branch Executive Council, PWD 2016- to date
		Also a member of National Council for PWD, and Persons with Disability Association of Kitui
5	Potential conflict of interest	None
6	Knowledge of relevant subject	Nominee displayed knowledge and understanding of the position she was nominated for.
		Passionate about supporting the County Government in its work through service to the Municipality by making relevant by laws, promoting garbage collection, regulation of boda boda operations
7	Overall suitability	The nominee is qualified for the appointment with exposure in the teaching profession
	Tax compliance	Tax Compliance Certificate Acknowledgement availed
	Integrity	No integrity issues noted

2. MR PATRICK WAMBUA KING'OLE

The nominee appeared before the Committee on 27th June, 2018. He was nominated to represent the Financial Services Association under the private sector. His credentials are as outlined below:

	Criteria	Details
1	Personal Bio- data	Born in 1980 and is married
2	Academic qualifications	Diploma in Business Administration, KIDS, 2017
		KCSE- Kyangwitha Secondary School, 1998
		KCPE- Ivuku Primary School 1994
		Certificate professional courses in business management, strategic planning, etc
3	Employment record/ Work experience	17 years work experience
		K- Rep Fedha Services running village banks- 2001
		Community resource mobilization
		Financial Services Associations over sighting the village banks- 2005
		K- Rep Fedha Services Business development Manager Kitui County- 2017
4	Professional affiliations	None
5	Potential conflict of interest	None
6	Knowledge of relevant subject	Nominee displayed knowledge and understanding of the position he was nominated for.
		Passionate about management, resource mobilization, planning, community development, working with low income earners, etc
7	Overall suitability	The nominee is qualified for the appointment and displayed willingness to offer his experience to the Board to if appointed
8	Tax compliance	Tax Compliance Certificate availed
9	Integrity	No integrity issues noted

3. MRS CHARITY MUTANU KYUNGUTI

The nominee appeared before the Committee on 27th June, 2018. She was nominated to represent the Jua Kali Association of Kitui. Her credentials are as outlined below:

	Criteria	Details
1	Personal Bio- data	Born in 1988 and is married with 2 children
2	Academic qualifications	KCPE, 2004
3	Employment record	Has worked as a sales lady and waitress Currently Self employed at Juvicky Auto Spares
4	Professional affiliations	None
		However, she is the Secretary of Kitui Urban Jua Kali Association (K.U.J.K.A) since November, 2015
5	Potential conflict of interest	None
6	Knowledge of relevant subject	Nominee did not display basic knowledge and understanding of the position she was nominated for.
		She was not sure of the Board she was nominated to and thought she was nominated to the County Assembly Board
		If appointed she would promote the rights of Jua Kali workers, hawkers, youth etc through public participation, promote town cleanliness and beautification
7	Overall suitability	Nominee not qualified for the appointment as she did not display any basic understanding of the position
		She does not hold basic minimum qualification and appeared before the Committee without any documents including Identity card as required in the advert
8	Tax compliance	Tax Compliance Certificate attached to her filled questionnaire
9	Integrity	No integrity issues noted

4. FLORENCE MUENI NDETI

The nominee appeared before the Committee on 27th June, 2018. She was nominated to represent the CARITAS- Catholic Diocese of Kitui as representative of neighbourhood associations. Her credentials are as outlined below:

	Criteria	Details
1	Personal Bio- data	She was born on 18 th July, 1972 and is married
2	Academic qualifications	Masters in Public Policy and administration- ongoing at Kenyatta University
		Bachelor of Government and Public Administration, Moi University- 1998
		KCSE- Makueni Girls
		KCPE- Kitei Primary Makueni
3	Employment record/ relevant work experience	Over 15 years work experience
		Director development programme Catholic Diocese of Kitui
		Has worked for Centre for human rights and civic education Mwingi
4	Professional affiliations	None
5	Potential conflict of interest	None
6	Knowledge of relevant subject	Nominee displayed knowledge and understanding of the position she was nominated for.
		Very articulate and portrayed confidence to deliver on her duties
		Very conversant with the functions of the Municipality
		Nominee would ensure public participation, planning, offer management skills to the Board if appointed. The Catholic diocese would contribute in terms of resources, time and strategic partnership with the Municipality
7	Overall suitability	The nominee is qualified for the post with experience and exposure in management and community development
8	Tax compliance	Tax compliance certificate attached
9	Integrity	No integrity issues noted

5. MRS MARY MBANDI

The nominee appeared before the Committee on 27th June, 2018. She was nominated to represent the Association of Municipalities under association of urban areas and cities. Her credentials are as outlined below:

	Criteria	Detail
1	Personal Bio- data	Born in 1947 and is married
2	Academic qualifications	University of Cambridge local exams syndicate
		University of Carlifornia- family planning programme management
		Certificate of Social Work- Kenya Institute of Administration
		Attended various seminars and workshops
3	Employment record/ work experience	Nominated Member of County Assembly 2013- 2017
		Civic leader- Kitui Municipal Council 2008- 2012
		Nominated Councillor and Mayor Kitui Municipal Council 1995- 2003
		National Trainer for Maendeleo ya Wanawake 1983- 1997
		District Social worker 1973-1982
4	Professional affiliations	Association of Social Workers
5	Potential conflict of interest	None
6	Knowledge of relevant subject	The nominee was articulate, confident and displayed ability to deliver on her duties
		Nominee displayed knowledge and understanding of the position she was nominated for and functions of the Municipality
		If appointed she would offer her experience as a mayor to be Board, ensure public participation, and implementation of laws already passed, address issues of double allocations of land, call for expansion of Kitui town, amongst others.
		Very conversant with the role of the Municipality
	Overall suitability	The nominee is qualified for the post with experience and exposure in Municipality matters having served as a Mayor.
	Tax compliance	Tax compliance certificate attached
	Integrity	No integrity issues noted

BERNARD KATUNGI- COUNTY EXECUTIVE COMMITTEE MEMBER, PUBLIC SERVICE MANAGEMENT AND ADMINISTRATION

The nominee appeared before the Committee on 27th June, 2018. He was nominated as County Executive Committee Member Public Service Management and Administration.

His credentials are as outlined below:

	Criteria	Details
1.	Personal Bio- data	Born on 24 th December, 1972 and is married
2.	Academic qualifications	Centre for Corporate Governance Certificate- 2016
		Masters in Business Administration, Moi University- 2014
		Washington International University – Bachelor of Arts, 2010
		College of professional management- Diploma 1999
		Several Certificates at Kenya Utalii College, Labour laws etc
3.	Employment record/ work experience	Over 20 years work experience
		General Manager, the Monarch Group- 2016 to date
		General Manager, Gelian Hotel 2015- 2016
		Operations Manager, Sarova Hotels 2006- 2015
		Assistant General Manager, The Tamarind group 2003-2006
		Has acquired people skills, team player, assertive and a good communicator.
	Professional affiliations	None
	Potential conflict of interest	None
	Knowledge of relevant subject	The nominee was articulate, confident and displayed ability to deliver on his duties
		He displayed in depth knowledge and understanding of the position he was nominated to
		If appointed, he was keen on making a positive change in the Kitui public service and would put in place relevant policies, and ensure that political forces do not interfere with the public service
	Overall suitability	The nominee is qualified for the post with experience and exposure in management
	Tax compliance	Tax compliance certificate attached
	Integrity	No integrity issues were noted

COMMITTEE FINDINGS AND OBSERVATIONS

a) The Kitui Municipality Board Members

1. Having set 60% as the average passmark, considered the nominees filled questionnaires and documents submitted, and heard their oral submissions, the Committee rated the nominees as below:

No	Name	Marks Obtained (%)
1.	Charity Musyoka	74%
2.	Patrick King'ole Wambua	71%
3.	Charity Mutanu Kyunguti	38%
4.	Florence Mueni Ndeti	80%
5.	Mrs Mary Mbandi Mukina	74%

2. With the exception of Mrs Charity Mutanu Kyunguti, the nominees surpassed the set passmark of 60%, had relevant qualifications, experience and they availed the required clearances. In addition, they were knowledgeable on issues concerning the mandate of the municipality and informed the Committee of their willingness to render expertise and service to the Board should they be appointed. They underscored the need for public participation in the Board's activities that affect the public.

The Committee therefore found the four (4) nominees suitable for appointment as members of the Kitui Municipality Board.

3. Mrs Charity Mutanu Kyunguti scored 38% which was below the set pass mark of 60%. She appeared before the Committee without any of the required documents including her national identity card and certificates. She did not have any relevant minimum qualifications or experience that can be applied in the position she was nominated to. In addition, she was not aware of the Board to which she had been nominated to serve in and its functions, as she informed the Committee that she had been nominated as a Member of the County Assembly Board.

The Committee found her unsuitable and unqualified to serve as a member of the Kitui Municipality Board.

b) The CEC Member for Public Service Management and Administration

1. Having set 65% as the passmark and considered the nominee's filled questionnaire, documents and heard his oral submissions, the Committee rated the nominee as below:

No	Name	Marks Obtained (%)
1.	Benard Ndolo Katungi	83%

2. The nominee has requisite qualifications and experience and having served as a manager in various organizations, he is knowledgeable in general administration, people management and service delivery. He also exhibited ability to deliver on his mandate if appointed and availed the required clearances.
3. He articulated his role very well and stated that if appointed, he was keen on making a positive change in the Kitui public service and would put in place relevant human resource policies, and ensure that political forces do not interfere with the public service.
4. The Committee therefore found him suitable for appointment as County Executive Committee Member, Public Service Management and Administration.

COMMITTEE RECOMMENDATIONS

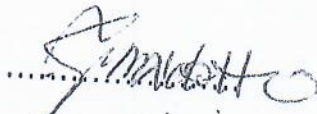
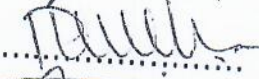
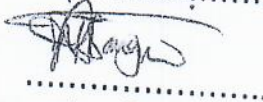


On conclusion of the vetting exercise, the Committee recommends that:

- 1) Having considered the suitability, capacity and integrity of the nominees and pursuant to the provisions of Section 13 and 14 of the Urban Areas and Cities Act, 2011 and Section 9 of the Public Appointments (County Assemblies Approvals) Act, 2017, the Committee recommends that the County Assembly of Kitui **APPROVES** the nomination and subsequent appointment of the following as Members of the Kitui Municipality Board:
- i) Mrs Charity Kathathi Musyoka
 - ii) Mr Patrick Wambua King'ole
 - iii) Mrs Florence Mueni Ndeti
 - iv) Mrs Mary Mbandi Mukina

- 2) Having considered the suitability, capacity and integrity of the nominee and pursuant to the provisions of Section 13 and 14 of the Urban Areas and Cities Act, 2011 and Sections 9 and 10 of the Public Appointments (County Assembly Approvals) Act, 2017, the Committee recommends that the County Assembly of Kitui **REJECTS** the nomination and subsequent appointment of Mrs Charity Mutanu Kyunguti as a Member of the Kitui Municipality Board.
- 3) Having considered the suitability, capacity and integrity of the nominee and pursuant to the provisions of Article 179(2)(b) of the Constitution and Section 9 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee recommends that the County Assembly of Kitui **APPROVES** the nomination and subsequent appointment of Mr Benard Ndolo Katungi as the County Executive Committee Member, Public Service Management and Administration.

This Report was compiled by Mercy Mbinya- Clerk Assistant

We, Members of the Appointment Committee have adopted this Report and hereby affix our signatures to it to affirm our approval and confirm its accuracy, validity and authenticity:-

NAME	DESIGNATION	SIGNATURE
1. Hon George Ndotto	Chairperson	
2. Hon Peter Kilonzo	Member	
3. Hon John Mutuku Mbaki Kisangau	"	
4. Hon Jefason Kiruru	"	
5. Hon Ruth Kyene	"	
6. Hon Elizabeth Ndunge Peter	"	