

# COUNTY GOVERNMENT OF KITUI



## COUNTY ASSEMBLY

### SECOND ASSEMBLY – (SECOND SESSION)

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#### COMMITTEE ON APPOINTMENTS

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### REPORT ON THE VETTING AND CONSIDERATION OF NOMINEES TO THE KITUI MUNICIPALITY BOARD

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

**July, 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 Nominees to the Kitui Municipality Board.

### **Committee Membership**

The Committee on Appointment was constituted by the House on 10<sup>th</sup> 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 26<sup>th</sup> June, 2018 and pursuant to Section 13 and 14 of the Urban Areas and Cities Act, 2011 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 five nominees to the Kitui Municipality Board as below:

<b>No.</b>	<b>Nominee</b>	<b>Ward</b>
1.	Dr Musyimi Mbathi	Mulango
2.	Mr Badi Muhsin	Township
3.	Mr Stanley Muluvi Kiima	Nzambani
4.	Ven. Canon Simon Muoko	Mbitini

Further, on 27<sup>th</sup> June, 2018 and pursuant to the above legal provisions, the County Secretary forwarded to the Speaker the name of Ms Linda Syokau Kimoli representing the Jua Kali sector for vetting, to replace Mrs Charity Mutanu Kyungutu who was vetted but rejected by the House.

On 5<sup>th</sup> July, 2018 and pursuant to Section 7 of the Public Appointments (County Assemblies) Approval Act, 2017, the Speaker communicated the names of the nominees to the House and thereafter stood committed to the Committee on Appointments for vetting and tabling of a Report.

### **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 6<sup>th</sup> July, 2018 inviting the nominees to appear before the Committee on Appointments on 16<sup>th</sup> July, 2018 in Committee Room 2. 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 12<sup>th</sup> July, 2018.

As at close of business on 12<sup>th</sup> July, 2018 no memoranda had been submitted.

### **Vetting of the Nominees**

On Monday, 16<sup>th</sup> 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 (County Assemblies) 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 also reviewed the criteria used to arrive at the nominees as submitted by H.E. The Governor vide a letter dated 13<sup>th</sup> July, 2018.

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

**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 Appointments Committee, it is my pleasure to present the Committee’s Report on the Vetting and Consideration of Nominees to the Kitui Municipality Board.

**SIGNED:.....**

**HON. GEORGE M. NDOTTO,**

**SPEAKER, KITUI COUNTY ASSEMBLY**

**CHAIRPERSON, COMMITTEE ON APPOINTMENTS**

**DATE.....**

## ANALYSIS OF THE NOMINEES QUALIFICATIONS, EXPERIENCE AND SUITABILITY

### 1. MS LINDAH SYOKAU KIMOLI

The nominee appeared before the Committee on 16<sup>th</sup> July, 2018. She was nominated to represent the Kitui Urban Jua Kali Association under the umbrella body representing informal sector registered associations and to replace one Mrs Charity Mutanu Kyunguti who was vetted and rejected by this House.

Her credentials are as outlined below:

	<b>Criteria</b>	<b>Details</b>
1.	Personal Bio- data	Born on 26 <sup>th</sup> June, 1968 and is single
2.	Place of Birth	Kitui Central- Kyangwithya West (Mbusyani)
3.	Academic qualifications	Secretarial and Communication Courses Nairobi – 1992
		Kenya Certificate of Education Mutonguni Secondary- 1987
		Certificate of Education Mbusyani Primary- 1981
4.	Employment record/ Work experience	1995 up to date- Jua Kali sector Kitui Currently self employed at Usulusya Jua Kali Enterprises
		Tailoring company supervisor in Mombasa for 2 years
5.	Professional affiliations	None
		Is however a Committee member of Kitui Urban Jua Kali Association
6.	Potential conflict of interest	None
7.	Knowledge of relevant subject	Nominee displayed knowledge and understanding of the position she was nominated for and ability to deliver on her duties.
		Elaborated on challenges facing Kitui town and what needs to be addressed eg hawkers, garbage collection, poor planning, etc
		Will advocate for safe working environment and designated areas for hawkers, jua kali workers, and zoning of business areas if appointed
		Emphasized on need for public participation and stakeholder engagement
		Seeks to bring knowledge and experience gained as member of Kitui Urban Jua Kali Association in problem solving and in management to the Board
8.	Overall suitability	The nominee is qualified for the appointment with knowledge of relevant subject matter.
9.	Tax compliance	Tax Compliance Certificate availed
10.	Integrity	No integrity issues noted

## 2. DR. MUSYIMI MUTHOKA MBATHI

The nominee appeared before the Committee on 16<sup>th</sup> July, 2018. His credentials are as outlined below:

	<b>Criteria</b>	<b>Details</b>
1.	Personal Bio- data	Born in 1965 and is married
2.	Place of Birth	Nairobi, comes from Mulango
3.	Academic qualifications	PhD in Planning- University of New Castle- 2012
		Masters of Arts (Urban and Regional Planning) University of Nairobi- 1992
		Bachelor of Arts University of Nairobi- 1989
		KCSE
		KCPE
3	Employment record/ work experience	Over 20 years work experience Currently a lecturer at the University of Nairobi
		Ministry of Lands and Housing
		UN HABITAT- 2013
		Centre for Urban Research and Innovations
		Experienced Board Member in various organizations
		Experienced in urban and regional planning, urban waste management, lecturing, community development, general administration, resource mobilization for various urban areas including Lusaka and Kitui
4	Professional affiliations	Kenya Institute of Planners since 1992
		GIS Society since 2014
5	Potential conflict of interest	None
		Will be guided by professional ethics and work experience
6	Knowledge of relevant subject	Nominee displayed knowledge and understanding of the position he was nominated for and ability to deliver on his duties if appointed
		Articulated issues affecting the municipality and what needs to be addressed including poor planning, waste management, lack of adequate resources etc
		Passionate about management and public service, working with low income earners, resource mobilization, slum upgrading etc
		Emphasized on need for stakeholder engagement
7	Overall suitability	The nominee is qualified for the appointment with relevant experience in urban planning
8	Tax compliance	Tax Compliance Certificate to be availed
9	Integrity	No integrity issues noted

### 3. MR BADI MUHSIN JUMA

The nominee appeared before the Committee on 16<sup>th</sup> July, 2018. His credentials are as outlined below:

	<b>Criteria</b>	<b>Details</b>
1.	Personal Bio- data	Born on 15 <sup>th</sup> July, 1954 and is married
2.	Place of Birth	Kitui Central
3.	Academic qualifications	Diploma Freelance journalism, International Correspondence Schools London- 1994
		KCSE- Kalawa Secondary School
		KCPE
4.	Employment record/ relevant work experience	Has worked at KBC as a news translator, news editor, news supervisor, news anchor
		Information officer at Kuwait Embassy 1982 (part time)
		Public relations officer Kuwait Embassy
		Media consultant for various Embassies- Oman, Sudan and Saudi Arabia
5.	Professional affiliations	Media Council of Kenya
6.	Potential conflict of interest	None
		Will adhere to the law and not be unduly influenced
7.	Knowledge of relevant subject	Nominee displayed knowledge and understanding of the position he was nominated for.
		Outlined issues affecting Kitui town and what needs to be addressed eg poor infrastructure, poor sewerage systems, unequipped hospitals, poor planning, etc
		Would be guided by the Urban Areas and Cities Act and ensure implementation of development plans if appointed
		Seeks to offer conflict resolution skills, public relations, address issues affecting the municipality and public and to serve the community
8.	Overall suitability	Nominee qualified for the appointment with knowledge of the relevant subject matter
9.	Tax compliance	Tax Compliance Certificate to be available
10.	Integrity	No integrity issues noted



#### 4. MR STANLEY MULUVI KIIMA

The nominee appeared before the Committee on 16<sup>th</sup> July, 2018. His credentials are as outlined below:

	<b>Criteria</b>	<b>Details</b>
1.	Personal Bio- data	Born on 8 <sup>th</sup> August, 1979 and is married
2.	Place of Birth	Nzambani
3.	Academic qualifications	University of Nairobi Masters of Arts in Sociology (Labour Management) 2016
		Institute of Human Resource Management Higher Diploma in HRM- 2012
		Bachelor of Laws, University of Nairobi, 2004
		Kenya School of Law, 2005
		St Charles Lwanga Secondary School- 1997
		Kilonzo Primary School- 1994
4.	Employment record/ relevant work experience	2011 up to date- Mutunga & Co. Advocates, Managing Partner
		2005-2011- Equity Bank Assistant Relationship manager
		Experienced in general management, human resource, diverse legal aspects, interpretation of law, etc
		Seeks to assist in all legal matters including interpretation of law, making of by- laws, negotiating contracts, etc
5.	Professional affiliations	Law Society of Kenya (LSK)
		Institute of Human Resource Management (IHRM)
6.	Potential conflict of interest	None
		Will be guided by professional ethics
7.	Knowledge of relevant subject	Nominee displayed knowledge and understanding of the position he was nominated for and confidence to deliver on his duties
		Conversant with the functions of the Municipality, challenges facing it and what issues need to be addressed including poor planning, hawkers, poor infrastructural development, etc
		Would ensure public participation, and ensure strategic working relationships if appointed
7	Overall suitability	The nominee is qualified for the post with experience management and legal background
8	Tax compliance	Tax compliance certificate attached
9	Integrity	No integrity issues noted

## 5. VEN. CANON SIMON MUOKO

The nominee appeared before the Committee on 16<sup>th</sup> July, 2018. His credentials are as outlined below:

	<b>Criteria</b>	<b>Details</b>
1.	Personal Bio- data	Born on 20 <sup>th</sup> October, 1968 and is married
2.	Place of Birth	Mbitini
3.	Academic qualifications	PhD in Sociology- MKU on going
		Masters in Sociology and Community Development, University of Nairobi, 2010
		Bachelors Degree in Divinity St Pauls 1996
		Certificate in electronics engineering- Kenya Polytechnic
		KCSE Kyome Boys Secondary School-1989
		KCPE Nzangathi Primary School-1985
4.	Employment record/ work experience	Currently works at Nairobi All Saints Cathedral Diocese as the vicar general and deputizes the archbishop
		Has worked with the Anglican Church (ACK) as an archbishop's chaplain, administrative secretary, vicar archdeacon, etc
		Has experience as a manager in ACK Mwingi region diocese and administrator of Kitui diocese
		Seeks to bring management, conflict resolution and sociology experience to the Board if appointed
5.	Professional affiliations	None
		Is however an elected Clergy Chairman
6.	Potential conflict of interest	None
7.	Knowledge of relevant subject	He displayed in depth knowledge and understanding of the position he was nominated to and ability to deliver on his duties
		Outlined issues affecting the municipality and what should be addressed including waste disposal, sewerage systems, street lighting, zoning of town
		Emphasized need for public participation
8.	Overall suitability	The nominee is qualified for the post with experience and exposure in management and conflict resolution
9.	Tax compliance	Tax compliance certificate attached
10.	Integrity	No integrity issues were noted

## COMMITTEE FINDINGS AND OBSERVATIONS

1. Having set **60%** as the average pass mark, 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.	Linda Syokau Kimoli	68 %
2.	Musyimi Muthoka Mbathi	93 %
3.	Badi Muhsin Juma	65 %
4.	Stanley Muluvi Kiima	79 %
5.	Simon Muoko	73 %

2. The five (5) nominees surpassed the set passmark of 60%. They were qualified and experienced for the positions they had been nominated to as they hold minimum qualifications and have vast work experience ranging from management to resource mobilization to public relations and community development, amongst others which will be key in administration of the Municipality. They were also very articulate and knowledgeable about the positions they had been nominated to, what was expected of them, and clearly articulated issues affecting the municipality and need to be addressed, such as poor infrastructural development, hawkers, poor planning, garbage collection, etc. They also emphasized the need for public participation in activities of the Board that affect the public, if appointed. They also did not have any integrity issues.

The Committee therefore found the 5 nominees suitable for appointment as Members of the Kitui Municipality Board.

## COMMITTEE RECOMMENDATIONS

Based on the above findings, the Committee recommends that: 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 County Assembly of Kitui **APPROVES** the nomination and subsequent appointment of the following as Members of the Kitui Municipality Board:

1. Ms Linda Syokau Kimoli
2. Dr Musyimi Muthoka Mbathi
3. Mr Badi Muhsin Juma

4. Mr Stanley Muluvi Kiima
5. Ven. Canon Simon Muoko

*This Report was compiled by Mercy Mbinya- Clerk Assistant*