



REPUBLIC OF KENYA



**COUNTY GOVERNMENT OF NYAMIRA
THE COUNTY ASSEMBLY**

SECOND ASSEMBLY- SECOND SESSION

**REPORT OF THE COMMITTEE ON APPOINTMENTS
ON THE VETTING OF NOMINEES TO THE
NYAMIRA MUNICIPALITY BOARD**

OFFICE OF THE CLERK

COUNTY ASSEMBLY OF NYAMIRA

6th DECEMBER, 2018

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PREFACE

Mr. Speaker, Sir,

The County Assembly of Nyamira Committee on Appointments is constituted pursuant to the provisions of Standing Order No. 185 (1) and has executed its mandate in accordance with the provisions of the said Standing Order.

Mr. Speaker, Sir,

The following are the Members of the Committee: -

- i) Hon. Moffat Teya - Chairperson
- ii) Hon. Duke Masira - Member
- iii) Hon. Dennis Kebaso - Member
- iv) Hon. Richard Onyinkwa - Member
- v) Hon. Callen Atuya - Member
- vi) Hon. Daniel Raban Masira - Member

ACKNOWLEDGEMENT

Mr. Speaker Sir,

The Committee wishes to value the time and extensive effort made by all parties who volunteered information before it. In particular and with humility, I wish to express gratitude to the Members of this Honourable Committee and the Members of the County Assembly who attended the Committee Sitting for their thoughtful input and commitment in consideration of this matter.

Further the Committee thanks the office of the Speaker and Clerk of the County Assembly for facilitating all actions that led to the production of this report. We particularly appreciate the technical and professional input of the following members of staff;

- | | |
|-----------------------|-------------------------------------|
| 1. Mr. Joshua Orangi | Deputy Clerk |
| 2. Mr. David Ombego | Dir. Procedure & Committee Services |
| 3. Ms. Felis Osoro | Committee Clerk |
| 4. Mr. Gilbert Onduko | Member |
| 5. Mr. Arnold Ageta | Hansard |
| 6. Ms. Edinah Otengo | Member |

Mr. Speaker, Sir,

It is my humble pleasure to present this report to this Honorable House to debate on it objectively and consider approving it with or without amendments.


Signed.....

HON. MOFFAT TEYA

Chairperson, Committee on Appointments

County Assembly of Nyamira

LEGAL FRAMEWORK

Mr. Speaker, Sir,

The Committee confined its activities within the following statutes *inter alia*;

(i) Chapter 6 of the Constitution of Kenya (2010) - *Leadership and Integrity*

(ii) Section 8(1) (a) of the County Governments Act, 2012

8. (1) the county assembly shall –

(a) Vet and approve nominees for appointment to county public offices as may be provided for in this Act or any other law;

(ii) Section 14 (3) of the County Governments Act, 2012

In considering any appointment for which approval of the county assembly is required under the Constitution, an Act of Parliament or county legislation--

(a) the appointment shall be considered first by a committee of the county assembly;

(b) the committee's recommendation shall be tabled before the county assembly for approval; and

(c) the proceedings of the committee and the county assembly shall be open to the public.

(iv) Order No.172 of Nyamira County Assembly Standing Orders.

Powers and privileges of committees

172. Committees shall enjoy and exercise all the powers and privileges bestowed on County Assembly by the Constitution and statute, including the power to summon witnesses, receive evidence and to request for and receive papers and documents from the Government and the public.

(v) The Committee strictly adhered to the procedures provided for in the Public Appointments (County Assemblies Approval) Act, 2017

(vi) The Urban Areas and Cities Act, 2011

13. Boards of cities

(1) A board of a city shall consist of not more than eleven members, six of whom shall be appointed through a competitive process by the county executive committee, with the approval of the county assembly.

(2) Of the members referred to in subsection (1), at least five shall be nominated by –

(a) an umbrella body representing professional associations in the area;

(b) an association representing the private sector in the area;

(c) a cluster representing registered associations of the informal sector in the area;

(d) a cluster representing registered neighbourhood associations in the area; and

(e) an association of urban areas and cities, and appointed by the county executive committee with the approval of the county assembly.

(3) The executive committee shall, while appointing members of the board, ensure gender equity, representation of persons with disability, youth and marginalised groups.

(4) A person shall not be appointed a member of the board unless that person—

(a) is a citizen of Kenya;

(b) is ordinarily resident or has a permanent dwelling in the city;

(c) carries on business in the city; or

(d) has lived in the city for at least five years.

14. Boards of Municipalities

The provisions of section 13 shall apply with respect to the board of a municipality except that such board shall comprise nine members of whom four shall be appointed and five elected in the prescribed manner.

2.0 INTRODUCTION

2.1 Notification of nominees to the Nyamira Municipality Board

Mr. Speaker, Sir,

Pursuant to Article 179 (2) of the Constitution of Kenya 2010 and Section 6(1) of the Public Appointments (County Assemblies Approval) Act 2017, the Executive Committee Member for Lands, Housing and Urban Development forwarded to the Clerk of the County Assembly of Nyamira, names of 9 nominees vide a letter dated 29th October 2018 for approval by the County Assembly and subsequent appointment as Members of the Nyamira Municipality Board as per the table below.

CANDIDATE	WARD	CATEGORY
Charles Ombati Nyamboga	Bomwagamo	Nyamira Business
Eucabeth Nyakieni	Nyamaiya	Gender
Peter Bitu Ondieki	Bonyamatuta	Economist/Professional Society
Fr. Chrisantus Mainye	Manga	Faith-based Organizations
Evans Onduko	Bonyamatuta	Business
Alice Moraa Ombwori	Manga	County Government of Nyamira Appointees
Simeon Mocheche Bogonko	Township	
David Nyangori Amoro	Bogichora	
Cecilia Ongera Ondima	Bogichora	

The names of the nominees and their testimonials were thereafter forwarded to the Committee on Appointments to conduct approval hearings.

2.2 Notification to the Nominees and Members of the Public

Mr. Speaker Sir,

On 30^h November, 2018, the Clerk of County Assembly of Nyamira, Pursuant to Section 6(2) and 7(4) of the Public Appointments (County Assemblies Approval) Act of 2017, notified the nominees and members of the public of the time and place for holding of the approval hearings. The Clerk further notified the public of Section (7) 10 of the said Act which provides that “any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated” (Annexure 1).

The Committee complied with the Constitutional requirements, legal provisions and established procedures throughout the vetting process.

However, the Committee received a letter from the County Secretary Ref. No.NCG/CS/CAN/35/VOL.III/011 dated 4th December, 2018 on timelines for appointment of

the Board Members and a deadline for qualification for receipt of a grant towards the Municipality which necessitated the change of dates from 10th & 11th December 2018 as earlier advertised to 6th December 2018 before members proceed for recess.

Mr. Speaker Sir, It is against this background that the Committee produced this Report.

2.0 THE VETTING PROCESS

2.1 Vetting Guidelines

Mr. Speaker Sir, The Select Committee on Appointments examined the nominees following the guidelines below:

- i) Academic qualifications
- ii) Employment record and work experience
- iii) Professional association
- iv) Public office, political activities and affiliations
- v) Potential conflict of interest
- vi) Knowledge of relevant Subject
- vii) Suitability to the position
- viii) Tax compliance
- ix) Integrity

2.2 Committee Preliminary Observations

Mr. Speaker, Sir,

Before commencement of the vetting process, the Committee made the following preliminary observations and findings

2.2.1 Statutory Requirements for Nominees

- (i) The nominees have the requisite qualifications and experience.
- (ii) That the nominees met the requirements of Chapter Six of the Constitution of Kenya: tax compliance Certificate, Police Clearance Certificate, Higher Education Loans Board Compliance, clearance by the Ethics and Anti-Corruption Commission (EACC) and Credit Reference Bureau.
- (iii) The committee further noted that the principle of two-third gender rule was considered in appointing the nominees.

VETTING OF THE NOMINEES TO THE NYAMIRA MUNICIPALITY BOARD

Mr. Speaker, Sir,

The Committee received a total of nine nominees for vetting and subsequent appointment to the Nyamira Municipality Board. The Committee scheduled to conduct vetting for two nominees to a later date.

The seven nominees were vetted as hereunder;

3.0 Fr. CHRISANTUS MAINYE

3.1 Nominee Personal Details

Mr. Speaker, Sir,

The Nominee is a male, 60 years old and hails from Manga Ward.

3.2 Academic, Professional Qualifications and Working Experience

Mr. Speaker, Sir,

Fr. Chrisantus Mainye is a holder of a Diploma in Theology and a Certificate in Religious Studies and Philosophy. He has worked as Priest for 31 years.

3.3 Committee Findings on Fr. Chrisantus Mainye

Mr. Speaker, Sir,

The committee found the Nominee to be generally qualified for the position. He is knowledgeable, coherent, eloquent and articulate in addressing issues related to this docket.

He scored an average of 71% from the assessment made by the Select Committee on Appointment using Schedule 2 criteria set out in the Public Appointments (County Assemblies Approval) Act, 2017.

The Committee therefore recommends to the County Assembly that the nominee Fr. Chrisantus Mainye be appointed to the position of Member, Nyamira Municipality Board.

4.0 MR. SIMEON MOCHECHE BOGONKO

4.1 Personal Details

Mr. Speaker, Sir,

The Nominee is a male adult of 54 years old, married and hails from Bonyamatuta ward.

4.2 Academic, Professional Qualifications and Working Experience

Mr. Speaker, Sir,

Mr. **Simeon Mocheche Bogonko** is a holder of a Diploma in Forestry.

The Nominee worked for the Forestry Department 1990 to 2010 and later ventured into business to date as the Director Boflos Enterprises.

4.3 Committee Findings on Mr. Simeon Mocheche Bogonko

Mr. Speaker, Sir,

The Committee found the Nominee to be academically and professionally qualified. The Nominee also has an in-depth understanding and interest in the portfolio nominated to.

He scored an average of 80% from the assessment made by the Select Committee on Appointment using Schedule 2 criteria set out in the Public Appointments (County Assemblies Approval) Act, 2017.

The Committee therefore recommends to the County Assembly that the nominee Mr. Simeon Mocheche Bogonko be appointed to the position of Member, Nyamira Municipality Board.

5 MR. CHARLES OMBATI NYAMBOGA

5.1 Personal Details

Mr. Speaker, Sir,

The Nominee is a male adult of 63 years, married and hails from Bomwagamo Ward.

5.2 Academic , Professional Qualifications and Working Experience

Mr. Speaker, Sir,

The Nominee is a Holder of a Bachelor of Health Sciences and a Diploma in Pharmacy. He has worked in various portfolios ranging from the Ministry Health to private practice as a consultant. He has a total of 37 years of working experience.

5.3 Committee Findings on Mr. Charles Ombati Nyamboga

Mr. Speaker, Sir,

The Committee found the Nominee to be academically and professionally qualified. He has the requisite experience and therefore fit to handle the portfolio of Member of Nyamira Municipality Board. The Nominee is expressive, decisive and has the ability to solve problems. On assessment, the Nominee scored an average of 88%.

The Committee therefore recommends to the County Assembly that the nominee Mr. Charles Ombati Nyamboga be appointed to the position of Member, Nyamira Municipality Board.

6 MS. CECILIA ONGERA ONDIMA

6.1 Personal Details

Mr. Speaker, Sir,

The Nominee is a female adult of 55 years, married and hails from Bogichora Ward.

6.2 Academic, Professional Qualifications and Working Experience

Mr. Speaker, Sir,

The Nominee is a holder of Bachelor of Education in Early Childhood and Primary Education and a Diploma in Education Management.

The Nominee has worked as a Head teacher (2003-2018) in various schools. She has a total of 15 years of working experience.

6.3 Committee Findings on Ms. Cecilia Ongeru Ondima

Mr. Speaker, Sir,

The Committee found the Nominee to be academically and professionally qualified. She has the requisite experience and therefore fit to handle the portfolio of Member of Nyamira Municipality Board. The Nominee exhibited the spirit of consultation and proved to be knowledgeable.

On assessment the Committee awarded the Nominee an average mark of 86%.

The Committee, therefore, recommends to the County Assembly that the nominee Ms. Cecilia Ongeru Ondima be appointed to the position of Member, Nyamira Municipality Board.

7 MS. ALICE MORAA OMBWORI

7.1 Personal Details

Mr. Speaker, Sir,

The Nominee is a female adult aged 34 years and hails from Manga Ward.

7.2 Academic & Professional Qualifications and Working Experience

Mr. Speaker, Sir,

The Nominee is a holder of Bachelor's Degree in Early Childhood Education & Primary Education and currently pursuing a Masters in the same course. She has a total teaching experience of 10 years.

7.3 Committee Findings on Ms. Alice Moraa Ombwori

Mr. Speaker, Sir,

The Committee found the Nominee to be qualified and experienced. She is prompt, eloquent, precise and clear.

The Nominee scored an average mark of 81%.

The Committee, therefore, recommends to the County Assembly that the nominee Ms. Alice Moraa Ombwori be appointed to the position of Member, Nyamira Municipality Board.

8. MR. EVANS ONDUKO OIRE

8.1 Personal Details

Mr. Speaker, Sir,

The Nominee is a male of 53 years, married and hails from Bonyamatuta Ward.

8.2 Academic, Professional Qualifications and Working Experience

Mr. Speaker, Sir,

The Nominee is holder of a Diploma in Business Management. He has worked in various capacities in different portfolios including the Manager CDF West Mugirango Constituency and has a total working experience of 25 years.

8.3 Committee Findings on Mr. Evans Onduko

Mr. Speaker, Sir,

The Committee found out that the Nominee has great interest in the portfolio he is nominated to. He is well trained, has skills and vast experience. He is eloquent, precise and prompt. He has good problem solving skills. He has great passion for the portfolio he is nominated to.

On assessment the Nominee scored an average of 82%.

Mr. Speaker, Sir,

The Committee, therefore, recommends to the County Assembly that the nominee Mr. Evans Onduko be appointed to the position of Member, Nyamira Municipality Board.

9 MR. PETER BITA ONDIEKI

9.1 Personal Details

Mr. Speaker, Sir,

The Nominee is a male adult, 66 years old, married and hails from Bonyamatuta Ward.

9.2 Academic, Professional Qualifications and Working Experience

Mr. Speaker, Sir,

The Nominee has a Master of Science and a Bachelor of Education (Arts). The Nominee has worked as a Civil Servant in different capacities including as the Inspector General of Parastatals.

He has a total of 40 years working experience.

9.3 Committee Findings on Mr. Peter Bitu Ondieki

Mr. Speaker, Sir,

The committee found out that the Nominee has interest in the portfolio he is nominated to. He is well trained, has skills and vast experience. He is able to articulate issues. He is prompt and eloquent. He has good decision making and problem solving skills.

The nominee has a total of 40 years of Working Experience.

Mr. Speaker, Sir,

On assessment the Nominee scored an average mark of 85%.

Mr. Speaker, Sir,

The Committee, therefore, recommends to the County Assembly that the nominee Mr. Peter Bitu Ondieki be appointed to the position of Member, Nyamira Municipality Board.


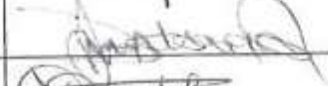
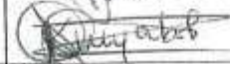

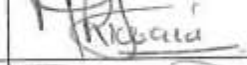
COMMITTEE RECOMMENDATION

Mr. Speaker, Sir,

The Committee therefore requests this House to adopt this report and allow for the formal appointment of the nominees to the offices of Nyamira Municipality Board Membership.

CONFIRMATION

We, the Members of the Public Appointments Committee affix our signatures to confirm the accuracy, validity and authenticity of this report.

S/N	NAME	DESIGNATION	SIGNATURE
1.	Hon. Moffat Teya	Chairperson	
2.	Hon. Duke Masira	Member	
3.	Hon. Dennis Kebaso	Member	
4.	Hon. Callen Atuya	Member	
5.	Hon. Richard Onyinkwa	Member	
6.	Hon. Raban Masira	Member	