

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

***SPECIAL SITTING***

**THE DAILY HANSARD**

**TUESDAY, 4<sup>TH</sup> FEBRUARY, 2025**

**Morning Sitting**

**3<sup>rd</sup> County Assembly**

**4<sup>th</sup> Session**

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# COUNTY ASSEMBLY OF BUNGOMA

## THE DAILY HANSARD

**WEDNESDAY, 4<sup>TH</sup> FEBRUARY, 2025**

The House met at the County assembly Chamber at 10:30 a.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

### PRAYER

### COMMUNICATION FROM THE CHAIR

Hon. Members, I have the following communication to make;

This communication is coming from the County Government of Bungoma, office of the Governor, written to the Clerk County Assembly of Bungoma, Reference is Withdrawal of a nominated Bungoma Municipal Board.

The above matter refers. I write to withdraw the following nominated member of Bungoma Municipal board pending further verification of his academic qualification.

That is Mr. Ben Ndichu Karuga, ID Number: 22886241, a nominee for Bungoma Municipality

It is signed by H.E. Rt. Hon. Ken Makelo Lusaka Governor Bungoma County

That means at the time of doing the report, the part concerning him shall be expunged from the record.

### MOTION

#### **REPORT BY THE SECTORAL COMMITTEE ON LANDS, URBAN, PHYSICAL PLANNING AND HOUSING ON THE VETTING OF THE MEMBERS TO BUNGOMA AND KIMILILI MUNICIPAL BOARDS**

**Mr. Speaker:** Yes, Hon. Ipara, proceed accordingly!

**Hon. Johnston Ipara:** Hon. Speaker Sir, I have the privilege to move a report on the vetting of the nominees for appointment as members of the Bungoma and Kimilili Municipal boards.

#### **Preface**

Pursuant to Article 179(2) (b) of the Constitution, Section 30 (2) (d) of the County Governments' Act, 2012 and Section 4 of the Public Appointments (County Assemblies Approval) Act, 2017,

His Excellency the Governor nominated ten and as per your communication one has been withdrawn, persons for appointment as board members for Bungoma and Kimilili Municipalities respectively.

On Thursday, 16<sup>th</sup> January, 2025, pursuant to Standing Order 45(2) of the county Assembly of Bungoma, names of the nominees were committed to the Committee on Lands, Urban, Physical Planning and Housing for vetting and reporting to the House within twenty-one (21) sitting days; pursuant to section 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 208(4).

Subsequently, the Clerk of the County Assembly while complying with Section 7 (10) of the Public Appointments (County Assemblies Approval) Act, 2017, placed an advertisement in the print media on Friday 17<sup>th</sup> January, 2025; inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of the nominee as stipulated in the Public Appointments (County Assemblies Approval) Act, 2017. As at the date of the approval hearing, the County Assembly had not received any petition.

The Clerk of the County Assembly through an advertisement in the print media on Friday 17<sup>th</sup> January, 2025, notified the public that the Committee on Lands, Urban, Physical Planning and Housing would conduct the approval hearing for the nominees on Tuesday 28<sup>th</sup> and Wednesday 29<sup>th</sup> January, 2025 at 9:00 a.m. respectively. This was in fulfilment of the provisions of Article 196 (1) of the Constitution, Section 7(5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3).

The first five nominees for Bungoma Municipality appeared before the Committee as scheduled on Tuesday, 28<sup>th</sup> January, 2025 while the other five nominees for Kimilili municipality appeared on 29<sup>th</sup> January, 2025 for approval hearing in accordance with the provisions of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly Standing Orders.

**Establishment and Mandate of the Committee;** Hon. Speaker, with your permission you can allow me to skip that.

**Mr. Speaker:** Yes you are allowed, proceed!

**Hon. Johnston Ipara:** I proceed to 1.2 Methodology

The committee applied the following methods to come up with this report;

- i. Committee meetings
- ii. Conducting vetting exercise publicly in the County Assembly plenary
- iii. Perusing and analyzing testimonials and other documents for the nominees
- iv. Receiving and considering oral views and written submission from the nominees

#### **TERMS OF REFERERENCE**

1. To consider and vet the nominees for the position of the members of the Bungoma and Kimilili Municipality Boards

2. To make relevant recommendations on the respective nominees for consideration and adoption by the County Assembly.

## **TOOLS OF REFERENCE**

The committee made reference to the following documents to inform its observations, findings and recommendations;

1. The Constitution of Kenya, 2010
2. The County Governments Act, 2012
3. County Assembly of Bungoma Standing Orders
4. The Public Appointments (County Assemblies) Approval Act, No. 5 of 2017
5. The Urban Areas and Cities Act of 2019
6. Submissions from the Bungoma County Public Service Board (CPSB)

### **1.5 Committee Membership**

1. Hon. Francis	Chemion	-Chairperson
2. Hon. Johnston	Ipara	-Vice Chairperson
3. Hon. Wafula	Waiti	-Member
4. Hon. Benjamin	Otsiula	-Member
5. Hon. Cornelius	Makhanu	-Member
6. Hon. Ali	Machani	-Member
7. Hon. George	Makari	-Member
8. Hon. Hentry	Nyongesa	-Member
9. Hon. Polycarp	Kimeta	-Member
10. Hon. Jeremiah	Kuloba	-Member
11. Hon. Busolo	Sudi	-Member
12. Hon. Aggrey	Mulongo	-Member
13. Hon. James	Mukhongo	-Member
14. Hon. Joan	Kirong'	-Member
15. Hon. Edwin	Opwora	-Member

## **ACKNOWLEDGEMENT**

I therefore take this opportunity to acknowledge all Members of the Committee for their input and valuable contributions and time during the approval hearing and deliberations during the compilation of this report. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the County Assembly for the technical support accorded to it during the exercise.

On behalf of the Committee on Lands, Urban, Physical Planning and Housing and pursuant to section 14(3) (b) of the County Governments Act, 2012, section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and the provisions of Standing Order 202 (7), it is now my duty and privilege to present to the House, the report of the committee on Lands, Urban Physical planning and Housing on the ten nominees for the position of members for Bungoma and Kimilili municipalities.

Report signed by Hon. Francis Chemion Chairperson, Committee on Lands, Urban Physical planning and Housing

### **COMMittal OF THE NAMES OF THE NOMINEES TO THE COMMITTEE ON LANDS, URBAN, PHYSICAL PLANNING AND HOUSING.**

Pursuant to the provisions of Sections 13 and 14 of the Urban Areas and Cities (Amendment) Act, 2019, on the 9<sup>th</sup> December, 2024, 13<sup>th</sup> December, 2024 and 13<sup>th</sup> January, 2025, His Excellency the Governor and the Secretary/CEO, County Public Service Board conveyed messages vide letters addressed to the Clerk to County Assembly reference Nos. CG/BGM/GVN/CA/LUPPH&M/VOL.1 (06); CPSBB/CA/VOL.III/4 and CG/BGM/GVN/CA/LUPPH&M/VOL.1 (09) notifying the County Assembly of the nomination of the following persons for appointment as members of the Municipality Boards of Bungoma and Kimilili respectively;-

#### **1. Nominees of the Bungoma Municipality Board**

No.	NOMINEE	GENDER	MUNICIPALITY	POSITION
1.	Paul Maloba Kamala	Male	Bungoma	Member
2.	Job Wekesa Munyasia	Male	Bungoma	Member
3.	Ben Ndichu Karuga	Male	Bungoma	Member
4.	Wilkister Nafula Wafula	Female	Bungoma	Member
5.	Dorcas Katiambo			

#### **2. Nominees of the Kimilili Municipality Board**

No.	NOMINEE	GENDER	MUNICIPALITY	POSITION
1.	Wafula Barasa Dennis	Male	Kimilili	Member
2.	Samson Sichangi Wanyonyi	Male	Kimilili	Member
3.	Ziprine Nasike Wamalwa	Female	Kimilili	Member
4.	Abigael Nekesa	Female	Kimilili	

	Wafula			Member
5.	Carolyne Khasoa	Female	Kimilil	Member

Pursuant to section 4 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 217(5) (g) of the Bungoma County Assembly Standing Orders, the names of the nominees were committed to the sectorial Committee on Lands, Urban, Physical Planning and Housing for vetting and reporting to the House within twenty-one (21) sitting days.

## **BACKGROUND INFORMATION**

### **ESTABLISHMENT OF THE BUNGOMA AND KIMILILI MUNICIPALITY BOARDS**

#### **Legal Framework**

The Municipalities of Bungoma and Kimilili are both decentralized units of service provision in Bungoma County established pursuant to the provisions of Articles 184 and 176(2) of the Constitution of Kenya, 2010 and the Urban Areas and Cities Act, 2011 (Amended 2019), read together with Section 48 of the County Governments Act, 2012.

Pursuant to the above provisions of law and as provided for under section 72 of the Interpretation and General provisions Act (Chapter 2) and all other enabling provisions of the law, the County Governor of Bungoma granted the two municipalities their respective Charters in May, 2018 and the said Charters were duly gazetted in November, 2018, giving both agencies the required legal framework to carry out operations.

As agencies of the County Government, the two Municipalities are bodies corporate pursuant to Section 12 of the Urban Areas and Cities Act, read together with their respective Charters, governed by Non-executive Boards with the Municipal Managers who were appointed pursuant to Sections 28 & 29 of the Urban Areas and Cities Act, as secretary to the Board and Ex-officio member and head of administration.

#### **Composition of Boards of Municipalities**

Section 14 of the Urban Areas and Cities Act, 2019 provides that-

- (1) A board of a municipality shall consist of nine members appointed by the County Governor with the approval of the County Assembly.
- (2) (a) The County Executive Member for the time being responsible for cities and urban areas or his representative;
- (b) Three members who shall be appointed by the County Governor, with the approval of the County Assembly;
- (c) Four members who shall be nominated by an association and appointed by the county governor, with the approval of the County Assembly;
- (d) The chief officer responsible for urban development; and

(e) The municipal manager appointed under section 28 who shall be the secretary of the board and an ex-officio member of the board

Section 14(3) of the Urban Areas and Cities Act, 2019 provides that;

The four members of the board of a municipality specified under sub-section (2)(c) above 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; and
- (d) A cluster representing registered neighborhood associations in the area.

Further, section 14(4) of the same Act states that-

The County Governor shall, while appointing the members of the board, ensure gender equity, representation of persons with disability, youth and marginalized groups.

Further, section 14(5) of the Act provides that-

- (5) The county governor shall while considering the nominated members identified by the organizations specified under subsection (2), require the organizations to produce;
  - (a) Signed minutes as evidence of a transparent process of nomination;
  - (b) Evidence of compliance with statutory obligations; and
  - (c) Vetting form to establish that the nominee has complied with the prescribed criteria for appointment
- (6) A person shall be qualified for appointment as a member of the board if that person-

- (a) holds at least a diploma from an institution recognized in Kenya;
  - (b) Has a distinguished career in a medium level management position in either the private or public sector.
  - (c) Holds at least five years' post-qualification professional experience; and
  - (d) satisfies the requirements of Chapter Six of the Constitution;  
    Iis ordinarily resident or has a permanent dwelling in the municipality; and
- (e) Carries on business in the municipality or has lived in the municipality for at least five years.

(7) A person shall not be appointed as a member of the Board if that person-

- (a) is an un-discharged bankrupt;
  - (b) Has been removed from office for contravening the Constitution or any other law;
  - (c) Is not a citizen of Kenya; or
  - (d) Has in the conduct of his or her affairs not met any statutory obligations.

## GUIDING PRINCIPLES IN THE VETTING OF THE BOARD MEMBERS

The Committee made reference to the Constitution of Kenya 2010, the County Governments Act 2012, The Urban Areas and Cities Act 2019, the Public Appointments (County Assemblies Approval) Act, 2017 and the Bungoma County Assembly Standing Orders.

### **The Constitution of Kenya 2010**

Article 184 (1) provides for:

- (a) The establishment of a criteria for classifying areas as Urban Areas and Cities;
- (b) The establishment of the principles of governance and management of Urban Areas and Cities; and
- (c) The provision for participation by residents in the governance of urban areas and cities.

Article 196 of the Constitution of Kenya provides that;

(1) A County Assembly shall-

- a) Conduct its business in an open manner, and hold its sittings and those of its committees, in public; and
- b) Facilitate public participation and involvement in the legislative and other business of the Assembly and its committees.

### **The County Governments Act 2012**

Section 8 (1)(a) of the County Governments Act, 2012 provides that;

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; and
- (b) Perform the roles set out under Article 185 of the Constitution of Kenya.

### **NOTIFICATION TO THE NOMINEES AND THE PUBLIC**

Article 196 of the Constitution provides that the County Assembly shall facilitate public participation and involvement in the legislative business and other business of the County Assembly and its Committees.

Section 7 of the Public Appointments (County Assemblies Approval) Act, 2017 further provides that the Clerk shall notify the public of the time and place for holding approval hearings at least seven days prior to the hearings.

Further, Section 7(10) of the same Act 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.”*

In fulfillment of the said provisions of law read together with standing order No.56 (3), the Clerk of the County Assembly placed an advertisement in the print media on Friday, 17<sup>th</sup> January, 2025, inviting the public to submit memoranda by way of written statements on oath (affidavits)

on the suitability or otherwise of the nominees in accordance with the Public Appointments (County Assemblies Approval) Act, 2017.

It was indicated that the Committee on Lands, Urban, Physical Planning and Housing would conduct the approval hearings on Tuesday 28<sup>th</sup> January, 2025 and Wednesday 29<sup>th</sup>, January, 2025 from 9:00 A.M to 4:00P.M for the two days.

The advertisement further indicated that the submissions were to be received by Friday 24<sup>th</sup> January, 2025 at 9.00 am.

By close of the submission deadline, the Committee had not received any memoranda contesting the suitability of the nominees for appointment.

### **Clearance and Compliance Requirements**

On the notice of appearance for approval hearings, the Clerk of the County Assembly informed the Nominees to provide Clearance and Compliance requirements from Ethics and Anti-Corruption Commission (EACC),

Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB)

On matters ethics and integrity, the nominees availed to the Committee certified clearance copies issued by various agencies on diverse dates.

### **APPROVAL HEARINGS**

The nominees appeared before the Committee as scheduled on Tuesday 28<sup>th</sup> January, 2025 and Wednesday 29<sup>th</sup> January, 2025 respectively for approval hearings in accordance with the provisions of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly Standing Orders on their suitability or otherwise for appointment to the positions of members of the Bungoma and Kimilili Municipality Boards.

### **Issues for Consideration during the Approval Hearings**

#### **a) Procedure for Nomination**

Sections 4 and 6 (1) of the Public Appointments (County Assemblies Approval) Act, 2017 requires the appointing authority, upon nominating a person for appointment, to notify the relevant County Assembly.

In this regard, pursuant to section 4 and 6(1) of the Public Appointments (County Assemblies Approval) Act, 2017, the Governor duly notified the County Assembly of the nomination of the nominees for the position of Members of Bungoma and Kimilili municipality Boards respectively.

#### **b) Constitutional and Statutory Requirements**

The Constitution and the Public Appointments (County Assemblies Approval) Act, 2017, gives guidelines on how to appoint persons to public office which include:-

**(i) Two-Third Gender Rule**

Article 27(8) of the Constitution provides that the County Assembly shall take measures to implement the principle that not more than two- thirds of the members of elective or appointive bodies shall be of the same gender.

**(ii) Leadership Integrity**

The Committee in determining the suitability of the nominees was also guided by the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, Article 73 (2) of the Constitution provides that the guiding principles of leadership and integrity include: -

73 (2)

- (a) *Selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;*
- (b) *Objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favoritism, other improper motives or corrupt practices;*
- (c) *Selfless service based solely on the public interest, demonstrated by*
  - (i) *Honesty in the execution of public duties; and*
  - (ii) *The declaration of any person interest that may conflict with public duties*
- (d) *Accountability to the public for decisions and actions and*
- (e) *Discipline and commitment in service to the people.*

Article 75 of the Constitution requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties.

This Article further prohibits a State Officer who has been removed from office under it from holding any other State Office.

Article 77(1) of the Constitution prohibits a full time State Officer from participating in any other gainful employment.

Article 78 of the Constitution disqualifies persons who are not Kenyan Citizens from appointment as State Officers.

In addition, the Committee considered Section 10 of the Leadership and Integrity Act, 2012 in particular which provides that

*A State Officer shall to the best of their ability*

- a) *Carry out the duties of the Office efficiently and honestly.*
- b) *Carry out the duties in a transparent and accountable manner*
- c) *Keep accurate records and documents relating to the functions of the office; and*
- d) *Report truthfully on all matters of the organization which they represent.*

**c) Suitability of the nominees with regard to the nominees' abilities, experience and qualities.**

The suitability of the nominees was assessed after scrutiny of the academic credentials, professional training and experience, personal integrity, background and qualities as well as their performance during the approval hearings conducted on Tuesday, 28<sup>th</sup> January, 2025 and Wednesday 29<sup>th</sup> January, 2025 respectively.

**Pre- vetting Meeting**

The Committee held a pre-vetting meeting on Monday 27<sup>th</sup> January, 2025 and noted the following: -

- (i) THAT, the nominees had not notified the Clerk of the County Assembly of their withdrawal from the approval process as outlined under section 7(12) of the Public Appointments (County Assemblies Approvals) Act, 2017.
- (ii) THAT, the Committee would examine the nominees in accordance with the criteria set out in section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

**APPROVAL HEARINGS OF THE NOMINEES**

The Committee conducted the approval hearings on Tuesday, 28th and Wednesday 29th January, 2025 from 9:00am to 4:00pm and the nominees were vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the Standing Orders of the Bungoma County Assembly in the following sequence;

- Date and Place of Birth
- Academic and Professional Qualification
- Employment Record
- Professional association and membership
- Potential Conflict of Interest
- Pro-bono/Charity Work
- Integrity
- Knowledge of the position nominated for

**VETTING OF THE NOMINEES**

The Committee conducted the approval hearing of the nominees on Tuesday 28th and Wednesday 29<sup>th</sup> January 2025 respectively. The ten, one now withdrawn and expunged nominees were vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders.

## **NOMINEES FOR BUNGOMA MUNICIPALITY**

### **1. MR. PAUL MALOBA KAMALA**

Mr. Paul Maloba Kamala appeared before the committee on Tuesday 28th January, 2025 at 9:00 a.m. in the County Assembly Chambers. The Committee noted the following;

#### **Date and Place of Birth**

The nominee of ID NO. 27436006 is a Kenyan male born on 27th February, 1986, in Khalaba ward and is currently a resident of Khalaba Ward. Apart from being a Kenyan citizen, the nominee does not hold any dual citizenship.

#### **Academic and Professional Qualifications**

The nominee holds a Bachelor's Degree in Commerce from Masinde Muliro University (Graduated 2022) and is currently pursuing a Master's Degree in Human Resource Management at Masinde Muliro University.

#### **Employment Record**

The nominee has held various managerial and governance-related roles, currently he is a Part-Time Lecturer at Kibabii University (TVET).

#### **Professional association and membership**

The nominee does not belong to any association or membership

#### **Potential Conflict of Interest**

The nominee acknowledged that any potential conflict of interest, particularly in procurement processes or employment matters, would be declared. He stated that he would recuse himself from deliberations where personal interests may arise, ensuring transparency and integrity in decision-making.

I see Honourable Mulongo looking at me on the word recuse. Recuse means you withdraw..

#### **Pro-bono/Charity Work**

The nominee has actively engaged in community development initiatives, including collaborations with the Catholic Church and other social programs. He has been involved in mentorship programs and grassroots governance initiatives.

#### **Integrity**

The nominee further submitted that he has not been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties. He has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three (3) years. The nominee has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

### **General knowledge of the Position**

The nominee demonstrated an understanding of the roles and responsibilities of a member of the Municipality Board, including:

- Supporting economic development and capacity building for traders.
- Advocating for enhanced municipal services, including sanitation and public health.
- Overseeing financial management, accountability, and adherence to legal frameworks guiding municipal operations.

### **Committee's General Observations**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:

1. THAT, the nominee meets both the educational and experience requirements under the Urban Areas and Cities Act.
2. THAT, his integrity is not in question, and he has demonstrated commitment to public service and governance and has satisfactorily met the requirements of Chapter 6 of the constitution.
3. THAT, he is a resident of Khalaba Ward, where he has lived for most of his life, which is within the municipality.
4. THAT, from the submission during the approval hearing, he demonstrated knowledge, skills and experience in leadership and institutional management. He was also conversant with the role of a member of a municipality board.
5. THAT, he is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.
6. THAT, the Committee's average score on the nominee was recorded as 78%

### **Committee's conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee met the integrity threshold;

demonstrated knowledge of topical, administrative and technical issues touching on the portfolio to which he had been nominated and had the requisite abilities, academic qualifications and professional experience to be approved for appointment as a member of the Bungoma Municipality board.

## **2. MR. JOB WEKESA MUNYASIA**

Mr. Job Wekesa Munyasia appeared before the committee on Tuesday 28<sup>th</sup> January, 2025 at 10:00 a.m. in the County Assembly Chambers.

The Committee noted the following;

### **Date and Place of Birth**

The nominee of ID NO. 9996688 is a Kenyan male born on 31/07/1969 in Township Ward and is a resident of Namachanja in Bungoma County. Apart from being a Kenyan citizen, the nominee does not hold any dual citizenship.

### **Academic and Professional Qualifications**

The nominee holds a Bachelor of Arts in Education (Economics & Geography options) from Egerton University.

### **Employment Record**

The nominee has worked in various positions; currently, he works as an Internet and Computer Sales Outlet Manager at Capital Point Cyber in Bungoma. He previously worked at Teachers Service Commission as a teacher of Nalondo Secondary School in 1994 where he resigned in the year 2005 to venture into business. Other positions held by the nominee include; Insurance sales representative at Alico Insurance Company in 1994, Regional Sales Agent for Orange Telkom in Bungoma (2013 – 2015) and Good Friends (GF) Restaurant Director (2004 – 2020)

### **Professional association and membership**

The nominee is a member of Bungoma Business Community Association

### **Potential Conflict of Interest**

The nominee submitted that whenever a conflict of interest arises, he will recuse himself and let the rest of the membership of the Board make a determination on the matter.

### **Pro-bono/Charity Work**

The nominee has been involved in charity work through support to needy and vulnerable street children by donating foodstuff to them.

### **Integrity**

The nominee further submitted that he has not been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties.

### **General and sector specific questions**

The Committee posed several questions to the nominee to which he responded as follows:

#### **On the understanding of a Municipality Charter**

The nominee demonstrated a fair understanding of the Municipal Charter as he was aware that Bungoma Municipality has a Charter and he has had an opportunity to read it.

#### **On the roles of the Board Members of a Municipality**

The nominee demonstrated an understanding of the duties and responsibilities of a Board Member of a Municipality, thus:

- Preparation and submission of budget to County Treasury;
- Ensuring a safe and secure environment for residents;
- Planning of urban areas within the Municipality;
- Ensure participation of citizens in decision making;

#### **On what he would do to manage the limited resource envelop in the municipality**

The nominee informed the Committee that he will be making proposals to ensure efficient use of available funds to run the Municipality and also to broaden the tax base so that the Municipality can run uninterrupted.

#### **On legal framework applicable in the management of Municipalities**

The nominee was able to name the Constitution, the County Governments Act and the Urban Areas and Cities Act as some of the legal instruments that he will often be referring to in discharge of his duties.

### **Committee's General Observations**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:-

1. THAT, the nominee meets both the educational and professional experience requirements under the Urban Areas and Cities Act.
2. THAT, he is a resident of Township Ward where he has lived for most of his life, which is within the municipality.
3. THAT, the nominee meets the requirements of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity.
4. THAT, from the submission during the approval hearing, he demonstrated knowledge, skills and experience in leadership and institutional management. He was also conversant with roles of a member of a municipality board.
5. THAT, he is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.

6. THAT, the Committee's average score on the nominee was recorded as 71%

### **Committee's Conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee **met** the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolio to which he had been nominated; and had the requisite abilities, academic qualifications and professional experience to be approved for appointment as a member of the Bungoma Municipality board.

Mr. Ben Ndichu Karuga's name has been withdrawn, so I will go to the next nominee.

### **4. MS. WILKISTER NAFULA WAFULA NOMINEE FOR BOARD MEMBER BUNGOMA MUNICIPALITY**

The nominee appeared before the committee on 28<sup>th</sup> January, 2025 at 3:00p.m in the County Assembly Plenary and the committee noted the following;

#### **Personal Information**

**Ms.** Wilkister Nafula Wafula of ID Number 33477113 was born on 20<sup>th</sup> February 1995 in Musikoma, Bungoma County and is a resident of Musikoma Ward.

#### **Academic and Professional Qualifications**

The nominee holds a Diploma in Health Records and Information Technology (2022) and a certificate in Health Records and Information Technology (2018) from Kenya Medical Training College.

#### **Employment Record**

The nominee is currently engaged in personal business running an M-Pesa Shop but has previously worked in several positions on contractual basis including at Bungoma County Referral Hospital as a key Pop Data clerk at Comprehensive Care Clinic department (2023), a field Data Supervisor with Redcap (2023), at Kenya Pediatric Research Contortion (KEPRECON) client (2022), and Makhonge Health Center (2020).

#### **Knowledge of the Position**

The nominee demonstrated a fair understanding of the roles and responsibilities of a member of the Municipality Board, including participating in implementation of policies and projects that enhance development.

### **Compliance with Urban Areas and Cities Act No. 13 of 2019**

In relation to section 13 and 14 of the Urban Areas and Cities Act No. 13 of 2019, the nominee measures as follows;

- Possesses at least a diploma or equivalent qualification.
- Is an ordinarily resident and conducts business in the municipality.
- Has not been declared bankrupt or removed from office for misconduct.

### **Potential Conflict of Interest**

The nominee acknowledged that any potential conflict of interest would be declared. She stated that she would recuse herself from deliberations where personal interests may arise.

### **Pro Bono and Charity Work**

The nominee has been involved in community development together with a church group (women fellowship) by contributing clothes, food staff to various children homes yearly.

Through the women group, she does contribute sanitary towels to schools and also helps widows through donations to take their children to school.

### **Committee's Conclusion**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:

1. THAT, the nominee meets the minimum educational qualification of a diploma, an educational requirement under the Urban Areas and Cities Act;
2. THAT, she is a resident and business person of Musikoma Ward where she has lived for most of her life, which is within the municipality.
3. THAT, the nominee meets the requirements of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity.
4. THAT, from the submission during the approval hearing, she demonstrated knowledge, skills in institutional management and was also conversant with role of the member of a Municipality board.

5. THAT, she is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.
6. THAT, the Committee's average score on the nominee was recorded as 67%

## **Committee's Conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee **met** the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolio to which she had been nominated; and had the requisite abilities, the academic qualifications and professional experience to be approved for appointment as a member of the Bungoma Municipality board.

### **5. DORCAS KATIAMBO**

The nominee appeared before the committee on 28<sup>th</sup> January, 2025 at 3:00pm in the County Assembly Plenary and the committee noted the following;

#### **Date and place of birth**

Dorcas Katiambo of ID No. 9805788 was born in 1968 in Kabula but currently resides in Kimaeti Ward; she owns properties in Ranje area within West Sangalo Ward. The nominee does not hold any dual citizenship.

#### **Academic qualifications**

The nominee holds a Doctor of Philosophy in Curriculum and Instruction (PhD) from Kibabii University (2019), a master's degree in Education from Kenyatta University (2002) and a Bachelor of Education degree (Second class Honours) from Moi University (1994). She also holds a certificate in senior management from the Kenya School of Government (2021).

#### **Employment Record;**

The nominee works with following institutions at; Kenya National Examination council from 2024 to date, Kenya Institute of Curriculum Development from 2022 to date and the Teachers service commission from 1994 to date.

#### **Professional Associations and Membership**

The nominee is a member of the following associations; Kenya Association of Educational Administration and Management from 2013.

#### **Integrity**

The nominee had complied with all the requisite requirements of Chapter Six of the Constitution

#### **Published writings**

The nominee has published the following writings;

- Mathematics in Kenya-International journal of research 2019

- Factors affecting retention and participation of students in basic education in Sub-Saharan Africa; a case of Kenya

### **Potential conflict of interest**

The nominee submitted that in the event a conflict of interest would arise she will recuse herself from participating on the proceedings of the matter.

### **Pro Bono/ Charity work**

The nominee has been involved in several charitable activities including; giving donations to the catholic church at Kimwanga, Kimaeti and Myanga, Funeral contributions and fund raisings for children going to school and the sick and LECC applied law and environment management educator.

### **Committee conclusion**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:

1. **THAT**, the nominee **meets the minimum educational qualification of a diploma, an educational requirement** under the Urban Areas and Cities Act;
2. **THAT**, she is a resident of Kimaeti Ward where she has lived for most of her life, and owns properties in Ranje in West Sang'alo Ward which is within the municipality.
3. **THAT**, the nominee meets the requirements of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity.
4. **THAT**, from the submission during the approval hearing, she demonstrated knowledge, skills in institutional management and was also conversant with role of the member of a Municipality board.
5. **THAT**, she is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.
6. **THAT**, the Committee's average score on the nominee was recorded at 74%

### **Committee's Conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolio to which she had been nominated; and had the requisite abilities, the academic qualifications and professional experience to be approved for appointment as a member of the Bungoma Municipality board.

## **KIMILILI MUNICIPALITY**

### **1. MR. DENNIS WAFULA BARASA**

The nominee appeared before the committee on 29<sup>th</sup> January, 2025 at 9:00am in the County Assembly Plenary and the committee noted the following;

#### **Date and Place of Birth**

Mr. Dennis Wafula Barasa is a male Kenyan citizen of ID number 27311696 born in Kimilili and is a resident of Yembe B village in Maeni Ward in Bungoma County. The nominee does not hold any dual citizenship.

#### **Academic and Professional Qualifications**

From the oral submission and the documents submitted, the nominee holds a degree in Commerce – Finance option from Masinde Muliro University (2019) and a diploma in Business Management from Masinde Muliro University (2013). The nominee is currently undertaking a Masters course in Business Administration- Finance Option in Masinde Muliro University.

#### **Employment Record**

Mr. Dennis Wafula Barasa currently works as a Finance Officer at the National treasury a position he has held since November 2022. He has previously worked as Finance Manager at Jamii Corporate from January 2020-October 2022.

#### **Professional association and membership**

The nominee does not belong to any professional association

#### **Potential Conflict of Interest**

The nominee assured the committee that whenever he is faced with a conflict of interest, he would declare and step aside in accordance to the law.

#### **Pro-bono/Charity Work**

The nominee submitted that he does support the community through church donations.

#### **Integrity**

The nominee satisfactorily met the requirements of Chapter 6 of the Constitution of Kenya, 2010.

## **General and Sector specific questions;**

The Committee asked questions related to the position of a Municipality Board member to which the nominee responded as follows;

### **On the roles of the Municipality Board member,**

The nominee demonstrated an in-depth understanding of the duties and responsibilities of a municipality Board member that includes:

- Oversee the affairs of the municipality
- Develop and implement development plan
- Implement applicable national and county legislation

### **On the electoral wards covered under Kimilili municipality;**

The nominee named Kamukuywa, Maeni, and Kibingei Wards as the ones making up Kimilili municipality with the respective elected ward representatives.

### **On legal and institutional frameworks applicable in the operation of municipalities**

The nominee informed the Committee that the County Governments Act and the Urban Areas and Cities Act are crucial legal documents that guide the operations of the municipality.

## **Committee's General Observations**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:

1. THAT, the nominee meets the minimum educational qualification of a diploma, an educational requirement under the Urban Areas and Cities Act;
2. THAT, he is a resident of Maeni Ward where he has lived for most of his life, which is within the municipality.
3. THAT, the nominee meets the requirements of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity.
4. THAT, from the submission during the approval hearing, he demonstrated knowledge, skills in institutional management and was also conversant with role of the member of a Municipality board.
5. THAT, he is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.
6. THAT, the Committee's average score on the nominee was recorded as 65.9%

## **Committee's Conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolio

to which he had been nominated; and had the requisite abilities, the academic qualifications and professional experience to be approved for appointment as a member of the Kimilili Municipality board.

## **2. MR. SAMSON SICHANGI WANYONYI**

Mr. Samson Sichangi Wanyonyi, appeared before the committee for vetting on 29<sup>th</sup> at 10:00 a.m. in the County Assembly Chamber. The Committee noted the following;

### **Date and place of birth**

Mr. Samson Sichangi Wanyonyi of ID Number: 14640532 was born on 1<sup>st</sup> January, 1977 in Kimilili and he currently resides in Kitayi, Kibingei Ward. Apart from being a Kenyan citizen, the nominee does not hold any dual citizenship.

### **Academic and Professional Qualifications**

The nominee holds a Master's degree in Information Science from Kisii University (2022), a Bachelor's Degree in Library and Information Science from Kisii University (2015) and a Diploma in information science from Nehema Institute of science and technology (2012)

### **Employment Record**

The nominee has held various managerial and governance-related roles, currently he is a lecturer at Kitale National Polytechnic

### **Knowledge of the Position**

The nominee demonstrated an understanding of the roles and responsibilities of a member of the Municipality Board, including:

- Participating in the formulation and implementation of policies that enhance urban development and service delivery.
- Ensuring proper planning and execution of projects aimed at improving municipal services such as waste management, infrastructure, and social amenities.
- Engaging with stakeholders, including the public and government agencies, to enhance governance and urban management.
- Overseeing financial management, accountability, and adherence to legal frameworks guiding municipal operations.

## **Potential Conflict of Interest**

The nominee acknowledged that any potential conflict of interest, particularly in procurement processes or employment matters, would be declared. He stated that he would recuse himself from deliberations where personal interests may arise, ensuring transparency and integrity in decision-making.

## **Pro Bono and Charity Work**

The nominee has been involved in community development and voluntary initiatives, particularly in education, mentorship, and governance-related programs. He has played a role in supporting youth empowerment and community service efforts.

## **Committee's General Observations**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:

1. **THAT**, the nominee meets the minimum educational qualification of a diploma, an educational requirement under the Urban Areas and Cities Act;
2. **THAT**, he is a resident of Kibingei Ward where he has lived for most of his life, which is within the municipality.
3. **THAT**, the nominee meets the requirements of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity.
4. **THAT**, from the submission during the approval hearing, he demonstrated knowledge, skills in institutional management and was also conversant with role of the member of a Municipality board.
5. **THAT**, he is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.
6. **THAT**, the Committee's average score on the nominee was recorded as 69.1%

## **Committee's Conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolio to which he had been nominated; and had the requisite abilities, the academic qualifications and

professional experience to be approved for appointment as a member of the Kimilili Municipality board.

### **3. MISS ZIPRINE NASIKE WAMALWA**

Miss Ziprine Nasike Wamalwa appeared before the committee on Wednesday 29<sup>th</sup> January, 2025 at 12:00 noon in the County Assembly Chamber. The Committee noted the following;

#### **Date and Place of Birth**

The nominee of ID No. 28924985 is a Kenyan female born on 16/09/1991, in Nabikoto, Kamukuywa Ward, in Bungoma County where he resides. Apart from being a Kenyan citizen, the nominee does not hold any dual citizenship.

#### **Academic and Professional Qualifications**

The nominee holds a Diploma in Technology in Architecture from the Technical University of Kenya (2013).

#### **Employment Record**

The nominee has worked for over ten years within her industry; currently, she works as an Assistant Architect at Centicom Building Solutions Ltd in Nairobi, a position she has held since 2018. She previously worked at Intrinsic Architecture (2014 – 2017) and Domus Architects (2017 – 2018) both as an Assistant Architect.

#### **Professional Association and Membership**

The nominee is a member of the Architectural Association of Kenya.

#### **Potential Conflict of Interest**

That nominee submitted that whenever a conflict of interest arises, she will recuse herself and let the rest of the board Members make a determination on the matter.

#### **Pro-bono/Charity Work**

The nominee has been involved in charity work through support to needy children at Lela Children's Home in Kamukuywa and provision of free consultancy works to Churches and schools on matters designing buildings.

#### **Integrity**

The nominee further submitted that she has not been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties.

#### **General and Sector specific questions**

The Committee posed several questions to the nominee to which she responded as follows:

### **On how she will handle Municipality Board Matters and her work**

The nominee submitted that she is a freelance Architect and as such she can adjust her schedules easily to fit into the Schedule of the Municipality Board.

### **On legal frameworks applicable in the management of Municipalities**

The nominee understanding of some of the legal framework around management of Municipalities was demonstrated by her mention of some Acts she will use while in office including the Urban Areas and Cities Act.

### **Committee's General Observations**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:

1. THAT, the nominee meets the minimum educational qualification of a diploma, an educational requirement under the Urban Areas and Cities Act;
2. THAT, she is a resident of Kamukuywa Ward where she has lived for most of her life, which is within the municipality.
3. THAT, the nominee meets the requirements of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity.
4. THAT, from the submission during the approval hearing, she demonstrated knowledge, skills in institutional management and was also conversant with role of the member of a Municipality board.
5. THAT, she is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.
6. THAT, the Committee's average score on the nominee was recorded as 71.4%

### **Committee's Conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolio to which she had been nominated; and had the requisite abilities, the academic qualifications and professional experience to be APPROVED for appointment as a member of the Kimilili Municipality board.

### **4. ABIGAEL NEKESA WAFULA**

The nominee, Abigail Nekesa Wafula appeared before the committee on 29<sup>th</sup> January, 2025 at 2:00pm in the County Assembly Plenary for vetting. During the exercise, the committee noted the following:

#### **Date and Place of Birth**

The nominee is a female Kenyan citizen of ID number 35019034 and a resident of Bahai, Kimilili Ward. Apart from being a Kenyan citizen, the nominee does not hold any dual citizenship.

### **Academic and Professional Qualifications**

The nominee holds a diploma in Health Records and information Technology from Kenya Medical Training College (2022) and a certificate in Health records and information Technology from Kenya Medical Training College (2020).

### **Employment Record**

The nominee submitted that she is currently a business person engaged in selling grocery and charcoal. She once worked on contract as a Health records Officer at Bondo Sub County Hospital (2022-2023).

### **Professional Association and Membership**

The nominee is a member of Association of Medical Records Officers Kenya.

### **Potential Conflict of Interest**

The nominee stated that she has never been conflicted before but if she finds herself conflicted in the cause of her working, she will seek to be guided by the provisions of law.

### **Pro-bono/Charity Work**

The nominee has been involved in charity work through donation of sanitary towels to vulnerable girls, planting of trees and visitation of patients in hospital.

### **Integrity**

It was submitted by the nominee that she has not been adversely associated with practices that depict bias, favouritism or nepotism in the discharge of her duties before.

### **General and Sector specific questions**

The Committee during the vetting exercise was also out to know if the nominee understood matters relating to the position of a Municipality Board member to which the nominee responded as follows;

#### **On the roles of the Municipality Board member,**

The nominee demonstrated an in-depth understanding of the duties and responsibilities of a municipality Board member that includes: overseeing general functions of the municipality, conducting public participation on projects and formulation of the municipality budget

**On the electoral wards covered under the municipality he was nominated to;** the nominee was able to name 3 wards that are under the municipality as being Maeni, Kimilili, and Kibingei Wards.

**On the Acts that guide the operations of the municipality;**

The nominee stated the Constitution of Kenya, County Governments Act and Urban Areas and Cities Act.

**Committee's General Observations**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:

1. THAT, the nominee meets the minimum educational qualification of a diploma, an educational requirement under the Urban Areas and Cities Act;
2. THAT, she is a resident and business person of Kimilili rural where she has lived for most of her life, which is within the municipality.
3. THAT, the nominee meets the requirements of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity.
4. THAT, from the submission during the approval hearing, she demonstrated knowledge, skills in institutional management and was also conversant with role of the member of a Municipality board.
5. THAT, she is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.
6. THAT, the Committee's average score on the nominee was recorded as 72.6 %

**Committee's Conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolio to which she had been nominated; and had the requisite abilities, the academic qualifications and professional experience to be approved for appointment as a member of the Kimilili Municipality board.

**5. CAROLINE KHASOA WANYONYI**

The nominee, Caroline Khasoa Wanyonyi appeared before the committee on 29<sup>th</sup> January, 2025 at 3:00 pm in the County Assembly Plenary for vetting. During the exercise, the committee noted the following:

**Date and Place of Birth**

The nominee is a female Kenyan citizen of ID number 14336160, was born on 28<sup>th</sup> September, 1974 and is a resident of Nasusi, Maeni Ward. The nominee does not hold any dual citizenship.

### **Academic and professional qualifications**

She holds an LLB (Bachelor of Laws) Degree and a post Graduate Diploma in Law from Nagpur University in India (1999) and Kenya School of Law (2001) respectively.

She also holds a Master's Degree in Business Administration (MBA) from Jomo Kenyatta University of Agriculture and Technology (2020).

### **Employment Record;**

The nominee has been working in the National Land Commission from 2014 and at a Law firm of Khasoa & company Advocates from 2004 to 2014

### **Honors and Awards**

The nominee is a certified professional mediator, Honorary member Applied land governance expert, a member FIDA, and a member in the Leadership of EACC. She is a member of the Law Society of Kenya

### **Requirements of Chapter Six of the Constitution**

The nominee had complied with all the requirements of Chapter Six of the Constitution

### **Published writings**

According to the filled questionnaire the nominee has published the following writings;

- NECC-PIL handbook in 2019
- Law society paper on practice guidelines the Advocate 2014
- Kenya Institute of planners' paper (KIPS 2024)

### **Public office, political activities and Affiliations**

The nominee served as a Deputy Director Legal Services, National Law commission Kenya women League chair (2011-2013) Elected serving member, LSK Nairobi branch.

### **Potential conflict of interest**

When asked about potential conflict of interest, she stated that she will assess the matter before declaring her interest and step down from the process

### **Pro Bono/ Charity work/ Donations**

- Friends church, Kamasielo monthly meeting-ksh.135,000(2021)
- Daisy children's Home ksh.10,000 yearly
- LECC applied Law and environment management educator

### **General and Sector specific questions**

The nominee intended to bring on board her vast experience on governance of the municipalities.

### **Committee Conclusions**

After reviewing the nominee's submissions and qualifications, the committee made the following observations:

1. THAT, the nominee meets the minimum educational qualification of a diploma, an educational requirement under the Urban Areas and Cities Act;
2. THAT, she is a resident of Nasusi, Maeni Ward where she has lived for most of her life, which is within the municipality.
3. THAT, the nominee meets the requirements of Chapter Six of the Constitution of Kenya, 2010 on Leadership and Integrity.
4. THAT, from the submission during the approval hearing, she demonstrated knowledge, skills in institutional management and was also conversant with role of the member of a Municipality board.
5. THAT, she is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.
6. THAT, the Committee's average score on the nominee was recorded as 93.7%

### **Committee's Conclusion**

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominee met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolio to which she had been nominated; and had the requisite abilities, the academic qualifications and professional experience to be approved for appointment as a member of the Kimilili Municipality board

### **COMMITTEE'S RECOMMENDATION**

Having conducted the approval hearing for the nominee pursuant to Sections 4, 7 and 8 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 217 (5), the Committee recommends that this House; approves/does not approve the nomination of the nine nominees as listed below as the members of Bungoma and Kimilili municipality boards respectively for appointment by His Excellency, the Governor.

#### **1. Nominees of the Bungoma Municipality Board**

No.	Nominee	Gender	Remark
1.	Paul Maloba Kamala	Male	Approved
2.	Job Wekesa Munyasia	Male	Approved
4.	Wilkister Wafula	Female	Approved
5.	Dorcus Katiambo	Female	Approved

#### **2. Nominees of the Kimilili Municipality Board**

No.	Nominee	Gender	Remark

1.	Wafula Barasa Dennis	Male	Approved
2.	Samson Sichangi Wanyonyi	Male	Approved
3.	Ziprine Nasike Wamalwa	Female	Approved
4.	Abigael Nekesa Wafula	Female	Approved
5.	Carolyne Khasoa	Female	Approved

### **Adoption Schedule**

The adoption schedule was signed by all the Members as can be seen on the document that you are holding.

At this juncture allow me call upon the chairperson of this committee Hon. Francis Masai to second the report.

*(Applause)*

**Hon. Francis Chemion:** Thank you, Mr. Speaker. First, I want to thank the mover of the motion Hon. Ipara for a job well done. As a committee we looked at all that was required by law and we did our vetting as per the requirements of the law and found out that the 9 nominees met the integrity requirements. They provided all the credentials that are required and they were all updated.

On issues of gender on the municipal boards, I am sure that if we pass these names, the gender threshold will be met. On academics they also meet this requirement in law. Most of them have Diplomas and others have up to Master Degrees. They also demonstrated knowledge and ability on the functions of municipality boards.

Apart from that we have good percentage of the youth in these boards and we hope that we will be ensuring that Article 10 of the Constitution is complied with. I don't want to say much because it was a question of looking at their suitability and not an interview and we report that they are suitable as illustrated in all the areas that were looked at.

I urge the House that as we talk about it, let us approve these names. We are here today because of a condition; we would have waited for these names to be brought to the House at the correct time, but we were forced to have this special sitting because of the urgency of these boards. If this House does not pass these names today, the County Government of Bungoma; that is Bungoma Municipality and Kimilili Municipality will not meet the conditions from the World Bank and they were given a deadline for the these members appointed and their names gazetted by 11<sup>th</sup> of this month.

I urge Members to approve these names because as a committee we have seen that they are able and equal to the task.

**Mr. Speaker:** Thank you, Hon. Chemion for seconding the committee report. Hon. Members, before I propose the motion for debate, let me inform you that after debate we will approve the nominees individually and not as a group.

*(Question proposed)*

**Hon. Everton Nganga:** Thank you, Hon. Speaker. First, I want to thank the committee for the good work they have done. Equally, I applaud the mover of this motion Hon. Ipara for doing a good job and I wonder why he left the Police Force when he is still energetic and could still be useful to the National government.

I rise to support the report because the list of the names presented to this House meet the minimum requirements. I would like to inform the seconder of the motion that even though the nominees merit as a House we are not supposed to approve them because of deadlines instead we are going to do so because they meet the minimum requirements.

I am concerned with one nominee Paul Maloba Khamala who is a young scholar. I came to understand this nominee when he was my class representative at Masinde Muliro University. He is a person of high integrity, competent and suits to serve on the Bungoma Municipal Board. The nominee is objective and impartial and cannot rush to make decision. He is competent because during our year when we graduated, he managed to pass with a First Class Honors in Human Resource. He is selfless because he used his own airtime to communicate to us and even organize for makeup lessons and inform us without requesting support from fellow students.

**Mr. Speaker:** Are trying to pay back now or what are you putting across?

**Hon. Everton Nganga:** I say this because I know him well. Looking at the composition, the way the committee has indicated that it meets the two-thirds gender rule both for Kimilili and Bungoma Municipal Boards memberships. I support the report so that the municipalities can operate optimally.

**Hon. Joseph Nyongesa:** Thank you, Mr. Speaker. First, allow me appreciate the mover of this report Hon. Okasida Ipara. I also thank the Chairperson of the Committee for seconding this report and giving us some of the requirements. Equally, allow me appreciate the appointing authority for nominating the nominees to add value to our municipalities. Further, appreciate the appointing authority for realizing that there are gaps and withdrawing the name of Karuga.

As we appreciate the appointing authority and the committee, there is a mix up in the recommendation. Chairperson next time you should be keen but we thank the appointing authority for saving the situation. As we approve the names the way the chairperson has told us that we are competing against time and for the sake of this county, we need to do so as a House

to ensure that we don't miss the funding. Because losing almost Kshs. 1 billion from World Bank could be a minus to us. We thank the committee for working day and night to ensure that we don't lose the funds.

As I urge this House to approve these names, we also request and direct the appointing authority to ensure that the current situation in our boards is addressed. They require induction for them to move. There are wrangles and I wonder why the committee allocated one member whom I cannot mention almost 100% yet they are part of the wrangles witnessed in the municipality. Because of the conditions from the donor, we will approve the names so that the municipality boards are constituted to enable us get the funds. I don't want to mince my words; I had also a privilege to listen to the nominees because I followed the proceedings from the Public Gallery to see how they were responding to questions. Indeed in terms of qualifications, they merit but some few cases require induction and we hope the appoint authority will do so.

Another issue is that Bungoma County Public Service Board is doing disservice to us.

Otherwise, I support and urge other Members to support this motion so that we don't miss the funding.

*(Applause)*

**Hon. Caleb Wanjala:** Thank you, Mr. Speaker. I applaud Hon. Ipara for moving the report. I believe this report is going to help us in terms of development. You realize that without a board in place, wrangles and disagreements can prevail.

Mine is to urge the appointing authority that they should not wait or cause deliberate delays so that we approve things in a hurry. Besides that, next time when doing nominations they should also put in consideration the equity in terms of distribution of slots to areas within municipalities. This will help because without equity there could be skewed development.

Otherwise, looking at the professions of the nominees, we have no doubt that they are going to deliver and this county and our municipalities are going to move to another level. I support the report.

**Mr. Speaker:** Thank you, Hon. Caleb. Hon. Ipara, you can now reply to your motion.

**Hon. Johnston Ipara:** Thank you, Mr. Speaker. I thank the Hon. Members who have raised pertinent issues on this matter. I start with Hon. Francis Chemion who is the Chairperson of the Committee; I thank you for the issues raised touching on gender and in particular Article 10 of the Constitution.

I thank Hon. Nganga for confirming that the person that the committee has approved has interacted with you elsewhere that he is a selfless person who will work for the people of Bungoma County.

Hon. Nyongesa, the Majority Leader agrees with matter and he does so after thorough interrogation. I thank Hon. Caleb for pinpointing that the team comprises of various professionals and what we are supposed to do is to ensure that we play our oversight role, so that the members that we are approving today will be game changer for this county. They will ensure that we get our rightful funding from the stakeholders. You know well that where you don't have money, there is nothing that you can do for the people even when you identify the right thing to be done.

I appeal to Hon. Members that kindly this opportunity before us and we should adopt this report in totality, so that we transfer the ball to the court of the executive and ensure that we oversight them. I thank you for sitting, listening and contributing since morning and you have done all these because of the interests of the County.

**Mr. Speaker:** Thank you, Hon. Ipara for your reply to the motion. I will not proceed and put questions to the names before us for approval. As I indicate earlier we will not approve the names as a block but individually because they have come from different sectors.

I will put the questions as follows;

**BUNGOMA MUNICIPAL BOARD**

**1. Paul Maloba Khamala**

*(Question put and agreed)*

The ayes have it.

The House approves the first nominee for appointment

*(Applause)*

**2. Job Wekesa Munyasia**

*(Question put and agreed to)*

The ayes have it.

The House approves this nominee appointment

*(Applause)*

**3. Wilkister Nafula**

*(Question put and agreed to)*

The ayes have it.

House approves this nominee for appointment

*(Applause)*

#### **4. Dorcus Katiambo**

*(Question put and agreed to)*

The ayes have it.

House approves this nominee appointment

*(Applause)*

#### **KIMILILI MUNICIPAL BOARD**

##### **1. Wafula Barasa Denis**

*(Question put and agreed to)*

The ayes have it.

House approves this nominee for appointment

##### **2. Samson Sichangi Wanyonyi**

*(Question put and agreed to)*

The ayes have it.

House approves this nominee for appointment

*(Applause)*

##### **3. Ziprince Nasike Wamalwa**

*(Question put and agreed to)*

The ayes have it.

House approves this nominee for appointment

*(Applause)*

##### **4. Abigail Nekesa Wafula**

*(Question put and agreed to)*

The ayes have it.

House approves this nominee for appointment

*(Applause)*

##### **5. Carolyne Khasoa**

*(Question put and agreed to)*

The ayes have it.

House approves this nominee for appointment

*(Applause)*

Accordingly, Hon. Members as per Section 11 of Public Appointments Act (County Assemblies Approvals Act) No. 5 of 2017, the Clerk shall notify the appointing authority of the decision of the County Assembly within 14 days of the decision.

The appointing authority shall upon the approval of the nominees for appointment by the County Assembly and Subject to the applicable written Laws appoint the nominees within a period of 7 days from the date of the notification of the decision of the Assembly under sub-section 1. The Clerk will notify the Governor of our Special House Sitting decision for formal appointment and swearing in of the nominees.

I take this chance to thank all of you for turning up for this occasion.

### **ADJOURNMENT**

That was the last item as per our special Order Paper for today; we will adjourn and resume 11<sup>th</sup> February 2025 at 2:30p.m as per our normal calendar. Have a good day.

*The House rose at 12:28 p.m.*