



NAIROBI CITY COUNTY ASSEMBLY
FIRST ASSEMBLY - SECOND SESSION

SIXTH REPORT OF THE
COMMITTEE ON JUSTICE AND LEGAL AFFAIRS
ON

THE VETTING OF THE NOMINEE FOR CHIEF OFFICER, NAIROBI
CITY COUNTY INFORMATION, COMMUNICATION AND
E- GOVERNMENT.

MARCH, 2014

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1.0 PREFACE

On behalf of the Members of the Committee on Justice and Legal Affairs and pursuant to the provisions of Section 45 (l) (b) of the County Governments Act and Standing Order No. 191, it is my pleasure and duty to present to the House, the Committee's Report on the vetting of the nominee for the position of Chief Officer, Information, Communication and E-Government.

On 6th January, 2014, the City Inspectorate came to collect the 'Protection Fees' from the Public but on receiving the news, Hon. David Mberia the Member of County Assembly for Karen Ward engaged with the Inspectorate Officers and had all the monies which had been collected totaling to Ksh. 1,950 returned to the members of the public. He further engaged the Public that they should stop paying the money to the inspectorate as they paid each day tax which was usually receipted.

On 8th January, 2014, Mr. Kamau, a Divisional Commander from the City Inspectorate together with a demolition squad plus three lorries and policemen moved to demolish kiosks at Karen Shopping Centre as a result of non-payment of the 'protection fees' from members of the public. Upon receiving news of what was happening, Hon David Mberia rushed to the scene to stop the demolitions which were being done without any notice. While intervening, one female worker of the inspectorate assaulted Hon. Mberia with a metal rod several times while repeatedly hurling sexual insults at him. Hon. Mberia called the Speaker and the Leader of Majority for Nairobi County Assembly who later rushed to the scene to witness what had transpired.

That the demolition squad destroyed the Public's properties and even confiscated some into the lorry which was KUL (Isuzu). Almost 100 stalls and 20 kiosks were demolished. A witness named Mr. Joseph Mwingire had taken a loan of Ksh. 290, 000 from Ngong Catholic Parish Members Welfare Fund to start a business which was destroyed and all his property confiscated by the City Inspectorate and was yet to be returned. Mzee Yusuf Maalin Maadan, the Chairman of the Karen Shopping Centre who sold Sim cards, airtime and other phone accessories had all his property confiscated and was yet to be returned till then.

COMMITTEE MEMBERSHIP

The Committee on Justice and Legal Affairs was constituted by the House on Tuesday 7th May, 2013. The Committee comprises of the following Members:-

1. **Hon. Jaffer Kassam** - Chairperson
 2. **Hon. Moses Ogeto Nyangaresi** - Deputy Chairperson
 3. Hon. Elkana Mauti
 4. Hon. Maurice Akuk Omondi
 5. Hon. David David Mberia
 6. Hon. Martin Karanja Kingethu
 7. Hon. Julius Mwaniki
 8. Hon. Peter Migwi
 9. Hon. Kamau Thuo
 10. Hon. Jacqueline Awino
 11. Hon. Jane Muasya
 12. Hon. Manoah Mboku
 13. Hon. Elias Otieno
 14. Hon. Mercy Kariuki
 15. Hon. Jackson Kiama
 16. Hon. Hashim Kamau
 17. Hon. Njoroge .G. Maina
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COMMITTEE MANDATE

The Committee on Justice and Legal Affairs is one of the Sectoral Committees established under Standing Order No. 191 (5) (f) which provides that, *the functions of a sectoral committee shall be to-*

“to vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments).

Nomination of Chief Officer, Information, Communication and E-Government

Pursuant to Section 45 (i) (a) of the County Governments Act, H.E. the Governor, forwarded to the Speaker of the County Assembly, the names of the nominee, Ms. Vera Ambeva, vide a letter dated 13th December, 2013 for vetting by the Committee on Justice and Legal Affairs, and consideration for approval by the County Assembly for appointment as Chief Officer, Information, Communication and E-Government.

On Tuesday 28th January, 2013, the Honourable Speaker in a message to the Assembly during a special sitting informed the Assembly that he had received the name of the said nominee and directed that the name and Curriculum Vitae of the said nominee be referred to the Committee on Justice and Legal Affairs for vetting and reporting to the House.

COMMITTEE MEETINGS

The Committee held four sittings one of which , Ms. Vera Ambeva appeared before the Committee on Justice and Legal Affairs and was vetted in accordance with the provisions of the County Governments Act for appointment as Chief Officer, Information, Communication and E-Government.

On behalf of the Committee on Justice and Legal Affairs, I have the honour and pleasure to present the Committee's Report on the nominee for appointment as Chief Officer, Information, Communication and E-Government of the Nairobi City County. May I take this opportunity to thank all Members of the Committee for their input and invaluable contributions during the deliberations on vetting of the said nominee.

Thank you.

Signed

Hon. Jaffer Kassam, MCA
 Chairperson Committee on Justice and Legal Affairs

Date

COMMITTEE MEMBERS

SIGNATURE

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|---------------------------------|----------------------|-------|
| 1. Hon. Jaffer Kassam | - Chairman | _____ |
| 2. Hon. Moses Ogeto | - Deputy Chairperson | _____ |
| 3. Hon. Elkana Mauti | | _____ |
| 4. Hon. Maurice Akuk Omondi | | _____ |
| 5. Hon. David David Mberia | | _____ |
| 6. Hon. Martin Karanja Kingethu | | _____ |
| 7. Hon. Julius Mwaniki | | _____ |
| 8. Hon. Peter Migwi | | _____ |
| 9. Hon. Kamau Thuo | | _____ |
| 10. Hon. Jacqueline Awino | | _____ |
| 11. Hon. Jane Muasya | | _____ |
| 12. Hon. Manoah Mboku | | _____ |
| 13. Hon. Elias Otieno | | _____ |
| 14. Hon. Mercy Kariuki | | _____ |
| 15. Hon. Jackson Kiama | | _____ |
| 16. Hon. Hashim Kamau | | _____ |
| 17. Hon. Njoroge G. Maina | | _____ |

2.0 BACKGROUND

2.1 ESTABLISHMENT OF THE COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

The Committee on Justice and Legal Affairs is one of the Sectoral Committees established under Standing Order No. 191 with the mandate to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing order 185 (Committee on Appointments).

2.2 APPOINTMENT PROCESS OF THE NOMINEE FOR POSITION OF CHIEF OFFICER, INFORMATION, COMMUNICATION AND E-GOVERNMENT.

- (i) Pursuant to Section 45 (i) (a) of the County Governments Act, H.E. the Governor, forwarded to the Speaker of the County Assembly, the names of the nominee, Ms. Vera Ambeva, vide a letter dated 13th December, 2013 for vetting by the Committee on Justice and Legal Affairs, and consideration for approval by the County Assembly for appointment as Chief Officer, Information, Communication and E-Government.
- (ii) On Tuesday 28th January, 2013, the Honorable Speaker in a message to the Assembly during a special sitting informed the Assembly that he had received the name of the said nominee and directed that the name and Curriculum Vitae of the said nominee be referred to the Committee on Justice and Legal Affairs for vetting and reporting to the House.
- (iii) The public was expected to participate in the vetting process through submission of memoranda (affidavits) on the suitability or otherwise of the Nominee. On Monday 3rd February, 2014 the Clerk of the County Assembly Placed an advertisement in the print media inviting the public to submit memoranda by Monday, 10th February, 2014 on the suitability or otherwise of the said nominee. No memoranda were received from the public.

3.0 VETTING OF THE NOMINEE FOR POSITION OF CHIEF OFFICER, INFORMATION, COMMUNICATION AND E-GOVERNMENT.

In conducting the vetting process, the Committee on Justice and Legal Affairs examined the nominee against the following criteria, amongst others;

- (i) Academic qualifications
- (ii) Employment record
- (iii) Professional affiliations
- (iv) Potential conflict of interest
- (v) Knowledge of the relevant subject
- (vi) Overall suitability for the position
- (vii) Tax compliance
- (viii) Integrity

During its Sitting held on Thursday 13th February, 2014, at the 2nd Floor, Planning Board Room, the Committee orally interviewed Ms. Vera Musimbi Ambeva for appointment as Chief Officer, Information, Communication and E-Government. The Minutes of the vetting proceedings are attached (*Annex 2*).

3.1 MS. VERA MUSIMBI AMBEVA - NOMINEE FOR POSITION OF CHIEF OFFICER, INFORMATION, COMMUNICATION AND E-GOVERNMENT.

Ms.Vera appeared before the Committee on Thursday 13th February, 2014. She stated to the Committee that;

- i. She is suitable for this position as she is passionate about working in the Information, Communication and E- Government field in order to offer high standards of services. Her drive to apply for this job was because this post is a Government job. She has the passion to work for Government so as to improve service delivery even though the pay is lower than what she earned at her past organizations.

- ii. She has had several achievements which she will have to offer at Nairobi County that include:
 - a. Participating in Airtel Global Initiatives and successfully implemented the Oracle single sign on and the CMT tool.
 - b. Significant improvement in vendor payment on time and successfully introducing advanced methods to measure and track turnaround times for process steps and optimization.
 - c. Lead in system enhancement initiatives and new projects, work with developers, finance and accounting users to design and implement business process improvement strategies.
 - d. Improved vendor payment on time score to 80% by identifying root causes of delays and optimizing the areas that cause delays.
- iii. When asked about any operating system she had developed, she responded that as a system analyst at the Kenya Ports Authority, she was a lead programmer on a team to develop a Computer Hardware and Accessories Inventory System for the Company using Microsoft Access, performed systems analysis, design, testing, user training and production support.
- iv. When asked about the short stints she had worked in various companies, Ms. Ambeva responded that it was because she had a personal motivation that motivated her to come back home from Europe. At Oracle, she had worked for four years but the job involved too much travelling in and outside the country hence she lacked time for her family and herself. If she secures the job of Chief Officer for Information, Communication and E-Government, She will work for the period till her tenure in office expires.
- v. On automating the payment system, she would begin by getting rid of manual collection of money; use of mobile phones for payment and get it uploaded in the system; use of a system that is integrated such as the parking meters which have to be managed.
- vi. Despite sitting for her CPE exams at a very tender age this has had no any negative impact on her profession or her growth.
- vii. She stated that she was not a member of any Professional Body related to Information, Communication and Technology (ICT) but she will register with the relevant bodies with time.

- viii. On the issue of Certificate of good conduct, she agreed she had submitted an expired one at her initial interview though it was out of sheer ignorance but she had renewed one before the vetting.
- ix. On leadership, she responded that she had managed at least 500 people in the previous organization she had worked for and she is capable of handling a large work force.
- x. Going forward she would ensure she brings along her accumulated knowledge and experience through the years verified by her track record in the dockets she has held before. This includes projects she has worked for and implemented without scandal and an emphasis on integrity and professionalism.
- xi. In order to ensure there is no corruption in her docket, Ms. Ambeva responded that as opposed to the previous system, under the dispensation there are structures for transparency and accountability in all processes. She stated that she is committed to mitigating the vice and ready to be part of the team fighting institutional corruption.

4.0 COMMITTEE'S OBSERVATIONS

4.1 NOMINEE FOR POSITION OF CHIEF OFFICER, INFORMATION, COMMUNICATION AND E-GOVERNMENT - MS. VERA MUSIMBI AMBEVA.

- i She is a Kenyan Citizen from Western Kenya, Kisumu County born in 1970, raised in Mombasa, widowed with two children. She is a Senior Manager and Consultant with expertise in envisioning and leading technology based multi- million dollar revenue and growth initiatives, grounded on Business and Economic Value.
- ii She holds an MSc in Technology Management from Mercer University- Atlanta GA, USA May 2002 and a Bachelor of Science (BSc) Degree in Management Information Systems from United States International University.
- iii Her core areas of expertise include: IT strategy and execution, Program and Project Management, Process Involvement, team building and leadership, Enterprise IT Systems (Oracle ERP) and System Testing Life Cycle.

- iv She is currently a Business Process Outsourcing (BPO) Project Manager at Digital Divide Data which is an NGO that deals with transfer of hard copies to E-books.
- v She was an independent Consultant at Business Optimization Solutions for a year, Head of Service Delivery at Bharti Airtel Africa, Nairobi for one year, Oracle Manager/ Business Architect at MTN South Africa for four years and ICT Service Delivery Manager for four years at Canon Europe amongst others.
- vi She has fully complied with her tax obligation from Kenya Revenue Authority (KRA) and other statutory obligations and has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution.
- vii She is not an official of any Political Party.
- viii Her financial net worth is Ksh.15 million.
- ix She had submitted a renewed Certificate of Good Conduct from the Criminal investigation's Department (CID) to the Committee during the vetting.
- x She has never been convicted of any offence nor sentenced to serve in prison, has never falsified her official or personal records and has never discriminated anyone on any grounds.
- xi She has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution which deals with conduct of state officers that are adversely mentioned in any investigatory report of Parliament or any Commission of Inquiry.
- xii The Committee recommended that the nominee be re-invited to make further submissions on areas which Members felt were not satisfactorily answered.**

The nominee was re-invited and appeared before the Committee on Thursday, 27th March, 2014.

COMMITTEE'S OBSERVATIONS

The Members sought to clarify whether the nominee indeed was not a Member of any professional body as contained in the job advertisement.

1. She submitted a Certificate of Membership as an affiliate of the Kenya Institute of Management (KIM) since 1996 and that she had registered as a member of the International Institute of Business Analysis since March 2014. She stated that it was an oversight on her part not to have presented the Kenya Institute of Management Membership Certificate on the date of her first vetting interview.
2. She stated that she had submitted a renewed Certificate of good Conduct from the Criminal Investigations Department (CID) on the morning of Thursday, 13th February, 2014 before the vetting interview.
3. She stated to the Committee that as a System Analyst at the Kenya Ports Authority, she was a lead programmer on a team to develop a Computer Hardware and Accessories Inventory System for the Company using Microsoft Access, performed systems analysis, design, testing, user training and production support.

xiii The Committee found the nominee suitable for appointment as the Chief Officer, Information, Communication and E-Government

5.0 COMMITTEE’S RECOMMENDATIONS

Pursuant to section 45 (i) (b) of the County Governments Act and Standing Order No. 42 and 191 (5), the Committee recommends that:-

This Assembly approves the nomination of Ms. Vera Musimbi Ambeva for appointment by H.E. the Governor as the **nominee for Chief Officer, Information, Communication and E-Government.**

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