

NAIROBI CITY COUNTY ASSEMBLY



CLERK
NAIROBI CITY
COUNTY ASSEMBLY
P. O. Box 45844-00100
NAIROBI

FIRST ASSEMBLY - THIRD SESSION

*Paper laid by the
Chairperson of the
Legal Affairs
Committee on
23/09/2015
Majid
Pleat*

FOURTH REPORT OF THE COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON

THE VETTING OF THE NOMINEE FOR CHIEF OFFICER, NAIROBI
CITY COUNTY DECENTRALIZED UNITS.

SEPTEMBER, 2015

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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 this Assembly, the Committee's Report on the vetting of the nominee for the position of Chief Officer, Decentralized Units.

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. Dorcas Njoroge
17. Hon. Njoroge .G. Maina

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, Decentralized Units

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, Mr. John Ntoiti, vide a letter dated 13th July, 2015 for vetting by the Committee on Justice and Legal Affairs, and consideration for approval by the County Assembly for appointment as Chief Officer for Decentralized Units.

On Tuesday 7th July, 2015, the Honorable Speaker in a message to the Assembly 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 Assembly.

COMMITTEE MEETINGS

The Committee held four sittings in which it considered the vetting of the nominee; one which, Mr. John Ntoiti 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, Decentralized Units.

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,

On behalf of the Committee on Justice and Legal Affairs, I have the honour and pleasure to present the Committee's Report on the vetting of the nominee for appointment as Chief Officer, Decentralized Units 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 22/9/2015

COMMITTEE MEMBERS

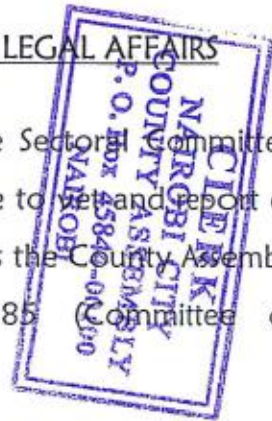
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| 1. Hon. Jaffer Kassam | - Chairman |  |
| 2. Hon. Moses Ogeto | - Deputy Chairperson |  |
| 3. Hon. Elkana Mauti | |  |
| 4. Hon. Maurice Akuk Omondi | |  |
| 5. Hon. David David Mberia | |  |
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| 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. Dorcas Njoroge | |  |
| 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, DECENTRALIZED UNITS

- (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, Mr. John Ntoiti, vide a letter dated 2nd July, 2015 for vetting by the Committee on Justice and Legal Affairs, and consideration for approval by the County Assembly for appointment as Chief Officer, Decentralized Units.
- (ii) On Tuesday 7th July, 2015, the Honorable Speaker in a message to the Assembly 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 invited to participate in the vetting process through submission of memoranda (affidavits) on the suitability or otherwise of the Nominee. On Thursday 9th July, 2015, the Clerk of the County Assembly

3.0 VETTING OF THE NOMINEE FOR POSITION OF CHIEF OFFICER, DECENTRALIZED UNITS.

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 Tuesday 21st July, 2015, at the 2nd Floor, Assembly Board Room, the Committee orally interviewed Mr. John Ntoiti for appointment as Chief Officer, Decentralized Units. The Minutes of the vetting proceedings are attached (*Annex 2*).

3.1 MR. JOHN NTOITI - NOMINEE FOR POSITION OF CHIEF OFFICER, DECENTRALIZED UNITS.

Mr. Ntoiti appeared before the Committee on Tuesday 21st July, 2015. He stated to the Committee that:

- i. He is suitable for this position as he has an outstanding commitment to his work, for example working beyond normal working hours. His drive to apply for this job was because this post is a Public Service job. He has the passion to work for Government in order to improve service delivery;

- ii. He has had several achievements which he has to offer at Nairobi County that include:
- a. Successfully streamlined various Departments (City Engineer, Treasury, Inspectorate, Public Health, Social Services, ICT and HR Department) from 2006 to 2010 when he was a Chief Administrative Officer at Nairobi City Council; and
 - b. After the promulgation of the new Constitution in 2010, he was promoted from Chief Administrative Officer to Assistant Town Clerk at Nairobi City Council where he successfully restructured the County Services to devolved units i.e. he structured the seventeen (17) sub counties and appointed Administrators in each Sub-County and also restructured eighty five (85) Wards. In addition, he was knowledgeable on what was required in the Wards.
- iii. When asked about the Decentralization Policy at the Nairobi City County, he responded that he would ensure all services are deliberately devolved to the Ward level which Citizens require such as Single Business Permits, approval of buildings, plans, payment of rates etc, as most of the sectors are centralized at City Hall;
- iv. He stated that he was a member of Kenya Institute of Management with Membership Number 44455;
- v. On leadership, he responded that he had managed over 1000 people when he was Chief Administrative officer and thereafter promoted to Assistant Town Clerk at Nairobi City Council at the Nairobi City Council he had worked for and he is capable of handling a large work force;
- vi. Going forward he would ensure he brings along his accumulated knowledge and experience through the years verified by his track record in the dockets he has held before. This includes projects he had worked for and implemented without scandal and an emphasis on integrity and professionalism; and
- vii. In order to ensure there is no corruption in his docket, Mr. Ntoiti responded that as opposed to the previous system, under the new dispensation there are structures for transparency and accountability in all processes. He stated that he 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 DECENTRALIZED UNITS. - MR. JOHN NTOITI

- i He is a Kenyan Citizen from Eastern Kenya, Meru County born in 1970, raised in Meru, married with three children;
- ii He holds a PhD in Business Administration from Jomo Kenyatta University of Agriculture and Technology, an MBA in Business Administration from Jomo Kenyatta University of Agriculture and Technology (JKUAT), a Master of Business Administration from Kenyatta University and a Bachelor of Education (in Arts) from Moi University;
- iii He is the Ag. County Chief Officer- Sub County Administration at the Nairobi County Government;
- iv He attended the Strategic Leadership Development Programme No. 61 at the Kenya Institute of Administration from 5th -14th November, 2012;
- v He successfully and actively participated in the Induction Training for County Government Administrators which was held on 9th to 20th June, 2014 at the Kenya School of Government;
- vi He was awarded a Certificate of participation in Strategic Human Resource Management and Development Course at the Ministry of State for Public Service Government Training Institute, Embu from 19th July – 14th August, 2009;
- vii He was awarded the Special Certificate of Merit for the exemplary performance for achieving Performance Contract targets in the years 2008/9 and years 2009/10;
- viii He was awarded a Certificate of Participation as a Delegate in the 2nd Africa Governance, Leadership and Management Convention, 2011 held at Sarova Whitesands, Mombasa on 2nd – 5th August, 2011;
- ix He has been awarded several certificates of participation in various forums organized by Kenya National Union of Teachers (KNUT) amongst others;

- x He has fully complied with his 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;
- xi He is not an official of any Political Party;
- xii His financial net worth is Ksh.4 million;
- xiii He has a Certificate of Good Conduct from the Criminal investigation's Department (CID);
- xiv He has never been convicted of any offence nor sentenced to serve in prison, has never falsified his official or personal records and has never discriminated anyone on any grounds; and
- xv He 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.
- xvi The Committee found the nominee suitable for appointment as the Chief Officer, Decentralized Units.



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This Assembly approves the nomination of Mr. John Ntoiti for appointment by H.E. the Governor as the nominee for Chief Officer, Decentralized Units.