

**REPUBLIC OF KENYA  
COUNTY GOVERNMENT OF MACHAKOS  
COUNTY ASSEMBLY OF MACHAKOS**



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**THIRD ASSEMBLY  
(THIRD SESSION)**

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**COMMITTEE ON APPOINTMENTS**

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**THE SEVENTH REPORT OF THE COMMITTEE ON APPOINTMENTS  
OF THE THIRD ASSEMBLY ON THE VETTING OF  
NOMINEES FOR APPOINTMENT TO THE POSITIONS OF COUNTY  
EXECUTIVE COMMITTEE MEMBER WATER, IRRIGATION,  
ENVIRONMENT AND CLIMATE CHANGE AND THAT OF  
SECRETARY TO THE COUNTY PUBLIC SERVICE BOARD**

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**SEPTEMBER, 2024**

## TABLE OF CONTENTS

LIST OF ABBREVIATIONS AND ACRONYMS.....	3
FOREWORD.....	4
1.0 PREFACE .....	6
1.1 Establishment and Mandate of the Committee.....	6
1.2 Committee Membership.....	6
1.3 Committee Secretariat .....	6
2.0 BACKGROUND.....	7
2.1 Notification of nominations.....	7
2.2 Notification to the House and committal to the Committee on Appointments .....	7
2.3 Notification to the Public .....	7
2.4 Notification to the Nominees .....	8
2.5 Clearance and Compliance Requirements.....	8
2.6 Issues for Consideration during the Approval Hearings .....	9
2.6.1 Procedure for Nomination.....	9
2.6.2 Constitutional and Statutory Requirements.....	9
2.6.3 Suitability of the nominee to the body to which the nomination is being made .....	10
2.6.4 Consideration of memoranda from Members of the Public .....	10
3.0 APPROVAL HEARING.....	11
3.1 MS. ROSE KAMENE MWANTHI, NOMINEE FOR THE POSITION OF CECM,WATER,IRRIGATION, ENVIRONMENT AND CLIMATE CHANGE .....	11
3.1.1 General and Sector Specific Questions to the Nominee.....	12
3.1.2 Committee Observations on the Suitability of the Nominee.....	14
3.2 MS. JULIANA NDUNGE MUTISYA, NOMINEE FOR THE POSITION OF SECRETARY,COUNTY PUBLIC SERVICE BOARD.....	15
3.2.1 General and Sector Specific Questions to the Nominee.....	17
3.2.2 Committee Observations on the Suitability of the Nominee.....	18
4.0 COMMITTEE RECOMMENDATIONS.....	<b>Error! Bookmark not defined.</b>

## LIST OF ABBREVIATIONS AND ACRONYMS

CPSB	County Public Service Board
CECM	County Executive Committee Member
CRB	Credit Reference Bureau
CUE	Commission for University Education
CV	Curriculum Vitae
DCI	Directorate of Criminal Investigations
EACC	Ethics and Anti-Corruption Commission
HELB	Higher Education Loans Board
HR	Human Resource
KRA	Kenya Revenue Authority
WASH	Water Sanitation and health

## FOREWORD

Pursuant to Article 179(2)(b) of the Constitution and Sections 30(2)(d) and 58(1)(c) of the County Governments Act No. 17 of 2012, Her Excellency, the Governor of Machakos County, forwarded to the Speaker of the County Assembly notifications of nomination of:

- i. **Ms. Rose Kamene Mwanthi** for consideration and subsequent approval by the County Assembly for appointment as County Executive Committee Member (CECM), Water, Irrigation, Environment and Climate Change vide letter Ref. GMC/2/OOG/Vol.1/007 dated 30<sup>th</sup> July, 2024 (**Annexure 1**) and;
- ii. **Ms. Juliana Ndunge Mutisya** for consideration and subsequent approval by the County Assembly for appointment as Secretary to the County Public Service Board vide letter Ref. GMC/2/OOG/Vol.1/008 dated 30<sup>th</sup> July, 2024 (**Annexure 2**).

Pursuant to Standing Order 39(1) and 42(2), the Speaker of the County Assembly read the message from Her Excellency the Governor, Machakos County on Tuesday, 13<sup>th</sup> August, 2024, communicating the names of the nominees. Further, pursuant to Section 7(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Orders 39(3)(c) and 184(4), the names of the nominees were committed to the Committee on Appointments for approval hearings and reporting to the House within twenty-one days.

Consequently, and in accordance with Article 196(1) of the Constitution, Section 7(5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 42(5) and (6), the Clerk of the County Assembly, through an advert placed in the print media on Thursday, 15<sup>th</sup> August, 2024 (**Annexure 3**) notifying members of the public and the nominees that the Committee on Appointments would conduct approval hearing on Monday, 26<sup>th</sup> August, 2024 at the Assembly Chambers.

The advert invited members of public to attend the approval hearings and/or submit any information or comments on suitability or otherwise for appointment of the nominees. The submissions were to be made by way of sworn affidavits and hand-delivered to the Office of the Clerk of the Assembly on or before 21<sup>st</sup> August, 2024. By close of the submission deadline on 21<sup>st</sup> August, 2024, the committee had not received any memoranda regarding the nominees' suitability for appointment.

The nominees appeared before the Committee as scheduled on Monday, 26<sup>th</sup> August, 2024 for the approval hearings in accordance with the provisions of the Constitution, Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Machakos Standing Orders.

Pursuant to Section 7(8) and (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee observed that the nominees met the requirements of Chapter Six of the Constitution, demonstrated knowledge and experience on the portfolios to which they had been nominated, had the requisite academic qualifications, training and professional experience. The nominees scored above the pass mark of 60 per cent set by the Committee as follows:

- i. **Ms. Rose Kamene Mwanthi**, nominee, County Executive Committee Member (CECM), Water, Irrigation, Environment and Climate Change (average mark of 72.8 per cent).
- ii. **Ms. Juliana Ndunge Mutisya**, nominee, Secretary to the County Public Service Board (average mark of 85.4 per cent).

Having conducted the approval hearing for the nominees pursuant to Article 179(2)(b) of the Constitution, Sections 30(2)(d) and 58(1)(c) of the County Governments Act, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 184(4), the Committee recommends that the House –

- i. Approves the nomination of **Rose Kamene Mwanthi**, for appointment as County Executive Committee Member for Water, Irrigation, Environment and Climate Change by Her Excellency, the Governor of Machakos County.
- ii. Approves the nomination of **Juliana Ndunge Mutisya** for appointment as Secretary to the County Public Service Board by Her Excellency, the Governor of Machakos County.

The Committee is grateful to the Offices of the Speaker and that of the Clerk of the County Assembly for the support accorded during the execution of this task. I wish to express my appreciation to the Honorable Members of the Committee for their dedication and participation in this exercise.

On behalf of the Committee on Appointments and pursuant to Section 14(3)(b) of the County Governments Act, section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 179(6), it is now my duty and privilege to present to the House, the seventh report of the Committee on Appointments on the Approval hearing of the nominees for appointment to the positions of County Executive Committee Member for Water, Irrigation, Environment and Climate Change, and Secretary to the County Public Service Board by Her Excellency, the Governor of Machakos County.

SIGN..... DATE .....

**HON. ANNE KIUSYA**  
**SPEAKER OF THE COUNTY ASSEMBLY / CHAIRPERSON, COMMITTEE ON APPOINTMENTS**

## **1.0 PREFACE**

### **1.1 Establishment and Mandate of the Committee**

1. Section 14(3)(a) of the County Governments Act, 2012 provides that when the Assembly is considering any appointment for which its approval is required under the Constitution, an Act of Parliament or county legislation, the appointment shall be considered first by a committee of the County Assembly.
2. The establishment and mandate of the Committee on Appointments is provided for under Standing Order 184.

### **1.2 Committee Membership**

3. The Committee on Appointments as constituted by the House comprises of the following Honorable Members:

1. Hon. Anne Kiusya - Speaker of County Assembly/Chairperson
2. Hon. Stephen Mwanthi - Deputy Speaker
3. Hon. Nicholas Nzioka - Leader of Majority Party
4. Hon. Mbili Ndawa - Leader of Minority Party
5. Hon. Jackson Ndaka - Deputy Leader of Majority Party
6. Hon. Francis Kavyu - Deputy Leader of Minority Party
7. Hon. Winfred Mutua - Member
8. Hon. Francis Kitaka - Member
9. Hon. John Brian Kisila - Member
10. Hon. Peter Kilonzo - Member

### **1.3 Committee Secretariat**

4. The Committee was facilitated by the following secretariat:
  1. Mr. Denis Mutui - Ag. Clerk
  2. Mr. Hilary Muthui - HOD, Legal and Library
  3. Mr. Dominic Musyoka - HOD, Procedure and Committee Services
  4. Mr. Paul Keli - Senior Records Management Officer
  5. Ms. Susan Kiluva - Clerk Assistant II
  6. Mr. Harrison Mulonzi - Clerk Assistant II
  7. Ms. Mercy Ndambuki - Clerk Assistant II
  8. Mr. Lewis Muoki - Research Officer II
  9. Ms. Dorcas Njoki - Hansard Reporter II
  10. Mr. Jonathan Muli - Commissionaire III

## **2.0 BACKGROUND**

### **2.1 Notification of nominations**

5. Pursuant to Article 179(2)(b), of the Constitution and Sections 30(2)(d) and 58(1)(c) of the County Governments Act, the Governor of Machakos County, Her Excellency, Hon. Wavinya Ndeti, forwarded to the Speaker of the County Assembly, the following names:
  - i. Ms. Rose Kamene Mwanthi for consideration and subsequent approval by the County Assembly for appointment as County Executive Committee Member (CECM) Water, Irrigation, Environment and Climate Change vide letter Ref. GMC/2/OOG/Vol.1/007 dated 30<sup>th</sup> July, 2024 (**Annexure 1**).
  - ii. Ms. Juliana Ndunge Mutisya for consideration and subsequent approval by the County Assembly for appointment as Secretary to the County Public Service Board vide letter Ref. GMC/2/OOG/Vol.1/008 dated 30<sup>th</sup> July, 2024 (**Annexure 2**).

### **2.2 Notification to the House and committal to the Committee on Appointments**

6. Pursuant to the provisions of Standing Order 39(1), the Honorable Speaker, vide a communication dated Tuesday, 13<sup>th</sup> August, 2024, informed the House of the Governor's message on nominations of County Executive Committee Member for Water, Irrigation, Environment and Climate Change and that of the Secretary to the County Public Service Board.
7. In accordance with Section 7(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 184(4), the names of the nominees were committed to the Committee on Appointments for approval hearing and reporting to the House within twenty one (21) days.

### **2.3 Notification to the Public**

8. Article 196(1) of the Constitution provides that 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.*
9. Section 7(5) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that the committee shall, by notice in at least one newspaper of national circulation, notify the public of the time and place for holding an approval hearing at least seven days prior to the hearing. 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 of the County Assembly with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.

10. Pursuant to Article 196(1) of the Constitution as read with Section 7(5) and (10) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 42(5) and (6), the Clerk of the County Assembly placed an advertisement in the print media on Thursday, 15<sup>th</sup> August, 2024 (**Annexure 3**) inviting the public to attend the approval hearing and/or submit any information or comments on suitability or otherwise by way of sworn affidavit(s).
11. The advertisement indicated that submissions were to be received by the Office of the Clerk of the County Assembly on or before Wednesday, 21<sup>st</sup> August, 2024. In addition, the advertisement notified the public that the approval hearing of the nominees would be conducted on Monday, 26<sup>th</sup> August, 2024 at County Assembly chamber along Mwatu wa Ngoma road.

#### **2.4 Notification to the Nominees**

12. On Thursday, 15<sup>th</sup> August, 2024, the Clerk of the County Assembly invited the nominees in writing and through print media for the approval hearings in accordance with Section 7(4) of the Public Appointments (County Assemblies Approval) Act, 2017.

#### **2.5 Clearance and Compliance Requirements**

13. Pursuant to Section 8(b) of Public Appointments (County Assemblies Approval) Act, 2017 as read with Sections 35(3) and 58(3) of the County Governments Act and Section 44(2) of the Leadership and Integrity Act 2012, the Committee requested various institutions to undertake verification of the information provided by the nominees as follows: (**Annexure 4**)
  - (i) Ethics and Anti-Corruption Commission (EACC) via letter Ref. No. MKSCA/ADM/VETT/Vol.3/03 dated 22<sup>nd</sup> August, 2024 for verification on compliance with Chapter Six of the Constitution.
  - (ii) The University of Nairobi via letter Ref. MKSCA/ADM/VETT/Vol.3/06 dated 20<sup>th</sup> August, 2024 for verification of Academic certificates for Juliana Ndunge Mutisya.
  - (iii) The Commission for University Education via letters Ref. MKSCA/ADM/VETT/Vol. 3/07 dated 20<sup>th</sup> August, 2024 and Ref. MKSCA/ADM/VETT/Vol. 3/15 dated 28<sup>th</sup> August, 2024 for information on the recognition and equation of degree qualification for Rose Kamene Mwanthi.



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

14. Sections 7(8) and (9) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that:

*(8) An approval hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.*

*(9) The criteria specified in the First Schedule and the assessment form specified in the Second Schedule shall be used by a committee during an approval hearing for the purposes of vetting a candidate.*

15. Further, Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017 provides that the issues for consideration by the relevant County Assembly in relation to any nomination shall be:

*(a) The procedure used to arrive at the nominee including the criteria for the short listing of the nominees;*

*(b) Any constitutional or statutory requirements relating to the office in question; and*

*(c) The suitability of the nominee for the appointment proposed having regard to whether the nominee's credentials, abilities, experience and qualities meet the needs of the body to which the nomination is being made.*

16. During the approval hearings, the Committee was guided by the provisions of Section 7(8) and (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

### **2.6.1 Procedure for Nomination**

17. Section 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 accordingly. In this regard, pursuant to Article 179(2) of the Constitution, and Sections 30(2)(d) and 58(1)(c) of the County Governments Act and Section 6(1) of the Public Appointments (County Assemblies Approval) Act, 2017, the Governor of Machakos County notified the Assembly of the nomination of Ms. Rose Kamene Mwanthi for appointment as County Executive Committee Member (CECM) for Water, Irrigation, Environment and Climate Change and Ms. Juliana Ndunge Mutisya as Secretary to the County Public Service Board.

### **2.6.2 Constitutional and Statutory Requirements**

18. The Constitution and the County Governments Act provides for guidelines on how to

appoint persons to public office. The Committee, in determining the suitability of the nominees was guided by the provisions on leadership and integrity as outlined under Chapter Six of the Constitution and Sections 35, 58 and 58A of the County Governments Act.

### **2.6.3 Suitability of the nominee to the body to which the nomination is being made**

19. The suitability of the nominees was assessed after scrutiny of the nominees academic credentials, professional training and experience, personal integrity, background and qualities as well as their performance during the approval hearings conducted on Monday, 26<sup>th</sup> August, 2024.

### **2.6.4 Consideration of memoranda from Members of the Public**

20. Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017 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.*

21. In this regard, the Clerk of the County Assembly placed an advertisement in the print media on Thursday, 15<sup>th</sup> August, 2024 inviting the public to submit any information or comments on suitability or otherwise of the nominees. The Committee had not received any memoranda at close of submission deadline which was on Wednesday, 21<sup>st</sup> August, 2024.

### **3.0 APPROVAL HEARING**

22. The Committee held sittings on Wednesday 14<sup>th</sup>, 19<sup>th</sup> and 26<sup>th</sup> August, 2024 to deliberate, analyze and scrutinize the nominees' credentials and certificates and noted the following:

- (i) **THAT**, it will conduct the approval hearing as per the criteria set out in Section 7(9) of the Public Appointments (County Assemblies Approval) Act, 2017.
- (ii) **THAT**, it will use the assessment form provided in the Second Schedule of the Public Appointments (County Assemblies Approval) Act, 2017 and that the pass mark would be 60 percent.
- (iii) **THAT**, the approval hearing will proceed as advertised on Thursday, August 15<sup>th</sup>, 2024 and will be open to the public in line with the provisions of Article 196(1) (a) and (b) of the Constitution.

23. The approval hearing proceeded as scheduled.

### **3.1 MS. ROSE KAMENE MWANTHI, NOMINEE FOR THE POSITION OF CECM, WATER, IRRIGATION, ENVIRONMENT AND CLIMATE CHANGE**

24. The nominee appeared before the Committee on Monday, 26<sup>th</sup> April, 2023 at 12.40 p.m. and was vetted under oath pursuant to the Constitution, County Governments Act, Public Appointments (County Assemblies Approval) Act No. 5 of 2017 and the Standing Orders of the County Assembly. The Committee noted the following:

#### **Citizenship and place of birth**

25. The nominee is a Kenyan citizen born in Starehe Sub-County, Nairobi County.

#### **Academic and Professional Qualification**

26. The nominee possesses a Bachelor of Commerce degree from the University of Poona-Maharashtra, India, acquired in 1990. She further holds a Certificate of Education from St. Teresa's Girls Secondary School acquired in 1983.

#### **Employment record and professional Experience**

27. The nominee is currently the Head of Women Banking at Family Bank. She has extensive banking experience dating back to 2006, having worked as a relationship manager for several banks, as a channels manager, business manager, head of sales and marketing, head of consumer banking, and head of liability and wealth management.”

#### **Income and Net worth**

28. The nominee's net worth is Kenya Shillings Six Million.

## **Professional Associations and Membership**

29. The Nominee did not declare membership to any professional association.

## **Published Works**

30. The nominee does not have any published works.

## **Potential conflict of interest**

31. The nominee did not indicate any potential conflict of interest.

## **Honors and Awards**

32. The nominee has received numerous work related awards for exemplary performance from Equity Bank, Ecobank, Stanbic Bank among others.

## **Pro-Bono / Charity Work / Donations**

33. The nominee stated that she is a member of Nairobi Samawati rotary club where she gives yearly contributions. She has donated books to school libraries in Kitui, Kajiado and Samburu; donated water tanks to police stations in Githurai during Covid, ran a feeding programme at Gatina Primary in Dagoretti among others.

## **Integrity**

34. The nominee stated that she has neither been charged in a court of law nor adversely mentioned in any investigatory reports of Parliament or any Commission of Inquiry. She submitted the following clearance certificates:

- i. EACC Self-declaration form dated 20<sup>th</sup> August, 2024.
- ii. Tax Compliance Certificate valid up to July, 30<sup>th</sup> 2025.
- iii. Certificate of Credit Reference Bureau dated July 30<sup>th</sup>, 2024 indicating no negative listing.
- iv. A receipt of police clearance certificate fee, dated 20<sup>th</sup> August, 2024.
- v. HELB clearance certificate dated 30<sup>th</sup> July, 2024.

### **3.1.1 General and Sector Specific Questions to the Nominee**

#### **Preliminary Matters**

##### **i) Clarification of names**

35. The committee noted that name appearing on the nominee's identification card was different from the one appearing on the academic certificates. The nominee stated the two sets of names; Rose Kamene Mwanthi and Rose Kamene Gichuki belong to her and that she could provide an affidavit to that effect.

## **ii) Authenticity of nominee's degree certificate and qualification**

36. The committee observed that the degree certificate had elements that were not clear, the word "her" and the year of graduation "1990" seemed to have been added manually. Asked to clarify on the issues observed, the nominee responded that the certificate was genuine and stated that she had a certificate of recognition from the Commission for Higher Education which she submitted to the committee.
37. Asked if she attended the course virtually or physically and whether she had transcripts for the same since the certificate provided indicated that she had been examined in Business Administration as a special subject, the nominee responded that she attended the university physically from 1987 to 1990, and that she is a member of the Baratwala Association for students who graduated from Indian Universities. On the matter of transcripts, she indicated that she would submit them to the committee as soon as possible.

### **Experience related to the portfolio**

38. Asked how she would utilize her experience in the portfolio to which she had been nominated, the nominee stated that though she was not an expert in matters, water and environment, from her experience in the banking sector she has interacted with the water sector on matters of financial planning, management and implementation of projects. She added if appointed she would carry out capacity building to her team, and work closely with the Assembly. Additionally, she stated that she was aware of the budget cuts in the country and therefore if nominated, she would collaborate with partners that she has already worked with in the banking sector to address challenges in the department. Further, the nominee stated that she would use her experience in risk management to mitigate risks in the water sector.

### **Challenges facing the Department**

39. Asked to state the challenges facing the department, the nominee listed poor project management, infrastructure challenges, scarcity and inequitable access to water and credit facilities for the implementation projects.
40. Based on her knowledge in project management and resource mobilization she stated that she would ensure equitable allocation of resources and project planning within the department. Further, she stated that infrastructure required capital and therefore she intends to involve the donors that she has worked with in the past and other partners to acquire funding.

### **Climate Change Mitigation and adaptation measures**

41. Asked what mitigation and adaptation measures she would put in place if appointed, the nominee stated that she was aware of the Machakos County Climate Change plan and therefore she would evaluate and seek to implement the same. She stated that she would use non-revenue measures such as afforestation within areas prone to floods.
42. She indicated that she would study the Governor's vision and priorities from the MCAs regarding climate change, and come up with data that will enable the department prepare proposals for the sourcing of funds from different organizations that she has been collaborating with in her current post.

### **Role of financial institutions in supporting environmental sustainability and combating climate change**

43. Asked about the role of financial institutions in supporting environmental sustainability and combating climate change, the nominee indicated that financial institutions negotiate interest rates for water service providers and facilitate groups to access credit for related projects.
44. The nominee gave an example of the water, sanitation and hygiene (WASH) program by Family Bank that secures funding for women projects to purchase water tanks, solar powered water projects and water bowsers which can also serve as source of income for the community.

### **Success story on green financing projects in Machakos County**

45. Asked about success stories in her previous engagements in green financing projects, the nominee gave an example of the Family Bank WASH Program, a community-based successful project that supports drilling of boreholes and the installation of solar panels complete with accessories.

### **Chapter 6 of the Constitution**

46. Asked about her knowledge of chapter six of the constitution the nominee indicated that the chapter was about leadership and integrity and stated that she had no integrity issues.

### **3.1.2 Committee Observations on the Suitability of the Nominee**

47. The Committee, having considered the nominee's filled questionnaire pursuant to Section 7(9) of the Public Appointments (County Assemblies Approval) Act, 2017, her

curriculum vitae and having heard oral submissions during the approval hearing observed that:

- (i) The nominee was a Kenyan citizen and holds a first degree as required for appointment as CECM.
- (ii) The nominee was able to prove that she attended Poona University as stated during her interview and was able to provide transcripts and a letter from Commission for University Education on the recognition of the degree certificate.
- (iii) The nominee was able to confirm the names Rose Kamene Mwanthi and Rose Kamene Gichuki were hers through submission of an affidavit.
- (iv) The nominee was knowledgeable on matters relating to the Department nominated to.

The nominee attained average mark of 72.8 per cent.

48. Based on the above the nominee was assessed and awarded marks as per the table below

**Awarding of Marks on the Assessment Form by the Assessors:**

<b>Particulars</b>	<b>Work experience (as it relates to the position)</b>	<b>Education/training (relevant to the position)</b>	<b>Interest in and knowledge relating to specific position</b>	<b>Communication skills (written/oral)</b>	<b>Presentation (promptness, neatness of resume/application, appearance)</b>	<b>Decision making/problem solving skills</b>	<b>Total</b>
<b>Marks Available</b>	<b>25</b>	<b>25</b>	<b>15</b>	<b>10</b>	<b>10</b>	<b>15</b>	<b>100</b>
<b>Mean Mark</b>	16.38	16.50	10.88	9.88	9.25	9.88	72.8

**3.2 MS. JULIANA NDUNGE MUTISYA, NOMINEE FOR THE POSITION OF SECRETARY, COUNTY PUBLIC SERVICE BOARD**

49. The nominee appeared before the Committee on Monday, 26<sup>th</sup> April, 2023 at 1.40 p.m. and was vetted under oath pursuant to Chapter Six and Articles 196 and 232 of the Constitution, Sections 58 and 58A of the County Governments Act, Public Appointments (County Assemblies Approval) Act No. 5 of 2017; and the Standing Orders of the County Assembly. The Committee noted the following:

**Citizenship and place of birth**

50. The nominee is a Kenyan citizen born in Uamani Village, Kambusu division, Matungulu Sub-County, Machakos County.

### **Academic and Professional Qualification**

51. The Nominee holds a Master of Business Administration degree and Bachelor of Commerce (Accounting) option degree from the University of Nairobi acquired in 2006 and 1996 respectively. She further holds a Diploma in Project Management from University of Cambridge acquired in 2010.

### **Employment record and professional experience**

52. The nominee served as Deputy Director of Administration Machakos County and was seconded to the County Public Service Board where she served as acting Secretary from June, 2023 to July, 2024. She also served as Deputy Commissioner and Secretary for National Gender and Equality Commission from October 2012 to October 2017 and Director, Finance and Administration at the Truth, Justice and Reconciliation Commission from July 2010 to October 2012.

### **Income and Net worth**

53. The nominee's net worth is Kenya Shillings forty four million, one hundred and fifty thousand.

### **Professional Associations and Membership**

54. The nominee is a member of the Institute of Certified Secretaries (ICS), the Institute of Certified Public Accountants of Kenya (ICPAK), and Institute of Resource Management (IHRM).

### **Potential Conflict of Interest**

55. The nominee did not indicate any potential conflict of interest.

### **Integrity**

56. The nominee stated that she has neither been charged in a court of law nor adversely mentioned in any investigatory reports of Parliament or any Commission of Inquiry. She submitted the following clearance certificates:

- i. Self-declaration form from EACC dated 17<sup>th</sup> July, 2024.
- ii. Certificate of clearance from Metropol Credit Reference Bureau (CRB) dated 18<sup>th</sup> July, 2024 indicating no negative listing.



- iii. HELB clearance certificate dated 16<sup>th</sup> December, 2011 indicating that she has repaid in full the Principal Loan and interest thereon.
- iv. Tax Compliance Certificate from KRA valid up to 13<sup>th</sup> August, 2025.
- v. Certificate of good conduct from the DCI dated 14<sup>th</sup> August, 2024.

### **3.2.1 General and Sector Specific Questions to the Nominee**

57. Asked when she resigned from her position as acting Secretary to the County Public Service Board. The nominee stated that she tendered her resignation on 9<sup>th</sup> July 2024 and submitted a copy of resignation letter addressed to the County Secretary.

#### **Lessons learnt as Acting Secretary to the County Public Service Board**

58. Asked to share her lessons as Acting Secretary to the County Public Service Board, the nominee stated that when she joined the Public Service Board in 2023 and being her first time to work in the County, she found leadership challenges and was able to learn how to work along with her colleagues to address both managerial and operational challenges. She further indicated that she learned how to make decisions despite her acting capacity.

#### **How the nominee will assist the board to achieve its mandate being a certified secretary**

59. Asked how she would change the operations of the County Public Service Board as a Certified Public Secretary, the nominee informed the committee that, her training and experience as a CPS would enable her to ensure that the board embraces corporate governance. She added that, considering the huge volumes of documentation in the County Public service, if appointed she will implement a human resource management e-system. Further, she stated that she will ensure that the board submits annual reports on promotion of the values and principles of public service to the Assembly.

#### **Number of employees in the County Public Service and whether they are adequate**

60. Asked to give an estimate of the number of employees in the County Public Service, the nominee stated that there were about 6,000, however, this is debatable as the County has not met the required 35 per cent of wage bill against the income of the County. She added that the current wage bill was at 47 per cent. If appointed she indicated that the board would carry an audit with a view of placing staff as per qualifications and knowledge. This will increase productivity and revenue collection and help to bring down the ratio to 35 per cent.

#### **Engagement of Staff without appointment letters**

61. On how people are able to work, and get allocated duties on a daily basis without being properly engaged by the County Public Service Board, the nominee stated that the board was planning to undertake an HR audit to deal with ghost workers and strangers at the work place.

### **Staff Payroll**

62. Asked what action she would take to ensure that all members of staff who poses appointment letters are included in the payroll, the nominee stated that if appointed she would deal with it by ensuring that they are in the payroll.

### **Importance of Section 65(1)(e) of the County Governments Act**

63. Asked the reasons on the importance of Section 65(1)(e) of County Governments Act, the nominee said that Machakos County is cosmopolitan and further stated the reason for this provision of the law was to address matters such as post-election violence by ensuring different ethnic groups are able to stay together.

### **Chapter six of the Constitution**

64. Asked on what chapter six is all about, the nominee informed the committee that, it guides state officers and public officers on what to do and what is expected of them. She also said that it established the ethics and anti-corruption commission. She further responded that she had no integrity issues although there was a matter from 2014 where she got dismissed from the National Gender and Equality Commission, a matter that she took to court and was resolved reinstating her until the contract lapsed.

### **3.2.2 Committee Observations on the Suitability of the Nominee**

65. The Committee, having considered the nominee's filled questionnaire pursuant to Section 7(9) of the Public Appointments (County Assemblies Approval) Act, 2017, her curriculum vitae and having heard oral submissions during the approval hearing observed that:

- (i) The nominee was a Kenyan citizen and possesses prerequisite qualifications to be appointed as the Secretary to CPSB. (include the degree)
- (ii) The nominee was not a public officer as required by section 58(3)(b) of the County Governments Act as she had resigned on 9<sup>th</sup> July, 2024 from her position as acting secretary to CPSB.
- (iii) The procedure for her nomination as required by section 58A of the County Governments Act had been dully followed.

- (iv) The nominee was knowledgeable on the roles of the secretary to the CPSB and functions of the CPSB.

The nominee attained average mark of 85.4 per cent.

66. Based on the above the nominee was assessed and awarded marks as per the table below:

**Awarding of Marks on the Assessment Form by Six Assessors:**

<b>Particulars</b>	<b>Work experience (as it relates to the position)</b>	<b>Education/training (relevant to the position)</b>	<b>Interest in and knowledge relating to specific position</b>	<b>Communication skills (written/oral)</b>	<b>Presentation (promptness, neatness of resume/application, appearance)</b>	<b>Decision making/problem solving skills</b>	<b>Total</b>
<b>Marks Available</b>	25	25	15	10	10	15	100
<b>Mean Mark</b>	20.75	20.75	12.25	9.75	9.75	12.38	85.63

The nominee exceeded the minimum pass mark.

#### 4.0 COMMITTEE RECOMMENDATIONS

67. Having conducted the approval hearings for the nominees pursuant to Article 179(2)(b) of the Constitution, Sections 30(2)(d) and 58(1)(c) of the County Governments Act, Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 184(4), the Committee recommends that the House –

- (1) Approves the nomination of **Rose Kamene Mwanthi**, for appointment as County Executive Committee Member for Water, Irrigation, Environment and Climate Change by Her Excellency, the Governor of Machakos County.
- (2) Approves the nomination of **Juliana Ndunge Mutisya** for appointment as Secretary to the County Public Service Board by Her Excellency, the Governor of Machakos County.

SIGN.....



DATE .....

03/09/2024

**HON. ANNE KIUSYA**

**SPEAKER OF THE COUNTY ASSEMBLY / CHAIRPERSON, COMMITTEE ON APPOINTMENTS**

## **ANNEXURE 1**

(Letter from the Her Excellency, the Governor of Machakos County, forwarding **Ms. Rose Kamene Mwanthi** for consideration and subsequent approval by the County Assembly for appointment as County Executive Committee Member (CECM), Water, Irrigation, Environment and Climate Change)



Letter from H.E. Wavinya Ndeti - Nomination of CEM.pdf • 2 pages

To clerk

The above letter is well received and contents noted

The same is approved for communication to the house

Kind regards

Hon Anne kiusya

County speaker



REPUBLIC OF KENYA  
COUNTY GOVERNMENT OF MACHAKOS  
OFFICE OF THE GOVERNOR

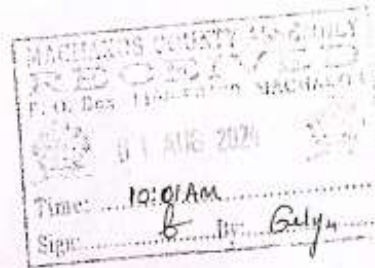
Telephone: +254 202004086  
Email: [info@machakosgovernment.co.ke](mailto:info@machakosgovernment.co.ke)  
When replying please quote

White House Machakos,  
Along People's Park Road,  
P.O BOX 1996-90100,  
Machakos, Kenya.

**When replying please quote:**  
**OUR REF: GMC/2/OOG/VOL.I/007**

**30<sup>th</sup> July, 2024.**

**To:**  
**Hon. Anne Kiusya,**  
**The Speaker,**  
**County Assembly of Machakos,**  
**County Hall,**  
**Along Mwatu wa Ngoma Rd**  
**P.O BOX 1168-90100**  
**MACHAKOS**



Hon. Speaker,

**RE: NOMINATION OF COUNTY EXECUTIVE MEMBER WATER,  
IRRIGATION, ENVIRONMENT AND CLIMATE CHANGE**

The above subject matter refers.

Whenever a vacancy occurs in the County Executive Committee the Governor shall fill this position pursuant to section 30 (2)(d) of the County Government Act which states inter alia:

*.....appoint, with the approval of the county assembly, the county executive committee in accordance with Article 179(2)(b) of the Constitution.*

A vacancy has since occurred in the Machakos County Executive Committee after the resignation of **Hon. Joyce Mwikali**, dated 8<sup>th</sup> April, 2024 and acceptance of the same. She was at the time the County Executive Committee Member for Devolution.

This then prompted changes in the County Executive Committee in exercise of the powers conferred to me by section 30 and 31 of the County Government Act 2012, on the 9<sup>th</sup> of April 2024, I transferred CECM **Hon. Joel Nzomo** from the **Department of Agriculture, Food Security and Cooperative Development** to the **Department of Devolution** and CECM **Hon. Catherine Mutanu** from the **Department of Water, Irrigation, Environment and Climate Change** to the **Department of Agriculture, Food Security and Cooperative Development**. She has however continued to serve as Ag. CECM in the Department of Water, Irrigation, Environment and Climate Change until the position is filled.

[www.machakosgovernment.co.ke](http://www.machakosgovernment.co.ke)



I hereby submit my nominee for the position of County Executive Committee Member for Water, Irrigation, Environment and Climate Change one **Rose Kamene Mwanthi** for your consideration.

I look forward to a positive outcome of this process as I believe the nominee would be an excellent addition to our Government with her proven track record and will bring valuable skills and leadership to the role.

Thank you.

Sincerely,



**H.E Wavinya Ndeti, E.G.H**  
**Governor Machakos County**

[www.machakosgovernment.co.ke](http://www.machakosgovernment.co.ke)

## **ANNEXURE 2**

(Letter from the Her Excellency, the Governor of Machakos County, forwarding **Ms. Juliana Ndunge Mutisya** for consideration and subsequent approval by the County Assembly for appointment as Secretary to the County Public Service Board)

Well received Madam Speaker. Thanks ✓✓

You

Letter from H.E. Wavinya Ndeti - Nomination of Secretary.pdf • 2 pages

To clerk

The attached letter is approved for communication to the house

Kind regards

Hon Anne kiusya

County speaker



REPUBLIC OF KENYA  
COUNTY GOVERNMENT OF MACHAKOS  
OFFICE OF THE GOVERNOR

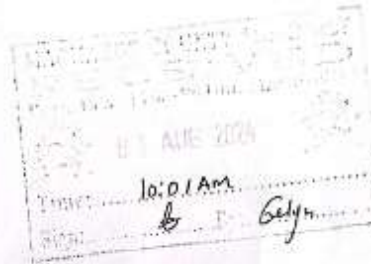
Telephone: +254 202004086  
Email: [info@machakosgovernment.co.ke](mailto:info@machakosgovernment.co.ke)  
When replying please quote

White House Machakos,  
Along People's Park Road,  
P.O BOX 1996-90100,  
Machakos, Kenya.

**When replying please quote:**  
**OUR REF: GMC/2/OOG/VOL.I/008**

**30<sup>th</sup> July, 2024.**

**To:**  
**Hon. Anne Kiusya,**  
**The Speaker,**  
**County Assembly of Machakos,**  
**County Hall,**  
**Along Mwatu wa Ngoma Rd**  
**P.O BOX 1168-90100**  
**MACHAKOS**



Hon. Speaker,

**NOMINATION OF SECRETARY OF THE COUNTY PUBLIC SERVICE BOARD**

The above subject matter refers.

Whenever a vacancy occurs in the County Public Service Board the Governor shall fill this position in pursuant to section 58(1)(c) which states inter alia:

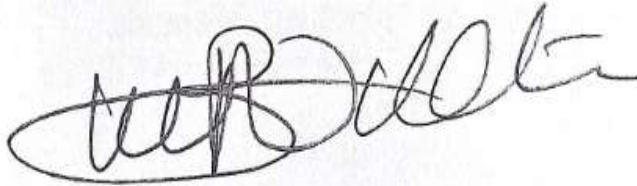
*a certified public secretary of good professional standing nominated and appointed by the governor, with the approval of the county assembly, who shall be the secretary to the board.*

I therefore forward the nominee for the position of **Secretary** of the County Public Service Board one **Juliana Ndunge Mutisya** as a result of a competitive process undertaken by the Selection Panel appointed on 26<sup>th</sup> of June 2024 who forwarded their Report to my office on the 19<sup>th</sup> of July 2024.

[www.machakosgovernment.co.ke](http://www.machakosgovernment.co.ke)

The Nominee is highly qualified for the position due to her extensive experience in the position, she brings with her a wealth of knowledge to serve in the said position. I therefore look forward to a positive conclusion of the process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wavinya Ndeti', written in a cursive style.

**H.E Wavinya Ndeti, E.G.H**  
**Governor Machakos County**

## **ANNEXURE 3**

(Advertisement by Clerk of the County Assembly placed in the print media inviting the public to attend the approval hearing and/or submit any information or comments on suitability or otherwise by way of sworn affidavit(s).



County Hall  
Along Mwatu wa Ngoma Rd  
P.O BOX 1168-90100 MACHAKOS

# REPUBLIC OF KENYA

## COUNTY GOVERNMENT OF MACHAKOS

### COUNTY ASSEMBLY OF MACHAKOS



Email: [info@machakosassembly.go.ke](mailto:info@machakosassembly.go.ke)  
Website: [www.machakosassembly.go.ke](http://www.machakosassembly.go.ke)  
TEL: 0202100981

## VETTING OF NOMINEES FOR THE POSITIONS OF COUNTY EXECUTIVE COMMITTEE MEMBER AND SECRETARY, COUNTY PUBLIC SERVICE BOARD OF MACHAKOS

Pursuant to Sections 35, 45 and 58(1) (b) of the County Governments Act, 2012 as read together with Sections 4, 6 (1) and 7 of the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly Standing Orders, the Speaker of the County Assembly of Machakos received from H.E the Governor, County Government of Machakos; names of two (2) nominees for the positions of County Executive Committee Member and that of Secretary of the County Public Service Board of Machakos, for approval by the County Assembly.

Pursuant to the provisions of Article 10(1)(a),(b) and (c) and (2)(a) and Article 196(1)(a) and (b) of the Constitution, as read with sections 5(1) and 7(3),(4),(5) and (6) of the Public Appointments (County Assemblies Approval) Act, 2017; notice is hereby given to the nominees and members of the public that the vetting of the nominees for both positions, will take place at the County Assembly of Machakos County Hall along Mwatu wa Ngoma Road, Machakos Town, at the date, time and venue below.

The nominees are hereby notified to appear before the Committee on Appointments of the County Assembly for vetting on **26th August, 2024**.

NOMINEE	POSITION	VENUE	TIME
Rose Kamene Mwanthi	CECM-Water, Irrigation, Climate Change and Environment	Assembly Chamber	10:00 am
Juliana Ndunge Mutisya	Secretary, County Public Service Board of Machakos	Assembly Chamber	11:00 am

The nominees are required to collect and submit the vetting forms from the Office of the Clerk between 8.00 am and 5.00pm on or before 20th August, 2024. The vetting forms should be submitted with copies of the following documents to the address provided below.

- (1) ID/passport;
- (2) Curriculum Vitae, personal credentials and academic certificates;
- (3) Current Tax Compliance Certificate from the Kenya Revenue Authority (KRA);
- (4) Current Compliance Certificate from the Higher Education Loans Board (HELB);
- (5) Current Clearance Certificate from the Credit Reference Bureau (CRB);
- (6) Current Valid Certificate of Police Clearance from the Directorate of Criminal Investigations;
- (7) Current Clearance from Ethics and anti-Corruption Commission (EACC);
- (8) Current Clearance certificate from respective professional bodies
- (9) Accreditation from Commission of University Education for foreign degrees (where applicable)

The nominees are required to bring with them the original of the above-mentioned documents on the vetting day.

Members of the public are invited to submit in writing and under oath any relevant information concerning the above nominees opposing their suitability to hold public office between 8.00am and 5.00pm by **21st August, 2024** addressed to;

**The Clerk,  
County Assembly of Machakos,  
P.O. Box 1168-90100,  
Machakos.**

The information can be hand delivered to the above stated office or scanned and sent to [info@machakosassembly.go.ke](mailto:info@machakosassembly.go.ke). Any information received by the Office of the Clerk will be confidential and used solely for the approval hearing.

**DENIS MUTUI**  
**AG. CLERK OF COUNTY ASSEMBLY.**

## **ANNEXURE 4**

(Verification of nominees by various institutions to undertake verification of the information provided by the nominees)





REPUBLIC OF KENYA  
COUNTY GOVERNMENT OF MACHAKOS  
COUNTY ASSEMBLY OF MACHAKOS



County Hall  
Along Mwata wa Ngoma Rd  
P O Box 1168 - 99100  
MACHAKOS - KENYA

Email: [assemblymks@gmail.com](mailto:assemblymks@gmail.com)

OFFICE OF THE CLERK

OUR REF: MKSCA/ADM/VETT/Vol.3/01

DATE: 28<sup>th</sup> August, 2024

Chief Executive Officer,  
Commission for University Education,  
P.O Box 54999-00200,  
Nairobi - Kenya.  
Email : [info@cue.or.ke](mailto:info@cue.or.ke)



**RE: RECOGNITION AND EQUATION OF QUALIFICATIONS FOR ROSE KAMENE MWANTHI**

Reference is made to our letter Reference MKSCA/ADM/VETT/Vol.3/04 dated 20<sup>th</sup> August, 2024.

This is to inform you that the nominee presented a letter Ref. CUE/10/9/Vol.679 dated 26<sup>th</sup> August, 2024 from your institution recognizing her Bachelor of Commerce Certificate from the University of Poona (currently Savitribai Phule Pune University) in India.

The Assembly Committee on Appointments is in the process of vetting the said nominee to establish her suitability for the proposed position pursuant to Section 12(2) (b) of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017.

This is to request your office to furnish the office of Clerk to the County Assembly of Machakos with information to ascertain the authenticity of your letter.

Enclosed herewith find a copy of the letter.

**DENIS MUTUI**  
**AG. CLERK OF COUNTY ASSEMBLY**

Cc **Hon Speaker**  
**County Assembly of Machakos**



SERIAL NO. CUE/REQ/2024/2505

# Commission for University Education

## **Recognition and Equation of Qualifications**

CUE/10/9/1/Vol. 679

26<sup>th</sup> August, 2024

Rose Kamene Mwanthi  
P.O Box 49496 - 00100  
NAIROBI

26 AUG 2024

RE: **RECOGNITION OF QUALIFICATIONS  
ROSE KAMENE MWANTHI**

Thank you for your application dated 23<sup>rd</sup> August, 2024 in which you requested the Commission for University Education to recognize the following qualification awarded by the University of Poona (currently Savitribai Phule Pune University) in India:

- Bachelor of Commerce

It is hereby confirmed that University of Poona (currently Savitribai Phule Pune University) is a recognized institution in India. The qualification awarded by the said institution is also recognized in India and by convention in Kenya.

Kindly note, that in addition to this recognition, you may be required to meet other requirements set by Kenyan professional organizations.

**BENSON KIMANI**  
**FOR: COMMISSION SECRETARY/CHIEF EXECUTIVE OFFICER**

BK/mmm

NB:

- *The Commission is not accountable for the authenticity of the certificate or the identity of the certificate holder presented for recognition and/or equation.*
- *The Commission retains the right to revoke recognition of the award in the event that it establishes any reason that makes the award in question ineligible for recognition and/or equation.*

Quality: The Agenda

Redhill Rd., off Limuru Rd., Gigiri  
P. O. Box 54999-00200, Nairobi, Kenya. Tel: 254 (020) 7205000.



REPUBLIC OF KENYA  
COUNTY GOVERNMENT OF MACHAKOS  
COUNTY ASSEMBLY OF MACHAKOS



County Hall  
Along Mwatia wa Ngoma Rd  
P O Box 1168 – 90100  
MACHAKOS – KENYA

Email: [assemblymks@gmail.com](mailto:assemblymks@gmail.com)

OFFICE OF THE CLERK

OUR REF: MKSCA/ADM/VETT/Vol.3/06

DATE: 20<sup>th</sup> August, 2024

Deputy Vice Chancellor,  
Academic Affairs,  
University of Nairobi,  
P. O. Box 30197 - 00100,  
Nairobi, Kenya  
E-mail: [reg-academic@uonbi.ac.ke](mailto:reg-academic@uonbi.ac.ke)

**RE: VERIFICATION OF ACADEMIC CERTIFICATES FOR MS. JULIANA NDUNGE  
MUTISYA.**

Article 176 of the Constitution establishes County Governments which comprise of County Assembly and the County Executive.

Section 8 (1)(a) of the County Governments Act No.17 of 2012 provides that the County Assembly shall vet and approve nominees for appointment to County public offices as may be provided for in the Act or any other law. Further, Section 4 of the Public Appointments (County Assemblies Approval) Act No.5 of 2017 provides that an appointment under the Constitution or any other law for which the approval of a County Assembly is required shall not be made unless the appointment is approved by the relevant County Assembly in accordance with the same Act.

In accordance with section 58 of the County Governments Act, H.E Wavinya Ndeti, the Governor, Machakos County nominated Ms. Juliana Ndunge Mutisya to the position of Secretary, Machakos County Public Service Board to be vetted by the County Assembly of Machakos for eventual appointment to serve in that position.

Pursuant to sections 4, 7, 8 and 9 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, the Assembly Committee on Appointments is in the process of vetting the said nominee to establish her suitability for the proposed position.

Further in exercise of the powers conferred by Section 12(2) (b) of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, the County Assembly of Machakos requests

your office to furnish the office of the County Assembly Clerk with information to ascertain the authenticity of the Master of Business Administration and Bachelor of Commerce Degree Certificates bearing the name Juliana Ndunge Mutisya.

Enclosed herewith find a copy of the Degree Certificates in question.



**HILARY MUTHUI**  
**FOR: CLERK OF COUNTY ASSEMBLY**





**REPUBLIC OF KENYA**  
**COUNTY GOVERNMENT OF MACHAKOS**  
**COUNTY ASSEMBLY OF MACHAKOS**



County Hall  
P.O. Box 1168 – 90100  
MACHAKOS – KENYA

Email: [assemblymks@gmail.com](mailto:assemblymks@gmail.com)

Along Mwatu wa Ngoma Rd

8

**OFFICE OF THE CLERK**

**OUR REF: MKSCA/ADM/VETT/VOL 3/03**

**DATE: 22<sup>nd</sup> August, 2024**

**The Chief Executive Officer**  
Ethics and Anti-Corruption Commission  
P.O. Box 61130-00200  
**Nairobi**



**RE: VETTING OF NOMINEES BY THE COUNTY ASSEMBLY**

Pursuant to Section 58A (1) of the County Governments Act No. 17 of 2012 as amended in 2020, Section 5 of Public Appointments (County Assemblies Approval) Act and the County Assembly Standing Orders, the Speaker received letters dated 30<sup>th</sup> July, 2024 Ref Nos. GMC/2/CS/CA/VOL.1/007 and 008 received at the County Assembly on 1<sup>st</sup> August, 2024 nominating the following persons to the positions shown below:

NAME	I.D NO	POSITION	DEPARTMENT
Juliana Ndunge Mutisya	11361770	Secretary	County Public Service Board
Rose Kamene Mwanthi	8823179	County Executive Committee Member	Water, Irrigation Environment and Climate Change.

Article 79 of the Constitution mandates the Ethics and Anti-Corruption Commission to oversee the implementation of the provisions of Chapter Six of the Constitution and the Leadership and Integrity Act 2012, which lays out the principals of leadership, the moral and ethical requirements of public/state officials seeking to hold any public offices.

In view of the above and pursuant to section 4(2) & (4) and 44 (2) of the Leadership and Integrity Act 2012, the County Assembly forwards the name of the above nominees to the Commission for verification so as to ensure compliance with Chapter Six of the Constitution.

Attached find their EACC declaration forms.

**BENSON MUTUA**  
**FOR: CLERK OF COUNTY ASSEMBLY (Ag)**