

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – SIXTH SESSION

Wednesday, 23rd March, 2022

House met in the Main Chamber at 02:30 p.m.

(The Temporary Speaker (Hon. Seth Okumu) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Okumu): Madam Clerk, could you please take us through the Order of this afternoon.

The Temporary Speaker (Hon. Okumu): Next order!!

MESSAGES

The Temporary Speaker (Hon. Okumu): Thank you Honourable Members. We have received a letter from the Office of the Clerk of the Senate and the letter reads;

Dear Sir,

THE SUBJECT: RECOGNIZING AND APPRECIATING THE ELDERLY BY COUNTY GOVERNMENTS.

The above matters refers.

The provisions of Standing Orders No. 215 of the Senate Standing Orders provides as follows;

1. The Clerk shall within 7 (seven) Days of the Resolution of the Senate or adoption of a report of a Select Committee convey the Resolutions and where applicable a copy of the report to the relevant Cabinet Secretary, Independent Commission and holder of an Independent Office under whose portfolio the implementation of the resolution falls.
2. With 60 (Sixty) days of a resolution being conveyed to the relevant Cabinet Secretary, Independent Commission or holder of an Independent Office under paragraph 1, such person shall provide a Report to the relevant Committee of the Senate in accordance with the provisions of Article 153 (4) (b) read together with Article 254 (2) of the Constitution of Kenya 2010.

Upon filing of a motion by Senator Rose Nyamunga, MP the Senate on Wednesday, 02nd March, 2022 resolved as follows;

THAT, aware that in the year 2006, the National Government initiated Elderly Persons Cash Transfers Programme (EPCTP) popularly known as “Pesa ya Wazee” which is an Unconditional Cash Transfer Programme to destitute elderly persons above the age of 65 years to cater for their substance needs.

NOTING THAT, the beneficiaries received a monthly stipend of Kshs 2,000 (Two Thousand Only) delivered to them after every two months through appointed paying agents and also entitled to making medical insurance through the National Health Insurance Fund (NHIF),.

CONCERNED THAT, however that the programmes credibility is marred by issues of delayed disbursement of funds to beneficiaries, difficulties in processing of payments through the stipulated agents and payments to the registered persons.

NOW THEREFORE, the Senate recommends that, the County Governments compliments the efforts of the National Government and assist in resolving these challenges by;

- i. Developing legislation and policies to protect the elderly including ensuring that all elderly persons in their respective Counties are registered in the OPTC Programme.
- ii. Organize Value Addition Mechanisms such as financial trainings to assist the beneficiaries of this programme to efficiently utilize this allowance.

This is to bring to your attention the foregoing resolutions for noting and further action. The Order Papers for days the Motion was discussed, the Hansard Report and the Voted of Proceedings are herewith attached. This letter is signed by Mr. J.M Nyegenye, CBS, Clerk of the Senate, Parliamentary Service Commission.

Honourable Members, As an Assembly, we I acknowledge the receipt of this letter from the Clerk of the Senate and we shall act on it as appropriate. Thank you.

The Temporary Speaker (Hon. Okumu): Next order!!

PAPERS LAID

REPORT OF THE AUDITOR GENERAL'S ON THE FINANCIAL STATEMENT OF
KISUMU COUNTY CAR LOAN AND MORTGAGE SCHEME FUND FOR THE YEAR
ENDED 30TH JUNE, 2020

BY

HON. KENNETH ONYANGO, MCA, KMIWANI WARD

(LEADER OF MAJORITY)

REPORT FROM THE STANDING COMMITTEE OF CO-OPERATIVE, FINANCE AND
ENTERPRISE DEVELOPMENT COMMITTEE REPORT ON ITS CONSIDERATION OF
THE KISUMU COUNTY EDUCATION FUND QUARTERLY REPORT AND THE
FINANCIAL STATEMENTS FOR THE YEAR ENDED 31ST DECEMBER, 2021.

BY

HON. PAUL OKIRI, MCA, KISUMU WEST.

(CHAIRPERSON, STANDING COMMITTEE OF CO-OPERATIVE, FINANCE AND
ENTERPRISE DEVELOPMENT)

The Temporary Speaker (Hon. Okumu): The Honourable Kenneth Onyango, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker... **(Inaudible)**

The Temporary Speaker (Hon. Okumu): The Serjeant-at-Arms, could you please assist the Leader of Majority with a portable microphone for the purposes of the Hansard.

Leader of Majority (Hon. Onyango): Thank you Mr. Speaker. Pursuant to the provisions of section 32 of the Public Audit Act of 2015, I wish to table today, Wednesday, 23rd March, 2022 a Report of the Auditor General's Statement of Kisumu County Car Loan and Mortgage Scheme for the year ended 30th June, 2020. Thank you.

(Leader of Majority tables the report before the House)

The Temporary Speaker (Hon. Okumu): Thank you Honourable Members. I wish to acknowledge receipt of the Report of the Auditor General's on the Financial Statement of Kisumu County Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2020.

Honourable Members, I direct that, this report be taken to the Select Committee of Public Accounts and Public Investment and a report be brought before this House in the next 21 (Twenty-one) days. Thank you.

The Temporary Speaker (Hon. Okumu): Yes Hon. Okiri.

Hon. Okiri: Thank you Mr. Speaker. Pursuant to the provisions of County Assembly of Kisumu Standing Orders No. 192 (6), I wish to table today Wednesday, 23rd March, 2022 the Co-operative, Finance and Enterprise Development Committee Report on its consideration of the Financial Statement of Quarterly Report for the period ended 31st December, 2021. Thank you.

(Hon. Okiri tables the report before the House for consideration)

The Temporary Speaker (Hon. Okumu): Serjeant-at-Arms, please assist the Honourable Member.

The Temporary Speaker (Hon. Okumu): Thank you Honourable Members. I wish to acknowledge receipt of the Report from the Standing Committee of Co-operative, Finance and Enterprise Development on its consideration of the Kisumu County Education Fund Quarterly Report for the and Financial Statements for the year ended 31st December, 2021.

Honourable Members, I want to direct that, this report be taken to the Select Committee of House Business for scheduling for discussion on the floor of the House. Thank you.

The Temporary Speaker (Hon. Okumu): Next order!! Madam Clerk.

NOTICES OF MOTION.

The Temporary Speaker (Hon. Okumu): Yes Hon. Okiri.

Hon. Okiri: Thank you Mr. Speaker. Pursuant to the provisions of County Assembly of Kisumu Standing Orders No. 45 (1), I wish to give a Notice of Motion on a report from the Standing Committee of Co-operative, Finance and Enterprise Development on its consideration of the Kisumu County Education Fund Quarterly Report for the and Financial Statements for the year ended 31st December, 2021. Thank you.

The Temporary Speaker (Hon. Okumu): Next order!! Madam Clerk.

MOTION

REPORT FROM THE SELECT COMMITTEE ON APPOINTMENT ON THE VETTING OF
HON. FARIDAH SALIM AHMED, NOMINEE FOR THE POSITION OF COUNTY
EXECUTIVE COMMITTEE MEMBER FOR ROADS, TRANSPORT AND PUBLIC WORKS.

PRESENTED BY

HON. KENNETH ONYANGO, MCA, MIWANI WARD

(LEADER OF MAJORITY, ON BEHALF OF THE COMMITTEE CHAIRPERSON)

The Temporary Speaker (Hon. Okumu): The Honourable Kenneth Onyango, Leader of Majority.

Leader of Majority (Hon. Onyango): Thank you so much once more Mr. Speaker. Mr. Speaker, I would like to move a motion on the Report from the Select Committee of Appointment on the Vetting of Hon. Faridah Salim Ahmed who is a Nominee for the Position of County Executive Committee Member for Roads, and Transport and Public Works.

Mr. Speaker and Honourable Members. The Governor of Kisumu County Prof. Peter Anyang' Nyong'o notified the County Assembly in accordance with section 6 (1) of the Public Appointments (County Assembly Approval) Act, 2017 about his nominee for the position of County Executive Member for Roads, Transport and Public Works through a letter reference CGK/CS/ADM/20/VOL.V/8 dated 1 March, 2022 and signed by the County Secretary (Annex I)

Consequently, pursuant to the provision of Section 7(1), the Speaker informed the Assembly about the Notification he received from the Governor via the letter referred here above. The notification was laid as a paper before the House on Wednesday 2nd March, 2022 (Annex 2) where the Speaker according to Standing Order 193 (5) (f) committed the nominee to the Committee on Appointments to vet and consider the suitability of the nominee for appointment.

In accordance with section 9 (1) of the Public Appointments (County Assemblies Approval) Act, 2017 the Committee on Appointments is required to table its Report detailing findings and recommendations to the House within a period of twenty-one (21) days thereof.

Mr. Speaker and Hon. Members, the Clerk of the Assembly pursuant to the provisions of section 7 (4) of the Public Appointment (County Assemblies Approval) Act, 2017 and Standing Order No. 43 (3) of the County Assembly Standing Orders notified the candidate and the general public through the Star and Daily Nation newspapers on 8th March, 2022, that, the approval/public hearing (vetting of the Nominee) was scheduled to be held on Tuesday 15th March, 2022 (annex iii) at the County Assembly Boardroom at Mega Plaza. The Committee thereafter conducted the approval hearing/public vetting and gathered findings, observations and recommendations which are part of this report for the position of the CEC Member for Roads, Transport and Public Works; Hon. Faridah Salim Ahmed.

ESTABLISHMENT AND MANDATE OF THE COMMITTEE.

Mr. Speaker and Hon. Members, The Committee on Appointment is established under Standing Order No. 187 of the Kisumu County Assembly Standing Orders and is mandated PURSUANT to Standing Order No. 187 (4) as follows;

The Committee on Appointments shall consider, for approval by the County Assembly, appointments under Articles 179(2) of the Constitution.

1.2 MEMBERS OF THE COMMITTEE.

The Committee on Appointment comprises the following Members:-

- | | | |
|-------------------------|---|------------------|
| 1. Hon. Elisha Oraro | - | Chairperson |
| 2. Hon. George Abaja | - | Vice Chairperson |
| 3. Hon. Aslam Khan | - | Member |
| 4. Hon. Joachim Oketch | - | Member |
| 5. Hon Jane Manuche | - | Member |
| 6. Hon. Kenneth Onyango | - | Member |
| 7. Hon Benny Pete | - | Member |
| 8. Hon. Caleb Omoro | - | Member |
| 9. Hon. Beatrice Odongo | - | Member |
| 10. Hon Erick Agola | - | Member |

COMMITTEE SECRETARIAT.

- | | | |
|-----------------------|---|---------------------------|
| 1. Mr. Peter Anditi | — | Principal Clerk Assistant |
| 2. Herman Moses | — | Clerk Assistant |
| 3. Angelyne Akinyi | - | Clerk Assistant |
| 4. Elizabeth Achieng' | — | Clerk Assistant |
| 5. Wycliffe Owade | - | Researcher |
| 6. Bill Omondi | — | Legal Counsel |
| 7. Zablon Otiende | — | Senior Hansard Reporter |
| 8. Zachary Nyalalo | — | Serjeant-at-Arm |

ACKNOWLEDGEMENTS

Mr. Speaker Sir and Hon. Members. May I take this opportunity to thank all Members of the Committee on Appointment for their input and valuable contributions during the deliberations and vetting exercise, the Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the County Assembly for the support accorded to it during the vetting exercise.

On behalf of the Committee on Appointments and pursuant to the provisions of Standing Order No. 187, it is my duty and privilege to present to the County Assembly, the Committee's Report on the vetting of the Nominee for the Position of CEC Member for Roads, Transport and Public Works; Hon. Faridah Ahmed Salim.

INVITATION OF MEMORANDA

Mr. Speaker and Hon. Members. PURSUANT to Section 7(4), (5) of the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017 which provides that:

(4) The Clerk shall notify a candidate of the time and place for the holding of an approval hearing by notice in at least two newspapers of national circulation and by writing and such other form of communication as the Clerk shall consider appropriate.

(5) 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.

The County Assembly of Kisumu on 8th March, 2022 placed an advertisement in the print media; Star and the Daily Nation Newspaper informing the nominee and members of the general public of the intention of the Committee to conduct an approval hearing as provided for by Article 179 (2) (b) of the Constitution of Kenya, 2010, County Government Act, 2012, Section 35, 87 and Section 8 (1)(a) of the Public Appointments (County Assembly Approval) Act, 2017 and Standing Order No. 187 read together with Article 118 (1) (a) (b) that allow public participation in Committee proceedings (Annexure II).

The notification invited the public to submit memoranda by way of written statements on oath (affidavit) with supporting evidence contesting the suitability of the nominee in conformity with section 8 of the Public Appointments (County Assembly's Approval) Act, 2017.

Further members of the public were informed that due to COVID-19 requirement that disallows any public gathering of more than 15 members, they were encouraged to send their written statements/affidavit via the county assembly email or the hardcopies delivered to the Assembly Clerk's office (See Annexure II).

LEGAL FRAMEWORK

Mr. Speaker and Hon. Members, Article 179 (b) of the Constitution of Kenya 2010 mandates the Governor to appoint the County Executive Committee Members with the approval of the County Assembly. Section 35 of the County Government Act, 2012 provides for procedures used by the Governor when nominating members of the executive which states as follows;

Appointment of County Executive Members.

35. (1) The governor shall, when nominating members of the executive committee—

- a) ensure that to the fullest extent possible, the composition of the Executive Committee reflects the community and cultural diversity of the county; and
- b) Take into account the principles of affirmative action as provided for in the Constitution.

(2) The County Assembly shall not approve nominations for appointment to the executive committee that do not take into account—

- a) not more than two thirds of either gender;
- b) representation of the minorities, marginalized groups and communities; and
- c) community and cultural diversity within the county.

(3) A person may be appointed as a member of the county executive committee if that person—

- a) is a Kenyan citizen;
- b) is a holder of at least a first degree from a university recognized in Kenya;
- c) satisfies the requirements of Chapter Six of the Constitution; and
- d) has knowledge, experience and a distinguished career of not less than five years in the field relevant to the portfolio of the department to which the person is being appointed.

(4) A member of the county executive committee shall not hold any other State or public office.

Section 8 of the Public Appointment (County Assembly Approvals), Act, 2017, further highlights issues to be considered by the Assembly while approving the nominee

8. 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 where the nominee's credentials, abilities, experience and qualities meet the needs of the body to which the nomination is being made.

Standing Order No. 43 of the Kisumu County Assembly Standing Orders which states;

PART XI – APPROVAL OF PUBLIC APPOINTMENTS

Committal to Committees Standing Order No.43 provides;

- 1) Upon receipt of a notification of nomination for appointment to an office as is under the Constitution or under any other legislation required to be approved by the County Assembly, the nomination shall stand committed to the relevant Sectoral Committee of the County Assembly for consideration.
- 2) Despite paragraph (1), appointments under Article 179(2)(b) of the Constitution shall stand committed to the Committee on Appointments.
- 3) Before holding an approval hearing, the Committee to which proposed appointments have been referred shall notify the candidate and the public of the time and place for the holding of the approval hearing at least seven days prior to the hearing.
- 4) The Committee shall conduct a hearing on the proposed appointment and shall, unless otherwise provided in law, lay its report in the County Assembly within fourteen days of the date on which the notification was received under paragraph.

COMMITTEE MEETINGS

The Committee held three meetings to deliberate, vet and prepare a report with recommendations to be tabled before the House. (See annex IV)

CRITERIA FOR VETTING

Mr. Speaker Sir and Hon. Members. The Committee adopted the First Schedule criteria for vetting/approval of nominee and Second Schedule Assessment Form which are provided by the Public Appointment (County Assemblies Approval), 2017.

The Committee also adopted the score sheet used for vetting. The score sheet covered six thematic areas that gave a total score of 100% notable;

S/No.	Thematic Areas	Scores per Segment (%)
1.	Academic and Professional Qualification and Demonstrate Achievement	20
2.	Education/Training relevant to the position	25
3.	Technical and Professional Capability	20
4.	Function Interface	20

5.	General Knowledge	10
6.	Communication and Personal Attributes	5
	Total Score	100%

The Committee resolved that the pass mark for scores be 50%.

STATUTORY CLEARANCE REQUIREMENTS

Mr. Speaker Sir and Hon. Members. The nominee submitted clearance certificates from the following statutory bodies to satisfy requirements of Chapter Six of the Constitution;

- i. Kenya Revenue Authority (K.R.A);
- ii. Ethics and Anti-Corruption Commission (E.A.C.C);
- iii. Criminal Investigation Department (C.I.D) Certificate of Good Conduct;
and
- iv. Higher Education Loans Board (H.E.L.B).

PUBLIC HEARING AND VETTING OF THE NOMINEE

The nominee appeared before the Committee and was orally interviewed pursuant to the provisions of the Constitution of Kenya, the Public Appointments (County Assemblies Approvals) Act, No. 5 of 2017, County Government Act 2012, the Standing Orders of the County Assembly and other relevant pieces of legislations.

BACKGROUND INFORMATION OF THE NOMINEE

1. Ms. Farida Ahmed Salim

- P.O Box 19322 – 40100Kisumu.
- ID : 13041077
- PIN Number: A002828433C
- Town: Kisumu City
- Place of Birth: Kisumu

2. Educational Background

- 1997: Bachelor of Education (Arts) – Kenyatta University
- 1991: Kenya Certificate Of Secondary Education – Kisumu Girls High School
- 1987: Kenya Certificate Of Primary Education – Kaloleni Primary School

Institution	Position	Year
• Kisumu County Education Board	Vice Chairperson	2019 to date
• Kisumu City Board	Member	2018 to date
• Kisumu County Assembly	Nominated MCA	2013 to 2017
• Kisumu Polytechnic	Lecturer	1998 to 2012
• Kenya National Examinations Council	Examiner	
• Independent Electoral and Boundaries Commission	Poll Clerk	2005,2002,1997

The candidate was subjected to a set of questions to establish her suitability for the proposed appointment in accordance with the score sheet and scored a total of 64.56%.

SCORESHEET FOR THE POST

COUNTY EXECUTIVE COMMITTEE MEMBER FOR ROADS, TRANSPORT AND PUBLIC WORKS.

Name of Candidate: Hon. Faridah Salim Ahmed Age Gender: Female

ID.PP/No. 13041077 Time 9.30am.

	Panelist Score distribution		P1	P2	P3	P4	P5	P6	P7	P8	P9
	Score Area	Max. Score									
	Part 1 – Person Profile										
1	Academic & Professional qualifications Candidate to describe: 1. Years of Work experience (as it relates to the position) i). 10 + (10mks)	20	15	16	10	20	18	6	15	15	5

	ii). 5-10+ (5mks) iii). 1-5+ (5mks) 2. Demonstrable Achievements (5mks) 3. Past pro bono voluntary engagements (5mks)										
2	1. Education/training (relevant to the position) i). Doctorate Degree (5mks) ii). Masters Degree (5mks) iii). Bachelor's Degree (15mks)	25	10	14	15	15	15	7	10	15	15
Part 2 – Technical and Professional Capability											
	a) Functions of the Office of the CEC Member for Roads, Transport and Public Works (5mks) b) Understanding of the Budget Cycle (5mks) c) Articulation of Road infrastructural needs of the County (2mks) d) Articulation of strategic issues related to functions of the	20	10	10	10	17	18	6	15	12	15

	Department. (3mks) e) Understanding of the Departmental Challenges (1mks) f) Proposals on practical solutions (2mks) g) Diversity management in relation to the Work of the Department (2mks)										
Function Interface											
	Between: a) The Assembly, the Department and County Executive b) Central Government and devolved structures c) Knowledge of public finance and procurement d) Public Participation	20	15	15	10	18	17	15	10	10	20
Part 3: General Knowledge											
	a) Challenges facing county governments b) Understanding of the current										

	national political situation	10	5	8	5	8	8	6	5	5	10
	c) General understanding of Kisumu County										
	d) Employee welfare issues										
	e) Solutions to Kisumu County challenges on matters relating to Roads, Public Works and Transport										
Part 4 – Communication and Personal Attributes											
	Capacity to express self	5	5	4	3	5	5	5	5	5	5
	Clarity of speech										
	General attitude and personality										
	Interpersonal skills										
	Self confidence										
	Total	100	60	67	53	83	81	45	60	62	70

Total Score = 581

Average = 64.56%

Grade = B (plain)

MANDATORY REQUIERMENTS ACCORDING TO SECTION 35 (3) OF THE KISUMU COUNTY GOVERNMENT ACT 2012 OF THE COUNTY EXECUTIVE COMMITTEE MEMBER.

Candidate	Citizen of Kenya	is a holder of at least a first degree from a university recognize d in Kenya;	satisfies the requirements of Chapter Six of the Constitution	Has knowledge, Experience and a distinguished career of NOT less than 5 years in the field relevant to the Portfolio of the Department to which the Person is being Appointed.	Meets the Requirements of Chapter Six of the Constitution of Kenya.	Remarks Responsive/Non-Responsive
Ms. Farida Ahmed Salim	✓	✓	✓	✓	✓	Responsive

Candidate	Academic and Professional Capabilities	Technical and Professional Capability	General Knowledge	Communication and Personal Attribute	Function Interface	Scores %	Total Points.
Ms. Farida Ahmed Salim	120	229	60	42	130	64.56%	581

Suitability of the Nominees for the Appointment to the position

Position	Nominee	% Score	Remarks
CEC Roads, Transport and Public Works	Ms. Farida Ahmed Salim	64.56%	Responsive/Suitable

Suitability of the Candidate was determined by a set of questions in consistency with the proposed appointment and he passed the 50% threshold in accordance with the score sheet.

COMMITTEE OBSERVATIONS AND FINDINGS

Mr. Speaker Sir and Hon. Members, the provisions of Article 27 of the Constitution provides for equality and freedom from discrimination under the Bill of Rights. It affirms that every person is guaranteed equal before the law and has the right to equal protection and equal benefit of the law; that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres and that the County Government shall not discriminate directly or indirectly against any person on any ground, including race, sex, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth.

To give full effect to the realization of the rights guaranteed under this Article, Committee observed that the Governor made tremendous effort in addressing gender equality and women empowerment in the County by first ensuring that the County Executive Committee is in accordance with the two-thirds gender rule.

The Committee further observed as follows:

- i. That the Governor Kisumu County complied with Section 35(1) of the County Government Act, 2012 while nominating Ms. Farida Ahmed Salim to the post of County Executive Member for Roads, Transport and Public Works.
- ii. That nominee met the threshold of appointment to the office as provided for by section 35(3) of the above named Act.
- iii. That the nominee appeared before the Appointment Committee and excelled by scoring 64.56%.
- iv. That the Committee did not receive any information from the public contrary to her nomination.
- v. That Committee found the nominee is suitable for appointment in accordance with section 8 (c) of the Public Appointments (County Assembly Approval) Act, 2017.

RECOMMENDATIONS

Mr. Speaker and Hon. Members. The committee recommends to this Hon. House that Hon. Faridah Salim Ahmed be approved for appointment as County Executive Committee Member for Roads, Transport and Public Works within the County Government of Kisumu.

CONCLUSION

It is therefore my honor and privilege, on behalf of the Committee on Appointments to move this motion before this Honorable House for consideration.

Mr. Speaker, I would like to call upon Hon. Oiko Pete, the Leader of Minority who is also a Member of this Committee to second.

The Temporary Speaker (Hon. Okumu): The Honourable Oiko Pete, Leader of Minority

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker. The Committee of Appointment were able to undertake their work, they vetted the proposed nominee and found her suitable to hold this position taking into consideration that marks she managed to garner and her professional qualification. The Committee therefore beseechs this House to give their approval to the Governor to appoint Honourable Faridah Ahmed Salim to serve the County Government of Kisumu in the position of Count Executive Committee Member for Roads, Transport and Public Works. I second. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Honourable Member. A Report from the Select Committee of Appointment on the Vetting of Hon. Faridah Salim Ahmed, Nominee for the Position of County Executive Committee Member for Roads, Transport and Public Works has been moved as a Motion by the Leader of Majority, Honourable Kenneth Onyango, seconded by the Leader of Minority Honourable Benny Pete Oiko and I want to propose that we open this report for debate.

The Temporary Speaker (Hon. Okumu): Yes, Honourable Pamela Odhiambo, MCA, Manyatta “B”

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I arise to support that Honourable Faridah Ahmed Salim be approved as the County Executive Committee Member for Roads, Transport and Public Works. Mr. Speaker, Honourable Faridah Ahmed Salim has been in this County all her life and I want to say that it is going to be the first time that the Governor of Kisumu County has really done wonders by nominating somebody who has served in this Assembly.

Mr. Speaker, we have been lamenting about our road networks. Honourable Faridah Ahmed Salim has been here and has always been with us complaining about our roads network. Mr. Speaker, Honourable Faridah Ahmed Salim has been in the Kisumu County Education Board because I also served with her when we were representing our electoral wards in the Constituency Development

Fund (CDF) and Honourable Faridah Ahmed Salim was that time the Treasurer of CDF Education Board, Kisumu East.

Mr. Speaker, in the First Assembly, Honourable Faridah Ahmed Salim was again nominated to represent the minority and she was dedicated in her duties because when she was serving in this House, she brought several motions that are currently helping our women and the minority in Kisumu County. Mr. Speaker, Honourable Faridah Ahmed Salim was a lecturer at the Kisumu Polytechnic and she has undertaken leadership skills while serving in different organizations. Mr. Speaker, just to mention a few, the Federation of Women Lawyers (FWL), the Kenya Law Reform (KLRC) Commission, the Transparency International (TI), the Kenya Legal Issues Network (KLIN), the Institute for International Budget Partnership (IIBP), the National Democratic Institute (NDI) and the Media Focus on Africa (MFA).

Mr. Speaker, I believe that, when we give Honourable Faridah Ahmed Salim this chance to serve in the position of CEC Member for Roads, Transport and Public Works, nobody is going to cry because she is a hard worker, straight as an arrow and she understand the challenges faced Kisumu County. Mr. Speaker, I similarly want to acknowledge our Governor, Professor Peter Anyang Nyong'o for nominating Honourable Faridah Ahmed Salim. You are all aware that she is a woman and her predecessor was also a woman and it is known world over that, women work very hard.

Mr. Speaker, I am happy because our Honourable Speaker similarly advocates for affirmative action and I believe that Honourable Faridah Ahmed Salim will work hard to ensure that women are included in some list that is doing rounds because we are really waiting to see our names in that list because we have been working hard and this issue of men selecting themselves should not be the order of the day in this County. The Right Hon. Raila Odinga brought devolution and he wants women inclusivity in key positions. Mr. Speaker, I want to say that, as women, we are going to work hard....

The Temporary Speaker (Hon. Okumu): Order!! Honourable Pamela Odhiambo. Please for relevance, I want to direct that you stick to what is being discussed in the floor of this House which you are all aware, that it is a Report from the Select Committee of Appointment on the Vetting of proposed nominee Honourable Faridah Ahmed Salim for the position of County Executive Committee Member for Roads, Transport and Public Works. So, you need to convince the Honourable Members to either approve or reject her for this position. I believe that you will assist this House if you stick to that. Thank you.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. I was trying to build my point because we cannot just approve such a report without building our points. Mr. Speaker, I want to say that, women works tirelessly in this County and we have all witnessed that. Mr. Speaker, I know that Honourable Faridah Ahmed Salim is going to work hard and I believe that the Governor will also

come back tomorrow and we are going to inform him what has been happening while he was away. I believe that women in this County Assembly must also be heard. Mr. Speaker, let me say one thing, that us, we don't love free things, we are going to face our electorates and fight with you men and we are going to be elected back into this House and we don't want this idea of people being given free things, I say no. Thank you.

The Temporary Speaker (Hon. Okumu): Yes Hon. Okiri.

Hon. Okiri: Thank you Mr. Speaker. I arise to support this report. You may not know that Honourable Faridah Ahmed Salim is the president of NAYA.

Mr. Speaker, we are all aware that recently, one of us shifted her base to Homabay County this was the CEM Member in-charge of Roads. This is what has necessitated the Governor to declare that position vacancy position vacant. Mr. Speaker, if you go to the hospital, you must use the road, again if you are to visit a market, you must use the road and this applies to everywhere you go you must use a road. Mr. Speaker that is the essence why the Governor noticed that this is a very key portfolio that needs to be filled and occupied by somebody urgently. Mr. Speaker, on this matter, we as a House must support the Governor for doing this at the right time. This shows that the Governor means well for this County. Should this idea not have been mooted, this could have gone up to the next General Election which was most probably after September or October, 2022. Mr. Speaker, the Governor saw the need and for the sake of the people of Kisumu County that, they must get service delivery whether it is before or after the General Elections but services must be delivered in our County.

Mr. Speaker, we must appreciate that, the minority which is something explicitly anchored in our Constitution and I believe that, this is a step forward for our Governor and even to the residents of Kisumu that, this is the second time that this Assembly is going to approve a CEC Member who is a lady and a minority. This will go into the annals of history that this House has done that.

Mr. Speaker, gender is also included in this piece and we are happy that gender is considered in this appointment and this House is a leaving proof to other Counties that they should consider conducting benchmarking with Kisumu that, it is not only men but, women are equally able to do what men are capable of doing.

Finally, Honourable Faridah Salim was in this First Assembly because during that tenure, I was the Chairman, Standing Committee of Health, Housing and Sanitation and Honourable Faridah Salim was my Vice-chairperson and she could do the unimaginable despite the fact that I was the Chairperson and I could most of the time delegate these duties to her and she could do them diligently and effectively. Mr. Speaker, that has given us hope that one day I could also be nominated to be a CEC Member in this County. Mr. Speaker, this is a clear manifestation that in future even Honourable Paul Odhiambo Okiri could be nominated to the position of CEC Member

because this has been well demonstrated that Members who have emanated from this House can also make good leaders.

Mr. Speaker, it is my humble appeal to this House that, if they look at all the requirement provided by this nominee, we believe that Honourable Faridah Ahmed Salim will take this County to the next level where her predecessor “*Fatou Bensouda*” left it, but, will give advice to the nominee to walk with us enable her be aware where her predecessors failed to enable this County forge ahead. Thank you.

The Temporary Speaker (Hon. Okumu): Yes Senior Member, Hon. Priscah Misachi.

Chief Whip (Hon. Misachi): Thank you Mr. Speaker. I want to add my voice to this motion. Honourable Faridah Ahmed Salim was conceived, born and brought up in Kaloleni. I want thank the Governor for taking care of that ward by giving us this appointment even by making roads in Kaloleni be tarmacked. So, Honourable Faridah Ahmed Salim is a master from a smart ward given back to the village leaving in Kaloleni/Shaurimoyo Ward. Please let us approve Honourable Faridah Ahmed Salim. Thank you.

The Temporary Speaker (Hon. Okumu): Yes Hon. Judith Ogaga

Hon. Ogaga: Thank you Mr. Speaker. I arise in support of this report and I would like to put a lot of emphasis that I know Honourable Faridah Ahmed Salim as a woman, a leader of integrity and for me it is integrity that I really value when I talk on efficient service delivery which we need for our people. So, based on that, I really thank the Governor for considering to accord her the opportunity to serve in this position and I wish her all the best in this. Thank you.

The Temporary Speaker (Hon. Okumu): Yes Hon. George Ogutu.

Hon. Ogutu: Thank you Mr. Speaker for according me this opportunity. Mr. Speaker, please allow me to thank the Governor, Kisumu County for at least giving us this candidate whom in a few minutes might be approved by Members of this Assembly to give the Governor the opportunity to formally appoint her to the position of County Executive Committee (CECM) Member for Roads, Transport and Public Works.

Mr., Speaker, I have combed through this report and I have noticed a few issues that I wanted to bring to the fore. Mr. Speaker, one of the things that I have noticed is that the Appointment Committee worked very well and if you go through the report the candidate has been praised where she was able to submit her educational credentials. I believe that at this particular stage, it is the onus of this House to flag out a few things which were not captured in this report. I believe that each and every Honourable Member has been furnished with a copy of this report. Mr. Speaker, please we refer to page 8 of the report.

Mr. Speaker, page 8 of this report. Educational Background of the proposed nominee and my major concern was number 2 which indicated in the Educational Background in 1997 the nominee attained a Bachelors of Education (BEd), Kenyatta University and that shows a very hard working woman. Mr. Speaker, in the year 1991, Kenya Certificate of Secondary Education (KCSE), Kisumu Girls High School, a very reputable institution in our County and this is equally a pass to this nominee. In the year 1987, Kenya Certificate of Primary Education (KCPE), Kaloleni Primary School. Mr. Speaker, going through the nominees Educational Credentials, you will notice one thing, that, the proposed nominee is a homegrown person except she attended Kenyatta University for her Bachelors programme. Mr. Speaker, there is one thing that I wanted to question, and Honourable Members you will allow me to flag out.

Mr. Speaker, while perusing through the papers of the proposed nominee attached to the Appointment Committee report, I can only see the certificates for KCSE education and I can equally see that of KCPE education. Mr. Speaker, with all those beautiful praise on educational background of the proposed nominee, I failed to see her certificate for University Education.

Mr. Speaker, I adore women the way Honourable Pamela Odhiambo stated. Mr. Speaker, I am asking one thing, was it an oversight on the Committee not to attach this particular precious copy of the certificate to this report or it was something used to build on the career of this nominee?

Mr. Speaker, I believe that it is at this particular stage, it is our duty as Honourable Members to at least dig deeper and see exactly whether what has been captured in this report is exactly what is attached in the report. Mr. Speaker, if it was the oversight on the House Committee, then I believe that we should be informed. Mr. Speaker, I would like to support this report of the proposed nominee with all my heart but, if some of the essential documents are missing, then that leaves a lot to be desired because those essential documents illustrated herein are supposed to be here. Mr. Speaker, it is my solemn belief that, it is critical that we promote women in this County but, when this House is deliberating a report of this magnitude, then what is exactly documented in the report should be annexed so that it is fully supported. Mr. Speaker, those are the few anomalies that I have noticed in this report with a lot of reservations.

Otherwise, I fully support the candidature of this nominee and it is my belief that she is going to do a god job. Mr. Speaker, you are all aware that, there is a time I had a problem with her predecessor and there was an outcry regarding this Department in Kisumu County and I can confirm that I attempted to bring an Impeachment Motion on the same. Mr. Speaker, right now and going through the Committee report, I similarly realized that this proposed nominee served in the First Assembly as a nominated Member. Mr. Speaker, I am very happy if a former MCA can be promoted to such a high position but let us be furnished with the right documents so that we can be gratified that the report presented to the House contains exactly what is said about the nominee. Mr. Speaker, with those few remarks, I rest my case, thank you.

The Temporary Speaker (Hon. Okumu): Yes Hon. Erick Agolla.

Hon. Agolla: Thank you very much Mr. Speaker. Foremost, I want to appreciate you for according me this opportunity to also add my voice on the motion on the floor of this House.

Mr. Speaker, I am privileged to be a Member of this Committee which is the Committee on Appointments. The provisions of section 35 (3) of the County Government Act 2012 read together with the Kisumu County Public Appointment (County Government) Act is explicit. Mr. Speaker, this was the guiding principle that guided this House Committee and the nominee qualified after having checked what was required of her to qualify as the CEC Member for Roads, Transport and Public Works.

Mr. Speaker, as a House Committee we did set a standard which was the pass mark of 50% and the nominee qualified by attaining 64.56%. Mr. Speaker, it is with great honour to this August House considering the fact that the Building Bridges Initiative (BBI) is on half time. Once the BBI is adopted, all the County Assemblies and the National Parliament will produce Members of the Cabinet and this is a clear manifestation that the Governor has shown that he has confidence in Members of the Assembly by considering one of our own Honourable Faridah Ahmed Salim to be the proposed nominee for the position of the CEC Member for Roads, Transport and Public Works.

Mr. Speaker, I don't want to belabour much on this matter, but I want to plead with Honourable Members because we verified, confirmed and ascertained that she did attain her Bachelors Degree from Kenyatta University and I believe that maybe our Clerks did not attach the certified copy that states that she has attained a University Degree and as a Committee we could not have awarded these marks if she did not have this certificate. I want to repeat that, we did approve the nominee after having verified and checked keenly that she qualified to be in the position of CEC Member for Roads, Transport and Public Work.

Mr. Speaker, I don't want to contribute more than that, but just want to plead with us Honourable Members to kindly prove this proposed nominee because roads has really affected us Members of this County Assembly of Kisumu because in our wards a good number of our roads are in dilapidated states and that is the reason we are showing our gratitude to the Governor because it is not only the CEC Member for Roads who has made a decision to go into active politics, a number of them also tendered their resignations but, the Governor thought it prudent to prioritize roads because roads really affects this County. Mr. Speaker, without much ado, I want to be grateful to you for this opportunity and plead with Members to consider the proposed nominee for further consideration to enable the Governor appoint her to this position of CEC Member, Roads, Transport and Public Works. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Honorable Agolla. Honourable Ogutu, I want to direct you to consult with the Leader of Majority to enable you allay your fears on the University Certificate of one Honourable Faridah Ahmed Salim. I believe they have a copy which can be ascertained from the Leader of Majority.

The Temporary Speaker (Hon. Okumu): Yes Hon. Aslam Khan.

Hon. Aslam: Thank you very much Mr. Speaker. I believe that it is high time that we follow the traditions of the House because when a Senior Honourable Member rises, he/she must be accorded some decorum and respect and the opportunity to speak accordingly and not twice when it can be shied away. In fact we are setting a very bad precedence.

Mr. Speaker, anyway, with those remarks that I have made, I as the representative of the minority in this House, I take this opportunity to thank the Governor of Kisumu County for having considered one of us to be nominated for the position of CEC Member, Roads, Transport and Public Works. Mr. Speaker, Kisumu County being a cosmopolitan County and co-existence amongst us will bring more peaceful situations whereby we are going to believe that we also hold chances. The party to which I subscribe to the Orange Democratic Movement (ODM), if you look at their manifesto, that the party itself holds the minority community in high regards and this acutely has been the norm to us. As other have said, by Honourable Agolla is that as BBI proposals were there to appoint CEC Members from the County Assemblies, the appointment Farida Ahmed will be a test case and it will go a long way God willing, if BBI is revived and brought back, it will show the confidence that the Governor has faith in the MCAs of the County.

Mr. Speaker, with those few remarks, I say that this nominee is a locally brewed girl who went Kaloleni Muslim Primary School then proceeded to Kisumu Girls High School which is a National School where I was once the Chairman, proceeded to Kenyatta University for her Degree programme and back to lecture at the Kisumu Polytechnic and not moving out of the jurisdiction of Kisumu County and that shows that she has the magnitude, love and affection for Kisumu County. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Honourable Member. I just want to inform you that, please learn to catch the Honourable Speaker's eyes because where you are seated is sometimes hidden.

The Temporary Speaker (Hon. Okumu): Order!! Order!! Honourable Member. Just appreciate my direction that you learn to catch the Honourable Speaker's eyes, because right now I can only hear your voice but I can't see you. So, sometimes tall Members like Honourable Philemon Ojuok can easily catch the Honourable Speaker's eyes before I see you. Next time we will accord you the precedence should you catch the Honourable Speaker's eyes.

The Temporary Speaker (Hon. Okumu): Otherwise, Hon. Philemon Juma Ojuok.

Hon. Ojuok: Thank you much Honourable Speaker for according me this opportunity. I just want to add my voice to support the appointment of Honourable Faridah Ahmed Salim to the position of CEC Member Roads, Transport and Public Works.

Mr. Speaker, I only heard of her being nominated as a MCA, the First Assembly in Kisumu County, but during my stint as the Leader of Minority, I got the chance to interact with her in Nairobi when we had a meeting there with the City Board. Mr. Speaker, during my interaction with her, I noticed that, she is the real brain there, with some level of integrity and competence and commitment to good service. Mr. Speaker, for me, I wouldn't hesitate to support her appointment and I just want to believe that to some extent, I realized that she looked soft and could even borrow a leaf from her predecessor Bensouda then, this could work much better because I know that Department to be a very rough place and full of cartels and these cartels sometimes need some elements of roughness to deal with. I believe that in the Third Assembly, I will be the next Leader of Minority and I will accord her full support and I will ensure that if she is brought hear for vetting I will ensure that she resumes back to that position. Thank you very much.

(Loud consultations)

The Temporary Speaker (Hon. Okumu): Yes Hon. Olga.

Hon. Olga: Thank you Mr. Speaker, going by the mood of the House, may I call the mover to reply?

The Temporary Speaker (Hon. Okumu): The mover Leader of Majority, you have been called upon to reply.

Leader of Majority (Hon. Onyango): Thank you so much Mr. Speaker. I want to appreciate Honourable Members for supporting the Report from the Committee of Appointment for the appointment of Honourable Faridah Ahmed Salim to the position of County Executive Committee Member for Roads, Transport and Public Works.

Mr. Speaker, Honourable Members raised issues that believe that I should deal with. First, I want to apologize that the copy of the University Certificate of the nominee was not included in the batch of papers that are in that report. But, indeed I have confirmed with Honourable George Ogutu that, indeed her University Certificate is there. So, I want to believe that his fears have been allayed.

Mr. Speaker, remember one Honourable Member did comment cheekily that you love women, I don't know how much the Honorable Member knows your love for women but I believe that, that was a little bit off the issue that was under discussion.

Otherwise, I want to thank everybody and I want to believe that the proposed nominee will do a commendable job because indeed the Roads' docket is very critical for this County. Mr. Speaker, I want to wish her the best as I believe the House will approve her appointment. Thank you.

The Temporary Speaker (Hon. Okumu): Thank you Honourable Members. A motion has been moved on the report by the Committee on Appointments on the Vetting of Honourable Faridah

Ahmed Salim Proposed Nominee for the position of County Executive Committee Member for Roads, Transport and Public Works. This motion was moved by the Leader of Majority Honourable Kenneth Onyango and seconded by Honourable Benny Oiko Pete, Leader of Minority, debated by Honourable Members. Now, I want to propose to put a question for adoption?

(Question put and agreed to)

The Temporary Speaker (Hon. Okumu): Honourable Members, the Committee on Appointment Report on the Vetting of Honourable Faridah Ahmed Salim Proposed Nominee for the Position of County Executive Committee Member for Roads, Transport and Public Works has been adopted by this House today Wednesday, 23rd March, 2022 at 15:38 hours.

Honourable Members, consequently, I direct that the Hansard Report be prepared with immediate effect and be forwarded to the Office of the Governor so that he can proceed with the appointment of Honourable Faridah Ahmed Salim as the County Executive Committee Member for Roads, Transport and Public Works, Kisumu County. Thank you.

The Temporary Speaker (Hon. Okumu): Next order!!

ADJOURNMENT

The Temporary Speaker (Hon. Okumu): Honourable Members, there being no any other business to transact, this House stands adjourned until Thursday, 24 March, 2022 at 2.30 p.m.

(House rose at 4.30 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Jesca Otieno – Hansard Reporter

Vallery Achieng' – Hansard Reporter