

**REPUBLIC OF KENYA
GARISSA COUNTY ASSEMBLY**



THIRD ASSEMBLY – (THIRD SESSION)

COMMITTEE ON WATER & IRRIGATION

**REPORT ON THE VETTING OF NOMINEES FOR THE APPOINTMENT TO THE POSITION OF
CHIEF OFFICERS FOR WATER AND IRRIGATION DEPARTMENT**

13TH JUNE, 2024

**DIRECTORATE OF COMMITTEE SERVICES
CLERK'S CHAMBERS,
COUNTY ASSEMBLY BUILDING,
GARISSA,**

**REPORT ON THE VETTING OF NOMINEES FOR THE APPOINTMENT TO THE POSITION OF CHIEF
OFFICERS FOR WATER AND IRRIGATION DEPARTMENT**

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1.0 PREFACE

Hon. Speaker Sir,

This report captures the vetting exercise conducted by the departmental committee on Water and Irrigation on the suitability of persons Nominated by His Excellence, The Governor of Garissa County for appointment as chief officers. The report seeks to inform the House on the suitability of the nominees as set out in section 8 of the Public Appointment (county Assembly Approval) Act, 2017.

Hon. Speaker Sir,

On behalf of the Committee on Water & Irrigation and pursuant to Standing Order 222 (6) (f), it is my pleasure and duty to present to the assembly, the committee's report on the vetting of the two (2) nominees for appointment to the position of county chief officers to the assembly for adoption to the standing orders of the county assembly and other enabling provisions of the law. This is one of the Sectoral Committees established under the Standing Orders 222(5). Among its functions are *to vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee Appointments)*.

Hon. Speaker sir,

The legislative authority of a county is vested in, and exercised by its county assembly as provided for in article 185 of the constitution of Kenya, 2010. A county assembly may make any laws that are necessary or incidental to the effective performance of the function and exercise of the powers of the county government under the fourth schedule.

1.1 Mandate of the Committee

Hon. Speaker Sir, The Departmental Committee on Water & Irrigation is one of the Departmental Committees of the County Assembly of Garissa established under *Standing Order 222(1)* whose mandate, pursuant to the *Standing Order 222 (6)* is to, among others;

- i. Investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operation and estimates of the assigned department;
- ii. Study programs and policy objectives of departments and the effectiveness of the implementation;
- iii. Study and review all county legislation referred to it;
- iv. Study, assess, and analyze the relative success of departments as measured by the results obtained as compared with their stated objectives;
- v. Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- vi. **To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 215 (Committee Appointments);** and
- vii. Make reports and recommendations to the county assembly as often as possible, including recommendation of proposed legislation.

In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to ~~omit~~ matters related to Matters related to water and sanitation services, water distribution, regulation, marketing and sewerage services, conservation of natural resources, including soil and water conservation, forestry and control of air pollution, other public nuisance, refuse dumps and solid.

2.0 Committee Membership

Hon. Speaker Sir,

The committee on Water and Irrigation was established pursuant to standing order of the County Assembly.

The committee comprises of the following Members;

- 1) Hon Maryan Mohamed Hassan..... Chair
- 2) Hon. Yunis Abdi Ibrahim..... V/Chair
- 3) Hon. Mohamed Abdi Farah..... Member
- 4) Hon. Issa Aden Abdi.....Member
- 5) Hon. Omar Abdi Hassan.....Member
- 6) Hon. Mohamed Sheikh AbdiSalatMember
- 7) Hon Halima Hussein GureMember
- 8) Hon. Mustaf Abdirashid Ahmed..... Member
- 9) Hon Dekow Mohamed Duale Member
- 10) Hon Katra Iman Sigat..... Member
- 11) Hon. Abdiweli AdenMember
- 12) Hon. Ahmed Noor Aden Member
- 13) Hon Mahat AbdikadirMember

Committee Secretariats

1. Abdi Mohamed Hassan - Committee clerk
2. Saadia A. Sahal - Researcher
3. Ahmed Adan Digale - Sergeant At Arms

2.1 ACKNOWLEDGEMENT

Hon. Speaker Sir,

The Committee wishes to thank the Offices of the Speaker and the Clerk for the logistical support accorded to it during the vetting exercise. Further, the Committee wishes to record its appreciation for the services rendered by the committee secretariat. Their commitment, expertise and hard work made the work of the committee and the production of this report possible.

Hon. Speaker Sir,

May I take this opportunity to also thank members of the committee for their input and valuable contributions during the deliberations and vetting of the nominees.

Hon. Speaker Sir,

On behalf of the Departmental Committee on Water & Irrigation , and pursuant to vetting and approval provisions of Section 7(4) and 7(5) of the Public Appointments (County Assemblies Approval) Act 2017, Section 8 (1) and 14 (3) of the county Government Act, 2012 and Garissa County Assembly Standing Orders, I lay before this House the report of the committee on Water & Irrigation.; *it is my pleasure and duty to present to this house, the committee's report on the vetting of the two (2) nominees for appointment to the position of county chief officers for consideration and approval by this House.*

SIGNED:

HON. YUNIS ABDI IBRAHIM

DATE:

3.0 LEGAL FRAMEWORK ON VETTING AND APPROVAL OF NOMINEES

Hon. Speaker Sir,

Section 45 of the County Governments Act provides for appointment of county chief officers. Section 45 states;

- (1) The Governor shall-
 - (a) Nominate qualified and experienced county chief officers from among persons competitively sourced and recommended by the County Public Service Board; and
 - (b) With the approval of the County Assembly, appoint county chief officers
- (2) The office of the County Chief Officer shall be an office in the county public service
- (3) A county chief officer shall be responsible to the respective county executive committee member for administration of a county department as provided under section 46.
- (4) The County Chief Officer shall be the authorized officer in respect of exercise of delegated power.
- (5) The governor may reassign a county chief officer.
- (6) A county Chief officer may resign from office by giving notice, in writing, to the governor.

Hon Speaker Sir

Section 7 of the Public Appointments (County Assembly Approval Act) 2017 provides for the following conditions on the vetting and approval for appointments;

1. Following the receipt of the notification of nomination, the Speaker shall report the receipt of the notification to the County Assembly, following which the notification shall be committed to the relevant committee of the Assembly.
2. The chair of the committee shall determine the time and place for the holding of the approval hearing which shall not be later than fourteen days from the date of the committal of the notification to the committee.
3. The approval hearings shall be held in a public place and shall be conducted during working hours.
4. The Clerk shall notify a candidate of the time and place for holding an approval hearing.
5. The committee shall notify the public of the time and place of for holding an approval hearing at least seven days prior to the hearing.
6. Subject to this Act, all the Committee proceedings on public appointments shall be open and transparent
7. Despite sub-section (6), a Committee may, on its own motion or on the application of a candidate or any other concerned person, determine that the whole or part of its sittings shall be held in camera.
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 shall be used by a committee during an approval hearing for the purpose of vetting a candidate.

10. Any person may, prior to the approval hearing, and by written statement on oath as prescribed in the second Schedule, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.

11. A candidate may, at any time, by notice in writing addressed to the Clerk, withdraw from the approval process and the candidate's nomination shall thereupon lapse. Furthermore, Section 8 provides for the following issues of consideration by the County Assembly in relation to any nomination which shall be-

- a) the procedure used to arrive at the nominee.
- 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 abilities, experience and qualities meet the needs of the body to the nomination is being made.

4.0 ADOPTION OF THE REPORT

Mr Speaker Sir,

We, Members of the Committee on Water & Irrigation have adopted the report on the vetting of the nominees of Water & Irrigation and hereby affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity: -

NAME	DESIGNATION	SIGNATURE
1) Hon Maryan Mohamed Hassan	Chair	.....
2) Hon. Yunis Abdi Ibrahim	V/Chair	.....
3) Hon. Mohamed Abdi Farah	Member	.....
4) Hon. Issa Aden Abdi	Member	.....
5) Hon. Omar Abdi Hassan	Member	.....
6) Hon. Mohamed Sheikh AbdiSalat	Member	.....
7) Hon Halima Hussein Gure	Member	.....
8) Hon. Mustaf Abdirashid Ahmed	Member	.....
9) Hon Dekow Mohamed Duale	Member	.....
10) Hon Katra Iman Sigat	Member	.....
11) Hon. Abdiweli Aden	Member	.....
12) Hon. Ahmed Noor Aden	Member	.....
13) Hon Mahat Abdikadir	Member	.....

5.0 BACKGROUND

Hon Speaker Sir,

Section 45 (1) of the County Governments Act gives powers to the Governor to nominate persons, competitively sourced and recommended by the County Public Service Board and appoint as Chief Officers such person's subject to approval by the county Assembly.

Article 73 (2) of the Constitution on leadership and Integrity provides as follows:

That the guiding principles of leadership and integrity include;

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

Hon Speaker Sir,

On 2nd May 2024 and pursuant to Sections 6 and 10 of the Public Appointments (County Assemblies) Approval Act, 2017, H.E. the Governor of Garissa forwarded to the Speaker the names of the following nominees for the position of chief officers.

S/NO.	Nominee	Gender	Department
1.	Abdilatif Sheikh Mohamed	Male	Irrigation Services
2.	Fardosa Adow Hassan	Female	Water Services

The Speaker in his Communication, on **Wednesday, 29th May 2024** and pursuant to Section 14(3) of the County Government Act, and Section 7 of the Public Appointments (County Assemblies) Approval Act, 2017, committed the names of the nominees to the Departmental Committee on Water & Irrigation for approval hearing in pursuant to section 9 of the Public Appointments (County Assemblies) Approval Act, 2017, and subsequently table a report to the House.

5.1 NOTIFICATION TO THE NOMINEES AND THE PUBLIC

Hon. Speaker Sir,

Pursuant to Article 196 (1) (a) (b) and (2) of the Constitution and Section 7(4) and (5) of the Public Appointments (County Assemblies) Approval Act, 2017, the clerk of the county Assembly notified the public and nominees on the public hearing in the local daily newspaper (Standard) dated 1st June 2024. Further, the nominees were to appear before the Committee of Water & Irrigation on Tuesday 11th June 2024 in the County Assembly Precinct as below.

S/NO	NAME	DEPARTMENT	VETTING COMMITTEE	TIME & PLACE
1)	Abdilatif Sheikh Mohamed	Irrigation Services	Committee on Water & Irrigation	9:00 AM – 9.45 AM Chambers
2)	Fardosa Adow Hassan	Water Services	Committee on Water & Irrigation	2:00 PM – 2:45 PM Chambers

The notice equally invited presentations from persons contesting the suitability of the nominees through submissions of sworn statements or affidavits to the clerk of the county assembly by close of business on Friday 7th June 2024.

5.2 COMMITTEE MEETING ON VETTING

The committee held two sittings prior to the approval hearing to familiarize themselves with the public appointments (county assembly approval) Act No 5 of 2017, curriculum vitae of the nominees, consider memoranda received the committee deliberated and find not admissible.

5.3 VETTING OF THE CHIEF OFFICER OF WATER AND IRRIGATION NOMINEE'S

In conducting the vetting process, the Water & Irrigation Committee examined the nominees against the following criteria, amongst others, in accordance with the Public Appointments (County Assembly Approval) Act of 2017.

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

During its Sitting held on Tuesday 11th June 2024 morning & afternoon at the Assembly Lounge, the Committee orally collected all the necessary information on vetting from the nominee's. The committee, in ensuring the nominee's testimonials were valid, physically verified all the documents that were required to be fulfilled by the nominee for appointment as the Garissa County Chief Officer for Water and Irrigation Services.

6.0 ANALYSIS ON THE NOMINEES' QUALIFICATIONS AND SUITABILITY

Hon. Speaker Sir,

The Committee having considered the nominee's curriculum vitae during the vetting exercise made the following observations: -

6.1 MR. ABDILATIF SHEIKH MOHAMED

Mr. Abdilatif Sheikh Mohamed appeared before the Committee on Tuesday 11th June 2024 at 9:05 am. After introductions, the Chairperson informed the nominee that the Assembly had invited the public to make any submissions on his suitability for appointment to the public office, and that a memorandum had not been received.

The nominee in regard to his suitability for appointment as the Chief Officer for Irrigation Service stated to the Committee as follows

	CRITERIA	DETAILS
1	Personal Biodata	1/04/1991
2	Place of Birth	Garissa Township (Waberi Ward)
3	Academic qualifications	(2013- 2016) - Bachelor of Business Management option purchasing and supply, Mount Kenya University (2011-2012) - Diploma in Business Management Mount Kenya university (2006-2009) - Kenya Certificate secondary Education, Garissa High School (1998-2005) - Kenya Certificate Primary Education, Nasib Primary school
4	Employment details	April 2021 to Date; – Managing Director Towheed Group of Companies April 2016- Sep 2017; - Manager Gazlin Energy Company Ltd Feb 2014 – March 2016; - Asistant Manager Madina Mall Limited
5	Potential conflict of interest	The questionnaire filled by the nominee indicates that there were no areas that would create conflict of interest
6	Skills and Competencies	•Astute leadership and direction with the ability to lead and sustain teams to accomplish

		<p>annual objectives consistent with the organization’s missions and visions.</p> <ul style="list-style-type: none"> •Experienced at provision of technical assistance in conducting M&E functions •Skilled at conducting focused group discussions and routine data quality assessments alongside facilitating in capacity building forums •Community Mobilization strategies •Exceptional communication skills •Proven ability to handle sensitive information and data in a confidential and desecrate manner •Able to collaborate with other functional areas modifying processes to address identified risks •Problem solver – Creativity and forethought in solving complex project issues •Enhanced cultural awareness and sensitivity to customs and cultural differences •Computer Proficiency - MS Office Suite •Play a leading role in managing both raw materials and personnel. •Oversight of inventory, purchasing and supplies •Play a key role in budgeting, controlling costs and keeping the organization on track financially. Helps minimize costs of production. •Study business forecasts, sales reports and financial statements to find ways to maximize results cost-benefit •Analysis to improve efficiency.
7	Knowledge of relevant subject	<ul style="list-style-type: none"> • Nominee displayed knowledge and understanding of the position he was nominated for.
8	Tax Compliance	<ul style="list-style-type: none"> • The nominee has provided Tax Compliance Certificate
9	Integrity	<ul style="list-style-type: none"> • The nominee has never been charged in a court of law • The Nominee has provided clearance from Higher Education Loans Board • The nominee has provided clearance from METROPOL credit reference Bureau

1. How would you approach building partnership with the relevant stakeholders to improve irrigation services?

The nominee stated by Building partnerships with stakeholders is key to improving irrigation services. His approach involves establishing open lines of communication, fostering trust, and

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identifying shared goals and objectives. By actively engaging stakeholders through collaborative workshops, consultations, and feedback sessions, his aim is to create a sense of ownership and inclusivity in decision-making processes. Additionally, He believes in developing mutually beneficial relationships with government agencies, agricultural associations, local communities, and other key stakeholders to leverage resources, expertise, and support for enhancing irrigation services.

2. What measures would you put in place to ensure the sustainability & long-term success of irrigation project in the County?

To ensure the sustainability and long-term success of irrigation projects, the nominee affirmed he will implement a multifaceted approach. This includes establishing robust monitoring and evaluation mechanisms to track project progress, environmental impact assessments to ensure ecosystem preservation, community engagement initiatives to foster ownership and participation, and long-term funding strategies to secure ongoing support. Furthermore, he stated that he will build partnerships with relevant stakeholders and conducting regular stakeholder consultations are essential components of sustaining successful irrigation projects in the county.

3. Describe a time when you had to navigate a difficult situation in decision making and how you handled it?

In a previous role, the nominee stated he encountered a challenging decision-making situation when they faced budget constraints that threatened the completion of a critical project. He initiated a series of brainstorming sessions with the team to explore cost-effective alternatives and prioritize essential components of the project. By facilitating open communication and considering diverse viewpoints, we collectively identified creative solutions to adjust the project scope without compromising its overall impact. This experience taught me the importance of adaptability, collaboration, and strategic thinking in navigating difficult decision-making scenarios.

4. How do you plan to engage with technology & innovation to enhance irrigation practice in the county?

The nominee confirmed to the members that, he is a strong advocate for leveraging technology and innovation in improving irrigation practices. His approach involves staying updated on the latest advancements in irrigation technology and exploring how these innovations can be integrated into existing practices. By collaborating with technology providers, research institutions, and other stakeholders, he plans to identify and implement cutting-edge solutions that can enhance efficiencies, optimize water usage, and improve overall irrigation outcomes in the county.

5. How would you prioritize & allocate resources to ensure efficient and effective implementation of the irrigation committee?

To prioritize resources for the irrigation committee, the nominee affirmed that he will first assess the goals and timelines of the projects. He believes in allocating resources based on critical needs and project requirements. This involves identifying key areas that need immediate attention and allocating resources such as funding, manpower, and technology accordingly. By focusing on

efficiency and effectiveness, we can ensure that resources are utilized optimally to drive successful implementation.

6.2 FARDOSA HAJI ADOW

The nominee appeared before the Committee on Tuesday 11th June 2024 at 2:05pm. Her credentials are as outlined below:

	CRITERIA	DETAILS
1	Personal Bio- data	1990
2	Place of Birth	Garissa
3	Academic qualifications	January 2023 to date: Software Engineer ALX Africa Sept 2012 to Dec 2016: Moi University Bachelor of Arts in Social Work (Second class Upper division) 2008 - 2011: Iftin Girls Secondary School Attained KCSE
4	Employment details	Sept2019 – Date: CEO Bilwan Limited Group of Companies Apr2017-Feb2018 Social Worker Department of Children Services, Garissa County.
5	Potential conflict of interest	The questionnaire filled by the nominee indicates that there were no areas that would create conflict of interest
6	Skills and Competencies	Languages: Proficiency in English, Swahili, Somali and intermediate in Arabic. - A team player with strong leadership and team building skills with demonstrated ability to grow, develop and work with successful teams. - Strategic Leadership: Collaborated with executive teams to develop and implement strategic initiatives, aligning operational activities with overarching organizational goals.

		<ul style="list-style-type: none"> - Operational Excellence: Demonstrated success in optimizing daily business operations, implementing efficient policies and procedures, and driving continuous improvement to achieve performance excellence. - Team Management: Led and inspired cross-functional teams, fostering a culture of collaboration, innovation, and high performance. Proven ability to align teams with organizational objectives. - Resource and Supply Chain Optimization: Effectively allocated and managed resources, including personnel, budget, and technology, to achieve operational goals while controlling costs. - Process Improvement: Identified and implemented process enhancements, leveraging best practices to streamline operations and enhance overall productivity. - Risk Management and Quality Control: Developed and executed strategies to identify, assess, and mitigate operational risks, ensuring business continuity and resilience. - Technology Integration: Evaluated and implemented technology solutions to enhance operational efficiency, staying current with technological trends impacting organizational operations.
7	Knowledge of relevant subject	<ul style="list-style-type: none"> •Nominee displayed knowledge and understanding of the position he was nominated for.

		<ul style="list-style-type: none"> •The nominee has provided Tax Compliance Certificate •The nominee has never been charged in a court of law •The Nominee has provided clearance from Higher Education Loans Board •The nominee has provided clearance from METROPOL credit reference Bureau.
8	Tax Compliance	The nominee has provided Tax Compliance Certificate
9	Integrity	<p>The nominee has never been charged in a court of law</p> <ul style="list-style-type: none"> •The Nominee has provided clearance from Higher Education Loans Board •The nominee has provided clearance from METROPOL credit reference Bureau

1. How do you prioritize and allocate resources to address the needs of the Water Shortages in the County and in particular Gawasco?

The nominee stated that she will address water shortages in the County and specifically within Gawasco, prioritizing and allocating resources involves conducting a thorough assessment of the current situation, identifying areas of critical need, and aligning resources accordingly. She said, it is important to involve stakeholders and experts to develop a comprehensive plan that addresses immediate challenges and focuses on long-term solutions. Collaboration with other government agencies, NGOs, and the community is essential to maximize impact and ensure sustainable water management practices.

2. If nominated to the position, what changes are you planning to bring to the departments to ensure efficient service delivery?

If nominated to a position, the nominee divulge to the members that she will involves overseeing departments related to water service delivery, some changes that could be beneficial for ensuring efficient service delivery may include implementing technology solutions to streamline processes, investing in training and development programs for staff to enhance skills and knowledge, establishing performance metrics to monitor progress and accountability, and fostering a culture of transparency and communication within the departments.

3. How do you stay informed on water laws regulations and best practices to ensure efficient and effective operations in your department?

The nominee affirmed to the members she is informed on water laws, regulations, and best practices, it is crucial to regularly review updates from relevant government authorities, attend

training workshops and conferences on water management, network with industry professionals to exchange information and insights, and engage in continuous learning through online resources, publications, and research articles. She will be establishing partnerships with legal experts and consultants can also provide valuable guidance on compliance with regulations and adherence to best practices.

4. How do you approach collaborating with county assembly to ensure effective governance?

The nominee divulges to the members by Collaborating with the County Assembly to ensure effective governance it involves maintaining open lines of communication, establishing trust and mutual respect, and engaging in regular consultations and dialogue on key issues related to water governance. By building relationships with assembly members, sharing relevant data and reports to inform decision-making, seeking input and feedback on proposed initiatives, and working together to develop policies and strategies that benefit the community are essential steps in promoting effective governance and achieving common goals.

7.0 COMMITTEE FINDINGS

The committee having heard the nominee’s oral submissions during the vetting, made the following observations on their nomination to the positions of Chief Officer of Water & Irrigation Services;

From the foregoing and according to the Members’ Assessment Sheets as provided under the second schedule of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, the nominees managed to score the marks below, which are above the set pass mark of 50%.

S/NO	NAME	MARKS OBATINED %
1	Abdilatif Sheikh Mohamed Irrigation Services	86%
2	Fardosa Adow Hassan Water Services	89%

8.0 COMMITTEE RECOMMENDATIONS

Hon. Speaker Sir,

At the end of the vetting process, the Committee made the following recommendations based on the nominees' analysis and findings:

That; having considered the suitability, capacity and integrity of the nominees, and pursuant to Section 7 (9) and 8 of the Public Appointments (County Assemblies Approval) Act No. 5 of 2017, Standing Orders No. 222 (6) (f) and other relevant statutes, the Committee recommends that the County Assembly approves the nomination of: -

S/NO	NAME	GENDER	POSITION
1	Abdilatif Sheikh Mohamed	MALE	Irrigation Services
2	Fardosa Adow Hassan	FEMALE	Water Services

for appointment by H.E. the Governor as for the position of Chief Officer for Irrigation & Water Services.