



COUNTY GOVERNMENT OF KITUI

THE COUNTY ASSEMBLY

SECOND COUNTY ASSEMBLY – (FOURTH SESSION)

ORDERS OF THE DAY

TUESDAY, 25TH AUGUST 2020 AT 2:30 P.M.

PRAYERS

1. Administration of Oath;
2. Communication from the Chair;
3. Messages;
4. Petitions;
5. Papers;
6. Notices of Motions;
7. Statements;

COMMENCEMENT OF BUSINESS

**8.*. MOTION ON THE REMOVAL FROM OFFICE OF MEMBER OF
COUNTY EXECUTIVE COMMITTEE FOR LANDS, INFRASTRUCTURE,
HOUSING AND URBAN DEVELOPMENT - MR. JACOB KAKUNDI**

(Member for County Assembly – Kyome/Thaana Ward)

THAT, pursuant to section 40 of the County Government Act and Standing Order No.62 this assembly hereby approves the motion on the removal from office of the County Executive Committee Member for Lands, Infrastructure, Housing and Urban Development, Mr. Kakundi, on the following grounds:-

(052)

(120)

1. Gross Violation of the constitution of Kenya,2010 and any relevant laws by;-

(a). Violation of chapter six of the constitution of Kenya (integrity and leadership) by managing his office in a manner which does not promote public confidence in integrity of the office by overseeing unprocedural awarding of bush clearing tenders (a programme meant to benefit the vulnerable) to contractors and using the local women and youth to work in contractors' absentia only to pay some long time after they were paid and others left unpaid upto date instead of contractors using their monies as working capital for the contracted works to pay the casuals.

(b). Failing to implement the following assembly resolutions amongst others in total breach of Article 183(1)a of the Constitution of Kenya,2010, on the Functions of County Executive Committees by refusing to;

(i).Procure services for the projects within the 2018/2019 financial year for the Community Level Infrastructure Development Programme (CLIDP) as provided for under the County Government Annual Development Plan (ADP) which factors in such community development projects and as such, the Kitui public lost such key projects.

(ii). Implement the Motion on Regulation and Management of street trade (hawking) and Boda Boda operators in Kitui and Mwingi towns etc.

(iii) Motion of County importance on bush clearing by Hon. David Thuvi.

(c). Unfair service delivery contrary to Article 27(3) of the Constitution of Kenya,2010, by discriminative issuance of dozer services to a few selected wards for a period of last three financial years despite demand in other wards.

(052)

(121)

(d). Failing to provide the County Assembly with full and regular reports on matters relating to the county ministry contrary to Article 183(3) of the Constitution of Kenya, 2010 e.g. Dozer working schedule.

(e). Violation of the County Procurement Procedures as per section 53 of the Public Procurement and Disposal Act of 2015 by;-

(i). Awarding tenders for bush clearing unprocedurally and misusing Kitui residents to work for contractors without payments.

(ii). Awarding tenders for bush clearing to contractors and then using Ward and Village administrators to perform the role of contractors on contracted works.

2. **INCOMPETENCE:** Failure to effectively control Ministry's programmes e.g. bush clearing and road grading done shoddily and beyond timelines as stipulated in working schedules.

3. **ABUSE OF OFFICE:** Using County administrators to perform the role of contractors in contracted works of bush clearing without facilitation.

4. **GROSS MISCONDUCT:** He blatantly misled the County Assembly Sectoral committee on Lands, Infrastructure and Urban Development on the involvement of village administrators in the recruitment of personnel for the contracted bush clearing project for 2018/19 financial year. The CECM provided contradictory information on the same as contained in the letters dated 21st December, 2018 and 2nd July, 2019.

(Continuation of debate interrupted during the morning sitting)

****Denotes order of the day****
