



COUNTY GOVERNMENT OF KITUI

THE COUNTY ASSEMBLY

FIRST ASSEMBLY - (THIRD SESSION)

VOTES AND PROCEEDINGS

THURSDAY 26TH FEBRUARY, 2015 AT 2.30PM

1. The House assembled at thirty minutes past Two o'clock.
2. The proceedings were opened with prayer.
3. Hon. Speaker on the Chair
4. NOTICE OF MOTION ON VIOLENT INVASION OF GOVERNOR'S OFFICES BY KITUI POLITICIANS – HON. JOSEPH N. NGWELE (MEMBER FOR NGOMENI WARD)

AWARE THAT on Monday 23rd February 2015 business people from various parts of Kitui County organized a peaceful demonstration in Kitui Town to accompany their petition to the County Government over the implementation of the Kitui County Finance Act 2014;

NOTING THAT the demonstration by the business community was largely orderly, peaceful and respectful of the institutions of the County Government, security agencies, as well as respecting the rights and spaces of others citizens;

AFFIRMING THAT the business people acted within their constitutional right to demonstrate, picket and petition the County Government authorities as enshrined in Article 37 of the Constitution of Kenya 2010;

CONCERNED THAT the demonstration was infiltrated by a group of politicians led by one Hon Joe Mutambu, MP, who forced their way into the Offices of the Governor and purported to present an ultimatum to His Excellency the Governor to vacate office;

FURTHER CONCERNED THAT the said politicians went ahead to assault, abuse and pour scorn on Members of the County Executive in contravention of the laws on

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public order and decorum; **AWARE THAT** the same group of politicians went ahead to hold a rally in Kitui Town at which they poured all manner of abuse, vitriol and scorn on His Excellency the Governor, the County Government, the institution of the County Assembly and individual members of the Assembly;

FURTHER AWARE THAT the same group promised to come back to Kitui after 14 days to remove the Governor from office, dissolve the County Government and install an alternative government;

APPREHENSIVE THAT the lawless, irresponsible, provocative and reprehensible actions of such politicians, if left unchecked and unpunished, could lead to breakdown of law and order in Kitui County, and to political violence and bloodshed in our hitherto peaceful County;

THIS ASSEMBLY:

1. **AFFIRMS** its confidence and solidarity with the popularly elected Governor of Kitui County H.E Dr. Julius Malombe, his Cabinet, County Government staff, and the honourable people of Kitui County;
2. **CONDEMNNS** in the strongest terms possible the wilful acts of violence, abuse and insolence directed at the Governor, the Cabinet, staff of the County Executive and Members of the County Assembly, by the said group of politicians;

CENSURES the Hon Joe Mutambu, MP, and Messrs Miltonic Mwendwa Kimanzi alias Kitute, Morris Musyoka Wanzili alias Wamaiyu, Joseph Kyavoa alias Bishop Kyavoa, and Moses Banda, most of whom are losers in the last general elections, and

DEMANDS that the OCPD Kitui Central arrests and prosecutes them immediately for their wilful acts of violence committed in the full presence of the OCPD;

RECOMMENDS that the Ethics and Anti-Corruption Commission, the National Cohesion and Integration Commission and the Commission on Administrative Justice investigate whether the public behaviour of Hon Joe Mutambu, M.P for Mwingi Central are in contravention of the Public Officer Ethics Act, the Constitution of Kenya Chapter 6, and or the National Cohesion and Integration Act, and brings the pertinent legal sanctions to bear on his person.

5. STATEMENTS

The following statement was given/requested pursuant to standing order no 36 and 41(2) (c) respectively.

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- i. Member house business committee(Hon Ruth Kinyumu)
The schedule of business for the assembly committee and plenary for the week ending 6th February, 2015.
- ii. Statement request by Hon Hussein Mwandia from the chairperson committee on Finance and Planning on late submission to the Assembly the Annual Development Plan 2015/2016

6. MOTION ON APPROVAL OF THE COUNTY ASSEMBLY CALENDAR FOR THIRD SESSION, 2015 (deputy majority party chief whip).

Motion made and question proposed;

THAT; Pursuant to the provisions of the Interim Standing Orders No 25(1),this County Assembly hereby approves the County Assembly Annual Calendar for the Third Session,2015 as determined by the County Assembly Business Committee.

(Hon. Phoebe Kisee)

Debate arising;

Question put and **agreed to**

Resolved Accordingly

THAT; Pursuant to the provisions of the Interim Standing Orders No 25(1),this County Assembly hereby approves the County Assembly Annual Calendar for the Third Session,2015 as determined by the County Assembly Business Committee.

And the time being thirty four minutes past three o'clock, the Honourable Speaker adjourned the house.

ASSEMBLY ROSE- at thirty four minutes past five o'clock

MEMORANDUM

*The Honourable Speaker will take the chair on the
Tuesday, march 3^d 2015 at 2.30 pm.*