

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**

**THE HANSARD**

**Wednesday, 6<sup>th</sup> September, 2017**

*Second Assembly – First Session – First Sitting*

*(Convened by notification vide Legal Notice No. 40 of 30<sup>th</sup> August, 2017)*

*(The County Assembly met at 9:00 a.m. at the County Assembly Chamber, Malindi Town, on Wednesday, 6<sup>th</sup> September, 2017, it being the first sitting of the County Assembly)*

*[The proceedings were opened with a prayer read by the Clerk of the County Assembly (Mr. Mkare A. Jefwa)]*

**COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY**

WELCOME TO HON. MEMBERS AND NOTIFICATION OF PLACE AND TIME OF FIRST SITTING OF  
THE COUNTY ASSEMBLY

**The Clerk of the County Assembly (Mr. Mkare):** Get seated. I hope you have the Order Paper for today. The first Order is Communication from the Clerk.

His Excellency the Governor, hon. Members, all distinguished guests, members of the public and all protocol observed, on behalf of the staff of the County Assembly of Kilifi and on my own behalf, I wish to congratulate you all on your election and nomination as Members of this hon. House. I wish to welcome you to this first sitting of the Second Assembly. I also wish to extend a special welcome to those Members who are joining the County Assembly for the first time.

As the Clerk of the County Assembly, I have set precedence by allowing His Excellency, the Governor, to be in the Chamber instead of being at the Speaker's Gallery as it is provided for in the Standing Orders. This is in recognition of his position in the county and to witness the swearing in of his Members of the County Assembly. This will go into the books of history.

Hon. Members, pursuant to Standing Order No.3 of the County Assembly of Kilifi, his Excellency, the Governor, notified the First Sitting of the County Assembly shall be held in the County Assembly Chamber in Malindi today Wednesday, 6th September, 2017 starting at 9.00 a.m. Hon. Members, I wish to read the notification from His Excellency, the Governor:-

“KENYA GAZETTE SPECIAL SUPPLEMENT NO. 40

KILIFI COUNTY LEGISLATIVE SUPPLEMENT NO. 1 OF 2017

FIRST SITTING OF THE COUNTY ASSEMBLY

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I will paraphrase:-

“In EXERCISE of the powers conferred by Standing Order No. 3 of the County Assembly of Kilifi, His Excellency, the Governor, Kilifi County appoints the First Sitting of the County Assembly shall be held at the County Assembly Buildings, Malindi on Wednesday, 6<sup>th</sup> September, 2017, at 9.00 a.m.”

It is dated 30<sup>th</sup> August, 2017, and is signed by His Excellency, the Governor.

### **PAPER LAID**

#### LIST OF GAZETTED MEMBERS OF COUNTY ASSEMBLY

Hon. Members, Standing Order No. 3(2)(b) requires that the Clerk of the County Assembly shall lay a list of names of persons elected and nominated as Members to the County Assembly on the Table of the House. I hereby so direct that the Deputy Clerk tables the said list on the Table of the House.

*(The Deputy Clerk laid the list of MCAS on the Table)*

### **COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY**

#### PROCEDURE TO BE FOLLOWED IN ADMINISTRATION OF OATH OR AFFIRMATION OF OFFICE

**The Clerk of the County Assembly** (Mr. Mkare): Hon. Members, pursuant to Article 74 of the Constitution, no person shall assume or perform any functions of a State office before taking or subscribing to the Oath or Affirmation of Office. That means that unless you have been sworn in, you may not be able to elect the Speaker or Deputy Speaker. In order to comply with the provisions of the Constitution, the First Business of the new House therefore is the swearing in of the new Members.

Standing No. 3(2) provides that:-

“The Clerk shall administer the Oath or Affirmation of Office to Members of the County Assembly in alphabetical order using the following order of precedence and shall make such arrangements as may be necessary to enable any Member with disability to enjoy the precedence-

- (a) Members with the longest cumulative period of service in the county Assembly;
- (b) Members with the longest cumulative period of service in the county Assembly and any local authority existing prior to the final announcement of all the results of Parliament as contemplated under Section 2 of the 6<sup>th</sup> Schedule in the Constitution;
- (c) Members with the longest cumulative period of service in any local authority existing prior to the final announcement of all results of Parliament as contemplated under Section 2 of the 6<sup>th</sup> Schedule to the Constitution;
- (d) all other Members of the County Assembly.”

For the convenience of the House, I therefore wish to administer the Oath as per the list distributed to hon. Members. In order to facilitate this process, the name of each Member shall be called out. When called out, the Member shall proceed to the podium on my right and thereupon shall have the option to take the Oath or Affirmation of Office as they may chose in accordance with their respective religious persuasions.

After taking the Oath or Affirmation of Office, the Member shall proceed to subscribe to the Oath or Affirmation of Office at the Table by signing the Oath or Affirmation Book and signing of the Integrity Code for state officers in the County Assembly of Kilifi in triplicate.

Hon. Members, we are now ready to commence the process and I will ask that the Clerk-at-the-Table to call out the names. Thank you.

### ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Members:-

Mbaru Elina Stephen	Magarini
Mwayaa Alphonse Charo	Kayafungo
Albert Kiraga Hare	Gongoni
Pascal Thuva Jacob alias Makanga	Mwanamwinga
Renson Kambi Karisa	Marafa
Stanely Karisa Kenga	Adu
Nixon Charo Mramba	Kakuyuni
Valentine Matsaki Mamwanga	Kambe Ribe
Hassan Mohamed Said	Matsangoni
Daniel Chai Chiriba	Jilore
Edward Kazungu Dele	Sabaki
Mwathethe Adamson Kadenge	Shela
Abdalla Amina Nassor	Nominated
Nuzla Abushaib	Nominated
Hadad Feiswal Almas	Nominated
Margaret Dama Charo	Nominated
Daniel Kitsao Charo	Mnarani
Benson Kazungu Chengo	Ganze
Thomas Mumba Chengo	Tezo

### COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY

#### COUNTY ASSEMBLY STAFF SEATED AT THE PUBLIC GALLERY

**The Clerk of the County Assembly** (Mr. Mkare): This goes to my County Assembly staff. Kindly leave seats for our guests who are out there and have no place to sit if that is okay with you. Respect demands so, doesn't it? We have dignified guests here from our hon. Members of the County Assembly and it will only be fair if they are going to witness the swearing in of their Members. Kindly do so. Thank you very much. Of course we have late lunch together with the hon. Members and you are included. Next!

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*(Taking Oath by other hon. Members continued)*

David Kadenge Dadu	Malindi Town
Samuel Gambo Ndago	Shimo la Tewa
Said Juma Idd	Junju
Lilian Ataka Inzaya	Nominated
Jana Tsuma Jana alias Kanjwele	Ruruma
Elizabeth Mbucho Jave	Nominated
Julius Sabrina Tumaini	Nominated

## COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY

### INVITED GUESTS SEATED IN THE SPEAKER'S GALLERY

**The Clerk of the County Assembly** (Mr. Mkare): I would also want to recognize the presences of the following at the Speaker's Gallery. Hon. Teddy Mwambire, Member of Parliament, Ganze Constituency also the former Deputy Speaker of the County Assembly of Kilifi, welcome Sir; Hon. Aisha Jumwa, the area Member of Parliament; hon. Owen Baya Yaa, Member of Parliament, Kilifi North; County Secretary Bibi Fondo; County Executive Committee Member, hon. Dadu Karisa. We have Chief Officer Finance Benjamin Kai, Chief Mohammed Chuba, Chief Ken Kazungu and hon. Kamoti, Member Parliament for Rabai. Next!

*(Taking Oath by other hon. Members continued)*

Saumu Sidi Julius	Nominated
Caroline Kalume	Mwawesa
Frank Fondo Kimosho	Mariakani
Emmanuel Changawa Kombe	Dabaso
Loice Ngari Kombe	Nominated
Masha Kadenge Maitha	Jaribuni
Mary Anzazi Maneno	Nominated
Ronald Kazungu Mbura	Chasimba Ward
Philister Auma Messo	Nominated
Stallone Humphrey Mkadi	Mwarakaya Ward

**The Clerk of the County Assembly** (Mr. Mkare): I also take this opportunity to recognize the presence of Hon. Paul Katana, the Member of Parliament for Kaloleni. Welcome Sir.

*(Taking oath by other hon. Members continued)*

Abdullrahaman Omar Mohamed	Ganda Ward
George Baya Mramba	Watamu Ward
Martha Koki Musyoki	Nominated
Cantona Mae Mwadena	Rabai Ward
Victor Mwanganda Gogo	Mtepeni Ward

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Christopher Karisa Mwambire	Bamba Ward
John Mwangawe Mwamutsi	Kibarani Ward
Winfred Mwangome	Nominated
Humphrey Kombe Mwarandu	Nominated
Harrison Thaura Mweni	Sokoke Ward
Victoria Mnyazi Mazungu	Nominated
Peter Ziro Ngoa	Garashi Ward
Yassin Mohamed Noordin	Kaloleni Ward
Oduol Scholastica Adit	Nominated
Radhia Ali Omar	Nominated
Peru Gilbert Supai	Sokoni
Dickson Kelvin Shaban	Nominated

**The Clerk of the County Assembly** (Mr. Mkare): Hon. Members, this is just to confirm that all Members present have been sworn in and subscribed to the Oath or Affirmation of Office before the next business. This will require that any Member who has not been sworn in will not participate in the election of the Speaker. If there is any Member present who has not been sworn in we will now proceed to swear him or her in. Please confirm that all Members have been sworn in?

**The Clerk- at- the-Table:** Mr. Clerk, I wish to confirm that all 53 Members have been sworn in and subscribed to the Oath or Affirmation of Office.

**The Clerk of the County Assembly** (Mr. Mkare): Noted. Thank you. Hon. Members, it has been confirmed that every Member present has been sworn in. Allow me to take this opportunity to congratulate you all on your accession to the office of the Member of County Assembly in accordance with Article 74 of the Constitution.

## COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY

### INVITING THE KILIFI COUNTY GOVERNOR TO GIVE HIS BRIEF REMARKS

At this juncture I will like to invite his Excellency, the Governor, to kindly give his brief remarks before we proceed to the next order of business.

### THE KILIFI COUNTY GOVERNOR'S BRIEF REMARKS

**His Excellency the Governor** (Hon. Kingi): Asante Katibu. Wabunge wa kitaifa ambao wamefika kwa hafla hii ya leo, Wabunge wa Kaunti ya Kilifi ambao wameapishwa rasmi hivi leo, wageni ambao wamealikwa kushuhudia shughuli ya leo, mabibi na mabwana, yangu yatakuwa machache kwa sababu siku ambayo nitafungua Bunge rasmi ndio tutakuwa na hotuba ndefu jinsi tutaendesha Kilifi kwa miaka mitano ijayo.

Kwa niaba yangu kama Gavana wa Kilifi, na kwa niaba ya wakaazi wa kilifi, sote tunawapatia kongole kwa safari mliotembea mpaka hivi leo. Mumeapishwa rasmi kama Wabunge wa Kaunti ya Kilifi. Bila shaka wakati wa kampeni zetu, tulipeana ahadi nyingi sana kwa wakaazi wa Kilifi na baada ya kuchukua kiapo hapa leo kazi ya kuhakikisha kwamba ahadi zile zimetimia imeanza. Nataka niwaambie Wabunge wa Kaunti ya Kilifi ambao wameapishwa

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hivi leo kwamba kibarua kiko mbele bado, na ni kibarua cha kuhakikisha kwamba tumejenga Kilifi.

Kitu ambacho ni mjiulize kama Wabunge ni kwamba miaka mitano iliyopita tulikuwa hapa na Wabunge 35 lakini 12 pekee ndio walibahatika kurudi; swali ni ujiulize ni kwa nini? Ni kwa sababu wakilifi wanasema ahadi ni deni na zile ahadi zote ambazo tuliwapatia wakaazi wa Kilifi tusipozitimiza bila shaka mwaka 2022 licha ya kurudi 12 idadi ile inaweza kupungua lakini sisi tunaomba ya kwamba Wabunge 35 ambao walichaguliwa ifikapo mwaka wa 2022 wote waregee katika chumba hiki kwa sababu ahadi ambazo tumewapatia wakilifi tumezitimiza.

Kuhakikisha kwamba tumetimiza ahadi hizi ni lazima tushikane mikono ili tusukume gurudumu la maendeleo la Kilifi. Mengi yatachipuka na mengi yatajiri lakini nataka niwaambie hivi kama Wabunge wa Kilifi, hakikisheni kwamba macho yenu yameangazia pale ambapo wakaazi wa Kilifi wamesema tuangazie. *We should focus on what the people of Kilifi have elected us to do.* Tusichanganye ama tusiyumbe kwa sababu ya mambo ambayo yanapita na kusahau lile lengo hususan ambalo tumeletwa hapa kama viongozi wa Kilifi.

Natarajia kwamba Bunge hili ambalo limepata sifa nyingi Kenya na hata nje ya Kenya na naamini ya kwamba miaka mitano ijayo sifa hizi zitazidi lakini kuzidi kwa sifa hizi ni kwa sababu ya utendakazi wetu na bila shaka hakuna sura geni ambayo nimeiona hapa. Wakati wa kampeni nyote tulikutana kule nyanjani na hakuna kiongozi ambaye amechukua kiapo hivi leo ambaye amekuja hapa kwa bahati. *You are all leaders* na naamini kwamba tukishikana mikono wengi wanasema kwamba *the sky is the limit but in Kilifi the sky is the beginning.*

Sisi tunataka kupeleka Kilifi juu na juu zaidi na kama mjuavyo, muungano ambao unatawala hapa Kilifi na hata hapa Bunge ni muungano wa NASA (*National Super Alliance*) na safari yetu kama serikali ya NASA ilikuwa ni kupeleka wakenya Canaan lakini kulikuwa na masihara yaliyochezwa na safari hii kwa uchache ikakatika, lakini korti imetupatia nafasi nyengine ya kuhakikisha kwamba muungano wa NASA umepeleka wakenya kule Canaan na mchwano huu wa marudio utafanyika mnamo tarehe 17 mwezi wa kumi. Kwa hivyo, baada ya kuapishwa na kuhakikisha kwamba mumejua mambo ya Bunge, tutakutana nje kule tupange mikakati ya kuhakikisha kwamba tarehe 17 ile ndoto ya wakenya kuelekea mji wenye asali tumewapeleka kule.

Nataka niwakongole Wabunge wa Kilifi; tuache tofauti zetu za kibinafsi saa hii tuanze kushikana mikono kuona vipi gurudumu la maendeleo la Kilifi linaenda mbele na linaenda kwa kasi. Kwa hayo machache, nataka niwaombe baraka za Mwenyezi Mungu; Mwenyezi Mungu atuweke, atupatie umri, atupatie nguvu ili yale yote ambayo wakaazi wa Kilifi wanatarajia kutoka kwetu Mwenyezi Mungu atutumie kama vyombo vya kuhakikisha kwamba tumetimiza malengo yote yale ambayo wakaazi wa Kilifi wametupatia na wameyaweka katika mabega yetu. Asanteni sana.

(Applause)

## COMMUNICATION FROM THE CLERK OF THE COUNTY ASSEMBLY

### PROCEDURE TO BE FOLLOWED IN ELECTING THE SPEAKER

**The Clerk of the County Assembly** (Mr. Mkare): Hon. Members, Standing Order number 4A(1) provides:-

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“A Speaker shall be elected when the County Assembly first meets after general election and before the County Assembly proceeds with the dispatch of any other business except the administration of Oath or Affirmation of Office to the Members present.”

This is what we have just undertaken. Hon. Members, pursuant to the Standing Orders, a number of activities were required for the election of the Speaker before this first sitting. I will proceed to detail each such activity and the manner in which we have complied with the Standing Orders.

Firstly, Standing Order No. 5(1) requires that upon the Governor notifying the place and date for the first sitting of the new County Assembly, pursuant to Standing Order No. 3 of the County Assembly, the Clerk shall by notice in the Gazette, notify and invite interested persons to submit their nomination papers for election to the office of the Speaker.

Hon. Members, vide Gazette No. 1 of 2017 dated 30<sup>th</sup> August, 2017, the Clerk of the County Assembly invited persons to submit their nomination papers for election to the office of the Speaker.

Secondly hon. Members, Standing Order No. 5(4) requires that:-

“The Clerk shall maintain a register in which shall be shown the date and time when each candidate’s nomination papers were received and shall ascertain that every such candidate for election to the office of the Speaker is qualified to be elected as such under Article 193 of the Constitution.:

I hereby confirm that a register has been maintained in accordance to the requirements of the Standing Orders.

Thirdly hon. Members, Standing Order No. 5(5) requires that:-

“Immediately upon the close of the nomination period provided for in paragraph (2), the Clerk shall-

(a) Publicize and make available to all Members, a list showing all qualified candidates; and

(b) make available to all Members, copies of the curriculum vitae of the qualified candidates.”

Hon. Members, I hereby confirm that a list showing all qualified candidates was publicized and made available to all hon. Members. I further confirm that I made available to all Members copies of the curriculum vitae of the qualified candidates.

Hon. Members, for the position of the Speaker of the County Assembly, the following candidates were validly nominated as at the close of the nomination period and they are:-

1. Mr. Mwachungu Robinson Mtana
2. Hon. Mwinga Gunga Chea
3. Hon. Kadhua Jimmy Kahindi
4. Mr. Stephen Sanga Barawa

Hon. Members, Standing Order No. 7 provides for the election threshold as follows:-

“(1) A person shall not be elected as Speaker, unless supported in a ballot by the votes of two thirds of all Members.”

In our case this represents thirty six Members of which it is two-thirds of 53 Members.

“(2) If no candidate is supported by the votes of the two-thirds of all Members, the candidate or candidates who received the highest number of votes in the ballot referred to in paragraph one and the candidate or candidates who in that ballot received the next highest

number of votes shall alone stand for election in a further ballot and the candidate who receives the highest number of votes in the further ballot shall be elected Speaker.”

Hon. Members, Standing Order No. 6 provides that the election of the Speaker shall be by secret ballot. We shall now proceed to the ballot for the election of the Speaker.

Standing Order no. 6 (2) says:-

“The Clerk shall, at the commencement of each ballot, cause the ballot box empty and unlocked, to be displayed to the County Assembly and shall, in the presence of the County Assembly, lock the box, which shall thereafter be kept in full view of the County Assembly until the conclusion of the ballot.”

Hon. Members, I now direct that the ballot box empty and unlocked be displayed to the County Assembly.

*(The Serjeant-at-Arms displayed the ballot box, empty and opened)*

I now direct that the ballot box be locked.

*(The Serjeant-at-Arms locked the ballot box)*

Hon. Members, Standing Order No.6 (3) requires that:-

“The Clerk shall issue not more than one ballot paper to each member who comes to the Table to obtain it and each Member who wishes to vote shall proceed to a booth or designated area provided by the Clerk for that purpose and located next to and within reasonable distance of the ballot box and shall, while there, mark their ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote, fold the marked ballot paper before leaving the booth or area and place the folded ballot paper in the ballot box.”

The polling booths are on my left as displayed pursuant to the Standing Order. I now direct that a ballot paper be issued to each Member who comes to the Table to obtain it. To facilitate this process, the name of each Member shall be called out following which the Member shall come to the Table on my extreme left and obtain a ballot paper. Each member shall then proceed to either of the two polling booths which are clearly marked and while there, mark the ballot paper and fold it. The member will then place the ballot paper in the ballot box.

### **ELECTION OF THE SPEAKER**

We are now ready; I shall commence the voting process. Clerk-at-the-Table, please call out the names for issuance of ballot papers.

*(The ballot papers were issued to the Members of the County Assembly and they proceeded to vote)*

**The Clerk of the County Assembly** (Mr. Mkare): This is kindly to the Members that the door is locked and no one is allowed to walk out at this moment. Further, I would like to inform you that H.E. the Governor has just left for Nairobi on official business and he will not be with us in the next session.

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*(Hon. Members proceeded to vote)*

**The Clerk of the County Assembly** (Mr. Mkare): Hon. Members, from our records, every Member present has collected a ballot paper and voted. However, I still avail the opportunity for any Member present who has not been called or has not come down to collect a ballot paper and vote.

There being none hon. Members, Standing Order No. 6 (6) provides that when it appears to the Clerk that all Members who were present and wished to vote have placed their ballot papers to the ballot box, the Clerk shall unlock the box, examine the ballot papers and having rejected those ballot papers that are unmarked or spoilt, report the result of the ballot; and no Member who has not already recorded his or her vote shall be entitled to do so after the Clerk has unlocked the ballot box.

Hon. Members pursuant to the Standing Order, it now appears to me that all Members who were present and who wished to vote have done so. Therefore, pursuant to Standing Order No. 6 (6), I now direct that the ballot box be unlocked and each ballot paper be examined.

I will allow only one agent for each candidate if you wish so to come here. An agent for Mr. Mwachunga?

*(Hon. Mbura stood for Mr. Mwachunga)*

Agent for hon. Gunga Mwinga?

*(Hon. Pascal stood for hon. Gunga)*

Agent for hon. Jimmy Kahindi?

*(Hon. Mae stood for hon. Kahindi)*

And agent for Mr. Stephen Sanga Barawa? We have three agents and we are supposed to have at least four.

*(Hon. Gogo stood for hon. Barawa)*

*(The Serjeant-at-Arms opened the Ballot Box and examined the votes)*

I will now direct that the contents will be emptied and there will be a clerk each to take the votes for each of the candidates.

*(The Clerks-at-the Table proceeded to count the votes)*

Hon. Members, the results for the election of the Speaker held are as follows:-

<b>NAME</b>	<b>VOTES</b>
Mr. Mwachunga Robinson Mtana	- 0
Hon. Mwinga Gunga Chea	- 18

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Hon. Kadhua Jimmy Kahindi	-	32
Mr. Stephen Sanga Barawa	-	3
Spoilt Vote	-	0
Total votes cast	-	53

**The Clerk of the County Assembly** (Mr. Mkare): Hon. Members, we realize that no candidate has garnered a two-thirds majority and therefore as I said earlier, we will have to go for round two; that is hon. Jimmy Kahindi and hon. Gunga Chea. I will now seek your indulgence for at least ten minutes or so. You can walk out and refresh yourselves as we organize for the next ballot papers for the two candidates. Thank you very much Members.

*(The House adjourned for 10 minutes)*

*(The House resumed)*

**The Clerk of the County Assembly** (Mr. Mkare): Welcome back hon. Members. We proceed to the second round and we remind ourselves that if no candidate is supported by the votes of two-thirds of all Members, the candidate or candidates who receive the highest number of votes in the ballot referred to in paragraph one and the candidate or candidates who in that ballot garners the next highest number of votes shall alone stand for election in the further ballot and shall be elected Speaker. That means we have hon. Gunga Mwinga and hon. Jimmy Kahindi. Whoever gets the majority votes now will be declared the Speaker of the County Assembly.

We shall now proceed to the ballot for the election of the Speaker under Standing Order No. 6(2) which says:-

“The Clerk shall, at commencement of each ballot, cause the ballot box empty and unlocked to be displayed to the County and shall, in the presence of the County Assembly, lock the box, which shall thereafter be kept in full view of the County Assembly until the conclusion of the ballot.”

Hon. Members, I now direct the ballot box empty and unlocked be displayed to the County Assembly.

*(The Serjeant-at-Arms displayed the ballot box, empty and opened)*

I further now direct that the ballot box be locked in the presence of and viewing of the County Assembly.

*(The Serjeant-at-Arms locked the ballot box)*

“The Clerk shall not issue not more than one ballot paper to each Member who comes to the Table to obtain it and each Member who wishes to vote shall proceed to a booth or generated area provided by the Clerk for that purpose and located next and within reasonable distance of the ballot box and shall while doing so mark the ballot paper by placing a mark in the space opposite the name of the candidate for whom the Member wishes to vote for, fold the marked ballot paper before leaving the booth or area and place the folded ballot paper in the ballot box”. The polling booths are on my left as displayed pursuant to the Standing Order.

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I now, direct that a ballot paper be issued to each Member who comes to the Table to obtain it. To facilitate this process, the name of each Member shall be called out following which the Member shall come to the Table on my extreme left and obtain a ballot paper. Each member shall then proceed to either of the two polling booths which are clearly marked and while there, mark the ballot paper and fold it. The Member will then place the ballot paper in the ballot box.

We are now ready; I shall commence the voting process. Clerk-at-the Table, please call out the names for issuance of ballot papers.

*(The ballot papers were issued to the Members of the County Assembly and they proceeded to vote)*

**The Clerk of the County Assembly** (Mr. Mkare): Principal Clerk, please confirm that all of them have voted.

**Clerk-at-the-Table:** Mr. Clerk, I wish to confirm that, all the 53 hon. Members have collected their ballot papers and voted.

**The Clerk of the Assembly** (Mr. Mkare): Noted. Hon. Members, from our records, every Member present has collected a ballot paper and voted. However, I still avail the opportunity for any Member present who has not collected a ballot paper to do so. There being none, hon. Members, Standing Order No. 6 (6) provides that:-

“When it appears to the Clerk that all Members who are present and wish to vote have placed their ballot papers in the ballot box, the Clerk shall cause to be unlocked the box, examine the ballot papers and, having rejected those unmarked or spoilt, report the result of the ballot; and no Member who has not already recorded his or her vote shall be entitled to do so after the Clerk has unlocked the ballot box.”

Hon. Members, pursuant to this Standing Order, it now appears to me that all Members who are present and who wish to vote have done so. Therefore, pursuant to Standing Order No.6 (6), I now direct that the ballot box be unlocked and that each ballot paper to be examined. I now direct the ballot box be unlocked and contents emptied and there be a clerk each to take the votes for each of the candidates. One Clerk will call out and display such ballot paper prominently and say aloud the person for whom the ballot paper is marked. We will provide a microphone for that purpose so that you can be heard. Thank you. There is no need of agents at this time. Just empty the ballot box.

*(The Serjeant-at-Arms opened the ballot box and examined the votes)*

*(The Clerks-at-the Table proceeded to count the votes)*

*(Loud Consultations)*

**The Clerk of the Assembly** (Mr. Mkare): I have not declared yet so sit until I do so. Just listen *Mheshimiwa*. Hon. Members, the results of the election of the Speaker held are as follows:-

NAME	VOTES
Hon. Gunga Chea Mwinga	13
Hon. Jimmy Kahindi Kadhua	40

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*(Applause)*

Hon. Members, pursuant to Standing Order No. 7(2), I now declare Jimmy Kahindi Kadhua to be duly elected as the Speaker of the County Assembly of Kilifi.

*(The Clerk accordingly declared hon. Jimmy Kahindi Kadhua elected  
Speaker of the County Assembly of Kilifi)*

I now direct that the Serjeant-at-Arms to go search, look, find and bring the said candidate, hon. Jimmy Kahindi Kadhua to the Chamber for swearing in.

*(The Clerk accordingly directed the Serjeant-at-Arms to search for the said hon. Jimmy  
Kahindi Kadhua and bring him to the Chamber)*

*(On arrival of Hon. Kahindi in the Chamber, he was escorted to the  
Chair by hon. Kenga, hon. Chiriba and hon. Mramba)*

*(On arrival at the Chair, the Clerk thereupon administered the Oath of  
Allegiance to the Speaker-elect, hon. Kahindi)*

*(Applause)*

**The Clerk of the County Assembly** (Mr. Mkare): Hon. Members, you will remain seated as I walk out with the hon. Speaker to 'robe' him. Robbing is a parliamentary word meaning he has to look like a Speaker, and then we come back in a short while. Thank you.

*(The Clerk of the Assembly and the hon. Speaker withdrew from the Chamber)*

*(The Speaker, hon. Kahindi, then took the Chair, and the  
Mace, which before lay under the Table,  
was placed upon the Table)*

## **COMMUNICATION FROM THE CHAIR**

### **SUBMISSION OF THE SPEAKER TO THE WILL OF THE HOUSE**

**The Speaker** (Hon. Kahindi): Hon. Members, good afternoon! It feels good to be back home, doesn't it? This is my first Communication entitled submitting to the will of the House. Hon. Members, I feel greatly honoured and highly privileged today to have been elected to this esteemed position of the Speaker of the County Assembly of Kilifi. I am humbled by the immense confidence and trust that you have demonstrated and bestowed on me. I also wish to salute and to thank my able opponents for upholding a high degree of democracy.

Hon. Members, allow me from the very beginning to convey my sincere congratulations to the entire membership of this House for your successful election and nomination. I want to

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salute you for giving me this onerous mandate of the Office of the Speaker and for entrusting me with this task and noble duty to serve you.

I wish to thank the able Clerk of the Assembly and his team for organizing a seamless process of swearing in of Members and the just concluded election of the Speaker. I sincerely extend my gratitude in a special way to you and your entire team for the success of this day.

For those present here that have spared their time to grace this occasion, we commend them for heeding our call to grace this historic occasion of the Second Assembly. We wish them great health and long life. We will always look upon you for inspiration, guidance and encouragement to actualize the long held dream of devolution. We also want to promise you that this time round, we will get it right.

Hon. Members, as I take the mantle of leadership of the County Assembly, I am not under any illusion. The task and responsibilities ahead of me and the other leadership that will be designated to various offices are enormous and challenging. The task before us will require exceptional commitment, focus and harmony and the unity of purpose in the performance of our constitutional mandate. Given the high expectations that the people of Kilifi County have in the devolved system of governance, there is little or no option for us but really to succeed. Devolution is envisioned to be the onerous challenge to take power and resources to the people.

Hon. Members, Article 185 of the Constitution of Kenya, 2010, provides that the Legislative authority of a county is vested in, and exercised by its County Assembly. It further provides that a County Assembly, while respecting the principle of the separation of powers, may exercise oversight over the County Executive Committee and any other executive organ. A County Assembly may receive and approve plans and policies for (a) the management and exploitation of county's resources and (b) the development and management of infrastructure and institutions.

Hon. Members, you will therefore appreciate that for us to be able to execute the mandate that the Constitution has given to the County Assembly, it is important that we conduct our business in this House in a serious manner that will unlock the massive potential of the residents of Kilifi County for faster growth, more equitable development and of the less developed and marginalized areas of the County. We invite, therefore, the people of Kilifi County, all our friends and development partners to work closely with us and to support the work of our County Assembly. I want to assure them that they will find a worthy partner in the County Assembly leadership and secretariat. We are cognizant of the need to develop and nurture strong collaboration with all stakeholders in the effort to promote development in our county.

Hon. Members, you may also wish to recall that the Kenya Vision 2030 which is the country's development blueprint aims at transforming Kenya into a new industrialized middle income country providing high quality of life. We have an obligation as an institution and a duty to ensure that we make a contribution to this particular vision, especially in realizing the potential to promote growth and development at the grassroots levels and to stir rural economies. The key challenges of development in Kenya remain poverty, unemployment and inequality.

As your Speaker, I wish to adopt and nurture collegiate leadership that will transform our Assembly by ensuring the following;

One, that Members perform their constitutional mandate through work systems that are properly organized, facilitated and functional to enable them deliver timely, efficient and quality services; two, that, we will ensure the programmes and activities of the Assembly are guided by the need to respond to the key priorities of the people as well as the many challenges that they may face; three, that, we will prioritize and strengthen the partnership between the County,

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Parliament, Government Ministries, regional and international development partners so as to enhance the growth and development potential and abilities of the county assemblies and government; four, that we will strive to strengthen the capacity of the Members and the secretariat so that they can constantly update their skills and expertise and to acquire the requisite exposure to handle complex and new frontiers of legislative and public affairs.

Hon. Members, in conclusion, the residents of Kilifi County and Kenyans at large will be keenly watching us as the Second Assembly. We will be expected to engage in objective, constructive and value adding deliberations. Therefore, we have to prioritize matters of county interests especially on the functions enshrined in the Second Part of the Forth Schedule of the Constitution of Kenya, 2010.

Hon. Members, it is therefore important that we make credible contributions to advance the image and the overall development of our county. Therefore, as a model legislative House for the county, we will be expected to offer the requisite inspiration, guidance and confidence to them. Hence, we have a duty to conduct ourselves with decorum, consistently observe the due process and to uphold the rule of law, legality and the culture of constitutionalism.

Hon. Members, on my part, I want to promise that under my stewardship, my commitment to the people and to you is to be a faithful servant and diligently discharge my duties. I shall respect and uphold the rule of law and nurture the culture of constitutionalism, protect and defend our Constitution and always safeguard the role of the County Assembly of Kilifi. Therefore, I call for your support and co-operation and welcome you all to work with the entire County Assembly leadership for the success and prosperity of our county.

#### CUSTODY OF BALLOT PAPERS

Hon. Members, Standing Order No. 10 provides that:-

“Immediately the results are declared, all the ballot papers used in the election of the Speaker shall be packed and sealed in the presence of the County Assembly and kept in the custody of the Clerk for a period of six months and shall thereafter be destroyed.”

I now direct that the Clerk packs and seals all the ballot papers on election of the Speaker for safe custody in accordance with Standing Order No. 10.

*(The ballot papers were collected and sealed)*

#### PERSONAL REMARKS

Hon. Members, before I move to Communication No. 3 which is adjournment of the House, I want to take this opportunity to make my personal remarks. First of all, I want to thank the Members who have been very patient with me. I want to thank all the Members that we have walked the journey with and I want to thank the House for picking me as the second Speaker of this County Assembly.

Hon. Members, this is democracy. I want to assure you for those Members whom I have earned your vote today, I respect that and for those Members whom I was not able to earn your vote today I want to promise you that I will still be your Speaker and all Members will be treated equally and fairly.

*(Applause)*

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I also want to take this moment to thank the people who have walked with me in this journey. My friends, my family, the Members of this County Assembly, the Members who I have worked with before and the Members who I just met after the election; I want to say thank you.

I also want to appreciate the support that I have received from my parents, brothers and sisters, my in-laws; I want to say thank you. But before I end, I want to take this opportunity to thank one person who has been very dear to me; that one person walked this journey with me in 2013 and saw me get into this seat and this time she has also been with me every step of the way. I am talking about the lady who has been taking care of me every time I go home and I have had a rough day with the MCAs and she is always there to wait for me and give me encouragement. This is none other than my lovely wife, Dr. Saumu, wherever you are please stand up for the people to see you.

*(Dr. Saumu, who was seated at the Speaker's Gallery, stood in her place)*

Thank you very much and I want to remind you that I love you more than you can imagine.

*(Applause)*

I owe this victory to all of us in as much as I take time to celebrate; this is not just my victory, it is your victory. We have walked the journey with you and have seen the challenges but I want to urge you that when we re-convene in this House, we will work as a team.

Lastly, I want to make a recap of what happened in 2013. When I took over this Assembly in 2013 there were so many challenges including capacity building but I thank God with the help of our able Clerk, with the help of our staff and of course with the co-operation of the Members, we were able to bring the Members to a level and I can comfortably stand here that the County Assembly of Kilifi has in this election produced two of its own to sit in the National Assembly.

*(Applause)*

Thank you. I take cognizance of the visitors sitting at the Speaker's Gallery. You know it is tradition that when you see Members sitting at that position they are normally special guests of the Speaker but in this case they walked in and sat there and there was no Speaker but since I have assumed office, I want to acknowledge you as the best friends of the Speaker of the County Assembly of Kilifi.

*(Applause)*

I was about to recognize two of the former elected Members who now sit in the National Assembly; Members who have been in this House, Members whom this House has nurtured and I am proudly saying so when I speak of my former immediate Deputy Speaker Hon. Teddy Mwambire. Please stand up wherever you are?

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*(Hon. Teddy Mwambire, who was seated in the Speaker's Gallery,  
stood in his place)*

*(Applause)*

This short but very able man on the 22<sup>nd</sup> day of March, 2013 was elected as the Deputy Speaker and we have worked together and when he told me about his aspirations of going to the National Assembly, we supported him. I am mentioning them because they started their careers here as MCAs. We also have our Women Representative Hon. Gertrude Mbeyu.

*(Hon. Ms. Gertrude Mbeyu, who was seated in Speaker's Gallery  
stood in her place)*

*(Applause)*

Thank you so much. We appreciate you and it is my belief that come 2022, this House will produce more members of the National Assembly and even in the Senate.

I also want to recognize one of the former MCAs who was nominated to the Senate and that is hon. Christine Fondo. She was a nominated Member of this County Assembly and now, she has been nominated to sit in the Senate. That is something that as a Speaker, I am proud of because I am very sure whenever these two Members are in the National Assembly, there is nothing which is different from what you are seeing here. I owe it to you Members because we worked together to get where we are. I take this opportunity to promise you that this was just the beginning and in the five years to come by God's grace, we will even strive to better heights. Hon. Members, I now move to make my third communication.

### **ADJOURNMENT**

Hon. Members, there being no further business, the House now stands adjourned until such a date as shall be notified as the date for opening of the County Assembly. Thank you very much and I am informed that for the invited guests and all Members of the County Assembly, lunch has been organized by our Clerk at a hotel known as Dream of Africa. So, after this, we shall all be heading there. Thank you very much and God bless you.

**The House rose at 1:12 p.m.**