



**COUNTY GOVERNMENT OF NAIROBI CITY**

**SECOND ASSEMBLY – (FOURTH SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, DECEMBER 1, 2020 AT 2.30 P.M.**

1. The Assembly assembled at Thirty Minutes past Two O'clock.
2. The Proceedings were opened with Prayer by the Hon. Speaker.

**QUORUM OF THE ASSEMBLY**

The Speaker having confirmed that there was quorum at the commencement of the Assembly called the Assembly to order.

**3. COMMUNICATION FROM THE CHAIR**

**COMMUNICATION ON LEADERSHIP CHANGE AT ASSEMBLY SERVICE BOARD AND TEMPORARY DISCHARGE OF MEMBERS FROM ASSEMBLY COMMITTEES**

**“Hon. Members**, my office is in receipt of a letter from the Secretary General of the Jubilee Party, the Hon. Raphael Tuju, EGH, dated 1st December, 2020 communicating the decision by the Party to change the leadership at the County Assembly Service Board.

**Hon. Members**, in the said letter, the Jubilee Party appointed Hon. Charles Thuo Wakarindi, MCA as the Member on the Nairobi City County Assembly Service Board to replace Hon. Mark Ndung'u, MCA.

**Hon. Members**, pursuant to Standing Order 17, I have written to the Select Committee on Assembly Business Nominating Hon. Juliet Ndegwa, MCA to replace Hon. Silas Matara Ongwae as a Member of the Chairperson's Panel.

**Hon. Members**, I am also in receipt of a letter dated 1<sup>st</sup> December, 2020 from the Whip of the Majority Party, the Hon. Paul Kados communicating the resolution of the Jubilee Party on outcome of disciplinary process facing the under listed Members of the Assembly:

1. The Hon. Silvia Kihoro Moiseya, MCA;
2. The Hon. Millicent Anyango Jagero, MCA; and

3. The Hon. Anne Muthoni Mumbi, MCA.

In the letter, the Whip cites that the aforementioned Members were found to be in violation of the Party Constitution. Therefore, the Party meted the following disciplinary measures on all the three Members:

1. That the Members be de-whipped from all Assembly Committee in which they serve for a period of six months; and
2. That the Members be suspended from the Jubilee Party for a period of 3 months.

**Hon. Members**, Standing Order 168 provides as follows on the procedure for discharge of a Member from a Committee, and I quote:

*“168. (1) The County Assembly party that nominated a member to a select committee, may give notice, in writing, to the Speaker that the member is to be discharged from a select committee.*

*(2) The discharge of a member shall take effect upon receipt by the Speaker of a notice under paragraph (1).*

*(3) Subject to paragraph (1), such notice of discharge from a committee shall be communicated in writing to the Member at least two days before such discharge is to be effected.”*

**As such, Hon. Members**, the said written notice for the discharge of the three Members was given to my office on 1<sup>st</sup> December 2020 on the basis of the party’s decision. Hence, the suspension is effective from 1<sup>st</sup> December 2020 having confirmed the Party’s compliance with the provisions of Standing Order 168(3) above. For avoidance of doubt, the net effect of the suspension of the said three Members include withdrawal of all the benefits and privileges of the County Assembly thereof for the stated period of six months.

**Further, Hon. Members**, the Party Whip and respective Committees are directed to take necessary steps in accordance with the Standing Orders to ensure that the affected Committees function effectively during the period the suspension of the Members.

In view of the foregoing circumstances, I therefore direct the Office of the Clerk to enforce the said directions and suspension.

It is so guided and I thank you Hon. Members.”

#### **4. PAPERS LAID: -**

The following papers were laid on the Table of the Assembly:

- a) **THE REPORT OF THE SECTORAL COMMITTEE ON ENERGY, INFORMATION, COMMUNICATION AND TECHNOLOGY ON JOINT RETREAT WITH THE ICT SECTOR AND NATIONAL BANK OF KENYA REGARDING THE NATIONAL BANK 5 YEAR RUNNING AUTOMATED**

**REVENUE COLLECTION CONTRACT WITH THE COUNTY GOVERNMENT;**

*(HON. MELLAB ATEMAH, MCA)*

- b) **THE REPORT OF THE SELECT COMMITTEE ON APPOINTMENT ON COMMITTEE RETREAT HELD FROM 5<sup>TH</sup> TO 8<sup>TH</sup> NOVEMBER, 2020 AT SAI ROCK HOTEL, MOMBASA COUNTY.**

*(DEPUTY LEADER OF MAJORITY PARTY)*

**5. STATEMENT PURSUANT TO STANDING ORDER 45(2)(c)**

Pursuant to Standing Order 45 (2) (c) the following statement was requested:

- i. Hon. Jeremiah Themendu Karani, MCA from the Chairperson of the Sectoral Committee on Health Services regarding the utilization of Covid-19 Funds donated by the Ministry of Health, DANIDA and World Bank. *(Response in due in 2 weeks)*

**6. MOTION – ESTABLISHMENT OF GENDER BASED VIOLENCE DESKS**

Motion made and Question proposed;

**THAT**, aware that Article 28 of the Constitution 2010 specifies that every person has inherent dignity and the right to have that dignity respected and protected; **FURTHER AWARE THAT** Article 25 (a) of the Constitution provides for freedom from torture and cruel, inhuman or degrading treatment or punishment; **COGNIZANT THAT** every person has the right to freedom and security which includes the right not to be subjected to any form of violence from either public or private sources; **FURTHER COGNIZANT THAT** international laws and instruments such as Convention of Elimination of all forms Discrimination against Women (CEDAW), UN resolutions 1325 and 1820 deprecate violence against women as it impedes the advancement of women and maintains their subordinate status; **NOTING THAT** Maputo Protocol on the rights of women which states that parties shall adopt and implement appropriate measures to ensure the protection of every woman's right to respect for her dignity and protection of women from all forms of violence, particularly sexual and verbal violence; **CONCERNED THAT** there has been an increase in incidences of Gender-Based Violence and Sexual Gender-Based Violence in the County which has been accelerated by the corona virus pandemic that has maimed people lives; **FURTHER CONCERNED THAT** many such gender-based violence acts have gone unnoticed due to lack of proper reporting mechanisms which has resulted in family break-ups; **ACKNOWLEDGING THAT** the County is in the process of enacting a law on the gender-based violence issues, this **ASSEMBLY URGES** the County Executive to establish Gender Based Violence Desks and well trained staff at City Hall as the central point and in all the Sub-Counties to provide for post-trauma care facilities for survivors of Sexual and Gender Based Violence (GBV) in the County.

Debate ensued;  
Mover Replied;  
Question put and Agreed to.

7. **ASSEMBLY ROSE** - at twenty-One Minutes to Five O'clock.

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**M E M O R A N D U M**

The Speaker will take the Chair on  
Thursday, February 9<sup>th</sup> 2020 at 9.30 p.m.

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