



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (THIRD SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, MARCH 14, 2022 AT 2.30 P.M.

1. The Assembly assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer

QUORUM OF THE ASSEMBLY

The Hon. Speaker having confirmed that there was no Quorum at the commencement of the Assembly caused the bell to be rung for ten minutes.

There being a Quorum at the expiration of the ten minutes, the Speaker called the Assembly to Order.

3. COMMUNICATION FROM THE CHAIR: -

The Hon. Speaker conveyed following Communication: -

Invitation to the Governor's Retreat at Lake Naivasha Resort, Nakuru County

"Hon. Members, the Chair is in receipt of a letter Ref. NCC/GOV/ADM/023/2024 dated 11th March, 2024 from His Excellency the Governor inviting all Members of the County Assembly to be held from 15th to 17th March, 2024 at lake Naivasha Resort in Naivasha, Nakuru County. The meeting is scheduled to take place on Saturday, 16th March, 2024 from 8.00 a.m.

Hon. Members, the main purpose of the retreat is to foster alignment on the key components of the Governor's Manifesto that are crucial for holistic development and well-being of the residents of the County. The retreat is also meant to serve as a platform for the County leadership to engage in consultative discussions, share insights and collaboratively formulate actionable strategies that will drive the County forward.

Hon. Members, the said meeting with H.E the Governor will provide an opportunity for the County Government to unite in visions and efforts towards achieving the common goal of elevating the quality of life of the residents of Nairobi City County.

Hon. Members, I'm aware that the Assembly had scheduled for various Committee workshops during this time. Consequently, the Chair directs the suspension of the workshop of the Select Committee on Assembly Business scheduled to be held from 14th to 17th March, 2024 in Mombasa to a later date to allow all Members to participate in the meeting with H.E the Governor. In addition, **Honorable Members**, I request all of you to spare ample time and avail yourselves for this crucial meeting with the County Executive.

Hon. Members, kindly note the tentative programme of the meeting with the H.E Governor on Saturday 16th March, 2024 will be as follows: -

- 1) From 9.00 to 10.30 a.m. – there will be a meeting between H.E the Governor and the County Assembly Leadership and all Members of the Liaison Committee;
- 2) From 11.00 to 12.30 p.m. – there will be a meeting between H.E the Governor and all elected Members of the County Assembly;
- 3) From 2.00 to 3.00p.m. – there will be a meeting between H.E the Governor and all special elect Members of the County Assembly; and
- 4) From 3.30 – 500 p.m. – H.E the Governor will meet all Members of the County Assembly.

Hon. Members, kindly note that this meeting is to be fully facilitated by the office H.E the Governor.

Hon. Members, prepare yourselves accordingly.

The house is so guide.

Thank you.”

The Hon. Speaker further conveyed following Communication: -

Misconduct of Members of the County Assembly

“Hon. Members, Standing Order 45(1) states that “The Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly”.

Hon. Members, the functions of the Speaker amongst others include being the official spokesperson/ representative of the County Assembly in its dealings with the public, the Executive, the Judiciary, Parliaments in other jurisdictions and bodies outside the Assembly.

Hon. Members, may I remind you that the Speaker is the custodian and defender of the Constitution and all other rules of procedure in the County Assembly. In the said Constitution, Statutes and Standing Orders, members of the County Assembly are state officers who are subject to high measure of integrity standards.

Hon. Members, the County Assembly has rules of procedures that governs its conduct of any in the County Assembly.

Hon. Members, Section 30 of the County Assemblies Powers and Privileges Act, 2017 provides for a State officer who is convicted of an offence under the Act shall be deemed to have committed an act of gross misconduct within the meaning of Article 251(1)(b) of the Constitution.

Hon. Members, Section 16 of the County Assemblies Powers and Privileges Act, 2017 states that Committee of Powers and Privileges may find a Member to be in breach of privilege if the Member—

- (a) contravenes sections 25, 26(1), 27 or 29;
- (b) commits an act mentioned in section 28(1)(a), (b) or (2) and (3)(d), (e), (f) or (g);
- (c) willfully fails or refuses to obey any rule, order or resolution of a county assembly;
- (d) contravenes any provision of the Speaker's orders issued under section 40 of this Act; or
- (e) conducts himself or herself in a manner which, in the opinion of the Committee on Powers and Privileges, is intended, or is likely to reflect adversely on the dignity or integrity of a county assembly, or of the Members or to be contrary to the best interests of a county assembly or its Members.

Hon. Members, Standing Order 117(1)(g) and (h) states that a Member's conduct is gravely disorderly if such as Member acts in any other way to the serious detriment of the dignity or orderly procedure of the County Assembly; or commits any other breach of these Standing Orders that in the opinion of the Speaker constitutes grave disorderly conduct.

Hon. Members, my attention has been brought to a very grave misconduct where some Hon. Members purported to communicate an official message from H.E. the Governor regarding the scheduled retreat

and attempted to insight Hon. Members against the house leadership through social.

Hon. Members, this conduct of the two Hon. Members namely; **Hon. Oscar Lore** and **Hon. Brian Itenya** is not only against our Standing Orders but also has the potential of destabilizing the Assembly.

Accordingly, **Hon. Members**, in order to deter such behavior, I hereby suspend the aforementioned two (2) Members from the Assembly for a period of three sitting days and direct the matter to the Select Committee on Powers and Privileges to investigate this matter and report to the Assembly.

It is so directed

Thank you.”

There being no other business and the time being fifteen minutes past Three O'clock, the Hon. Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

4. ASSEMBLY ROSE - _____ at Fifteen Minutes past Three O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, March 19th, 2024 at 2.30 p.m.

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