



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fourth Session

Tuesday 15th July 2025

The House met at 2.30 p.m.

[The Speaker (Hon. Kennedy Ng'ondi) in the Chair]

PRAYER

QUORUM

Hon. Speaker: Honorable Minority Whip, kindly use that energy to mobilize Members to come inside. On the side of the Majority, do we have the Whip? The Deputy Whip? The Acting Whip should be Hon. Emmy Isalambo.

We now have the quorum to allow the House transact the business of the day. Clerk, call out the Order.

COMMUNICATION FROM THE CHAIR

RESUMPTION FROM SHORT RECESS

Hon. Speaker: Good afternoon, Hon. Members. I have got a communication in regards to the resumption from the short recess, as well as welcoming Members back.

Hon Members, I extend a warm and hearty welcome back to each and every one of you as we resume our parliamentary duties after a short and brief, yet hopefully restorative, recess. I trust that this period has offered you an opportunity to reconnect with your constituents, reflect on our collective journey, and rejuvenate for the important tasks that lie ahead.

The recess, though short, has undoubtedly provided a crucial pause, allowing us to gain fresh perspectives and renew our commitment to the service of our County. I commend you for your dedication, and I am confident that you return with renewed vigor and a sharpened focus on the legislative agenda.

Hon Members, as we resume, it is imperative that we acknowledge the prevailing circumstances that continue to shape the lives of our constituents. Despite the notable successes we have posted, our County continues to be faced with a myriad of economic, social and political challenges including provision of quality healthcare, infrastructure development, lack of proper regulation in the built environment, insufficient funding of education, increased urban population, poor state of some recreational facilities, inadequate housing, poor drainage, inadequate water and sewer infrastructure and reticulation amongst others. These challenges demand our collective wisdom, unwavering resolve and a spirit of genuine collaboration. I am confident that we shall record milestones through our Committees and the plenary.

However, amidst these challenges, we must also celebrate the strides we have made. Before the recess, this Assembly demonstrated remarkable commitment in passing critical legislations related to finance and regularization of unauthorized developments. The debates on matters that came before the Plenary were robust and improved on our oversight over the Executive. These achievements are a testament to the hard work and dedication of every member and they underscore the vital role this Assembly plays in the governance of our County.

Hon Members, looking ahead, the in tray is full with business. The Select Committee on Assembly Business will be sitting to schedule business such as crucial Bills, Motions and other oversight instrument that directly impact the welfare of our people. We have many legislative proposals which will be introduced in this session once they mature into Bills. Each of these items requires our meticulous attention, thorough deliberation, and a bipartisan approach to ensure that the outcomes truly serve the public interest. I urge Chairpersons whose Committees are yet to table reports on Bills to do so within the requisite time to enable the Assembly make progress.

Hon Members, let us rise above partisan divides and focus on the substantive issues that matter most to the citizens we represent. Let us engage in debates that are informed, insightful, and ultimately aimed at finding solutions. Let us be diligent in our oversight duties, ensuring transparency and accountability in all spheres of government. At the same time, I direct that the implementation Committee take in recognition the fact that members are indeed awaiting the implementation status of the motions, the Bills and any other pending business at the desk of the executive.

Hon Members, our constituents look to us for leadership for solutions, and for an Assembly that is responsive to their needs and aspirations. Let us work together with integrity and dedication to build a stronger, more inclusive and more prosperous County. I wish you a productive and successful segment of this session. Thank you Hon. Members as you settle for the business of the day. Thank you, Hon. Members.

Hon Members you may take your positions.

STATEMENT

REQUEST FOR STATEMENT REGARDING PERSISTENT FAILURE OF STREET LIGHTS RECENTLY INSTALLED IN THE COUNTY

Hon. Speaker: Hon Davidson Ngibuini?

Hon. Davidson Ngibuini: Thank you, Hon Speaker.

Hon. Speaker: As Hon Davidson Ngibuini takes the floor, I would like to inform the Chair of the Implementation Committee that he will be have a session during the Statement Hour to inform the House on the status of the implementation of the Motions and other Statements, as requested by the Members. So, the Chair Implementation Committee, that is delegated by the Leader of Majority to Hon Majiwa, you will be taking the floor tomorrow.

Hon. Davidson Ngibuini: Thank you, Hon Speaker. I rise to request for a Statement on the frequent failure of street lighting infrastructure in Nairobi City County.

Hon. Speaker, pursuant to Standing Order 47) (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Transport and Public Works regarding persistent failure of street lights recently installed in Nairobi City County, and specifically Woodley/ Kenyatta Golf Course Ward.

Hon. Speaker, Paragraph 5 (b) of Part II of the Fourth Schedule of the Constitution of the Republic of Kenya, 2010 mandates the County Government of Nairobi to ensure proper street lighting. Further, Section 28 (1) of the Public-Private Partnership Act, 2013 provides that a contracting authority that intends to finance, operate, equip or maintain an infrastructure facility or provide a service, may enter into a project agreement with any qualified party for the financing, construction, operation, equipping or maintenance of the infrastructure or development facility.

Hon. Speaker, despite the continued investment in street lighting as part of the efforts to enhance security, safety and support economic activities in Nairobi till late hours, residents of this great City have raised alarm over the frequent malfunction of these lights, with many breaking down shortly after installation. This is a troubling trend that raises serious concerns over the possible use of substandard materials, poor workmanship by contractors and technical staff or a lack of proper oversight and quality control mechanisms by the County Government of Nairobi. The situation not only undermines service delivery but also poses a threat to public safety, particularly in informal settlement across this County and high crime zones that rely heavily on functional street lighting for security.

Hon. Speaker, in light of this, the Chairperson should inquire into and report on:

- i. The reasons for the frequent failure of newly installed street lights;
- ii. Whether the County Executive is using quality certified materials and competent contractors in the implementation of street lighting projects;
- iii. The quality assurance and inspection mechanisms in place before, during and after installation;
- iv. Any enforcement or corrective action taken against contractors delivering substandard works;
- v. The measures being undertaken to ensure long-term functionality, public safety and value for public funds invested in street lighting in the County of Nairobi.

Thank you, Hon. Speaker.

Hon. Speaker: The Chairperson for Transport Committee? Vice Chair? Hon. Members, you now see the need for Whips to reorganize committees. It is quite unfortunate that at any given sitting, we have not managed to have ten chairmen in the Assembly. This is the time they need to reward active Members. Hon. Majority Leader, you need to reward the active Members who mean well for this Assembly. Hon. Lawi is on the floor to give an undertaking.

Hon. Lawrence Odhiambo: Thank you, Hon. Speaker. It is a matter of concern. So, kindly give us two weeks to respond.

Hon. Speaker: Thank you. Hon. DNG, is that okay?

Hon. Davidson Ngibuini: Hon. Speaker, two weeks is sufficient, and I am looking forward to getting a report from the Committee.

Hon. Speaker: Hon. Whip, did you want to share something with the Honorable Members?

Hon. Mark Mugambi: Thank you, Hon. Speaker. I would like to acknowledge your communication on the reconstitution of committees. Because the Majority Leader is here, we will have a sitting as the leadership and act on the same.

Hon. Speaker, we have been here for more than two years, and have seen the chairpersons that are serious and those that are not. We said that chairpersons and their vice chairpersons should be the last people to miss plenary sessions. We shall need your guidance to check how many sittings they have missed. I also know that some will complain saying that this is witch-hunt. I believe it is time we give the serious members chance to show us that they can lead these committees. Thank you, Hon. Speaker.

Hon. Speaker: Yes, Hon. Majority Leader.

Hon. Peter Imwatok: Mr. Speaker, allow me to make a few comments on what the Whip has said.

Hon. Speaker: As you give your welcoming note as the Leader of Majority.

Hon. Peter Imwatok: Allow me to welcome all the Members from the 11 days we have been out. My eyes are not good, but I believe that in a few days to come, I will be okay. I also thank God for allowing us to be back for this one month before we go for another recess.

Hon. Speaker, I want to bring to the attention of this House that most Members are complaining about specific chairpersons who are not attending plenary yet there are Members who are very diligent in attending them. I put this blame squarely on the desk of the Whips because the work of the Leader of Majority is in the Selection Committee in aligning committees. So far, we are operating illegally because the Standing Orders requires us to renew membership of committees after three years. Therefore, I agree with my Whip, who is present, to get in touch with his counterpart so that we get in touch with the Selection Committee.

In addition, the Selection Committee has a record of all individual Members' performance in committees in terms of attendance and contributions. The Whips can have time with the clerks to look through each Member in every committee and evaluate where to place them. We are in a broad-based government and anyone can get it as long as you convince your Members and lead the accordingly. So, Hon. Speaker, I wish to make an undertaking that as the Chair of the Selection

Committee, I am ready to call up my team to look at the Whips' proposals and bring it before the Assembly.

Secondly, Hon. Speaker, we talked about the 'Green Army', and information reaching my desk is that these young people are threatened that by August their jobs will come to a standstill, yet we passed a budget. Hon. Speaker, through your indulgence and that of the Clerk's office, if you could allow me invite the CEC Member for Environment next week, Wednesday, before this House so that he can explain to this House their fate. We have passed a budget expecting the Green Army to be officially employed on permanent basis, and start immediately. If the House allows, the Clerk can do the invite to the CEC Member. I have a lot of information that these children are wondering how we passed a resolution yet it is not been acted on. I beg to rest

Hon. Speaker: In that regard, Hon. Majority Leader, you are a Member of the House Business Committee, raise it as an urgent agenda so that the Committee considers it. Thank you.

MOTION

REPORT OF AUDITOR GENERAL ON RECEIVER OF REVENUE FOR COUNTY GOVERNMENT OF NAIROBI FOR YEAR ENDED 30TH JUNE 2022

Hon. Speaker: Chairperson of Public Accounts? Vice Chair? I thought the Vice Chair notified Hon. Emmy Isalambo to... Mheshimiwa, are you ready?

Hon. Emmy Isalambo: Yes, Hon. Speaker.

Hon. Speaker: Kindly proceed

Hon. Emmy Isalambo: Hon. Speaker. I beg to move following Motion:

THAT, this Assembly adopts the Report of the Select Committee on Public Accounts on consideration of the Report of the Auditor General on Receiver of Revenue for County Government of Nairobi for the year ended 30th June 2022, laid on the Table of the Assembly on Wednesday 30th April 2025.

Hon. Speaker, the mandate of Public Accounts Committee, as provided for under Standing Order 203 (2) of our Standing Orders, is, *"to examine the accounts showing the appropriation of the sum voted by the County Assembly to meet the public expenditure and of such other accounts laid before the County Assembly as the Committee may think fit."*

Hon. Speaker, this report of the Auditor General was committed to the PAC for consideration and reporting pursuant to Article 229 (8) of the Constitution. While considering the report, the Committee met and interrogated the County Executive Management led by the County Executive Committee Member for Finance and Economic Affairs, during the period under review and obtained both written submissions and supporting documents.

Hon. Speaker, Article 201 enacts fundamental principles aimed at guiding all aspects of public finance in the Republic. It states that the principles are, inter alia, openness and accountability, including public participation in financial matters; public money shall be used in a prudent and responsible way; and financial management shall be responsible, and fiscal reporting

shall be clear. The Committee places high regard on these principles, among others, and has been guided by them in the entire process that has led to this report.

Allow me, Hon. Speaker, to thank the entire membership of this Committee for its hard work and commitment, which made the taking of evidence and production of this Report a success.

Hon. Speaker, The Committee having considered both the Report of the Auditor-General on the Receiver of Revenue for the year ended 30th June 2022 and oral/written responses by witnesses it invited, has made various recommendations that require implementation by the CEC Member, Finance and Economic Affairs, Accounting Officers and state agencies. The recommendations are aimed at deterring future misappropriation of public funds.

Hon. Speaker, I urge Members to support this report. As I move, I call upon Hon. Mark Thiga to second the Motion. Thank you.

Hon. Speaker: Hon. Members, as Hon. Mark moves to second the Motion, I have just noticed the report of the Committee being circulated in under 10 minutes. So, I don't know whether Members are ready to debate on this report or whether it was uploaded in our website. Can a Member confirm whether you are interacting with this report as at now?

(Hon. Member spoke off the record)

Yes. So, I think as you second the Motion, we need to get the feeling of the House on how to dispense this business under Order No. 8.

Hon. Mark Thiga: Thank you, Mr. Speaker. As a Member of the Committee, I rise to second the Motion. The Committee had a serious business and all the variances that we noted, we interrogated seriously. All that we were able to address, we highlighted them as addressed, and those that called for investigation, they were highlighted to the EACC and the DCI to continue with the interrogations. Thank you, Mr. Speaker.

Hon. Speaker: Thank you, Hon. Mark Thiga. Hon. Members, I am meant to understand by the Clerk that we normally have a brief from a Member of the House Business Committee who normally reads out the business to appear subsequently the following day and the following week as well. So, this was mentioned by the House Business Committee. He has also confirmed that the report was uploaded in our website last week 30th April. Now, we just need to refresh the minds of Members by giving them an opportunity to debate on this, if there is any Member who is ready today. But the Standing Orders allows the Speaker to suspend putting the question to the following day. If that is okay with the Members, then we may proceed in that manner. Hon. Clement Ng'ang'a, you are ready?

Hon. Clement Kamaru: Thank you, Hon. Speaker, we are honestly grateful to have you as our Speaker. Mine is just brief because I have skimmed through this report. In as much as I haven't gone through all of it, but in essence what I am seeing is adversely mentioned or critical issues that this Committee has raised, and should be addressed soonest. This reflects what has transpired in the last financial year. So, my worry is what we discussed before we went for recess.

Each ward was allocated some amounts of money for some projects, and we all passed that budget...

Hon. Speaker: This is for the year ended the 30th June 2022.

Hon. Clement Kamaru: Sorry, I am not talking about this, I am talking about the last financial year, but I have seen it as a trend...

Hon. Speaker: You are supposed to confine your energy on this.

Hon. Clement Kamaru: Yes. What I am saying, Mr. Speaker, in as much as this is 2022 report and we are in 2025, I am seeing it as a trend. This is something you have been talking about; adversely mentioned issues that have been carried forward in progressive years. So, it is sort of a trend. The same issues are being raised by this Committee and nothing probably is being done about it. I am giving an example of what we passed in the last budget.

Hon. Speaker: That is one of the reasons why the report is before the plenary so that you may interrogate the report as prescribed by the Committee on Public Accounts. It is not based on a clean bill of health that they have successfully done their bit 100 per cent. So, it is now upon Members to interrogate the report.

Point of Order

Yes, Hon. Majority Leader.

Hon. Peter Imwatok: (*Off the record*) ...your minds before you start the day, but if you wake up in the morning at 6.30 a.m. and you are given ugali, meat and *mala*, it will confuse your body more. Hon. Speaker, I am trying to say that, looking at the recommendations of this report, we are seeking enough time to look at it.

This is the last Audit Report of 2021/2022, ending 30th June 2022. On the issue of uncollected revenue, the Committee recommends the matters as resolved. We need time to look how are they resolved. I still go by your line, Hon. Speaker, looking at the things as they are. I am seeking the deferment of this particular Motion so that we have time to look on the report. When we close the year 2022 with such a recommendation – the issue of uncollected tax and the other issue of the systems – that the failure of the contract for the collection of revenue, that is marked as closed. How are we going to delve into it in the proceeding reports if it is closed?

Hon. Speaker, I seek adjournment under Standing Order No. 104, which reads; -

“A Member who wishes to postpone to some future occasion the further discussion of a question which has been proposed from the Chair may claim to move “That, the debate be now adjourned”, or, in Committee of the whole County Assembly “That, the Chairperson do report progress”

Hon. Speaker, I think it is very important we do so. I am seeing this report trying to save the perpetual succession of failure in terms of revenue. I seek the Chair and the Committee to give us time to look at this thing. This thing may open up the entire system of this Government into a flood of activities which are illegal.

Hon. Speaker, if somebody says non-compliance of the law on submission of financial statement is closed, what do they mean? No one is culpable. Do you want to tell me the NMS failed to hand over the books of accounts, is something just to be closed? This report has to be looked at critically to inform the proceeding reports for 2022 and 2023 going forward. Hon. Speaker, I beg the indulgence of the house.

(Applause)

Hon. Speaker: Hon. Clement, are you through?

Hon. Clement Kamaru: Yes, Mr. Speaker.

MOTION FOR ADJOURNMENT UNDER STANDING ORDER NO. 104

ADJOURNMENT OF DEBATE OF MOTION ON CONSIDERATION OF
REPORT OF AUDITOR GENERAL ON RECEIVER OF REVENUE FOR
COUNTY GOVERNMENT OF NAIROBI FOR YEAR ENDED 30TH JUNE 2022

Hon. Speaker: Thank you. Majority Leader has covered what my concerns were, because passing something blindly without consuming it first or consulting with each other, marks a very dangerous trajectory where we can find ourselves in more trouble.

Hon. Members, for that reason, I move the Hon. Majority Leader to move deferment of putting the question on adjournment of the debate as required by Standing Order No. 104. Hon. Majority Leader, you need now to propose the adjournment of the debate.

Hon. Peter Imwatok: Hon. Speaker, allow me to propose the adjournment of the debate, pursuant to Standing Order No. 104, on the Consideration of the Report of the Auditor General on Receiver of Revenue for the County Government of Nairobi for the year ended 30th June 2022 until the House Business Committee schedules another sitting for the same, Hon. Speaker.

Hon. Speaker: It is now not the House Business Committee; this is a continuation. It is upon the Chair to allocate time.

Hon. Peter Imwatok: Until the Chair deems it fit to allocate time to discuss the report. Hon. Clement, you can second me, Sir.

Hon. Speaker: Okay.

Hon. Clement Kamaru: Hon. Speaker, I second what the Majority Leader said.

(Question proposed)

(Question put and agreed)

Hon. Speaker: Hon. Members, I communicate that the debate resumes on Wednesday. Is that okay? You want next week on Tuesday? Yes, I understand the magnitude because it is about 40 pages. But again, I will direct the mover of the Motion to read afresh then. I will not be restrained from informing the House that such a document ties this Assembly as one of the mega responsibilities, and the reason why each and every one of you is in this House. So, you need to

consider these reports critically. In under 10 or 20 minutes, the Leader of the Majority and Hon. Clement have already faulted some areas that they feel need to be addressed and looked into critically. So, this is not just implementing the report, you need to own it as the County Assembly of Nairobi. Thank you.

Hon. Members, I expect every Member to carry this home, and again on Tuesday at 2:30 p.m. you should have the report and maybe point out any areas in regard to your wards. For the special elect, you also have a responsibility to go through this report critically.

(Motion deferred)

MOTION

DEVELOPMENT OF COUNTY LOCAL TOURISM POLICY

Hon. Speaker: Hon. Mponjiwa, kindly proceed.

Hon. Perpetua Mponjiwa: Thank you, Hon. Speaker, for giving me this opportunity this afternoon. I had given a notice of this Motion, I think barely two years ago, and it is my wish that I withdraw the Motion because in between, there are so many circumstances and issues that have occurred. I would like to withdraw and redraft it so that it caters to the issues that have been added, both from the County Government and the National Government. It is like it has been overtaken by events. I wish to withdraw the Motion under Standing Order No 58. Thank you.

Hon. Speaker: Standing Order No 58 for record?

Hon. Perpetua Mponjiwa: Standing Order 58 (1) reads; -

“A notice of Motion may be withdrawn by the Member who gave the notice, but notice of the same Motion may be given again either by the same or by any other Member.”

Hon. Speaker: I hope it does not fall under Standing Order 58 (2).

Hon. Perpetua Mponjiwa: Yes, it is not a special Motion.

Hon. Speaker: Thank you. It is good to confirm to the House.

Hon. Perpetua Mponjiwa: Thank you.

Hon. Speaker: The said Motion, under Order No. 9, stands withdrawn.

(Motion withdrawn)

ADJOURNMENT

Hon. Speaker: Hon. Members, that brings us to the close of the business of the day. The House stands adjourned tomorrow, Wednesday 16th July 2025 at to 2.30 p.m. I direct the sitting of the House Business Committee at the rise of the Assembly. Thank you, and have a blessed evening.

The House rose at 3.30 p.m.