



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fourth Session

Thursday 19th June 2025

The House met at 2.30 p.m.

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

PRAYER

Hon. Speaker: Hon. Members, you may be seated.

QUORUM

Hon. Speaker: Hon. Members, the attention of the Chair has been raised for lack of quorum. Under Standing Order 37 (2), I direct the Sergeant-at-Arms to ring the Bell for a record of ten minutes, as they leave the door open.

(Quorum Bell was rung)

Hon. Members, we have quorum that may allow us transact the business of the day. Clerk, proceed.

COMMUNICATION FROM THE CHAIR

ROLE OF THE SPEAKER OF THE ASSEMBLY

Hon. Speaker: Honorable Members, good afternoon. Thank you for finding time to attend to your duty as honorable Members of this House.

I have a communication off the script, as the norm of this Assembly. I would only want to remind Members to read out the role of the Speaker of the Assembly. The role of the Speaker is to approve business that shall be transacted both in committees and at the plenary level. That is the sole responsibility of the Speaker, and by extension to preside, give Members an opportunity to

debate and make a resolution out of it. By the resolution of the House, the Speaker is to ask which side of the divide of the House is for and which side of the House is against.

Hon. Members, any business which finds its way in the plenary of the Assembly is normally sanctioned, well looked into in line with the constitution, any statutes, the Standing Orders and any other parliamentary practice. For that reason, Hon. Members, I would want to request and plead with the Leader of Majority, who happens to be the Leader of Government business in the Assembly, to transact the business of the Assembly. It is my plea to the Leader of the Majority that he will take his position and safeguard it, and guide the Assembly accordingly. I hope for that reason, Hon. Members, I am clear. Thank you.

PAPER

Hon. Speaker: Do we have Papers to be laid? Hon. Majority Leader?

Hon. Peter Imwatok: Hon. Speaker, there are no Papers today to be laid before the House. Maybe next week

Hon. Speaker: Okay.

NOTICES OF MOTION

CONDUCT AND CENSURE OF MS. LYDIA MATHIA,
CHIEF OFFICER, HOUSING AND URBAN RENEWAL

Hon. Speaker: Hon. Members, Hon. Chege Mwaura has a notice of Motion, and as always advised, it is by the resolution of the House that will determine the cause of action. It is generally in your view that the Assembly will either stand or go down. Proceed.

Hon. Chege Mwaura: Thank you, Mr. Speaker and the House for giving me the opportunity to table a notice of Motion, as per the Standing Orders. I rise to place a notice of Motion to discuss the conduct and censure of Madam Lydia Mathia, the Chief Officer for Housing and Urban Renewal of Nairobi City County.

WHEREAS, Chapter Six of the Constitution of Kenya, 2010, the Leadership and Integrity Act, 2012 and the Public Officer Ethics Act, 2003 provide for, primarily, the conduct of State and Public Officers, and the accountable exercise of power and responsibility assigned to State and public officers;

WHEREAS, Article 10 of the Constitution, as read together with Section 3 of the Leadership and Integrity Act, 2012, provides for respect for the rule of law, good governance, accountability and transparency of State and Public officers for decisions and actions as key guiding principles of leadership;

FURTHER WHEREAS Section 45 of the County Governments Act, 2012 provides that a county chief officer is appointed by the Governor with the approval of the County Assembly, and such an officer serves as the authorized officer in respect of delegated powers in a county department. The said Ms. Lydia Mathia was initially appointed by the Governor as the County

Chief Officer responsible for Public Participation, Citizen Engagement and Customer Service Sub-Sector upon being vetted and subsequently approved by the County Assembly;

AND WHEREAS the office of a County Chief Officer is an office in the County Public Service and is subject to the provisions of the Constitution of Kenya, the County Governments Act, 2012, the Leadership and Integrity Act, 2012 and the Public Officer Ethics Act, 2003, including adherence to the principles of public service, rule of law, and respect for human rights and dignity;

ACKNOWLEDGING that Section 59 of the County Governments Act vests the County Public Service Board with the authority to discipline and remove individuals holding or acting in public offices within the County Public Service;

COGNIZANT that Ms. Lydia Mathia is currently serving as the Chief Officer in charge of Housing and Urban Renewal in Nairobi City County;

DEEPLY CONCERNED that Ms. Lydia Mathia, in her capacity as Chief Officer, Housing and Urban Renewal, orchestrated and oversaw the eviction of residents from County-owned houses located in Old Ngara, New Ngara, Kariokor, Buru Buru, Kariobangi, Woodley and other County Estates on the basis of alleged rent arrears;

FURTHER CONCERNED that the said eviction process was conducted in a cruel, dehumanizing and degrading manner, in violation of the residents' constitutional rights to human dignity, security, housing and property, and put the lives and safety of the affected individuals and the wider estate community at risk;

NOTING that on 6th May 2025, the County Government served Demand Notices to various residents within the said estates, demanding substantial sums of money in alleged rent arrears, without providing a breakdown of the specific months or years in which the arrears were accrued;

RECOGNIZING that the said Demand Notices were in complete violation of Gazette Notice No. 2728 dated 19th March 2021, in which the Nairobi City County Government had issued a permanent waiver of house rent arrears accrued up to 30th April 2019 and directed that tenants pay rent only from 1st May 2019 going forward;

ALARMED that despite the residents complying and initiating payment of post-waiver rent arrears, and notwithstanding the existence of a Conservatory Order issued by the Environment and Land Court in Petition No. ELCLPET/E038/2025 on 30th May 2025, staying any eviction pending hearing and determination of the petition, Ms. Mathia nonetheless proceeded to deploy unknown and unauthorized individuals ("goons") to enforce the evictions;

NOTING WITH GRAVE CONCERN that the said individuals, acting under Ms. Mathia's instructions, used force, looted, vandalized private and public property, and caused physical harm and psychological trauma to innocent residents;

FURTHER NOTING that these evictions violated Section 152G of the Land Act, which mandates that eviction processes must be carried out in a manner that respects the dignity, right to life, and security of those affected;

DEEPLY DISTURBED that, despite the existence of the Honourable Court's Conservatory Orders and the tenants' demonstrated good faith, evidenced by many having paid

the disputed rent amounts as demanded in the unlawful notices out of sheer desperation, all attempts by the tenants to regain access to their County houses have been deliberately obstructed at the direction of Ms. Lydia Mathia, who continues to frustrate and block the resumption of their tenancy, thereby aggravating their suffering and compounding the violations of their rights;

AWARE that Ms. Mathia's acts and omissions constitute:

- i) Gross misconduct;
- ii) Dereliction of duty;
- iii) Willful disobedience of a court order, contrary to Article 10 (2)(a) and Article 73(1)(a) of the Constitution of Kenya;
- iv) Abuse of office, in breach of Section 11 of the Leadership and Integrity Act, 2012 and Section 8 of the Public Officer Ethics Act, 2003;
- v) Conduct unbecoming of a public officer, and in clear violation of the principles of public service as outlined in Article 232 of the Constitution;

FURTHER AWARE that her conduct demonstrates a lack of respect for the rule of law, acts of impunity, and deliberate marginalization of vulnerable citizens under her public care and mandate;

NOW THEREFORE, this Assembly resolves to:

1. Censure Ms. Lydia Mathia for gross misconduct, abuse of office, violation of human rights, and violation of court orders;
2. Declare that Ms. Lydia Mathia is unfit to hold public office within the Nairobi City County Government or any other public service;
3. Direct that the Nairobi City County Assembly and its Committees shall not transact any business with Ms. Lydia Mathia in her current capacity or any other public capacity;
4. Recommend that the Nairobi City County Public Service Board immediately commences disciplinary proceedings against Ms. Lydia Mathia with a view to her removal from office;
5. Urge the Governor of Nairobi City County, being the appointing authority and pursuant to Section 45 (5) of the County Governments Act, 2012, to immediately reassign Ms. Lydia Mathia from the position of Chief Officer, Housing and Urban Renewal, pending the conclusion of the disciplinary process;
6. Condemn in the strongest terms the unlawful eviction of residents from Old Ngara, New Ngara, Kariokor Buru Buru, Kariobangi, Woodley and other County Estates and call for immediate investigations into the destruction and loss of property resulting from Ms. Mathia's directives; and
7. Recognize the rights of the affected residents to seek justice and support the enforcement of the Court's Conservatory Orders to prevent further violation of their rights, pending hearing and determination of the residents petition No. ELCLPET/E038/2025 by the court.

Thank you, Mr. Speaker.

Hon. Speaker: I now direct Hon. Chege Mwaura to provide the Members with the material facts as prescribed in our Constitution before you debate the Censure Motion. You will have to circulate the reasons for the intention to remove from office the Chief Officer. You stand guided. Can you make a commitment?

Hon. Chege Mwaura: Thank you, Mr. Speaker, as I make a commitment, I wish to say that there are so many Members who have County estates. So, when I speak, I speak for the many who have been affected. Therefore, with urgency by the close of business today, I will have circulated the necessary appendages to your office so that the House Business Committee allocates time for us. I plead with you as the Chair to expedite that process so that by the next sitting, we should be having the agenda captured with the precedence it deserves so that we can dispense off this matter and return the dignity of our Members. Thank you.

Hon. Speaker: Thank you. Hon. Members, you are now alive to the fact that this is a member who a committee of this House vetted and appointed for the position she is serving. It has come a time where a Hon Member would want the House to reconsider their position over some issues. That is the reason as to why I have instructed Hon. Chege, as the mover of the motion, to provide all the Members with material facts before we make a decision either to retain or by way of censure motion, get how to deal with this case before the Assembly.

Yes, Hon. Member, and kindly do not pre-empt debate because he has just given a notice of motion

Hon. Anthony Karanja: Hon. Speaker, I am not going to touch on the subject matter. I want to ask that Hon. Chege should have given us a shorter timeline. I have met some elderly retiree ladies outside the Assembly who come from Maringo Estate. They have been evicted and have nowhere to go. Hon. Speaker, because I don't want to dwell on the matter, I would like to mention that the houses that Ms. Lydia Mathia kicked out people, she has already allocated and are occupied by her friends and relatives.

(Applause)

Hon. Speaker: Hon. Minority Leader, with due respect, please don't preempt the debate. Such a time will come.

Hon. Anthony Karanja: Hon. Speaker, I stand guided. But, Hon. Chege, kindly expedite...

Hon. Speaker: By way of you your action is to whip emotions of this House. So, you stand guided.

(Hon. Anthony Karanja spoke off the record)

Hon. Speaker: No! That time will come. Hon. Alai, you have something?

Hon. Robert Alai: I expect the Majority Leader and the Minority Leader to give proper leadership to the House. I am lost in the behavior of the two leaders this week. He knows he cannot preempt the debate but whip emotions. Some of us are interested in seeing the facts. People have

to pay rent. If it is rent, *watu walipe* rent. Whipping emotions in this House and using underhand tactics to ensure that the Censure Motion succeeds, is wrong. Thank you.

Hon. Speaker: I would want Hon. Alai to withdraw that part of, “he is stunned by the behavior of the two leaders.” That is character assassination without substantive motion. Hon. Alai, we are not privy to the behavior or character of the two leaders. You have indicated the last one week. Kindly withdraw that.

Hon. Robert Alai: Hon. Speaker, I am not questioning their character, I am just observing what is happening in the House. I saw the face of the Speaker and I was lost in it. So, I would like to urge the two leaders to lead the House. We want to see some changes. Some people promised to come and *salimia* us here and Mheshimiwa Lugonzo was scared today. I told her not to be scared over small things that can happen to you in town. I withdraw, under your guidance. Thank you.

Hon. Speaker: Thank you. Clerk, proceed.

STATEMENTS

Hon. Speaker: Hon. DNG, are you ready?

Hon. Davidson Ngibuini: Yes.

Hon. Speaker: Kindly proceed. Then Hon. Maurice, Hon. Matara, and Hon. Ndung’u to be ready.

REQUEST FOR STATEMENT REGARDING ALLEGED USE OF GOONS DURING EVICTIONS IN WOODLEY ESTATE

Hon. Davidson Ngibuini: Thank you, Hon. Speaker. Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Lands, Planning and Housing regarding the alleged use of goons and non-County staff during evictions in Nairobi County, and specifically in Woodley Estate.

Hon. Speaker, Cap 296 of the Resettlement and Demolition Act and the Rent Restriction Act requires the issuance of clear written notices, access to legal dispute resolution mechanisms and protection of household goods prior to evictions.

Hon. Speaker, the evictions that occurred in Woodley Estate on Friday 16th and Monday 19th May 2025 were carried out in violation of procedures set out in the Nairobi City County Evictions Procedures set out in the above mentioned pieces of legislation.

Hon. Speaker, during the said evictions, unauthorized persons were reported to have used excessive and unwarranted force, engaged in violent conduct and caused mayhem that led to loss and destruction of property. The evictors have continued to break into homes and steal from residents' post-eviction. Disturbingly, many of these actions occurred in the presence and in some cases with the apparent acquiescence of County Officials. Such conduct has gravely compromised the safety and security of the Woodley community and has left residents in fear for their personal safety and property.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on: -

1. Whether the recent evictions in Woodley Estate were conducted in full compliance with the applicable National and County laws governing eviction procedures;
2. The persons responsible for the recruitment, authorization or deployment of individuals who engaged in unlawful and violent conduct during these evictions;
3. Measures taken by the County Executive to identify, investigate and hold culpable those responsible for these actions and to restore order and safety for all residents; and
4. Assurance provided to curb future unlawful evictions and that evictions to be conducted under strict adherence to the law.

Hon. Speaker: Thank you Hon. DNG. The Chair, Planning and Housing Committee?

Hon. Collins Ogenga: Thank you, Hon. Speaker. We will need 14 days.

Hon. Speaker: Kindly introduce yourself and your position.

Hon. Collins Ogenga: I am the Vice Chair, Planning Committee.

Hon. Speaker: Hon. DNG, are you comfortable with the 14 days?

Hon. Davidson Ngibuini: Hon. Speaker, I am looking at the calendar and I can see that 14 days from today will be July 23rd 2025. I believe that we need to conduct our business before we go for our recess and before financial year roles over. This is a matter of great concern because some of these people's houses are prone to robberies. So, I would request for one week.

Hon. Speaker: Hon. Member for Kayole South Ward?

Hon Collins Ogenga: Hon Speaker, one week is not possible, two weeks is appropriate.

Hon. Speaker: Then can you reduce it a bit, may be second week from now.

Hon. Collins Ogenga: Okay.

Hon. Speaker: Let us get guidance from Majority Leader. You want to guide the House or the Chair?

Hon. Peter Imwatok: I seek your advisory about this particular statement. It is directed the Chief Officer for Housing, if I am not wrong. The same Chief Officer now is under siege through Censure Motion sponsored by Hon. Chege Mwaura, which definitely this House, under your guidance, will debate on Tuesday next week. Same time, this Chief Officer is supposed to appear before Housing and Planning Committee. Which one should come first so that we don't conflict ourselves?

Hon. Speaker: Hon. Majority Leader, I really don't expect that from you as a senior Member of this House who understands that the mention of the Chief Officer is the office, not necessarily the holder. So, the business of the offices in the Lands Sector must proceed. Hon. Maurice, proceed.

REQUEST FOR STATEMENT REGARDING REVENUE COLLECTION IN THE COUNTY FOR PERIOD BETWEEN 1ST JULY 2023 TO 31ST MARCH 2025

Hon. Maurice Onyango: Thank you. Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Select Committee on County Finance,

Budget and Appropriations regarding Revenue Collection in Nairobi City County for the period between 1st July 2023 to 31st March 2025 (FY 2023-24 and first 9 months of current FY 2024-25)

Hon. Speaker, Article 202 (1) of the Constitution of Kenya, 2010 provides that revenue raised nationally shall be shared equitably among the national and county governments. Additionally, Part III of the Constitution, and specifically Article 209 (3), has given the County power to impose;

- a) Property taxes;
- b) Entertainment taxes; and
- c) Any other tax that is authorized to be imposed by an Act of Parliament.

Hon. Speaker, Article 209 (4) of the Constitution of Kenya, 2010 provides that the County Governments may impose charges for the services they provide.

Hon. Speaker, a great burden has been placed on the shoulders of those who are supposed to guard the public funds, and Article 201 (d) requires that public money shall be used in a prudent and responsible way while Article 200 (e) requires responsible financial management and clear fiscal reporting.

It is against this background that I wish to request for a statement on the revenue collected by the County for the full year of 2023-24 and up to the Third Quarter of the current financial year 2024-25 for the following revenue streams:

1. Public Health e.g. Food Handlers Certificates etc.;
2. Approval of Building plans;
3. Debtors;
4. Outdoor Advertising activities; and
5. Single Business permit.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on: -

1. The breakdown of the amount collected for the specific periods in comparison to the targets as contained in the Budget Estimates; and
2. The expenditures in relation to the revenues collected from the streams specified; and
3. Measures the County Executive has put in place to enhance revenue collection in the County.

Hon. Speaker: Chairman, Budget Committee, kindly give an undertaking you would want to respond to the concern of the Member.

Hon. Wilfred Odalo: Thank you, Hon. Speaker. As Budget team we are somehow mourning because we were expecting to receive Supplementary Budget, but it is not yet tabled by Leader of Majority. We are hoping it will be done so that we can have good time to ventilate. Allow me to appeal to Members that the Budget Committee will reintroduce all the stalled projects, especially roads whose budget was removed during the Supplementary I budget, when we were targeting to have materials. Kindly, Members reach out to any Member of the Budget Committee so that we can know the name of the road we will reintroduce them.

(Applause)

Hon. Speaker, this issue is weighty and it needs time. Members of Budget Committee are now busy as we are planning to have the Budget Estimates next week. I request the Member to give us one month. Thank you.

Hon. Speaker: Hon. Maurice, are you comfortable with period of time?

Hon. Maurice Onyango: Hon. Speaker, I am surprised. I have not asked what they are planning to do, I am very specific, I don't mingle in the Committee affairs.

(Laughter)

My simple request is that, I want to know the revenue streams and how they perform because recently I saw the Executive going to the County estates enforcing revenue payment. So, when he tells me one month, the Chairman is not serious.

Hon. Speaker: Chairman?

Hon. Wilfred Odalo: I have elaborated the things we are intending to do, which have no connection with what he raised. Some of these questions will help other areas. The Member should know that the streams of our revenue is not limited to what he mentioned; we also have donor funding and many others. I am requesting the Member to bear with us by giving us three weeks.

Hon. Maurice Onyango: I agree with my senior, but we are in a learning process...

Hon. Speaker: Hon. Member the Chairman has actually given a period of three weeks to consider your request. Is that okay?

Hon. Maurice Onyango: It is not okay because of the following reasons...

Hon. Speaker: Hon. Chair, please you will just have to understand that your issues, as raised, is just one of the money issues being addressed by various committees. So, three weeks is in order. Hon. Alai?

Hon. Robert Alai: I wanted to request that if they are going to deliver the feedback in one month, then they do for the 12 months instead of 9 months, which the Hon. Member was requesting. That is up to the end of June. Thank you.

Hon. Speaker: Hii ni gani tena, Hon. Alai?

Hon. Robert Alai: In the request for the Statement, he was asking for the report on revenue for nine months, up-to to the end of March. So, what asking is whether we can amend the request to be the end of June and not end of March.

Hon. Speaker: Hon. Maurice, please don't attract debate on this.

Hon. Maurice Onyango: I am asking whether I can be given the report in two weeks' time because I have the reasons why I wanted to be in two weeks.

Hon. Speaker: You seem to have a solution to your problem.

Hon. Maurice: I don't have a solution; the Chair has said there are many streams.

Hon. Speaker: The Chair has given undertaking of three weeks, please bear with the Committee.

Hon. Maurice Onyango: I am only asking for five streams. Do you need three weeks to get what I have asked for?

Hon. Speaker: Hon. Member, the question you have raised is not for your own consumption, it is for this House.

Hon. Maurice Onyango: Okay, Thank you, Hon. Speaker.

Hon. Speaker: Let us proceed. Hon. Matara?

Hon. Silas Matara: Thank you, Hon. Speaker. Before I table my Statement, I have a concern as a Member and maybe the other Members will share the same. This is in regard to having these cards for transaction of business of this House. My card was misplaced almost two years ago, and currently it is a challenge for me to transact in this House. As the head of this House, it is important that you put measures to ensure that we are facilitated in that regard.

Hon. Speaker, I have several Statements, and I appreciate you were able to dispense with them in good time.

REQUEST FOR STATEMENT REGARDING APPROVAL, INSTALLATION AND REGULATION OF OUTDOOR ADVERTISING BILLBOARDS IN THE COUNTY

Hon. Silas Matara: Hon. Speaker, pursuant to Standing Order 47 (2) (c), I request for a Statement from the Chairperson of the Sectoral Committee on Transport and Public Works regarding the approval, installation and regulation of outdoor advertising billboards in the County.

Hon. Speaker, the objective of the Nairobi City County Outdoor Advertising and Signage Control and Regulation Act, 2018 governs the placement, management, and regulation of outdoor advertisements within the County. It aims to ensure that signage does not obstruct visibility, cause public nuisances, or pose safety risks such as distractions that could lead to accidents.

Hon. Speaker, there has been a noticeable increase in the number of billboards across the County. Many of these, particularly those erected near roundabouts, are highly distracting with very bright light at night and have been linked to accidents caused by drivers diverting their attention to the advertisements or blinded by the bright light. Furthermore, a significant number of these billboards appear to have been installed without following the proper procedures for application, approval and payment.

Hon. Speaker, it is therefore critical to understand the mechanisms employed by County revenue officers from the Planning Department to verify which billboards are duly authorized and paid for, and which ones are not.

Hon. Speaker, in this regard, the Chairperson should inquire into and report on the following: -

1. A comprehensive report on the total number of billboards in the County, their specific location and proof of ownership;
2. A detailed list on the total revenue collected by the County Executive from all the billboards in the County, including evidence showing that each billboard has been paid for; and

3. Procedures put in place by the County Executive for approval to erect a billboard in the County, and mechanisms to monitor compliance of guidelines.

Hon. Speaker: Vice Chair, Planning Committee?

Hon. Collins Ogenga: Hon. Speaker, we need three weeks.

Hon. Silas Matara: Hon. Speaker, I beg for two weeks; they respond before we go for recess.

Hon. Speaker: Hon Vice Chair, can you agree on the time frame?

Hon. Collins Ogenga: Hon. Speaker, we are requesting for three weeks because we have many statements at the Committee level.

Hon. Speaker: So you are comfortable with the three weeks and you cannot go down?

Hon. Collins Ogenga: Yes.

Hon. Speaker: Hon. Matara?

Hon. Matara: Hon. Speaker, because I have five Statements, and I am not going to appear before the respective Committees on the same day, I am going to allow the Planning Committee to report before this House in three weeks. I move to next statement, Hon. Speaker.

Hon. Speaker: Proceed.

REQUEST FOR STATEMENT REGARDING DELAYS IN DISBURSEMENT OF PENSION AND UNIFORM ALLOWANCES OF RETIRED COUNTY STAFF

Hon. Silas Matara: Hon. Speaker, pursuant to Standing Order 47 (2)(c), I rise to request for a Statement from the Chairperson of the Sectoral Committee on Labour and Social Welfare regarding concerns raised by retired County staff relating to delays in the disbursement of their pension and uniform allowances.

Hon. Speaker, Article 41 (1) of the Constitution of Kenya, 2010, guarantees every worker the right to fair labour practices, and Article 43 (1) (e) affirms the right of every person to social security.

Hon. Speaker, delays in payment of pension and other allowances to retirees has caused significant financial strain and distress to individuals who have dedicated years of service to this great County. It is imperative that the County Government expedites the processing of these payments to uphold the dignity and well-being of our former employees.

Hon. Speaker, in this regard, the Chairperson should inquire into and report on the following: -

1. A comprehensive report outlining the policy guidelines and mechanisms the County Executive is currently deploying to ensure timely payment of retirees' dues;
2. A confirmation report detailing the total number of retirees within the County, specifying those who have been paid and those who have not received their dues in the past twelve (12) months;
3. A financial breakdown indicating the total funds required to guarantee that each retiree receives their fair share of pension payments and uniform money, including

whether these figures have been factored in the upcoming Financial Year budget; and

4. Measures put in place by the County Executive to ensure that pension payments are processed efficiently and disbursed without delay.

Hon. Speaker: Is the Chair, Labour Committee in the House? Vice Chairman, Labour Committee? An active Member of Labour Committee? Hon. Member for Imara Daima Ward, are you a Member of Labour Committee.?

Hon. Evans Nyangicha: Yes. On behalf of my Chairman, I request...

Hon. Speaker: On behalf of the chair and the Committee?

Hon. Evans Nyangicha: Yes. We request for two weeks.

Hon. Speaker: Hon. Matara?

Hon. Silas Matara: Most obliged, Hon. Speaker. With your indulgence, I beg to move to my next Statement.

REQUEST FOR STATEMENT REGARDING NON-PAYMENT OF LOCUM STAFF WORKING IN COUNTY HEALTH FACILITIES

Hon. Silas Matara: Hon. Speaker, pursuant to Standing Order 47 (2)(c), I rise to request for a Statement from the Chairperson of the Sectoral Committee on Health Services regarding the non-payment of locum staff working in County health facilities.

Hon. Speaker, Article 41 (2) (a) and (b) of the Constitution of Kenya, 2010, guarantees every person the right to fair remuneration and reasonable working conditions.

Hon. Speaker, locum staff are temporary healthcare workers such as doctors, nurses, and other medical professionals who provide critical services when permanent staff are on leave, or where there are staffing gaps. These individuals often work long hours under demanding conditions to ensure uninterrupted healthcare service delivery. Hon. Speaker, despite the critical role they play, concerns have been raised by locum staff working in various health facilities across Nairobi City County regarding delayed or complete non-payment of their dues, despite their continued service.

Hon. Speaker, in this regard, the Chairperson should inquire into and report on the following: -

1. A comprehensive report on the total number of locum staff engaged in County health facilities and their terms of service including pay;
2. A detailed explanation of the payment procedure for locum staff, including whether individual health facilities are expected to remunerate them in the absence of disbursements from the County Revenue Fund;
3. Clarification on whether the Health Sector has been allocating funds specifically for the remuneration of locum staff across all County health facilities, and
4. Measures put in place by the County Executive to establish a framework that ensures timely and efficient payment of locum staff.

Hon. Speaker: Hon. Chair, Health Committee?

Hon. Maurice Onyango: We request for one week.

Hon. Speaker: Hon. Matara, the Chair is requesting for one week.

Hon. Silas Matara: I congratulate the Chair for being hardworking in terms of delivery.

(Applause)

Hon. Speaker: Hon. Majority Leader, what is it?

Hon. Silas Matara: This matter is weighty and requires...

Hon. Speaker: Hon. Member, you may be seated. The Majority Leader is on the floor.

Hon. Peter Imwatok: I want to stand by Hon. Alai's Statement. Let us make this House work properly. Chair for Health, seven days to respond to a Statement and you have not even summoned these officers. Today is on a Thursday and we have no committee sittings tomorrow. Unless you are sitting virtually today. Hon. Chair, please be serious in your work.

Hon. Maurice Onyango: I have been asked as the Chair of the Committee, and I have already responded. The reasons are that the staff who are under locum are only at level V hospitals, and they are only four. So, it is something that the Committee has been undertaking and is in the process. So, within one week, we are able to provide the response.

(Applause)

Hon. Speaker: Thank you. Hon. Alai, you have the mic.

Hon. Robert Alai: Mr. Speaker, I agree with the Majority Leader. It is unfortunate how casual the Committee Chair for Health is with the response to this matter. Unless he has the feedback himself...

Hon. Speaker: Can you use parliamentary language? Testing the ability of the Chair is not supposed to be the question here, Hon. Alai. Just be kind to the Chair.

Hon. Robert Alai: Hon. Speaker, I am very kind to the Hon. Chair, who is very unkind to himself. Because if you give yourself seven days and the Standing Orders says that you give the Executive seven days to respond, it means that the feedback is within the committee. So, why does the Committee just provide the feedback now instead of waiting for the seven days? I think the minimum two weeks works, and if they insist on giving it in seven days...

Hon. Speaker: I think, Hon. Alai, there are things that do not need interrogation and even the attention of the chief officers. These are just correspondences where you send a letter and request for information. That information could even be instant. So, for this case, the Chief Officer is not supposed to even appear before the Committee for any interrogation.

Hon. Matara, do you have further statements?

Hon. Silas Matara: Yes, I have one more Statement. Before I give my last Statement, I beg to digress from the direction that you have given. My congratulations to the Chair was on the negative, Hon. Speaker, the Majority Leader made an intervention before I was able to complete my congratulatory message to the Chair. My concern is, it will be wrong as an Assembly to assume

that the line of my questioning with regard to the matter raised before this House, the Committee makes an assumption that they have ready answers for me.

This report is supposed to direct the question to the Committee at the behest of the Executive in terms of them appearing before the Committee so that I am able to be satisfied in terms of asking the questions that I am going to ask in that Committee. So, it is wrong for the Chair to assume that the one week will be sufficient to be able to address my concerns. I wish that the Chair would respond to this House in more than one week or two weeks. Appearance of the team from the Executive is appropriate. That is the tradition of this House.

Hon. Speaker: Chairman, do you still stand by your position that one week is enough for you to give a substantive response?

Hon. Maurice Onyango: You know, Hon. Speaker...

Hon. Speaker: I don't know.

(Laughter)

Hon. Maurice Onyango: The owner of the...

Hon. Speaker: Kindly withdraw, 'I don't know.'

Hon. Maurice Onyango: I withdraw 'you don't know'?

(Laughter)

Hon. Speaker: Yes, because you have made reference to the fact that...

Hon. Maurice Onyango: Hon. Speaker, the owner... *(Technical hitch)* One week's time.

Hon. Speaker: Thank you. Do you still have another Statement?

Hon. Silas Matara: Yes, Hon. Speaker.

Hon. Speaker: Proceed.

REQUEST FOR STATEMENT REGARDING IDENTIFICATION OF LOADING ZONES IN THE COUNTY

Hon. Silas Matara: Hon. Speaker, my last statement is on the identification of loading zones in this County.

Hon. Speaker, pursuant to Standing Order 47 (2) (c), I rise to request for a Statement from the Chairperson of the Sectoral Committee on Transport and Public Works regarding the identification, designation and verification of loading zones in the County.

Hon. Speaker, Section 54 of the Nairobi City County Transport and Public Works Act, 2020 grants the County authority to designate specific zones and regulate the use of vehicles in these zones for loading and unloading. Any vehicle using these zones must comply with signage, operational limits, and restrictions set by the county's transport regulations.

Hon. Speaker, concerns have been raised that the County Executive has been allocating loading zones to private entities that fail to comply with legal requirements, including the provision of proper identification. As a result, this has led to frequent traffic congestion, and revenue officers are often unable to identify these operators, leading to substantial revenue loss for the County.

Hon. Speaker, further concerns have been raised regarding some private entities who, due to the lack of identification and verification, have not been remitting the required fees for the use of their designated loading zones.

Hon. Speaker, in this regard, the Chairperson should inquire into and report on the following: -

1. Procedures put in place by the County Executive for one to be designated a loading zone and what penalties are imposed on those who fail to comply with requirements;
2. A comprehensive report on the total of all loading zones in the County and their location;
3. A detailed list on the owners of these loading zones and those who have paid and not paid for their loading zones; and
4. Provide a sample letter of designation/permit.

Hon. Speaker: The Chairperson for Transport and Public Works?

Hon. Mark Mugambi: Thank you, Hon. Speaker. I request the Member to give us two weeks.

Hon. Speaker: Hon. Matara, the Minority Whip has requested, on behalf of the Committee, two weeks to give a response.

Hon. Silas Matara: Most obliged, Hon. Speaker. Thank you.

Hon. Speaker: We have one from Hon. Ndung'u. Are you ready? Okay, proceed.

Hon. Joseph Ndung'u: Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Roads, Transport and Public Works regarding the alleged disappearance of electric cables estimated to be 150,000 meters in length and worth Kshs. 10 million from County Lighting Department, which is adjacent to the Nairobi City County Savings and Credit Cooperative Society Limited (NACICO) Plaza on Landhies Road.

Hon. Speaker, it is also alleged that Bitumen worth Kshs. 10 million was stolen from the Nanyuki Road County store, and that at the time of the theft of the bitumen, which happened in broad daylight, police officers were seen on site as though offering protection to the perpetrators. Hon. Speaker, these materials were budgeted for, procured and paid for using public taxes in order to be used for betterment of services to the County residents through well maintained roads and street lights. These noble plans have now been derailed and funds lost in an unacceptable manner.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on: -

1. Reasons why police officers, though present, appeared to offer protection to the perpetrators who stole the bitumen and power cables in broad daylight;
2. Who issued the approval for the movement of bitumen from Kangundo Road Asphalt plant to Nanyuki Road County Store, and the reasons why;

3. Status report on investigations and findings into the theft of the cables and bitumen stolen from the County Lighting Department at NACICO Plaza and Nanyuki Road County store respectively;
4. Measures the County Executive has taken to ensure that the materials are recovered, and the perpetrators apprehended and brought to book;
5. Measures the County Executive has put in place to ensure all County warehouses and stores are secure and that all inventory is tracked and accounted for. Attach evidence of the measures in place.

Hon. Speaker: The Chair, Transport Committee? The Vice Chair?

Hon. Anthony Karanja: Hon. Speaker, I think the Hon. Member is okay, but the matter should be forwarded to the Justice and Legal Affairs Committee. This is because it is a security and investigation matter. I stand corrected, but I think it should be directed to the Justice and Legal Affairs Committee.

Hon. Speaker: Yes, Hon. Whip?

Hon. Mark Mugambi: Thank you, Hon. Speaker. I beg to slightly differ with the Minority Leader since it is the prerogative of the Roads and Public Works Department to purchase and hold the materials in question, but the act of... *(Technical hitch)*

Hon. Speaker: The statement in question was directed... *(Technical hitch)*

(Hon. Mark Mugambi spoke off the record)

You are out of order, Hon. Roro! Kindly be seated. I have actually made pronouncement on this, that the user department is solely responsible to address the request of the Member. So, it is upon the user department to relay and find out what happened, or if in any case they would want any help from the different sector, then they can do that.

Hon. Roro, you can give an undertaking.

Hon. Mark Mugambi: Thank you, Chair. As I take on an undertaking, I wanted to bring to your attention that the Member asking the question is a Member of the Justice Committee. Therefore, he couldn't have raised the question to a Committee that he sits.

Hon. Speaker: The Standing Order allows a member, once you declare interest, to proceed as well. If you are a member of a committee and you make a public pronouncement on conflict of interest, then you are good to go.

Hon. Mark Mugambi: He is a member of the Justice Committee. Hon. Speaker, well-guided. Due to the weighty matter it has, maybe the Member can give us three. May be we might also need the input of the Justice Committee through the Enforcement. Three weeks would be adequate time so that we give him a comprehensive report on the investigations and anything pertaining to his question. Thank you, Speaker.

Hon. Speaker: Thank you. Hon. Ndung'u?

Hon. Joseph Ndung'u: I am quite okay with that, Mr. Speaker. Thank you.

Hon. Speaker: Okay, thank you. Yes, Hon. Majority Leader.

Hon. Peter Imwatok: It is guided by you that at a particular moment in the House, either The Leader of the Majority or the Leader of the Minority can give a personal statement on a few issues. Hon. Speaker, allow me to appreciate the entire House. So far, so good. I want to challenge all the chairmen of committees that the 5 million-plus Nairobians are looking up to you to be precise and accurate on what you bring to this House.

Hon. Speaker, on that note, it is time we put the Committee on Ward Development Fund on proper notice that the use of the Ward Development Fund is the life of the elected members. It is not something to be placed onto a brokerage plate. As of now, Hon. Speaker, for this House to note, for the year 2022-2023, we have a total of Kshs. 247 million of Ward Development Fund in IB. In the year 2023-2024, we have a total of Kshs.655 million in IB. In the year 2024-2025...

Hon. Speaker: Hon. Majority Leader, what is IB?

Hon. Peter Imwatok: Internet Banking.

Hon. Speaker: Yeah, you are supposed to be clear. What does that mean?

Hon. Peter Imwatok: It means the process of work and payment is getting to an end, that requires only the work plan to be processed, taken to the Controller of Budget, and thereafter converted from B into money. I think the Chair seated here next to me is well versed on that, more than most of us.

In the year 2024-2025, we have a total of Kshs.60 million in IB. That gives us a whopping development agenda of the County of almost Kshs.900 million. And as I sit here as the leader of this House, there is a song I normally sing: “*Amazing grace, how faithful they sound.*” I am reliably informed that Kshs.411 million for Ward Development Fund has been released by the Controller of Budget.

(Applause)

I want to implore all elected Members and the leadership of this House, this is the only thing that we cannot out down because it spreads development without knowing your party, whether you are loved, whether you have a nice suit, whether you have gone back to your ward, and whether you have been elected or not. This is the only thing I seek to lead these Hon. Members up to the end. With 10 days remaining to the end of the financial year, we request the Executive, under the leadership of the Governor, that the remaining Kshs.900 million in internet banking of WDF should be expedited and be paid.

(Applause)

That therefore calls for all elected leaders of this House for a special meeting next week on Monday to discuss development agenda, primarily the issue of Ward Development Fund. I am aware there are some Members who have never been paid since they were elected. We want equity for everyone.

(Applause)

All elected leaders, I call upon all of us to have a sitting. I am happy that most special elect know what we do and most of them have come to my office, and that is great. If an elected leader holds a special elect's hand, I am grateful. I cannot speak more here because of Hansard. Allow me to request the WDF Committee Members and all elected leaders to avail themselves on Monday in this Chamber at 11.a.m. we discuss the issue of Ward Development Fund. Thank you, Hon. Speaker.

Hon. Speaker: Thank you. The Minority Leader.

Hon. Anthony Karanja: Hon. Speaker, the Majority Leader has just said what we discussed. This has to happen. I second and I support a 100%. Thank you.

(Applause)

Hon. Speaker: Thank you. Hon. Members, the Leader of the Majority has requested for a meeting, and that is not a Speaker's Kamukunji; don't mistake it with the Speaker's Kamukunji. It is a meeting with the Leader of Majority and the Leader of Minority.

Hon. Peter Imwatok: I have requested the Chair of Ward Development Fund and the Vice-Chair, Hon. Samora, that before that meeting, we want them to come with a full list showing which ward has been paid and which financial year was it done. There are elected members but the Executive is busy paying people who are no longer in this House. Meaning that the resources that we allocate is not getting to these elected members. Kindly, Chair and Hon. Samora, avail that list for scrutiny on that day. Hon. Speaker, I thank you.

Hon. Speaker: Thank you. Clerk, proceed.

MOTION

RENAMING OF JUJA ROAD TO LEONARD MAMBO MBOTELA ROAD

Hon. Joseph Ndung'u: Mr. Speaker, I stand to move the following Motion:

AWARE that Article 186 (1) of the Constitution of Kenya, 2010, and Paragraph 5 of the Fourth Schedule of the same Constitution provide for transport including County roads, street lighting, public road transport traffic, and parking as a devolved county function;

FURTHER AWARE that the Country has since independence named and renamed roads and other public facilities in honor of heroes and heroines who have contributed immensely in the society as a way of honoring them;

APPRECIATING the late Leonard Mambo Mbotela, who was a distinguished Kenyan journalist, broadcaster, and patriot and who made indelible contributions to the nation through his dedicated service and unwavering commitment to public communication;

RECOGNIZING his iconic radio and television programs, particularly "Je, Huu ni Ungwana?" and his coverage of national events, played a pivotal role in shaping Kenyan culture, promoting civic responsibility, and fostering national unity;

ACKNOWLEDGING that his courage and selfless efforts during the 1982 attempted coup, where he risked his life to broadcast messages of peace and stability, demonstrated his unwavering dedication to the nation's well-being, earning respect and admiration;

APPRECIATING that by renaming of a prominent road in Nairobi would serve as a fitting tribute to his enduring legacy and ensure that his contributions are remembered and celebrated by future generations;

COGNIZANT that Juja Road, being a major artery in Nairobi, offers a significant opportunity to publicly recognize and honor Leonard Mambo Mbotela's contributions to the nation;

THIS ASSEMBLY THEREFORE URGES the County Executive to initiate the process of renaming Juja Road to Leonard Mambo Mbotela Road, in honor of the late Leonard Mambo Mbotela, EGH, in recognition of his exceptional service to the Republic of Kenya.

Mr. Speaker, I would like to request Hon. Member for Karen Ward to second the Motion. Thank you, Mr. Speaker.

Hon. Anthony Maragu: Thank you, Hon. Speaker, and thank you, Hon. Ndung'u for this opportunity. I want to associate myself with the thoughts of Hon. Ndung'u, that, in honor of the great gentleman who will go down in the books of history of our country as having contributed immensely to matters communication and broadcasting.

Hon. Speaker, Leonard Mambo Mbotela will be remembered as a man who served this country at a time when this country was about to go down. We all remember the 1982 coup. I want to urge fellow Hon. Members to join in with the thoughts of Hon. Ndung'u and support this Motion. I second. Thank you.

(Question proposed)

Point of Order

Hon. Speaker: Yes, Hon. Maurice Ochieng' Onyango.

Hon. Maurice Onyango: Hon. Speaker, I am standing under Standing Order No. 38, this is a very serious Motion but there is no quorum as per Standing Order No. 38.

Hon. Speaker: Hon. Maurice, under Standing Order No. 38 on quorum during the proceedings of the County Assembly, I call upon the Clerk-at-the-Table to confirm whether we have quorum. Order! Hon. Member, get your Standing Order correctly. The House is no longer active now that he Hon. Members has raised Standing Order No. 38.

(Some Members left the Chamber)

Sergeant-at-Arms, during the time when the House is on division, it is wrong for Members to walk out of the Chambers. I do not understand who has allowed that. It has been confirmed that we have the quorum because we are hybrid. Let us proceed. Hon. Alai.

Hon. Robert Alai: Hon. Speaker, I want to thank the Member for having the idea of introducing the Motion to the House. While I support the spirit of the Motion, I stand to reject, not

because I do not like the idea of the road being named after Leonard Mambo Mbotela, but because I think that the issue of naming and renaming of roads should be taken seriously. It should not be a casual matter i.e. promises given at funeral events.

The first time I come to Nairobi, I used to stay at Wamwaris which is in Dandora Phase I. I used to use Juja Road a lot. I do not see any evidence in this motion to warrant the road being named after Leonard Mambo Mbotela, who was very influential and very impactful in this society. I think he was very impactful in the media industry. Why not rename Kijabe Street? Why not rename Nyerere Road? Why not rename a road which is closer or impactful to the communication community in this country? Why Juja Road?

I do not believe that Juja Road should be renamed after Leonard Mambo Mbotela. I believe as an Assembly, we need to decide on which criteria we should use in renaming roads especially those that do not have names yet. It is better we allocate resources to develop a road which has never been developed and then we rename the road after the person of the moment, which may be Leonard Mambo Mbotela or somebody else.

Hon. Speaker, there was once somebody called Jaramogi Oginga Odinga in this country yet there is no single road in this city named after him. We need to remember that he was very impactful in this society. Hon. Speaker, I am struggling to remember a road named after Achieng Oneko. I believe that we need to come up with a criterion for naming and renaming of roads. Otherwise, tomorrow you will wake up and find that they have erected a very big bill board, like it happened a few years' back, naming a road in Kileleshwa after myself.

Hon. Speaker, I believe we can name and rename roads but I do not believe that waking up and saying that the whole of Juja Road, which is about 9 or 10 kilometers is going to be renamed after Leonard Mambo Mbotela. What did he do around Mathare, Eastleigh, Huruma and the nearby estates which impacted the area for the road to be named after him? How does Juja Road relate to Leonard Mambo Mbotela? That is the question that we need to ask ourselves.

I really love Leonard Mambo Mbotela, I come from the background of communication, and I think he was necessary and achieved a lot in this country, but I do not think that Juja Road should be renamed after him. Hon. Speaker, I stand to oppose this Motion and I ask that we relook it afresh. Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Leader of Majority?

Hon. Peter Imwatok: Hon. Speaker, you know that sometimes longevity gives some kind of wisdom. Thank you, Hon. Alai for your contribution. There is a Naming Act or policy in this Assembly that we passed. There is a procedure of naming a particular road to somebody's name.

My humble request to the mover to hold on so that we can advise each other on this particular Motion. We need to have a round table where we can discuss where we can sink your ambition versus the actuality of the law, if you allow me to guide you.

Hon. Speaker: Now that the motion is before the plenary, are you opposing or supporting the Motion?

Hon. Peter Imwatok: Hon. Speaker, as I ceded to you asking to be given direction, we need to look critically. After the Naming Policy was passed in this House, Hon. Chege, you

remember we have never named another place. As a House, we should not go against our own resolutions. Even what you pronounced should be within the premise of what we had passed before as a House. That is my request, Hon. Speaker.

Hon. Speaker: Hon. Members, without engaging members further on this subject matter, the credibility of the Motion has been questioned. It is by the directive of the Chair that the Motion stands deferred until we get the terms of reference in line with the Act that we passed; the Naming Policy. Hon. Member who sponsored the Motion, you will be communicated to in due course. This should be latest next week on Tuesday 2.30 p.m. You will receive a communication from my office which will guide you whether we shall proceed with the Motion or we will be in breach of our own Act. You stand guided.

Hon. Members, the Motion stands deferred.

(Applause)

(Motion deferred)

Hon. Members, this brings us to the conclusion of the business of today. But before we adjourn the Assembly, I have got a directive to make. This is in line with Standing Order No. 207 on Committee of Implementation. I want to direct the Chair of the Committee on Implementation that the Assembly shall allocate Tuesday and Wednesday to take the members of this House through the implementation status as required by the Standing Order No. 207.

Hon. Members, I want to make pronouncements on Standing Order No. 207 on the mandate of the Committee.

“207. (1) There shall be a select committee to be known as the Committee on Implementation.

(2) The Committee shall scrutinize the resolutions of the County Assembly (including adopted committee reports), petitions and the undertakings given by the County Executive Committee and examine:

(a) Whether or not such decisions and undertakings have been implemented and where implemented, the extent to which they have been implemented; and whether such implementation has taken place within the minimum time necessary; and

(b) Whether or not legislation passed by the County Assembly has been operationalized and where operationalized, the extent to which such operationalization has taken place within the minimum time necessary.”

It is for this reason, that I call upon the Chair to prepare facts and take the Assembly through the implementation status of all the resolutions of this House, including the motions, bills, reports and any other resolutions as passed by this Assembly.

Kindly, Chair of Implementation Committee, make this Assembly functional and get to address the plight of the members of this Assembly. You stand directed.

ADJOURNMENT

Hon. Speaker: Honorable Members, the Assembly stands adjourned to next week, Tuesday 24th June 2025 at 2.30 p.m.

The House rose at 4:18 p.m.