



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Fourth Session

Tuesday 24<sup>th</sup> June 2025

The House met at 2.30 p.m.

*(Hon. Speaker (Mr. Kennedy Ng'ondi) in the Chair)*

PRAYER

QUORUM

**Hon. Speaker:** Honorable Members, you may be seated. Clerk kindly confirm whether we have quorum to allow the House conduct its business. HANSARD office please the mic is not audible enough.

*(The Clerk-at-Table confirmed there was quorum)*

Clerk, let us proceed.

#### COMMUNICATION FROM THE CHAIR

ACKNOWLEDGING THE PRESENCE AT THE SPEAKER'S GALLERY  
OF RESIDENTS AFFECTED BY ONGOING EVICTIONS IN THE CITY

**Hon. Speaker:** Can this microphone be corrected before we proceed? Good afternoon Honorable Members, I have a communication to relay to the assembly this afternoon. But before then allow me to acknowledge the presence within the precincts of the assembly and at the Speaker's Gallery; today we are blessed to host the good citizens of this county, the residents who happen to have been affected by the ongoing evictions. For that reason, I request them to be upstanding and wave to the honorable House.

Honorable Members, these are the residents of Nairobi County; I hope they are not imposters, they are good citizens of this republic. Let me extend by warm welcome message to you as the Speaker of Nairobi County Assembly and guarantee you utmost peace and privilege and pleasure to be at the Speaker's gallery. Feel most welcome. Thank you.

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ON THE SPECIAL MOTION ON THE CONDUCT OF  
MS. LYDIA MATHIA, CHIEF OFFICER FOR HOUSING AND URBAN RENEWAL

**Hon. Speaker:** Honorable Members, on the Special Motion on the conduct of one Ms. Lydia Mathia, Chief Officer for Housing and Urban Renewal, Honorable Members you may recall that pursuant to Standing Order No. 52, on Thursday 19<sup>th</sup> June 2025, the Hon. Chege Mwaura MCA gave the Notice of Special Motion inviting the assembly to discuss the conduct of the Chief Officer for Housing and Urban Renewal, Ms. Lydia Mathia.

Hon. Members, Standing Order No. 52 (2) provides that a Notice for Special Motion shall be disposed off by the Speaker within the 7 days of the receipt of the Notice from a Member and tabled by the Member within three sitting days following the approval by the Speaker. May I bring to the attention of the assembly that the foregoing provisions have fully been complied with having received and approved the notice of Thursday 19<sup>th</sup> June 2025.

The Notice was similarly given on the same day; further Standing Order No. 52 (2) (b) requires that the Motion of this nature be disposed off within three sitting days. Therefore, Honorable Members, this means that the assembly should make its decision on the Motion within three sitting days.

Hon. Members, Standing Order No. 52 (2) provides that and I quote, “*save for a special Motion, a Member who has the Motion standing in his or her name may authorize in writing another Member to move that Motion in the Member’s stead*”. The import of this provision, honorable Members, is that the Member who sponsors and gives the Notice of the special Motion shall be the one to move the Motion. This role cannot be delegated to another Member.

Accordingly, this afternoon I will be inviting Hon. Chege Mwaura, the sponsor of the Motion, to move the said Motion. And by way of confirmation the Hon. Chege Mwaura, Member for Ngara, should by standing on his feet confirm if indeed he is the said Member sworn in the assembly as the Member for Ngara and responsible for the Motion before the assembly.

*(Hon. Chege Mwaura stood on his feet)*

Hon. Members Standing Order No. 58 (2) provides that the Notice of a special motion may only be withdrawn with the leave of the assembly. By the leave of the assembly I mean it is by the whole assembly. That is the only organ mandated with any form of consideration to withdraw the said Motion before the assembly.

Honorable Members, this Motion is properly before the county assembly; this is the property of the assembly. At this point of its execution therefore, a decision to invite the assembly not to proceed with it by way of withdrawal rest with a vote from the assembly itself.

*Standing Order 53(1): Instances where the law provides a fixed majority*

Hon. Members Standing Order No. 53 (1) provides that in every instance where the law provides that a fixed number of members is necessary to support the motion moving of or to decide any question on a motion, any amendment motion to such motions shall not be passed unless supported by the fixed number of members required to pass the original motion.

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Honorable Members, I have perused and a special Motion of this nature does not fall within the category of special Motions that seek removal from office through impeachment. Therefore, the Motion shall be decided upon by a simple majority. Honorable Members, you are so guided. Thank you.

*(Technical hitches)*

Sergeant-at-Arms please find what is happening with the HANSARD office.

## PAPERS

**Hon. Peter Imwatok:** Hon. Speaker and the honorable House, allow me also to welcome the residents' representatives before this House. Before I lay the Papers---

*(Technical hitches)*

**Hon. Speaker:** Hon. Majority Leader can you please hold a bit in order for the HANSARD office to fix the mess. We can't proceed like this. Hon. Majority please take your seat.

*(Technical hitches resolved)*

Honorable Members, there was a bit of interference--- There were certain videos which were provided by Hon. Chege Mwaura to the assembly when he was to do his presentation and that is what interfered with our system. But now we are good to go, kindly Hon. Majority Leader proceed.

**Hon. Peter Imwatok:** Hon. Speaker allow me to apologize sincerely for that hiccup on behalf of the mover of the Motion which must construe otherwise from administration. But all said the Speaker has said what has happened; Hon. Speaker thank you for the clarification. Allow me stand with a simple 30 seconds statement based on our elected leaders meeting yesterday. I want to report to this House that the honorable elected Members of this House, more than 70 of them yesterday had a very robust---

**Hon. Speaker:** Hon. Majority Leader can I give you an opportunity in the sequence order Paper during the time of the Statement hour. Thank you.

## NAIROBI CITY COUNTY SUPPLEMENTARY II EXPENDITURE AND REVENUE ESTIMATES FOR THE FINANCIAL YEAR 2024-2025

**Hon. Peter Imwatok:** Thank you. Allow me, Hon. Speaker, to table before this honorable House the Supplementary Budget pursuant to Section 135 of the Public Finance Management Act 2012 and Standing Order No. 234; I beg to lay the following Paper on the table of this assembly today Tuesday 24<sup>th</sup> June 2025 – that is why my statement was preceding this, Hon. Speaker, on your guidance and ask you to submit this before the committee of Budget and Appropriation Committee.

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*(The Paper was laid on the Table of the Assembly)*

**Hon. Speaker:** Honorable Members the Nairobi City County Supplementary II Expenditure and Revenue estimates for the Financial year 2024-2025 as laid by the Leader of Majority before the assembly is now committed to the Budget and Appropriation Committee for consideration. Kindly proceed.

We have the report of the Sectoral Committee on Water and Sanitation on the 4<sup>th</sup> Quarter workshop held on 27<sup>th</sup> to 30<sup>th</sup> June 2025. The Chairperson of the Water Committee kindly proceed and lay the report of the committee.

Chairman, do you have your card?

**Hon. Kennedy Oyugi:** Yes, I do.

**Hon. Speaker:** Your mic is on.

THE REPORT OF THE COMMITTEE ON  
WATER AND SANITATION ON THE 4<sup>TH</sup> QUARTER WORKSHOP

**Hon. Kennedy Oyugi:** Thank you Mr. Speaker. Pursuant to Standing Order No. 196, I beg to lay the following paper on the table of this assembly today Tuesday 24<sup>th</sup> June 2025; the report of the Committee on Water and Sanitation on the 4<sup>th</sup> Quarter workshop. I had two reports Mr. Speaker.

**Hon. Speaker:** Proceed.

**Hon. Kennedy Oyugi:** Thank you. Mr. Speaker again pursuant to Standing Order No. 196, I beg to lay the following paper on the table of this assembly today Tuesday 24<sup>th</sup> June 2025; the report of the Sectoral Committee on Water and Sanitation on the 4<sup>th</sup> Quarter workshop held from 16<sup>th</sup> -19<sup>th</sup> June 2025. Thank you Mr. Speaker.

*(The Paper was laid on the Table of the Assembly)*

**Hon. Speaker:** Thank you. The two reports go to the House Business Committee for allocation. Clerk proceed.

**STATEMENTS**

**Hon. Speaker:** Hon. Redson Onyango, are you ready?

**Hon. Redson Onyango:** Yes, I am ready.

**Hon. Speaker:** Kindly proceed.

REQUEST FOR STATEMENT REGARDING  
THE DEEPLY ALARMING INCIDENT INVOLVING A  
COUNTY STAFF WHO REPORTEDLY FELL FROM AN UPPER FLOOR  
OF CITY HALL ANNEX UNDER UNCLEAR BUT TROUBLING CIRCUMSTANCES

**Hon. Redson Onyango:** Hon. Speaker, pursuant to Standing Order No.47 (2) (c), I rise to request for a statement from the Chairperson of the Sectoral Committee on Justice and Legal Affairs regarding the deeply alarming incident involving a county staff who reportedly fell from an upper floor of City Hall Annex under unclear but troubling circumstances.

Hon. Speaker, it has been alleged that the staff member was being chased by colleagues prior to the fall. If true, this points to possible harassment, intimidation or a serious breach of work place safety protocols.

Hon. Speaker, the Constitution of Kenya 2010 and Article 41 guarantees every worker the right to fair labour practices including the right to a safe and healthy working environment and freedom from inhumane treatment. These rights are ....

*(Laughter)*

**Hon. Speaker:** Order honorable. Members. The Member is supposed to be heard in silence.

**Hon. Redson Onyango:** Exactly! These rights are further safeguarded under the Occupational Safety and Health Act 2007, the Employment Act 2007 and the Work Injury Benefits Act 2007 which place a legal duty on all employers including county governments to protect employees from harm and ensure their welfare.

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

1. A clear and factual account of the events leading to the fall including the identity and current condition of the affected staff member and whether allegations of pursuit or work place conflict are being investigated;
2. The actions taken immediately after the incidence by the county security and emergency services and the availability and adequacy of safety and emergency protocols within City Hall Annex;
3. The status of ongoing investigation including involvement by law enforcement, the County Public Service Board and the Directorate of Human Resource and whether any individuals have been subjected to disciplinary procedures; and
4. The County Executive plans to prevent similar incidences in future including mental health and counselling services internal grievances and mechanisms and initiative to foster a safer workplace free from harassment from any kind.

**Hon. Speaker:** The statement as requested directed to the JLAC Committee. Chair kindly give an undertaking on the period you would be able to respond.

**Hon. Jared Ondieki:** Thank you Hon. Speaker. A very unfortunate situation; two weeks shall be appropriate for us to report back to this House. Thank you.

**Hon. Speaker:** Hon. Redson, is that okay with you?

**Hon. Redson Onyango:** It is okay Hon. Speaker.

**Hon. Speaker:** The Leader of Majority had indicated that he has some remarks and communication to relay and share with Members. Kindly take the floor.

REPORT OF MEETING HELD TO RESOLVE IMPASSE  
OVER THE DISBURSEMENT OF WARD DEVELOPMENT FUNDS

**Hon. Peter Imwatok:** Hon. Speaker for one minute allow me to report back to the Assembly that yesterday at 2 p.m. we had a very robust discussion with all elected leaders of this House. I am happy to report that as a result of the meeting, you can see almost 90% of elected leaders are here.

Hon. Speaker, we discussed the importance of Ward Development Fund to our wards with the officers present and we agreed that at the end of the day more than 22 wards had not been secured in terms of development agenda.

The preliminary report that I have so far they have confirmed in totality from 2022 to date about 12 wards have never received any payment. And the remaining 8 wards, unfortunately, the then CEO of the Ward Development Fund had used money for these specific wards to pay her own cronies.

Hon. Speaker, we agreed yesterday that the report that was read before all elected leaders will be tabled before the Ward Development Committee. While on recess Hon. Speaker, we would like you to give permission – we will be going for recess on 4<sup>th</sup> July 2025 for two weeks, that this committee to give us authentic reasons as to why these specific wards were neglected from receiving the Ward Development Fund.

Hon. Speaker, we also agreed yesterday that we are forming a policy of ‘first come, first served’ so that all the wards are equally developed in terms of funding from the Ward Development Fund. I also want to report to this House that elected leaders of this House affirmatively agreed and concurred by the Chair of Budget and Appropriation Committee who is present here, that the issue of the ‘Green Army’ is no longer a contractual issue. All the Green Army officers, as we await the budget, the Budget Committee commits, through the Chair present, that you are going to convert these young men who are suffering on trenches to permanent & pensionable status.

*(Applause)*

Hon. Speaker, lastly, the Hon. elected leaders affirmed authoritatively that this House from today will not be a House of ‘pinky ponkie’.

*(Applause)*

It will be a House that when we say yes----

**Hon. Speaker:** Kindly Hon. Majority Leader be kind with your words. ‘Pinky Ponkie’ is not parliamentary, can use parliamentary language to replace that.

**Hon. Peter Imwatok:** Hon. Speaker, during the Supreme Court hearing, it was used and even the Judge admitted. The word ‘Pinky ponkie’ is the word equivalent to the joking arena. Let me replace the word and say, this is not a House of ‘Aki and Popo’.

The resolve by the elected leaders – jokes aside – is that you are going to give a sense of direction to the county.

*(Applause)*



It does not matter who, how you came to this County, as my friend says; *wewe utaambiwa lakini sisi kama wabunge wa Nairobi tutaamua.*

*(Applause)*

Hon. Speaker, the first thing that we agreed as a honorable House was that the issue of bursary cannot be negotiated by anyone. We gave directives as elected leaders of this House to the CEC Finance, one Mr. Kerich to go and formulate a policy and adopt as other counties have done.

As we pass the budget this week, the Budget Committee has affirmed, and thank you Members of that committee while in Naivasha you affirmed that without bursaries you will not be part of that budget. We agree with you and support you as elected leaders and the entire House that bursaries cannot be negotiated because that is the lives of our people.

*(Applause)*

Hon. Speaker, on that note, anyone who does not come up with policies the way Murang'a, Kiambu and Elgeyo Marakwet has done, that policy maker will be held responsible before this red carpet.

*(Applause)*

Hon. Speaker, lastly we agreed that on Thursday at 10.a.m, we shall be having a Chairs' leadership meeting to affirm the operations within the committees. As you are aware Hon. Speaker, our Whips are working on something in terms of committees, but we want to create concurrence also from our Chairs. We will have a meeting for the Chairs on Thursday before the Chair of the Budget Committee reads the budget before this House.

*(Applause)*

Thereafter we shall be having a meeting of all special Elect so that I can get to know why we would not move together as one unit. We are not leaving anyone behind because we all constitute this House.

Hon. Speaker, I want to report to the Hon. Chair and the entire House but affirmatively, we are prepared than before. On 9<sup>th</sup> of September 2025, it will be exactly 3 years since we were sworn in. But going forward ...

*(Hon. Imwatok sang: 'amazing grace how sweet the sound')*

Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you Hon. Majority. May be if the House could get some concurrence if not clarification from the Chair of Budget Committee...

*(Point of Order)*

**Hon. Speaker:** Hon. Alai, you are out of order. We do not have room for debate on remarks.

*(Hon. Robert Alai spoke off-record)*

I have given the floor to the Chair of Budget Committee, I will give you an opportunity Hon. Alai.

**Hon. Wilfred Odalo:** Thank you Hon. Speaker. I fully concur with what the Majority Leader has said. My only request and plea is that Members to kindly forward the roads which were omitted during the Supplementary I Budget so that we can we can fix them. I have already received less than a quarter.

*(Applause)*

Kindly do a favour to the Budget committee we are on the final stretch of making our document. I fully concur with what the Majority Leader has said.

**Hon. Speaker:** Hon. Alai, you are rising on a point of order number...

**Hon. Robert Alai:** I think it is Order No. 87, Mr. Speaker...

**Hon. Speaker:** Can I give you one minute to...

**Hon. Robert Alai:** It is Order No. 87, Mr. Speaker. I think that a Member must be very responsible for the accuracy of whatever he is presenting in the House. Combined with Order No. 87 (2); no allegations against the House or its committees are allowed unless via a proper...

*(A Member spoke off-record)*

I am on a point of order so the Member should be properly guided that a point of order should not be challenged...

**Hon. Speaker:** Hon. Alai, you are out of order. I don't know whether you share the Fourth edition of our Standing Orders.

**Hon. Robert Alai:** We have not been supplied with the Fourth edition. What I have is...

**Hon. Speaker:** The Third edition of our Standing Order under order no. 87 which you have just quoted; you may be seated; the Speaker is on the floor; *'Two or more members requesting to speak'*. In this case you are only a Member, so Hon. Alai you are out of order.

**Hon. Robert Alai:** Hon. Speaker...

**Hon. Speaker:** Kindly let us proceed.

**Hon. Robert Alai:** Hon. Speaker I think I am being sabotaged.

### SPECIAL MOTION

TO DISCUSS THE CONDUCT AND CENSURE OF MS. LYDIA MATHIA,  
CHIEF OFFICER, HOUSING AND URBAN RENEWAL, NAIROBI CITY COUNTY

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(Applause)

**Hon. Speaker:** Hon. Chege Mwaura!

**Hon. Chege Mwaura:** Mr. Speaker and the whole House I want to thank you so much for this opportunity to move this special Motion.

Mr. Speaker when we put a notice of Motion you were very clear, Mr. Speaker, that the mover of the Motion should table evidence to show whatever allegations they had have merit.

Mr. Speaker through your guidance I have my bundle of documents as I shared with your office and with your guidance I would request that they be passed to Members so that we can go through the allegations that we have every step just the way you had requested. I beg to lay the...

**Hon. Speaker:** Kindly table Clerk receive the documents and verify whether they are in the true...

(Applause)

Make sure that you verify whether they are the true correspondences' as forwarded to your offices before you distribute to the Members.

**Hon. Speaker:** Hon. Members, indeed it has been confirmed and verified by the Table Clerks that the annexes as provided by the mover of the Motion in regards to the censure motion before the assembly are indeed accurate and reflect the true position. I direct the Sergeant-at-Arms to distribute them as the mover of the Motion proceeds with his Motion.

**Hon. Chege Mwaura:** Mr. Speaker as the Clerk distributes and they should balance them because I did not have enough finances to make copies for every Member, may be two Members can share a copy.

Mr. Speaker I want also to take us through before I table the special Motion, that, the annexures are labeled A-J and we will go through as I will be making my presentation as per the tabled documents. For the ones that may need video evidence or audio, I have made arrangements with your HANSARD team to be ready to proceed as and when we get there.

**Hon. Speaker:** Hon. Chege, the floor is yours.

**Hon. Chege Mwaura:** Thank you Mr. Speaker. I beg to move the Motion to discuss the conduct and censure motion of Madam Lydia Mathia, the Chief Officer Housing and Urban Renewal in Nairobi City County.

Whereas, Chapter Six (6) 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, Buruburu, 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 152 (g) 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 in 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; and
- (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 Buruburu, Kariobangi, Woodley and other County Estates and calls 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.

Mr. Speaker, allow me from the very onset to thank you for putting me to task to table this substantial evidence. I want to thank my team from the office who have helped me to put it up. I also want to thank the Members of this House who in their own wisdom thought that it was important to send me some clips that helped me to put this thing together.

Mr. Speaker, I also do not want to take it for granted that as I rise here, I do not rise as the only Member that was affected; there are many other Members who have helped us get here.

I want to recognize Hon. Peter Imwatok who has about 5 estates in his area and has been very instrumental, Hon. Paul Ndung'u aka Petit has like 5 estates, Hon. Hashim Kamau who represents California and Bondeni estates, Hon. Peter Owera who represents Huruma Flats, Hon. Gerald Mukuru aka Murefu from Kariokor estate, Hon. DNG Ngibuini from Woodley, Hon. Robert Mbatia who represents Uhuru and Kariobangi South estates, Hon. Waithera Chege from Mariakani, Hon. Patrick (Daktari) Bahati estate, Hon. Kimemeia aka Sonnie Buruburu estate, the late Joel Munuve Kariobangi estate, Hon. Ricardo Nyantika with Nyayo village and also my good neighbour Hon. Peter Wahinya.

**Hon. Chege Mwaura:** Mr. Speaker, these Members and other Members who felt it was important to jointly have this discussion collectively did all they could in trying to help me put these pieces together and today I am here looking like the striker but the really glory needs to go to them.

Mr. Speaker, I cannot also fail to mention the Planning committee that has had very serious concerns with the said Chief Officer, and they also raised their concerns. Lastly when we were having the Speaker's leadership kamkunji, the Members wanted to know and have been following up on this matter. Hence I want to thank all the Members and in no particular order and the leadership in helping us get to where we are.

Mr. Speaker, as I start off, it is important to put a disclaimer, that is, I am not a malicious person and I am not here to put any officer in disrepute. It is a long time since the House and the gallery was this full. The gallery is what has made some of us be here and without mobilization; we have had to stop others from getting in because of the numbers and I thank you for giving them that leeway

Mr. Speaker, this is a process that has been very painful to some of us because we have seen the suffering and the problems they have had that has gotten us here. Mr. Speaker, I want to start by saying and as someone who has grown up in these estates that...

*(Technical hitch on the microphone)*

**Hon. Speaker:** Hon. Chege you can move to the other microphone.

**Hon. Chege Mwaura:** Thank you Mr. Speaker. As I lay the foundation of what I want to say, I know that you have been in City Hall for over 20 years. The days of the famed John Gakuo when he wanted to make his move on collections in Nairobi; he held conversations with the councillors then and would inform them that he wanted to get rent arrears from these estates and asked that they do not stand in his way as he would be humane and no one was to lose their house.

You are my witness and I believe that Majiwa and Hashim can attest to that. Mr. Speaker, even in the days of Joe Akech and our very own Geoffrey Majiwa, George Aladwa, never did we get to a point where people were losing their houses on the account of reconciliation of rental affairs.

Mr. Speaker when we moved to the county government which I was privileged to serve with you, Governor Kidero, a tough manager and we never got there, same as Hon. Mike Mbuvi Sonko, we never got there and now our very own Benard Mutura who was the Speaker and Governor still we never got there. The Hon. Anne Kananu we never got there and even the *Jemedari* himself who was collecting rent through KRA and he never got us this low.

Mr. Speaker, as we approach the annexures that I am going to table here before you, the chronology of events will be shocking to you. As I start;

1. The question in place is, where is the role of a gazette notice? The gazette notice that gives us the mandate to serve Nairobians.
2. If you have a figure and the county has a different figure, then where is the role of reconciling these figures before you move to evictions?
3. Even when you are doing the evictions, where was the procedure done?
4. When you do reallocations, was it done in a regular and open way?

If we answer these four questions, then Mr. Speaker you will be able to judge if this is a witch hunt or as my colleague said hot air.

Mr. Speaker, I want to move to the few allegations that we have by way of annexures. On the 6<sup>th</sup> of May, there was a demand notice. Annexure (a) gives those sample notices that were given to the estates and if you look at the first five pages then it gives you a sample of those demand notices.

Mr. Speaker, on the 11<sup>th</sup> of May, I had a session with the residents of Ngara and they asked me to intervene on their behalf. I table a letter dated 12<sup>th</sup> of May just under annexure (a), a letter to the CEC, Built Environment and Urban Renewal, Nairobi City, county requesting to halt demand notices given to the residents of Old Ngara and New Ngara and I read.

The following are the demand notices...

**Hon. Speaker:** Hon. Chege, Members have got copies so you can just do a highlight of the titles of the subject matter

**Hon. Chege Mwaura:** Mr. Speaker, let me highlight one of the paragraphs and I read, 'It is for this reason I seek audience with your esteemed office at your earliest convenience to discuss this matter and hopefully arrive at an amicable solution as this has caused a lot of panic and anxiety.'

Mr. Speaker, since the 12<sup>th</sup> of May - you can see the stamps received, the stamp by the county, I have the MP's stamp, the Senators and even the county commissioner - to date, I have never been called and my letter has never been responded to. The Waziri called me on phone to tell me that the process was being handled by the Chief Officer and that we should have a conversation. We agreed to meet on the 13<sup>th</sup> and it is the same date when evictions were being done at 7am in the morning. So Mr. speaker, if as an elected leader you cannot intervene by way of a letter then I do not know how you will be able to intervene for your own members. Mr. Speaker, I table annexure (a).

Annexure (b) Gazette notice dated 13<sup>th</sup> of March 2021 – if you look on the left side you will see Gazette notice 2728 Nairobi City County Tax Waivers Administration Act of 2013, finance and economic planning, waivers of house rent arrears. It has been dated and you can see it there and the Hon. A.E Igambi who was the CEC Finance at that time. I table that as well and you can see that there was a valid Gazette notice.

As I move to the next one still under annexure (b), you can see that there was an extension of waiver on rent payable to Nairobi city government and this is dated 25<sup>th</sup> of October 2020 where if I read a paragraph, 'pursuant to my earlier waiver vide cabinet memo number 8 of 2019 titled waiver to rent arrears owed to tenants of Nairobi City County houses, approved by a full cabinet meeting held on 30<sup>th</sup> April 2019 and guided by the provisions of Article 174 and 187, I do hereby extend the waivers earlier granted for further period of six months from the date of the letter for the residents to recover economically from the effects of Covid-19' signed by his Excellency Mike Mbuvi Sonko.

Mr. Speaker, I move to annexure number (c) - this is the court case that I had tabled and the citation there is Chege Mwaura, Raymond Tonui and two others verses the Build Environment CEC and two others - CECM Finance Kerich and Chief Officer Lydia Mathia.

Mr. Speaker, If I take Members through number 3 that the matter was to be heard on the 9<sup>th</sup> of June 2025 and that pending the hearing and application of an interparty conservatory orders do hereby stay the eviction of residents of Old Ngara, New Ngara, Kariokor due to alleged rent arrears given by the Hon. Justice Mohamed Kulow.

Mr. Speaker, when we went to court on 9<sup>th</sup> of June, - it is important to know how the county loses court cases - the county did not show up and so the judge extended the orders and given under my hand of the honourable court on 9<sup>th</sup> of June 2025. This time round, the good judge was able to put a penal notice that says, 'take notice that any disobedience or observance of the order of court served herewith will result in a penal consequence to you or any other person disobeying and not observing the same'.

So Mr. Speaker, when we got to the second wave of evictions they were in clear breach of court orders. Mr. Speaker, I move to a court case by the residents of Woodley Samson Gachangu, chairman against Nairobi City County. His first court order was given on 8<sup>th</sup> May 2025 and they never showed up. On the 4<sup>th</sup> of June it was extended to October 2<sup>nd</sup> 2025 and a penal notice given and signed by Lady Justice Judy Omenge.



Mr. Speaker, I beg to submit annexure number (d). When these residents were looking for the chief officer, she was not only rude to them but showed them zeal that it is her business to kick them out. I will request the HANSARD team to put an audio of the evidence of the voice of Lydia Mathia talking to residents in her office. I request that this audio be played.

**Hon. Speaker:** Is the HANSARD office ready?

*(The audio recording played in chamber)*

**Hon. Chege Mwaura:** Mr. Speaker, I believe that you heard her say, *ni furaha yangu kutoa mtu kwa nyumba* and the evidence was captured.

Annexure number (e) talks about police reports of residents who lost their wares, I will table it and not go through it for purposes of time.

Mr. Speaker, annexure number (f) is interesting. Let's look at one Japheth Wambua, he has a house in area 57 New Ngara estate and was given rent arrears where he went ahead and made payments as per the attached receipts. What was interesting was that the as per the process, one was to go to the chief revenue officer Tairus Njoroge. If you peruse the document, you will see the chief officer doing a memo titled 'Revenue Administration' to the county Chief Officer, Housing and Urban Development referenced 'confirmation of payment of New Ngara estate house number 57'. This was to confirm that the owner of the said house has paid Kshs. 620,000.

Mr. Speaker, when the second wave of evictions happened, I found this young man being thrown out with his kids. I dare say that the goons who had been deployed had more heart than Madam Lydia. Mr. Speaker, this is the extent to which the left hand does not know what the right hand is doing.

Annexure number (g) by Hon. DNG on the statement requests by his residents followed by New Ngara estate requesting for discussions with the said chief officer.

Annexure number (h) on page 87 on the mandatory procedures during evictions and it reads;

Notwithstanding any provisions contrary to this Act or any other written law, all evictions shall be carried out in strict adherence and in accordance to the following procedures: -

- a) Be preceded by proper identification of those taking part in the evictions or demolitions
- b) That be preceded by the presentation of formal authorization of those in action
- c) Be carried in a manner that respects dignity, right of life and security of those affected

Again on annexure (i) Chapter 6 on Leadership and Integrity Act, Article 73 of the Constitution dictates in (a) (2) –authority assigned to a state officer: -

- a. Is a public trust to be exercised in a manner that -

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- (i) is consistent with the purposes and objects of this Constitution
- (ii) Demonstrates respects for the people you are serving

b. vests in the State officer the responsibility to serve the people, rather than the power to rule them.

2 (e) Discipline and commitment to the service to the people

Chapter 13 of Public Service says that high stands and professional ethics are expected. Involvement of the people in the process of making policy is expected.

Mr. Speaker, I want to conclude with a video footage that was aired on live television and I request the HANSARD team to play evidence number AJ1PM4. This is Buruburu estate.

*(The video recording was played in the Chamber)*

Mr. Speaker that demonstrates the residents we are supporting and the problems they are facing. You can clearly see on the footage that the people who were sent on this mission did not have uniforms. Mr. Speaker, as I conclude and given the number of footages that I have with me, I will just go to the last one AJ8MP4 of when I went to the ground to check.

*(The video recording was played in the Chamber)*

Thank you Mr. Speaker and with that, I hope that I have been able to drive this House to understand the following;

1. That there was a valid Gazette notice that has not been respected
2. There is a valid Court Order that has not been respected
3. That residents were never called for a reconciliation of the figures that were conflicting
4. That the evictions were not done procedurally and the reallocations that have been done have not been done regularly

Mr. Speaker, there are two letters of reallocations in the social media where letters have already been issued yet due process has not been tabled. I want to request that the first letter be captured for purposes of data protection, they can hide the details.

Mr. Speaker, this letter is dated 27<sup>th</sup> May 2025 given in Woodley. There is another one dated on a different date. We are asking, was due process followed for them to get there? We have videos to prove our case. Let me leave it at that so that Members are able to ventilate on this matter, their voice be heard to allow the House make a decision so that at the end of the day, respect and dignity of this House is upheld.

I beg to ask my colleague and good friend Hon. Moses Ogeto Nyangaresi to second this Motion

*(Applause)*

**Hon. Moses Ogeto:** Thank you Hon. Speaker. It is indeed a sad day for the residents of Nairobi. Mr. Speaker, our forefathers said that when self-interests supersede personal interests or public interests then the society collapses and for that reason, Hon. Speaker, Lydia must go!

*(Applause)*

Hon. Speaker, the Orange Democratic party ODM that I lead believes in Article 10 of the Constitution subsection 1 (a)(b)(c) of the Constitution and if you may allow me to read so that it doesn't come out that I was reading my own things.

Hon. Speaker, it talks about the national values and principles of governance. Hon. Speaker, I want to go to where to where 'Lydia Must Go'. Hon. Speaker section 2 of the Constitution of the Republic of Kenya says that human dignity, equality, social justice must be respected and if Lydia cannot respect the Constitution of the Republic of Kenya then she must go!

*(Applause)*

Hon. Speaker, section 5 of the Motion where the mover of the Motion outlined the violations of Lydia Mathia which are cognisant to the fact that this House is protected by Article 176 of the Constitution which gives separation of powers. It stipulates that there shall be a county government and there shall be a county assembly and today, Hon. Speaker, our powers must be exercised and for that reason, Lydia must go!

*(Applause)*

Hon. Speaker, pursuant to section 45(5) of the County Government Act of 2012, the mover of the Motion is urging the Governor of Nairobi to reassign her. Hon. Speaker reassigning is not an option as she must be discharged from the office

*(Applause)*

Hon. Speaker, this is why I like the Governor of Siaya one James Bob Aggrey Orenge who says that at times, the government eats their own people but today the government is not eating its own people, the government is trying to be fair as per Article 10 of the Constitution and for that reason Hon. Speaker, Lydia must go!

Hon. Speaker, I have gone through the annexures and I want to go to the annexure where Nairobians from Woodley – I know Members have this, when it was drawn and sent to the regional commissioner of Nairobi Wangui Thuku on 10<sup>th</sup> July. On this annexure, only households accumulating to Kshs 2.3 billion was lost under Lydia Mathia and damages accumulated to Kes. 2.7 billion. I saw a video clip where goons were carrying property of residents of Nairobi under the orders of Lydia Mathia, Hon. Speaker, she must go!

This is a person this House vetted and said that she will respect Court Orders but does not respect them. She walks with goons around in this city and that means that we are headed to be a banana republic, like Haiti where goons control the government as if we do not have police and the city inspectorate. If that is the way, then we will start getting officers from our neighbouring Tanzania the way our President has taken officers to Haiti to protect the residents. Ten years ago on this day I supported my brother on another controversial Motion and today he has given me the opportunity to do the same. For those reasons, Hon. Speaker, Lydia Mathia must go and for those reasons Hon. Speaker, I beg to second.

*(Applause)*

**Hon. Speaker:** Thank you.

*(Question proposed)*

**Hon. Speaker:** Hon. Members, the floor is yours. Hon. Majority Leader

**Hon. Peter Imwatok:** Hon. Speaker for those who remember I have always said that this red carpet the only thing it has never seen is the remains of our colleagues or any other prominent Nairobiian. We have seen it all.

Hon. Speaker we have seen officers come humbly before the Committees - so humble, meticulous, precise and so handsome if they are men and if they are ladies so beautiful. Hon. Speaker the moment this Assembly - as you sit on your beautiful wig there; I agree to say as many of this opinion says I.

The moment the officers' velum are signed, the officer becomes a tyrant – unquestioned, unpicking of calls, looking at Members as riff-raff. In my spirit I always say I saw it coming when all the officers from the CECs, Chief Officer could not respect an honorable Member.

Mr. Speaker there are Members of this House who are senior than myself. If you question the credibility of one Soni the MCA for Harambee on defending his people or the Constitution or the history of this County, then you have never lived in Nairobi. This is the senior most Member of this House. If an officer can extradite the Hon. Mbatia from his office there is a problem. There is a disconnect between the political correctness and administration.

Hon. Speaker looking at my brother Chege Mwaura moving this Motion I have just almost shed tears and says indeed 'JubiCord' is back. When we were sworn in 2013 it was Jubilee and Cord and there was that team led by Chege Mwaura, Maish, myself, Ogeto, Odalo was there - we were a team - Bishop was there. We could not allow the Constitution to be violated by any officer or any individual on the pretext of taking instructions.

Hon. Speaker, what bedeviled the County Government Executive today is the premonition and pretense that 'you are taking instructions'. Let me borrow the words from the chair of Budget that you might take instructions but Assembly will make decisions. Today we are making decisions, we are not taking instructions.

It is written in black and white in this red carpet that any officer who knows in iota of his mind still remaining the remnant of thinking that you can take this Assembly for granted, abuse Mbatia, abuse Soni, abuse Minority Leader, abuse Chair for PAC, abuse any Member.

The Book of prophets records that 'I may speak for those who cannot speak but their silence is so loud. Do not look at a Member that is not talkative like myself, Ogeto and the rest and you feel you are bigger than him or her. My friend, I want to tell you in cameras the time professors, lecturers, doctors, lawyers wake up at 5.00 am to queue to elect one Hon. Rex Omolleh from Nairobi West is not a joke.

Respect the tenets of Article 1 of the Constitution that speaks about the sovereignty of the people: that shall be exercised by the people themselves and maybe delegated to elected Members. The elected Members and special Elect are seated here minus one Munuve. But I believe, Hon. Speaker, they are speaking in unison that one person who disrespect, violates the law, thinks he is bigger than this House it is time to know you are too small to this House.

*(Applause)*

This is not a threat, Hon. Speaker, it is an issue of law. If an accounting officer can disobey a Court Order what can a policy maker do.

Hon. Speaker the tenets of accountability require that if you are an accounting officer you must account based on the law. Hon. Speaker the Auctioneers Act speaks the process upon which you collect debts that has not being paid.

Hon. Speaker, this County Government has CECs who are policy makers. In my life in this House for 13 years by 9<sup>th</sup> of March I have never seen any eviction policy brought before this House. Hon. Speaker, this sector has failed the Executive.

Hon. Speaker, after promulgation of the Constitution the things that Council left us – we are now in County Government and transition period, Hon. Speaker, ended and no officers can pretend that we used the Council rules to evict people. That is an annulment in law.

Three days ago I was able to call one of the person purported to be the head of the goons who was evicting people in Ngara and Kariokor, before all the leadership, and the gentleman was very courteous and told me 'Mheshimiwa today I am not working. Today am resting in a new house I have allocated'. A goon is living in a one-acre land purporting he has done his job and he was relaxing that day.

Hon. Speaker we cannot keep quite; we will not allow the national Parliament, the Senate to speak on our behalf. We will be a failed Assembly today if we are only waiting Sifuna to speak; if we are waiting the likes of Bonny Khalwale to speak. There is something wrong in the city and it must start today. And for those who violate, let me speak as leader of this House, say critically on the basis of the Motion.

Hon. Speaker number one, the Motion censures Lydia Mathia Chief Officer for violation of Court Orders. These are tenets of the law; you cannot run away from it. This Country is found of, you know when they came for me it was me and when they came for you it was him and when

they came for her it was her. But the day they will come for you there will be no one to speak for you. ‘Adolf Hitler’ said those words many years ago and he roasted himself in hot water because there was no one to speak for him.

Hon. Speaker, the most catching aspect of this Motion - if Members are resoundingly convinced – is the public service [board] shall institute disciplinary action in view of exit. In the failure of public service board, the Implementation Committee is prepared to bring the public service board before this House and disband it. In the failure of number five of urging County Governor to pursue section 45(5) that requires the Governor to immediately relieve her duties or re-assign her, in failure to this the accounting officer - the County Secretary - will be brought before this House. Not only the county secretary it will also be led by head of legal affairs in this County, the County Attorney.

Upon this resolution they must put a proper opinion before Governor's desk to be implemented as quick as possible. Failure to that, the acting County Attorney will be brought before this House for the same. I want to wrap up by saying this: Members please work for our people. Nairobians are looking up to you. Let's do something. By 9th September this year it will be three years and for me I was telling my friend today I have never been on television to speak on issues of the people; I am back there. If you want to write our political obituary, I want to assure anyone who want to write our obituary they will write theirs first. Anyone who does not respect the House you hold, and more so those elected - if you know you were elected with us, whether elected or special elect in Executive, whether you are a Governor or Deputy Governor or who please work with us for the good of Nairobi or we will work for you. I am happy Clerk's office has done us a favour. I am told everyone is streaming live. There is no need of recording. All those who want to see or hear what we are saying are doing so. The business of recording is not here; the profit has gone senile. On behalf of the people of Nairobi we are taking a solemn oath again that the journey of redeeming the image of Nairobi has begun.

I said many times the plane has landed but now the plane has left the station from Mombasa to Nairobi. Any officer - if you know you passed through this Assembly – and you disobey the Speaker of this House that is on at your own peril. Disobey the chair of a Committee and its proceedings at your peril. I am told an officer said ‘ati you know we don't make the laws for the MCAs, we are directed by the cabinet, it was passed by the Cabinet’. The cabinet passes but it is us who decide. We can decide on who sits in that cabinet because the law says ‘shall be approved by the Assembly’, so if we can approve we can disapprove. For those who think sitting in the cabinet is sitting on the right side of heaven, we are not yet in heaven; we're still on earth. I beg to support the Motion and tell my fellow leaders ‘aluta continua’.

*(Applause)*

**Hon. Speaker:** Hon. Leader of Minority.

**Hon. Anthony Karanja:** Speaker before I make my contribution I note what my friend Chege Mwaura has asked this Assembly to resolve on item number two, that is to declare Lydia

Mathia is unfit to hold public office within the Nairobi City County Government or any other public service and number five which is urging the Governor of Nairobi, being the appointing authority, and pursuant to section 45(5) of the county government 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.

Hon. Speaker I would like to request to use your powers to expunge item number five. That we remain with number two which is to declare that Ms Lydia Mathia is unfit to hold public office.

**Hon. Speaker:** Hon. Members while the Chair was going through the censure Motion I noticed there is conflicting position of interests and for that reason I would only direct the House to consider whether you would want to make amendments on this Motion and subsequently expunge five from the censure Motion. Kindly Hon. Leader of Minority proceed and move the Motion of amendments.

#### AMENDMENT TO THE MOTION

**Hon. Anthony Karanja:** Thank you Hon. Speaker I would like to move the Motion that we amend the resolution of this Motion and expunge item number five which is to urge the Governor Nairobi City County, being the appointing authority and pursuant to section 45(5) of the county government Act 2012, to immediately reassign Lydia Mathia from the position of Chief Officer, Housing and Urban Renewal pending conclusion of the disciplinary process.

Hon. Speaker I would like to move that we expunge item number five.

**Hon. Speaker:** Get a seconder.

**Hon. Peter Imwatok:** Hon. Speaker let me second for the interest of time. I beg to second.

*(Question, that the words to be left out be left out, proposed)*

**Hon. Speaker:** The mover?

**Hon. Anthony Karanja:** Hon. Speaker I beg to reply

*(Question, that the words to be left out be left out, put and agreed to)*

*(Debate on the original Motion resumed)*

**Hon. Anthony Karanja:** Thank you I beg to support the Motion and I would want remind this House that these opportunities do not come often. They come rarely in the life of an Assembly. As I was watching that lady describe how she received a phone call that people broke into her house removing her things, I was looking at the Members of this House and asking myself how you would react if you receive a phone call from where you seated that somebody has actually broken into your house and removing items from your house.

Hon. Speaker I even want to ask the person who has said 'nay' to describe how he would react if such a phone call came to him that people are actually removing items from his house. If



that lady did not touch you or that testimony I would like to bring to your attention of the two gentlemen who are in their thirties, the average age of this county assembly.

I would like to bring you the story of Sam Maina. He lives in house no. 94 in Buruburu estate, he is the son of engineer Naftali Maina Kabugu a former engineer of this city. Sam Maina was evicted from his house. He is a tour guide. He does not owe this County a coin. However, he was kicked out and apparently before occupation his house was occupied by a lady with final name of Igaida. I will find out the other names of the allotment letter because I have it but that is the new name in the allotment.

Hon. Speaker I want to bring to your attention the name Brian Mugesi. He is the son of David Ngura, now deceased, they entered the house in Buruburu phase 2, door 15. They come from Vihiga in Hamisi. He is a DeeJay at Ranalo foods. Brian Mugesi received a waiver from the former Governor Mike Sonko, as everybody else, because we know that from March 2020 for 6 months his industry was not operating and he had no source of income. Today Brian is planning to go back to Vihiga, a place he had never lived and know.

Hon. Speaker I would like to bring to your attention the story of one Wasilwa. He lives in Kariokor estate and he is an officer of the County. The house belongs to Hilder Wasilwa who is Eugene Wasilwa's mother. The Mother was kicked out by goons on 13<sup>th</sup> and you can imagine what Eugene is supposed to tell the mother, being an officer.

Hon. Speaker, I was gracious enough to call Lydia Mathia on the 13<sup>th</sup> to ask her to stop what she was doing because as far as I was concerned this was a revenue issue; it was not an occupancy issue because termination of occupancy is a process and a process which I was sure had not been followed.

Hon. Speaker and Members of this House, Lydia was not only rude, arrogant, insensitive, deliberately offensive and impolite to me. She also yelled, belittle me, was discourteous, cast aspersions and failed slightly short of insulting me. I was approaching her with clean hands to try to intervene on behalf of this people which is our mandate.

Hon. Speaker I went back and remembered three incidents where she kicked out Hon. Mbatia from her office. Mbatia has been elected four times in this House. He is so senior that the most you can do is to sit him down and explain to him the process that is being followed.

Hon. Speaker I remembered Kimani Mugo a few months ago he came to me very distraught and discouraged and he asked me, is this what it means to be a Member of County Assembly that you cannot be respected by a Chief Officer. He had been mishandled, insulted, abused, ignored and throw out of the office by Lydia Mathia. Today agents of Mathia had audacity to call Kimani Mugo to KICC and giving him sh. 5000 to come and defend her in this House.

Hon. Speaker, Kimani Mugo is a young man and I think in my capacity I have the duty and responsibility to mentor...

**Hon. Speaker:** Hon. Minority Leader please you have made reference to a Member before this Assembly and as a requirement under our Standing Order on the statement of facts, is the Hon. Mugo in the Assembly? Can the Member confirm to the Assembly that he is in receipt of Kshs. 5000 to compromise the debate on censure Motion. Hon. Kimani...



**Hon. Stephen Kimani:** Mr. Speaker, I want to confirm that.

*(Loud consultations)*

**Hon. Speaker:** Hon. Members be seated. Order, Order Members. Hon. Roro is doing honourable thing as the Whip to mobilize his Members towards his interest. Hon. Roro be seated but consult in low tones. Hon. Mugo please.

**Hon. Kimani Mugo:** I want to confirm what Minority Leader has mentioned that when I came here as a first timer my first disapproval of that Executive arm was through that Chief Officer. When I wanted to be assisted on matter in my ward I had to seek attention from Minority Leader and Minority Whip to assist me but all was in vein and that is was not the last time. Today the Chief Officer sent another Chief Officer for me to be called for another meeting which, Speaker, I can confirm I deny to take what was given.

*(Applause)*

**Hon. Speaker:** Hon. Majority Leader. What is it? Hon. Kiragu

**Hon. Anthony Karanja:** Thank you Hon. Speaker. I want to withdraw the word ‘given’ and substitute with the word ‘offered’. He has confirmed that he didn't take the offer. I want to confirm also that the house that belongs to Japheth Malonza who last week paid Khs. 620,000 has been allocated to a lady whose last name is Mathia. I will be looking for allotment letter and bring to this House.

Hon. Speaker I would like to refer Hon. Mathia for her disrespect, insensitivity, arrogance to the book of Daniel and tell her her days are numbered; you have weighed and found wanting and the time to leave this County is now. I have been in this corridors long enough; I and my fellow Members and especially the Majority Leader who have told you about ‘Jubicord’. For dignity, for respect, for progress to be seen in this House...

**Hon. Speaker:** Hon Minority Leader allow me to disrupt you a bit and observe requirement under Standing Order 33(3) (a). Hon Majority Leader you may move the Motion of extension of Hour of Business.

MOTION TO EXTENT SITTING TIME  
PURSUANT TO STANDING ORDER 33(3)

**Hon. Peter Imwatok:** I beg to move the Motion that pursuant to Standing Order No 33(3) (a) this Assembly resolves to extend its sitting at a time until the business appearing in the Order Paper is concluded. I ask my counterpart to second.

**Hon. Anthony Karanja:** Hon. Speaker with the gravity and sensitivity of the matter I beg to second.

*(Question proposed)*

**Hon. Speaker:** Can the mover of the Motion reply?

**Hon. Peter Imwatok:** Hon. Speaker, it is coming home. I beg to reply.

*(Question put and agreed to)*

*(Debate on main Motion resumed)*

**Hon. Anthony Karanja:** Hon. Speaker, I want to tell the Members that if you want respect, if you want dignity, Lydia Mathia must go. For the people of this city to have faith in us, for the people of this city to believe in us again as they use to, Lydia Mathia must go.

Hon. Speaker on 23<sup>rd</sup> of June, 2025 at 16.50 there is a report at the OB of Parklands police station by one Chege Mwaura that he received death threats from one Geoffrey Kagombe, a known accomplice of Lydia Mathia, I have the OB with me and am not sure why he is afraid to say it I think it is best he says it. This has forced me to recall my security which for a very long time I thought I don't need. Hon. Speaker it is not a laughing matter and it is not a joke. We promised out people a city of order, dignity and opportunity. I want to believe that Governor Sakaja is not in any of these because what Mathia is doing doesn't not provide order using goons other than City Inspectorate mandated to do that. This does not bring dignity when we throw Members of this city who have been in this House from 1978 like engineer Naftali Kabugu who was a staff of this County, employed in 1968. He entered in that House in 1978 and retired in 2002.

Hon. Speaker that does not bring dignity when Brian Mugesu has to go for his DJ duties at Ranalo foods coming from the street because he has nowhere to stay yet he has paid. I want to urge this House that irrespective of offers you have been given we owe it to this city, ourselves future generations...

**Hon. Speaker:** Kindly Minority Leader are you trying to insinuate that there are offers which has been given to Members? Kindly withdraw.

**Hon. Anthony Karanja:** I withdraw that there are offers but we have just heard a confession from our one of our Member that there is an offer that he refused. If there is any offer to anybody on this matter kindly think of people of Nairobi, think of the families, think of the lady you saw on television, think of Brian, think of Sam and the many people who now are homeless and have nowhere to go. Most of them retired. Hon. Speaker I want to rest my case and urge this House to let Lydia Mathia go.

**Hon. Speaker:** Hon. Mbatia

**Hon. Robert Mbatia:** Thank you Mr. Speaker. From the onset let me say that I really appreciate the mood of fellow Members that has spoken, the Leadership on this particular issue also let me indicate that I represent Kariobangi South, Uhuru ward which has Kariobangi South mansionettes, Kariobangi South flats, part of Buruburu flats, Uhuru estate phase 2, Uhuru Phase 1, part of Jericho estate N block and part of Jerusalem M block.

On this issue of houses, I want to bring the Members to speed because not very many Members have county houses in their areas. These houses were built as social houses to take care of those people that were of different living standards and as we grew up those that were not able to pay rent were never evicted but were relocated to other affordable estates.

The estate officers were social workers and that is why in the 1970s and 1980s there were very few slums but when we came to the council much later as slums were growing the council started making decisions that were not very favorable. By then still they were better as mover the indicated that the previous regimes never evicted in such manner.

So these were social houses and they were able to address the issue of housing; so it is a role of the County government to provide housing and affordable housing in that respect. The way this issue was taken up, number one, we have migrated from several payment system and these payments systems normally and, you're a witness to that, there has been a problem of reconciliation.

We have severally requested the Executive, especially the housing department, to reconcile the figures; we have sent the residents in those county houses to come and reconcile the figures because of migration from one payment system to the other.

There most recent, Mr. Speaker, as being indicated there was that waiver and government operate in perpetuity. When we disregard what Governor Sonko and previous government passed and gazetted what are we telling the residents? What are we telling Nairobians is that tomorrow the next government would disregard all the laws that we have passed here. So Hon. Speaker, there was a waiver, a gazetted waiver, and people waited for that. If these evictions were genuine then the people would have been informed and be told that they must clear the waivers.

**Hon. Robert Mbatia:** Another issue, Hon. Speaker, is that most of Nairobi is having the affordable housing and the urban renewal program. These county estates are where most of that is to be done. So there has been some engagement between the residents and the tenants and the county on how it will be done on matters of relocation and all that. So how do you expect a tenant in the house to pay rent when you are telling them you are planning to relocate them and also give them some rent for about two years so that you can bring up the affordable housing and then bring them back into those areas? How do we expect those people to be paying regularly when they are being told that they will be given rent by the county to go and rent elsewhere?

Therefore, Hon. Speaker, if we were very genuine in collecting revenue, we would have informed them by sending them the normal notices. And after that, Hon. Speaker, give them time, enough time that would be allowable even by our financial year and all that, considering all factors, to make sure that we collect the revenue. But this is an eviction that was thought up overnight, and the evictions were done the next day.

Hon. Speaker, another thing I know is the chair Budget is here. One of the biggest challenges the chair Budget and the Budget committee will confess is the huge wage bill that this county has. It is evident that our wage bill is at around Kshs. 18 billion, Hon. Speaker.

At Kshs. 18 billion, yet our exchequer releases about Kshs. 20 billion, we only have Kshs. 2 billion, Hon. Speaker. Then on this wage bill, most of the people we pay in this huge wage bill

are enforcement officers. But in this case, Hon. Speaker, this named officer went and contracted casuals; let me use a polite name at this point.

She contracted casuals to do the evictions, yet we have eviction officers that we are paying, that we are incurring all that, Hon. Speaker. We are collecting the revenue through these evictions, and then immediately we are again pouring it back to these casuals, Mr. Speaker. These casuals, Mr. Speaker, as I want to conclude, these casuals were never going to the houses that had arrears.

They came with motorbikes, and Hon. Speaker, they got into any house that was locked, Hon. Speaker. They carried everything in those estates that they went from Woodley down to Kariobangi South to Huruma, Hon. Speaker. They carried the wares, not in those county lorries, but on their motorbikes, and went with them home.

Therefore, Mr. Speaker, the casuals were goons. And as the Majority Whip has indicated, what are we showing the residents of Nairobi, Hon. Speaker? Another thing, Hon. Speaker, is the issue of when these people were coming to reconcile the figures here. We know very well that there is always a downtime with the system here. Someone queues for three to four days without the payment services, yet back home, like that lady that was on air, she indicated that she was told that already evictions were being done, Hon. Speaker.

Therefore, Hon. Speaker, we must take consideration of all that we have. If we were very genuine, we must take very genuine reasons, and this is not a witch hunt; this is not malice, Hon. Speaker, but this is an officer who has, I don't know from whose direction or from herself, decided to be wrong, Hon. Speaker.

Hon. Speaker, it is true, and Mheshimiwa Kimemia can confess, that we almost had an altercation in her office, Hon. Speaker. When I told her that the issue of evictions was very emotive and it was a matter of life and death in those estates, Hon. Speaker, she was almost ejecting me out of that.

It is only that Hon. Kimemia is cool; he managed to be cooler and taller than both of us, and he managed to cool us down, Hon. Speaker. So, Hon. Speaker, I support this Motion, and I want to ask this Hon. House to take this action and let it bite. Thank you, Hon. Speaker, I support it.

*(Applause)*

**Hon. Speaker:** I can see a request from Mohamed Asli. Is he in the house, or is someone else using that card?

**Hon. Anthony Kimemia:** I think my microphone is on; maybe I was given the wrong card. My name is Anthony Kimemia, and I represent Harambee Ward.

**Hon. Speaker:** Hon. Kimemia, I have not given you the floor. I have not even seen your request. Kindly be seated, Hon. Kimemia.

**Hon. Anthony Kimemia:** No, it is the card that I am answering to; I could have been given a wrong card.

**Hon. Speaker:** The one for Asli? Yes.

**Hon. Anthony Kimemia:** Yeah, maybe.

**Hon. Speaker:** Okay, kindly proceed.

**Hon. Anthony Kimemia:** Yeah, well, I'm sorry; maybe I was given the wrong card, Mr. Speaker. Well, my name is Anthony Kimemia, I represent Harambe Ward, and in that ward we have several estates that are under the county. I have Jericho, Harambe Estate, and partly I have Buruburu Flats.

Therefore, Mr. Speaker, I want to speak and zero in only on the question of an issue of being unfit to hold office, and I have several reasons why I feel that Lydia Mathia is unfit to hold that office.

One, when they were coming to evict people, at one time they found me on the ground. I was there, and I tried to talk to them about a particular house that has two sickly ladies, and I tried to convince them that because the brother was here in town queuing to pay for the rent and to clear the arrears.

I told them to wait for the amount to be paid and not to take the things from the house. They went ahead; they told me they cannot do anything, they have been guided from above, and they cannot agree with me that the things from that house, and there are a few things TV, table, and chair because this is a poor family. They went ahead and threw the items in the lorry without having anything or anybody writing down what had been taken from that house, and that is why I want to say she is unfit because her people do not even have an inventory to show which thing was taken from which house.

Therefore, I feel that she should leave office for that take alone. And after the house, the rent was paid, I tried to convince them and ask them, please, now that the house has been paid and I have shown you the receipts, let the things be removed from the lorry. They refused.

They told me, no, we cannot take things from the lorry, and it was in the same place, at the site where they had removed those items, and they went with those items. Up to today, we have never gotten those items. You can see the amount of indiscipline and the amount of lack of respect for members of the county assembly.

I want to speak about the signing of the authority of the letters of allotment. Mr. Speaker, we have served with you as a councillor, and you remember we had a committee that used to be the one that was in charge of engaging the tenants where there were rent issues, where there were disputes about who owns what, and we had a committee that would bring the issue out, and it would be deliberated, and we would come out with a strong resolution as to how that house has to go.

That committee, I do not know whether it still exists in the executive, so I want to say they are unfit to hold office because they lack such a committee, which can help them to know and guide them on how they can engage people in terms of rent, arrears, and all that stuff. So they should have that committee.

And again, Mr. Speaker, I want to speak on the issue of enforcement. They cannot tell us that there is a tenant who has not paid his or her rent for 10 years, not even a shilling. I want to understand, for 10 years, where have they been? Where has enforcement been for those 10 years?

*Applause*

Therefore, it is partly their fault that some of these tenants still have these huge rents. And as my senior, Mr. Mbatia, has spoken, some of the reasons as to why the rents are up to this magnitude are because, one, of the waiver, and two, of the various systems that have been failing, from the NMS system, and during Sonko's time there was an issue. Even up to now, there are issues with the system that are still ongoing.

Therefore, members of the public, it is not upon them to go and take the receipts to the county to show they have paid. It is incumbent upon the county to go through their records and to see which and what house has not paid rent. So, Mr. Speaker, that is a failure upon the chief officer and his people.

Therefore, I want to follow and continue and carry on with the mantra that Lydia must go. So another issue is the issue of dignity. The lady who spoke there is from my ward. They came, they entered into her house that was locked, and she was busy in the city county trying to see whether she could raise the money and pay.

Actually, she had the 50 percent to pay. Because when we went to Lydia's office together with Mbatia, we gave her all the reasons, as Mr. Mbatia has put them down, that these are the reasons as to why you should not evict people from their houses. You also mentioned the issues of dignity.

Therefore, Mr. Speaker, I want to say Lydia must go because she failed the people of this Nairobi, particularly Harambee ward and Harambee estate, because now their rights seem to have been violated. So, saying that they cannot pay, let me conclude by saying this.

Article 10, which my senior majority whip has spoken about, lists several values and principles. Article 28 on human dignity and Article 43 on economic and social rights directly operationalize the principle outlined in Article 10 and Article 2, Article 10 (2)(b). For example, Article 27 ensures that everyone is treated equally regardless of their status, while Article 43 provides for the right to housing and other things such as health and freedom from hunger.

**Hon. Speaker:** Time out.

**Hon. Antony Kimemia:** So, Mr. Speaker, as I conclude, I urge this House to stand firm and ensure that the respect of this House is upheld in the county executive, because we are the people that have been elected by the people. We are here to represent them, and we have a duty to ensure that we connect the people, the electorates, and the executive to bring them together. That is our responsibility: oversight and representation. So, I conclude by saying I agree with the mantra that Lydia must go.

*(Applause)*

**Hon. Speaker:** Thank you, Hon. Patrick. Just for information, Hon. Patrick, and let me inform the House about it. Hon. Members, on this Motion I had taken you through the guidelines and requirements of our Standing Order. This Motion is going to be dispensed within a period of three sittings. So whoever is calling out a mover to reply, be informed. Hon. Patrick!



**Hon. Patrick Macharia:** Thank you, Mr. Speaker. We are much guided. Mr. Speaker, in the Abrahams Maslow, down there we start with the psychological needs, and one of the psychological needs is food, clothing, and shelter. And with the issue of shelter, which is housing, today we are discussing a Chief Officer for housing.

When he touches people's shelters, he really disrupts a human being. Mr. Speaker, I represent the people of Maringo, Hamza, Bahati, and Jerusalem, where we have county houses. Actually, two-thirds of my ward are county houses.

Mr. Speaker, I want to tell you a history of these county houses. Mr. Speaker, before Kilimani was there, before Westlands was there, before Upper Hill was there, most of the Members sitting in this House, some of their ancestors, lived in these county houses. Because, like in my ward, we have a stage called Kwa Odinga, where Raila Odinga in Jerusalem was living, and even his ancestor was living.

That is where some of the ancestors of these leaders, powerful leaders, come from. Mr. Speaker, the former, the late president, the third president of Kenya, Mwai Kibaki, was an MP for Bahati.

Mr. Speaker, these ancestors have renowned people like Patrick Lumumba. It clearly shows you that most of the leaders who come, who are wrapped in Kenya, most of them come from these estates. Mr. Speaker, I want to inform you that because you do not go to these Chief Officers' offices, you summon them into your office. I myself ceased a long time ago to go to Lydia Maita's office, which was a darling office to me when her predecessor, Madame Marion Rono, was in that office. I used to go there. I was a dear person to that office, me and my people together.

Even when an Acting Chief Officer called Njonyo was acting in this office, Mr. Speaker, I want to assure you that I was a darling MCA in that office. But ever since this Madame took this office, Mr. Speaker, I have never stepped in that office. Why? Because this office is very unfriendly.

Only one day I went there to represent my people, which is enshrined in the constitution, and I was not even given an honorable feeling, Mr. Speaker. So, Mr. Speaker, let me say this: in this county estates, we have the urban renewal development. One day, I told Madame Lydia, it is good that you come to the estate; you do some public participation the way your predecessors did.

Madam Lydia, she said, *wapende wasipende hizo nyumba lazima tutazitengeneza*. Mr. Speaker, this madam does not even recommend any public participation the way it is enshrined in the constitution. She just wants to do things her own way.

Mr. Speaker, let me tell you that on the 25th of November, I did a public participation. I alone wrote letters to Madam Lydia to come and help me at the ground to sensitize people about the MOUs that are being given by the county, only for her to tell me that, *wewe enda* that thing cannot happen. I even asked her, kindly give me one of your officers to come down with me.

Mr. Speaker, this lady refused to give me an officer to assist me on that. So, Mr. Speaker, not only about the issue of eviction, but even in the issue of urban renewal housing, she just wants to do it her own way. So, Mr. Speaker, I want to support this Motion. It is overdue that this Madam Lydia shall be out of office and not hold any public office, Mr. Speaker. Our people are suffering;



the people of Maringo, Hamza, and Bahati are suffering. Mr. Speaker, most of the people living in these county houses are elderly people, Mr. Speaker. So, kindly, I want to support that Lydia must go. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Waithera, then Hon. Alai, then Hon. DNG. So, I will give you an opportunity, Hon. Members. We are here until midnight. Kindly proceed.

**Hon. Waithera Chege:** Thank you, Mr. Speaker. Mr. Speaker, I want to pick the path less traveled. And Mr. Speaker, I stand up to oppose this Motion because of the reasons that I will give you.

Mr. Speaker, allow me to take you back to the journey to confirm why we are where we are today. The County Government Act, Section 45, speaks about the appointment of Chief Officers. Chief officers, by law, are appointed by the Governor and approved by the same county assembly.

Mr. Speaker, the second question we must ask ourselves is where does this Chief Officer's responsibility start? And I'll still take you to the law. The same Article 45, subsection 3, states "*a county chief officer shall*, and those who know the law know that 'shall' is mandatory, *be responsible to the respective CEC*".

I want to take you through the journey that there are two people who are responsible in this matter and that this assembly is trading the gun on the wrong person. And as long as we are looking for solutions to these problems, Mr. Speaker, then I will tell you the reasons why we are being treated to drama and shenanigans on the floor of this House.

Number one, there is an issue of misrepresentation of facts, Mr. Speaker. I had my name mentioned on the floor of this House and the mention of Mariakani Estate. It is this same assembly that passed the transfer of debt swap of Mariakani Estate.

**Hon. Speaker:** Hon., is there a point of order from the leader of the minority?

### *Point of order*

**Hon. Waithera Chege:** It is within his right; let him make his point of order.

**Hon. Speaker:** Under which Standing Order, Hon. Minority Leader?

**Hon. Anthony Karanja:** Hon. Speaker, Standing Order 345, she cannot say that we are doing shenanigans. That is disrespectful. Read it.

*(Loud Consultations)*

**Hon. Speaker:** Hon. Member, you are out of order. Kindly get your Standing Orders correct.

**Hon. Waithera Chege:** Thank you. Thank you, Mr. Speaker, for protecting me. I was saying, Mr. Speaker, it is on the floor of this same assembly where the transfer of Mariakani Estate happened in the first assembly, Mr. Speaker. I came in in the second assembly. So by mentioning

Nairobi South Mariakani on this floor of this House, that is where the Chief Officer did these atrocities. You are not only misrepresenting facts, but you are speaking lies.

Number two, Mr. Speaker, the voice that you just had here, I wonder whether it was vetted or not. With this time of AI (artificial intelligence), Mr. Speaker, we cannot confirm that that is the sound of one Lydia Mathia. Mr. Speaker, allow me to take you back to the constitution of Kenya.

**Hon. Speaker:** Hon. Member, you need to give the Hon. Waithera Chege an opportunity to talk.

*(Loud Consultations)*

**Hon. Waithera Chege:** And we have a right to oppose and support this Motion. I am on the floor to oppose.

**Hon. Speaker:** Kindly proceed.

**Hon. Waithera Chege:** The fourth reason, Mr. Speaker, is that the constitution of Kenya 2010, Article 179, sub-article six, says that the chief executive officer is the Governor and the Deputy Governor. The appointment of the Chief Officer, remember, is done by the Governor. So, which now takes us, Mr. Speaker, to Article 31 of the County Government Act, which gives the power to the Governor. At Article section 31, subsection 31-b says, "*The governor shall*"—and I still take you back to the word "shall"—"*shall have such powers as may be necessary for the execution of duties and responsibilities given to these officers.*"

And the reason why, Mr. Speaker, I'm saying that we are pointing the gun at the wrong person is because I believe, and it is my opinion, that this Motion here is proudly sponsored by the Governor of Nairobi. We are only being treated to this drama because this assembly has failed to take the bull by its horns. And if we are to do that, I challenge this assembly to bring the impeachment of Governor Sakaja to the floor of this House.

**Hon. Speaker:** Thank you. Hon. DNG, please kindly proceed.

*(Loud Consultation)*

**Hon. Davidson Ngibuini:** Thank you, Hon. Speaker.

*(Loud Consultation)*

**Hon. Speaker:** Order, order, Hon. Members, order.

**Hon. Davidson Ngibuini:** Hon. Speaker, may I continue?

**Hon. Speaker:** Kindly proceed. Hon. Speaker. Hon. DNG, Member for Woodley, is on the floor. Please give him the opportunity.

**Hon. Davidson Ngibuini:** Hon. Speaker, I rise in support of this Motion, and I stand to safeguard the rights of the residents of Woodley and the entire Nairobi City County estates who have lost their houses and demand them back.

Hon. Speaker, the Chief Officer for housing has erred in many ways, and this has been done so in the execution of her duties. Firstly, Hon. Speaker, the Chief Officer has committed atrocities against the people of Woodley by recruiting, deploying, authorizing, and facilitating goons during evictions in Nairobi County.

Hon. Speaker, these evictions occurred in Woodley Estate on Friday the 16th and Monday the 19th of May 2025, and they were carried out in violation of the procedures set out in the Nairobi City County Evictions, Resettlement, and Demolition Act and the Rent Restriction Act CAP 296 that require the issuance of clear written notices, access to legal dispute resolution mechanisms, and the protection of household goods.

**Hon. Speaker:** Order, Hon. Member. A member has noticed you are going through a speech. Is that correct?

**Hon. Davidson Ngibuini:** Maybe I can look at him so that he can appreciate what I am saying. Hon. Speaker, no household goods...

**Hon. Speaker:** Kindly proceed.

**Hon. Davidson Ngibuini:** No household goods were protected. In this exercise...

**Hon. Speaker:** But you are not supposed to read.

**Hon. Davidson Ngibuini:** And during the said evictions, Hon. Speaker, the Chief Officer for housing ensured that these goons used unwarranted force. They went on a rampage. They stole and looted everything from TVs to fridges to kitchen utensils to gas cylinders.

In one case, Hon. Speaker, they even found a lady sleeping in her bed. A lady who is sickly and is recovering at home. That is a level of vulnerability that this exercise has hounded on our people.

And Hon. Speaker, a lot of these cases have been reported to the Kibra police station, and to date our people are in fear of their personal safety and property. And Hon. Speaker, we would also like to mention that the Chief Officer for housing supervised the Kibra sub-county administrator, ward administrator, and sub-county commander. I even tried to call for an appeal and for assistance from the OCS of the Kibra police station to repel and intervene and ensure that these goons have been thwarted.

But Hon. Speaker, nothing was done, which shows that there was an ulterior motive in this matter and there was something sinister at play. And Hon. Speaker, we have laws, county and national government laws, that govern these eviction procedures, and these laws are not optional. Neither are the laws a suggestion.

And I say that the Chief Officer for housing should be personally held liable for the theft of property worth millions of shillings under her watch. The Chief Officer for housing, Hon. Speaker, has continued to evict these tenants.

**Hon. Speaker:** Hon. Alai, the Speaker does not have any vote. The vote is with the Members. They cannot do that. They are just concerned. Kindly proceed, and you are almost timed out.

*Loud Consultations*

**Hon. Davidson Ngibuini:** Thank you so much. Hon. Speaker, I hope I have your attention. It is important for this House to note that the Chief Officer for housing and the Nairobi City County government evicted tenants 'despite being served with a court injunction. Woodley Estate residents have an injunctive court order dated the 4th of June 2025, stopping the Nairobi County government from conducting any further evictions.

This is a Court Order tabled by Hon. Chege Mwaura today, so I will not speak to it much. But Hon. Speaker, it is important for this House to note that there is utter disregard for the assembly of Nairobi. There is utter disregard, and this Chief Officer has literally just spat in the faces of Nairobians seeking justice because the most recent eviction in Woodley took place just hours after I raised the request for a Statement on this assembly and Hon. Chege Mwaura tabled the notice of Motion to censure the said Chief Officer.

It is blatant abuse of office, contempt of court, and impunity of the highest order.

**Hon. Speaker:** Hon. Member, your lights are almost out.

**Hon. Davidson Ngibuini:** Yes, I am halfway there, Hon. Speaker. Bear with me, please. Bear with me. Hon. Speaker, it is also important to note that one of our tenants has given me evidence that they were willing to pay a sum of Khs. 4 million actually Kshs. 4.2 million, as arrears because they had a court case with Nairobi County, and if this issue was about revenue collection intervention, then the Chief Officer could have quickly accepted the tenant to...

**Hon. Speaker:** Yes, Hon. Oyugi.

*(Hon. Kennedy Oyugi spoke off record)*

**Hon. Davidson Ngibuini:** It is there in the annexes. You can read the annexes, Mweshimiwa.

*(Hon. Kennedy Oyugi spoke off record)*

**Hon. Davidson Ngibuini:** Whose statement? I am the one on the floor. Hon. Speaker, please give the House guidance. Hon. Speaker, may I be protected as I'm prosecuting my case?

### ***Point of order***

**Hon. Kennedy Oyugi:** Mr. Speaker, I am on a point of order on statements of facts.

**Hon. Speaker:** What is it, Hon. Oyugi?

**Hon. Kennedy Oyugi:** Mr. Speaker, the Hon. Waithera Chege stated here very clearly that the Motion before us that we are debating is proudly sponsored by none other than Governor Sakaja. Is it true that we are debating a Motion sponsored by Governor Sakaja, yet we know that it is Hon. Chege Mwaura who has sponsored the Motion? So I want to implore you, Mr. Speaker, to compel the Hon. Member either to withdraw or substantiate.

**Hon. Speaker:** Which Member, Hon.?

**Hon. Kennedy Oyugi:** The Hon. Waithera Chege was here saying that the Motion is proudly sponsored by Governor Sakaja.

**Hon. Speaker:** Hon. Oyugi, that is now water under the bridge.

**Hon. Kennedy Oyugi:** But Mr. Speaker, it is in the HANSARD that the Governor Sakaja has sponsored the Motion.

**Hon. Speaker:** The Hon. Member made her contribution.

**Hon. Kennedy Oyugi:** If the Member is not here, you can order to expand that statement from the HANSARD.

**Hon. Speaker:** Hon. Oyugi, you cannot direct the chair on what to do. Be seated. Kindly be informed, you cannot direct the chair. Hon. DNG, kindly close your debate.

**Hon. Davidson Ngibuini:** Yes, it is important for Members to be alert so that if there is an interjection, they interject with this person who has made the error, and the misguided fact is on the floor. Hon. Speakers, I conclude. What I am saying is that we have tenants who are willing to pay money.

I have a report from a tenant from Woodley named Peter Ngatia, who was willing to pay Kshs. 4.2 million. But if indeed this was about revenue collection, then the Chief Officer would have collected that money to go ahead and pay things like the Ward Development Fund and other things that we need this money for.

Hon. Speaker, as I conclude, it is important that we say that this is not only a message to the Chief Officer for housing but also a message to His Excellency the Governor.

Because the Governor is the head of the county executive, we say today to the Governor of Nairobi to put his house in order and to demand that officers follow the law, that they must not bend the law, and that they must not break that law. And it is time for us in Nairobi County to stand up for the people of Nairobi. Thank you.

**Hon. Robert Alai:** Thank you, Hon. Speaker. Hon. Speaker, I stand to proudly oppose this Motion, which I think is brought with a lot of ill will. It is very unfair to the lady.

I do not know the lady, just to declare to this House. If she walked into this House today, I would not know who she is. And it is very unfair to treat the permanent staff, especially the junior ones, the way we are seeing the leadership of this Assembly has ganged up to treat her.

Hon. Speaker, this Motion is full of vendetta because the main allegations here and from day one when the notice was given out, Hon. Speaker, the notice turned out to be a mini-debate with the minority leader contributing to the Motion that was just being laid, a notice that was just given, and the minority leader was already debating the Motion on the floor of this House.

Yesterday, when we were supposed to discuss WDF, the leadership decided this to be almost half of the time they were discussing this issue. So with those, I suspected malice.

Hon. Speaker, what I believe is happening here is that the Assembly is being denied powers...

### *Point of Order*

**Hon. Speaker:** Hon. Majority Leader, your point of order, under which Standing Order?

**Hon. Peter Imwatok:** Hon. Speaker, on the statements of fact, the Hon. Member Alai should be keen when seniors are speaking. Be very keen.

Hon. Speaker, statements of facts: it is wrong for Alai, the Hon. Member for Kileleshwa, to insinuate that a Kamkunji of elected leaders discussed this motion. I am aware of the precedent set in this parliament. Therefore, Hon. Alai, you will not bring leadership into this. The issue at hand: you support it, or you reject it.

*(Hon. Robert Alai spoke off record)*

Don't be intimidated Alai, you are too tall to be intimidated.

**Hon. Speaker:** Kindly, Hon. Alai.

**Hon. Robert Alai:** Thank you, Hon. Speaker. Hon. Speaker, I submit to this House that this Motion is full of vendetta because everybody here says that everyone presenting the allegations claims that Lydia Mathai is rude and arrogant, and we do not know why, and we do not know what they call arrogance or rudeness.

**Hon. Speaker:** Hon. Alai, you remember you have just confirmed that you do not know the lady.

*Applause*

**Hon. Robert Alai:** Exactly.

**Hon. Speaker:** So, for some reason, the Members who are saying so have in one way interacted with her.

**Hon. Robert Alai:** Hon. Speaker, I ask the House to protect me.

**Hon. Speaker:** You are protected.

**Hon. Robert Alai:** Hon. Speaker, I submit that the judgment...

*Point of Order*

**Hon. Speaker:** Point of Order declined.

**Hon. Robert Alai:** Well, the personal judgment being given out by mostly the part of the leadership in this House cannot constitute evidence to remove somebody from office or to move a censure motion.

I believe that even the evidence provided here is hot air, and I submit that it's hot hair...

**Hon. Speaker:** Order, Hon Robert Alai. You can't dismiss material facts from a hon member of this House as hot air. Kindly withdraw and apologize. Hon Robert Alai, you don't have any evidence to counter the material facts provided by the mover.

**Hon. Robert Alai:** Hon. Speaker, I asked the House not to rig the debate. Hon Speaker, I will speak...

*(Loud consultations)*



**Hon. Speaker:** Order, Hon Members. Give a Member an opportunity to proceed. Hon Robert Alai, kindly proceed.

**Hon. Robert Alai:** Hon Speaker, I think that it is very unfair to this House for us to come here with evidence that is lacking. There is a very clear procedure for submitting electronic evidence in this country, and I don't think that any of the evidence submitted here met any threshold of the evidence worth submitting to this House. You know this House has its powers, it is very unfair...

**Hon. Speaker:** Yes, Hon Minority Leader Anthony Kiragu

**Hon. Anthony Karanja:** Mr. Speaker, on point of Order 954. Hon Speaker, I think it is wrong to allow the Member to continue imputing ill motive against Members of this House. Unless he wants to come up with his Motion and tell us that there were no evictions, that there were no goons used, unless he is blind, he has not seen the evidence that has been tabled here...

*(Hon. Robert Alai spoke off record)*

**Hon. Speaker:** Hon Robert Alai, the Member is on the floor, please

**Hon. Anthony Karanja:** Hon Speaker, I think you need to stop him based on Standing Order 954. He cannot continue alleging and imputing motive on Members.

**Hon. Speaker:** Honorable Members in my earlier communication, I indicated that the Motion and the censure Motion before this assembly is properly before the assembly. Hon Members the Speaker of this Assembly cannot approve a censure Motion on without proper guidance under the constitution and any statutes, and our Standing Orders as provided for. For that reason, Hon Robert Alai you are misleading the Assembly.

**Hon. Robert Alai:** Hon. Speaker I beg to submit although I see the debate in the House has decided on what they want to do with the Motion but I beg to submit that the evidence which I have seen with my own eyes - I also have the rights to make my own judgment - I don't believe that the evidence submitted here meets the threshold to remove somebody from office or to censure her.

Hon. Speaker, the electronic evidence which has been played there - when you are submitting evidence which is electronic - you need to have an expert verification of it. What is submitted there, for me who has never spoken to Lydia Mathia, I think it is only fair that an electronic voice expert tells us whether that is the voice of Lydia or not. The mover of the Motion went as far as quoting himself; he presented a video where he was the only source, the only one speaking in that video. I don't know when somebody would quote himself.

*(Loud consultations)*

**Hon. Speaker:** Hon Robert Alai, a Member, is on the floor. Yes, Hon Moses Ogeto.

**Hon. Moses Ogeto:** Hon Speaker, I don't know on statement of facts Hon Robert Mbatia has stood here, he swore by the constitution and the bible before this House under Article 1 of the Constitution that he shall do the representation of the people. He has given evidence and analogy



in this House. Hon Davidson Ngibuini has given the same. Those are the facts. This Member swore to protect.

*(Hon. Robert Alai spoke off record)*

**Hon. Speaker:** You can't have a counterpoint of order, Hon Robert Alai.

**Hon. Moses Ogeto:** I want to teach my colleague, my junior from Kileleshwa that there are some people there who have been evicted.

*(Applause)*

This Member for Kileleshwa thinks this is Twitter. Hon Speaker, this is not Twitter; here it is about debating, there are people who have been evicted...

*(Applause)*

And we can say, Hon Speaker, we can include 'Alai to go'. Those people have been evicted from their houses.

*(Loud consultations)*

**Hon. Speaker:** Hon Robert Alai, please proceed and conclude

*(A Member spoke off record)*

**Hon. Speaker:** Let him conclude. I have directed the Member on the floor to conclude as I give you the mic.

**Hon. Robert Alai:** Hon. Speaker, I beg you to protect me from Dagoreti's emotions

**Hon. Speaker:** Hon Robert Alai, you are protected

*(Laughter)*

**Hon. Speaker:** Hon. Robert Alai, proceed and conclude.

**Hon. Robert Alai:** Hon Speaker, I beg you to protect me from Dagoreti emotions...

**Hon. Speaker:** Order, Hon Members, as much as you may disagree with Robert Alai, Member of Kileleshwa, give him an audience. Hon Robert Alai, kindly proceed and conclude.

*(Loud consultations)*

**Hon. Robert Alai:** Hon Speaker, my time has been consumed by others who are calling points of order which are not points of order, that is not a point of order, that is somebody debating. A point of order is, is it in order? That's how a point of order starts.

**Hon. Speaker:** Kindly Proceed

**Hon Robert Alai:** I present to you to this house that Hon Lydia Mathia is being removed from office for other reasons, but not that because she didn't perform the duties as required by law or that she went and did something illegal. In this House, we have stood up and said that the

enforcement officers lack uniforms. Are we not sure that those people we are calling goons with plain clothes are enforcement officers? We have to be fair to this lady, if today we have honorable wananchi public in the gallery. If just because I don't know their names I call them goons, will it be fair to anybody? I don't think it will be fair to call people who are carrying out duties as seconded by officers from this County and tell them that they are goons. There are goons from where? Where is the evidence they are goons? I think it is very unfair what we are doing to this House and if the top leadership of the House decides to make this House a kangaroo court where they decide on who to harm and nobody to oppose...

*(Loud consultations)*

**Hon. Speaker:** Hon Robert Alai

**Hon. Robert Alai:** Hon Speaker, I submit that it is illegal.

**Hon. Speaker:** Hon Robert Alai, please.

*(Hon. Peter Imwatok spoke off record)*

**Hon. Speaker:** Please, Hon. Peter Imwatok I am on the floor. Hon Robert Alai, kindly, you need to choose your words properly. You can't make...

*(Hon. Robert Alai spoke off record)*

Hon. Robert Alai, don't engage the chair. In your contribution, you are supposed to oppose the Motion with material facts, but Hon Robert Alai, you should not make reference to...

*(Loud consultations)*

Order Hon Robert Alai. Hon. Geoffrey Majiwa, let me give you an opportunity as a senior member of this Assembly and former mayor of the city of Nairobi.

**Hon. Geoffrey Majiwa:** Thank you Speaker. I am going to be as brief as possible. I must start by registering my disappointment in the manner in which you have displayed biasness in this Motion because when the mover brought...

**Hon. Speaker:** Order, Hon Geoffrey Majiwa

**Hon. Geoffrey Majiwa:** I withdraw, Mr. Speaker.

**Hon Speaker:** Order Hon. Majiwa. You can't direct guns to the Speaker. Hon Majiwa please, you withdraw and apologize. Thank you. Proceed.

**Hon. Geoffrey Majiwa:** Hon. Speaker, when the mover tabled notice of Motion, he was directed that he should provide documentary evidence, which he worked round the clock and provided as directed by the House. I have just seen that a Member has decided to punch holes on the evidence that has been brought...

**Hon. Speaker:** Hon Member, first of all, are you for the Motion or you are against it?

**Hon. Geoffrey Majiwa:** I am for the Motion.

*(Applause)*

**Hon. Speaker:** You are for the Motion?

**Hon. Geoffrey Majiwa:** Hon Speaker, the documentary evidence that has been provided in this House can only be challenged by scientific proof or a counter set of a similar document. You can't do it that verbally by just saying that they are not correct. Hon. Speaker, I have a senior Member has just rose on her feet but unfortunately doing so deliberately and then jumped out of the House.

Hon. Speaker, by just saying that we have to exchange the sponsor of this Motion...

*Point of order*

**Hon. Speaker.** Point of order declined. Proceed Hon. Geoffrey Majiwa.

**Hon. Geoffrey Majiwa:** Mr. Speaker, thank you for protecting me. In PFM Act Section 148 provides that the Chief Officer is the accounting officer; therefore, one cannot come here and purport that the responsibility of a Chief Officer is transferred to a Governor when there are accounting officers. Accounting officer means taking full responsibility, therefore you cannot transfer those responsibilities to the Governor when they have backfired on you. It is unfortunate that a senior Member has brought that to the House and walked out. Thank you.

*(Applause)*

**Hon. Speaker.** Thank you. Hon Ochieng Jera

**Hon. Samson Ooko:** Thank you Hon. Speaker, with all due respect, allow me to rise to oppose this Motion, and the reason why I oppose this Motion is very little. Any leader, any human being, deserves the right to be heard.

Hon. Speaker in this situation, it is like you are lynching somebody who has no opportunity to be heard. My fear, Hon Speaker, is that this particular person, whom I don't know, works under somebody called the Governor. The leadership should have made an effort to sit down with the Governor to discuss the conduct of this particular person before they come here.

Then, the report from that meeting would have guided us into removing this person or she being placed elsewhere.

**Hon. Speaker:** Hon Ochieng Jera...

**Hon. Samson Ooko:** Let me finish, Mr. Speaker.

**Hon. Speaker:** Hon Ochieng Jera, you can't engage the chair.

**Hon. Samson Ooko:** Okay, Sorry

**Hon. Speaker:** Hon Ochieng Jera, let me refresh your mind a bit, and I had indicated earlier that the Motion is properly before the assembly, so you can't question the credibility and the provisions of the constitution without making point of reference

*(Point of information)*

**Hon. Speaker:** Whom do you want to inform? It is not proper, kindly be seated. Hon Ochieng Jera, please proceed.

**Hon. Samson Ooko:** Again with all due respect, I am not accusing the House or the leadership, mine was just an advice. Because my fear is one, same people will one day come up with a Motion to impeach the Speaker or the Governor. The Speaker will not have been given a time or a chance to be heard or the Governor to be heard. This is my fear.

**Hon. Speaker:** Hon member, let me guide you. The right of anyone to be heard is provided for in the constitution, but it is only provided for in the case of impeachment, not the censure Motion. This is a censure motion, Hon Ochieng Jera. For that reason, there is no provision in law to allow the said officer to be heard. That had already been done throughout the committee sessions, and now we are at the plenary. Kindly proceed.

**Hon. Samson Ooko:** I will not engage you further because you are my boss, I have aired my reservations, I have told you what I think should be done for the county to have that harmony.

*(Loud consultations)*

Hon Speaker, looking at how things are running up and down, it should tell you that something is happening. Something is cooking somewhere, thank you.

**Hon. Speaker:** Thank you, Hon. Ochieng Jera, this being your first time I will just leave you to go scot free with it; otherwise, I would have provoked Standing Order 75 on the rights to be heard so that you get to be a bit factual. Go through your Standing Order 75 as we transact the business. Hon Members, you will now allow me to call the mover of this motion to reply.

*(Applause)*

**Hon. Chege Mwaura:** Mr. Speaker, please allow Mr. Alai to hear when you are playing Champions League.

*(Applause)*

Mr. Speaker, in your office, I had promised him that when he sees myself and Hon Ogeto on one side, he should understand that that is Champions League, and I had given Hon. Oyugi to him so that the debate is at least balanced, but...

*(Applause)*

But as he is coming back, Mr. Speaker...

*(Applause)*

Mr. Speaker, Hon. Oyugi had requested that I allow some tough people to be on the other side and others on the other side so that new Members can understand how these debates are done.

Mr. Speaker, I want to thank Members for their contribution and your patience. I know so many people have not been able to get a chance to speak, but it is important materially that we mention that Hon. Waithera, as she did not want to support Mariakani, it cannot be our problem. If she is quoting Article 31 of the County Government Act and Mr. Speaker, we have been in this

game for a while. Article 31 talks about the powers of a Governor. If she intends to bring a Motion against the Governor, we will be here waiting for it with the merits. If she convinces the House we will vote or not vote against it. If she is quoting Article 179, Mr. Speaker, Article 179 is the one that gives the county executive committees the executive authority and how its vested and how they report to the Governor. We are not talking about the Governor or the Deputy Governor. The day you will bring the Governor here come with your facts and we will be able to look at it.

Mr. Speaker Hon. Robert Alai said that we are intimidating junior officers. A Chief Officer is not a junior office, he actually vetted in this House and, Mr. Speaker, he is an equivalent of a PS in the national government. In fact, all these allocations that have been done have been signed by none other than that Chief Officer and so when you are told we are playing AI games and there are people here who have been sleeping outside may be Kileleshwa doesn't have county estates but for us that is our *Ocha* that is our house, that is the people who feel very motive about it. So when you say that there are goons or whatever these people will tell you the people who went there.

I have been challenged on the electronic evidence. There is no evidence that I brought that was not air on a national television. In fact, the one that is quoting myself was on KTN and maybe Mr. Speaker to put fairly is that in your annexures, in the last page if you scan it will give you on your phone all the evidence that you produce and you can be able to peruse it further and see if there is any challenge.

Finally, to my good brother the Hon. Ochieng Jera, there is a procedure of removing the Governor, the Deputy Governor, the Chief Officer, the Speaker, the CEC Members.

For purposes of a Chief Officer, it will also go to the Public County Service Board and it is at that Board that she will have her chance and her day to present her case and so, Mr. Speaker, I want to thank members because of taking this time out and listening this Motion. The Hon Peter Imwatok leader of Majority had mentioned an OB number.

Mr. Speaker we called that occupational hazard. Part of our work involves threats and that is why I did not mention it because it doesn't hurt to threaten us. It is just that as Hon. Mark Mugambi tells you all the time we might not be having dents but for sure just know we are not cowards. So they can bring it on but when it come to the people we represent that is where we draw the line. If you come for the people who gave me the power to stand here, that is where we draw the line.

*(Applause)*

If it means we die, we will die defending our people. If it means, we lose our seats we will lose those seats defending our people. If it means to remove a rogue Chief Officer who has arrogated herself the power of the pen we will show her where the power of the pen resides, Mr Speaker, and so with that, I want to move and I beg that this House accepts the Motion overwhelmingly that the Madam Lydia Mathia moves out of the county as per prescription of the Motion. I beg to reply Mr. Speaker.

*(Question put and agreed)*

*(Applause)*

### STATEMENT

**Hon. Speaker:** Unser Standing Order 43(2) in the sequence of business we had bypassed request for statement by Hon. Ochieng Jera which was actually properly before the assembly. For that reason, before we move to Order Number 9, I give the Member Samson Ooko to give a statement of request. Kindly Hon. Ochieng Jera kindly proceed.

Meanwhile Hon. Chege Mwaura get prepared to move the motion Number 9 and Number 10; this is on the committee on the Public Account, the report of select committees. I hope you are ready Hon. Chege Mwaura. Kindly Ochieng Jera Proceed.

**Hon. Samson Ooko:** Thank you, Hon Speaker pursuant to Standing Order 47

*(Loud consultations)*

**Hon. Speaker:** Honorable Members, the Member is on the floor, please.

*(Several Members walked out of the chamber)*

Kindly proceed. Your question is directed to the Chair of?

**Hon. Samson Ooko:** Labor Committee

**Hon. Speaker:** Hon Members! Kindly proceed.

Kindly proceed.

### REQUEST FOR STATEMENT REGARDING

#### THE COUNTY EXECUTIVE OFFICER HOLDING MORE THAN ONE POSITION

**Hon. Samson Ooko:** Pursuant to standing Order Number 47 (2c) I wish to request a statements from the chairperson of the sectoral committee on Labor and Social Welfare regarding the county executive officer holding more than one position.

Hon. Speaker, Article 41(1) of the Constitution of Kenya 2010 provides for the rights of every person to fair labor practices, Section 59 of the County Government Act 2021 provides for the function and powers of the County Public Service Board which includes promotion of the values and principles referred to in section 10 and 232 of the Constitution 2010.

In the county public service values and principles include equity, social justice, inclusiveness, equity, integrity, transparency and accountability among others.

Hon. Speaker, Article 77 of the Constitution 2010 provides that full time state officer shall not participate in other gainful employment. Section 45(1) of the County Government Act 2012 outlines the process of appointing Chief Officer, requiring the Governor to nominate a qualified individual from the competitive pool recommended by the County Public Service Board and to subsequently appoint them with the approval of the county assembly.

Hon. Speaker, it is alleged that there are some officers at the executive who hold more than one position. In particular, it is alleged that the Chief Officer for urban development and planning



holds a position as a director for urban planning at the county executive. This is contrary to the provision of article 10 (7)(7) and 232 of the constitution of Kenya and the Leadership and Integrity act 2012.

Hon. Speaker, in the statement the Chairperson should inquire into and report on;

1. Number of officers holding more than one position at the county executive except those in acting capacity.
2. Whether the Chief Officer for urban development is the director for urban planning.
3. Whether Chief Officer for urban planning draws salary as a Chief Officer and as a director.
4. The appointment of the Chief Officer for urban planning as the director for urban planning.
5. Previous positions held by above mentioned officer and the procedure that was followed during the appointment.
6. Whether the above mentioned officer is holding two positions and whether the officer benefits from the two positions and if so provide the documents and specifically a copy of a signed minute of the Board meeting approving the officer and the measures that the County Public Service Board is taking to ensure that officers do not substantially serve in more than one position at the same time.

Thank you, Hon Speaker.

**Hon. Speaker:** Thank you honorable Member. Chair, Labor committee, kindly take responsibility and give undertaking.

**Hon. Allan Maina:** I will request for only two weeks.

**Hon. Speaker:** Hon. Ochieng Jera, is that okay?

**Hon. Samson Ooko:** Yes

### ADJOURNMENT

**Hon. Speaker:** Hon Members we still have Motion number 9 and 10. By leave of chair I direct that, given that the mover of the said Motion is not within the plenary, Motion number 9 and 10 be deferred and redirected to the House Business committee for consideration and for that reason, honorable Members, this brings us to end of the business for today and the Assembly stands adjourned. I direct the House Business committee to have a sitting at the rise of the Assembly. Thank you.

**The house rose at 6.50 p.m.**