



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fourth Session

Thursday 26th June 2025

The House met at 2.30 p.m.

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

PRAYER

Hon. Speaker: Hon. Members, you may be seated. Clerk, let us proceed.

PAPERS

REPORT ON PUBLIC PARTICIPATION ON NAIROBI CITY COUNTY BUDGET ESTIMATES FOR FY 2025/2026

Hon. Wilfred Odalo: Thank you, Honorable Speaker. Pursuant to Standing Order 196, I beg to lay the following Paper on the Table of this Assembly, today, Thursday 26th June 2024:

The 28th Report of the Select Committee on County Finance, Budget and Appropriations on Public Participation on the Nairobi City County Budget Estimates for the financial year 2025/2026.

(The Paper was laid on the Table)

Hon. Speaker: Thank you. The report is now directed to the House Business Committee for allocation of business.

REPORT ON PUBLIC PARTICIPATION ON NAIROBI CITY COUNTY FISCAL STRATEGY PAPER FOR FY 2025/2026

Hon. Wilfred Odalo: Thank you, Hon Speaker. Pursuant to Standing Order 196, I beg to lay the following Paper on the Table of this Assembly, today, Thursday 26th June 2024:

The 26th Report of the Select Committee on County Finance, Budget and Appropriations on Public Participation on the Nairobi City County Fiscal Strategy Paper for the financial year 2025/2026.

(The Paper was laid on the Table)

REPORT ON CONSIDERATION OF REVENUE AND
EXPENDITURE ESTIMATES FOR NAIROBI CITY COUNTY
GOVERNMENT AND COUNTY ASSEMBLY FOR FY 2025/2026

Hon. Speaker: Chair, proceed.

Hon. Wilfred Odalo: Thank you. Hon Speaker, pursuant to Standing Order 196, I beg to lay the following Paper on the Table of this Assembly, today, Thursday 26th June 2024:

The 27th Report on the Select Committee on County Finance, Budget and Appropriations on consideration of Revenue and Expenditure Estimates for the Nairobi City County Government and the County Assembly for the financial year 2025/2026.

(The Paper was laid on the Table)

REPORT ON SUPPLEMENTARY II EXPENDITURE AND
REVENUE ESTIMATES FOR FY 2025/2026 FOR NAIROBI
CITY COUNTY GOVERNMENT AND COUNTY ASSEMBLY

Lastly, Hon Speaker, pursuant to Standing Order 196, I beg to lay the following Paper on the Table of this Assembly, today, Thursday 26th June 2024:

The 29th Report of the Select Committee on County Finance, Budget and Appropriations on the Supplementary II Expenditure and Revenue Estimates for the Financial Year 2024/2025 for the Nairobi City County Government and the Nairobi City County Assembly.

(The Paper was laid on the Table)

Hon. Speaker: Clerk, proceed.

NOTICES OF MOTION

ADOPTION OF REPORT ON SUPPLEMENTARY II EXPENDITURE
AND REVENUE ESTIMATES FOR FY 2025/2026 FOR NAIROBI
CITY COUNTY GOVERNMENT AND COUNTY ASSEMBLY

Hon. Wilfred Odalo: Hon Speaker, I beg to give notice of the following Motion:

THAT, this Assembly adopts the 29th Report of the Select Committee on Finance, Budget and Appropriations on the Supplementary II Expenditure and Revenue Estimates for the financial year 2024/2025 for the Nairobi City County Government and the Nairobi City County Assembly, laid on the Table of the Assembly on 26th June 2025.

The second one, Honorable Speaker...

Hon. Speaker: Chair, have you already given your notice of Motion?

Hon. Wilfred Odalo: On one document, Sir

Hon. Speaker: Kindly as you proceed, the notice of Motion is directed to the Committee on House Business for slotting.

ADOPTION OF REPORT ON CONSIDERATION OF REVENUE AND
EXPENDITURE ESTIMATES FOR NAIROBI CITY COUNTY
GOVERNMENT AND COUNTY ASSEMBLY FOR FY 2025/2026

Hon. Wilfred Odalo: Hon Speaker, I beg to give notice of the following Motion:

THAT, this Assembly adopts the 27th Report of the Select Committee on Finance, Budget and Appropriations on consideration of Revenue and the Expenditure Estimates for the Nairobi City County Government and the County Assembly for Financial Year 2025/2026, laid on the Table the Assembly on 26th June 2025.

Hon. Speaker: Thank you. The same is committed to the House Business Committee for consideration. But again, Hon. members, if you may notice, and I was keen enough, the Chair laid the Paper on the 27th Report of the Select Committee, read out as Tuesday 25th. But knowingly, today is on Thursday 26th. So, that should actually go on Hansard as a correction. The same applies to the 28th Report of the Select Committee, which was read out as Tuesday 25th. That should also be corrected as Thursday 26th. Thank you. Clerk!

STATEMENTS

REQUEST FOR STATEMENT REGARDING THE PROCESS
OF ISSUING FOOD HANDLER CERTIFICATES

Hon. Speaker: Hon Moses Ogeto?

Hon. Moses Ogeto: Thank you, Hon Speaker. Protect me from the Leader of the Majority. He is saying that I am just a conveyor belt.

Hon Speaker, I wish to request for a Statement from the Chairperson of the Sectoral Committee on Health Services regarding the process of issuing Food Handler certificates within the County.

Hon Speaker, according to Paragraph II of the Fourth Schedule to the Constitution of the Republic of Kenya, 2010, county governments are mandated to oversee county health services, which include licensing and regulations of the food-related enterprises and serve the public.

It has come to my attention, Hon Speaker, that the County Executive has engaged certain private entities to carry out the issuance of Food Handler certificates on behalf of the County Government of Nairobi. However, concerns have been raised regarding the transparency and the legality of the engagement, including the absence of a clear procedure framework and regulatory oversight.

Hon Speaker, the County Executive has contracted some private companies to issue food handler certificates to traders on behalf of the County Government, and allegedly without following the laid down procedures and without proper structures put in place.

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

1. A comprehensive list of the private firms engaged by the County Executive to issue Food Handler certificates, including full disclosure of their ownership and structures;
2. Clarification on whether the said contracts were competitively advertised and the timelines of their award, and the specific terms and conditions contained therein;
3. Whether the companies operate under a formal and contractual arrangement with the County Government, if any;
4. Submit regular reports or weekly reports of the relevant County offices; and
5. Whether there exists a form of policy and framework outlining the criteria and the procedure by which the private companies may be permitted to issue Food Handler certificates on behalf of the County Government. and the revenue related therein.

Thank you, Hon Speaker.

Hon. Speaker: Thank you. The request is directed to the Health Committee. Chairman?

Hon. Maurice Onyango: Thank you, Speaker. We request for three weeks.

Hon. Speaker: Hon Majority Whip?

Hon. Moses Ogeto: Hon Speaker, I remember the Chair for Health one time said that they can work at a supersonic speed and provide the reports within one week. Now, what changed that he is saying three weeks? I would wish he takes two weeks, if he may consider, because it is a matter of health and urgency. If you remember, the Committee went to a supermarket. That was among the issues which were raised.

Hon. Speaker: Thank you. Hon. Chair, Health, the Chair has directed that you consider the request of the Member of two weeks. You may be seated. Hon. Redson Onyango?

REQUEST FOR STATEMENT REGARDING SAFETY AND COMPLIANCE STATUS OF RIVA AND OTOGAS PETROL STATIONS

Hon. Redson Onyango: Thank you, Hon Speaker. Pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectorial Committee on Roads, Transport and Public Works regarding the safety and compliance status of Riva and Otogas petrol stations operating without designated entry and exit point within Ngara and Lower Savannah wards respectively.

Hon. Speaker, Section 92 of the Petroleum Act, 2019 provides that all petroleum infrastructure must meet the safety, technical, and operational standards set by the Energy Petroleum Regulatory Authority (EPRA). Additionally, Part V of the Kenyan Roads Act, 2007, which regulates access to classified roads, requires entry and exit design for development adjoining such roads.

Hon. Speaker, the two petrol stations lack properly defined entry and exit lanes, thereby compromising road safety, impeding traffic flow, and violating both national and County Laws that regulate the establishment and operations of petroleum retail outlets.

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

1. Detailed report clarifying whether the two petrol stations were approved in accordance with Section 92 of the Petroleum Act, 2019, which mandates that all petroleum infrastructure must meet the safety, technical, and operational standards set by the Energy and Petroleum Regulatory Authority;
2. Measures the County Executive has put in place to ensure the said petrol stations comply with the County Urban Planning and Road Safety Policy; and
3. Provide a timeline and corrective action plan to ensure that all petrol stations operating in Nairobi County install clearly marked and functioning entry and exit points in line with national safety standards.

Hon. Speaker: Thank you, Hon Redson Onyango. The Chair of the sector, Hon Oyugi in the House?

Hon. Kennedy Oyugi: I am in the House.

Hon Speaker: Okay, kindly proceed and make a commitment and undertaking.

Hon. Kennedy Oyugi: Thank you, Mr. Speaker...

Hon. Speaker: I am Sorry. This one is for Hon Geoffrey Majiwa. The Chairperson, Roads? Vice Chair? Any active member of the Transport Committee? Are you a Member? Kindly act on his behalf.

Hon. Mark Mugambi: Thank you, Hon. Speaker. This is the second session that I am standing as a Member of Transport Committee to commit on a Statement raised by a fellow Hon. Member. As a leadership, we emphasize on the importance of Chairpersons or leaders of committees to always be present. Therefore, I call upon my counterpart and the Majority Leader that we should do something about this Roads and Transport Committee.

(Applause)

Hon. Speaker: Hon. Minority Whip, don't remind me of your inaction to respect the Standing Orders which requires you to reorganize committees.

(Applause)

Hon. Mark Mugambi: Thank you.

Hon. Speaker: Up to date, I don't know whether the Whips were...

Hon. Mark Mugambi: Hon. Speaker, two weeks.

Hon. Speaker: Because you see now for some reason...

Hon. Mark Mugambi: Thank you, Hon. Speaker. Two weeks.

Hon. Speaker: Thank you, let us proceed. Hon. Odhiambo Majiwa. It is okay, two weeks is reasonable.

REQUEST FOR STATEMENT REGARDING DRILLING OF BOREHOLE AND
INSTALLATION OF ELEVATED WATER TANK BY PUMPTech SOLUTIONS
LIMITED ON BEHALF OF NAIROBI WATER AND SEWERAGE COMPANY

Hon. Geophrey Majiwa: Thank you, Hon. Speaker. Pursuant to Standing Order No. 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the drilling of borehole and installation of an elevated water tank by a company called PumpTech Solutions Limited on behalf of Nairobi City Water and Sewerage Company on designated public wayleave and riparian land within Kariobangi Mosque in Babadogo Ward.

Hon. Speaker, the drilling of the said borehole is taking place on a land that has been demarcated as utility wayleave, which is legally preserved for public infrastructure such as water pipelines, sewer lines and drainage system, and other utilities or other utility services. Moreover, the site in question lies within a riparian reserve adjacent to a river, an area where the government had previously carried out evictions for facilitation of the ongoing Nairobi River rehabilitation projects.

Hon. Speaker, no public participation was conducted prior to the drilling of the borehole contrary to the provisions of the Water Act, 2016, which requires community involvement in water resource planning and development.

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

1. Detailed report confirming whether the borehole drilling project has adhered to the provisions of Section 36 of the Water Act 2016, which requires a service provider to obtain the approvals of the Water Resource Authority before abstracting groundwater;
2. Whether the necessary approvals have been issued to construct a borehole on riparian land;
3. Report on whether the land in question is officially gazetted as a way leave or public utility space, and if so, whether due process was followed to allow the drilling of the borehole in such land;
4. Provide any documentary evidence of public participation in consultation with area residents and stakeholders; and
5. Provide details on the impact of the borehole on nearby underground infrastructure, flooding, risks, and structural safety of adjacent development.

Thank you.

Hon. Speaker: The Hon Chair?

Hon. Kennedy Oyugi: I have misplaced my card, so I am using the card of Hon. Njeri. Mr. Speaker, I will go by the tradition of the House; two weeks would be sufficient.

Hon. Speaker: Thank you. Let us proceed. Yes, Hon. Fiunifiu?

Hon. Kamau Fiunifiu: Thank you, Hon Speaker. I rise to register my disappointment with the Chairperson of Transport Committee and the Transport Committee as a whole. Hon. Speaker,

last year, around the month of May 2024, I requested for a Statement from that committee, and to this day, it has never been responded to.

Hon. Speaker, most of the Chairmen we have here don't understand when you tell them to report back in two weeks. I really need your intervention on that matter. I have every intention to bring a motion here to discuss the conduct of the Chairman and, by extension, members of that Committee.

Hon. Speaker: Senior Member, take the bullet on behalf of the Committee, the Chair and the entire Committee Membership.

Hon. Mark Mugambi: Thank you, Hon Speaker. I sympathize with the Hon. Member for Karura. However, our Vice Chair for Roads and Transport has just walked in. Allow me to take or give him the opportunity to respond to matters of his Committee. Thank you, Chair.

Hon. Speaker: We have the Vice Chair, Hon. Lawi, in the Assembly.

Hon. Lawrence Odhiambo: Thank you, Hon. Speaker. I just wanted to know which Statement you are talking about?

Hon. Speaker: The Member had requested for a Statement one year down the line and he is not sure whether it has been considered by the Committee or what stage the report is.

Hon. Lawrence Odhiambo: Hon. Speaker, it has not been brought to my attention, but since we are going for a recess next week, we request for two weeks.

Hon. Speaker: This is a report which has taken more than one year. Now you are confirming to the House that you can manage to bring the...

Hon. Lawrence Odhiambo: Hon. Speaker, let me request for only one week so that we will give the report.

Hon. Speaker: Thank you, kindly follow up with the secretariat.

Hon. Lawrence Odhiambo: Thank you, my senior, your problem will be sorted out.

REQUEST FOR STATEMENT REGARDING GARBAGE COLLECTION IN LINDI WARD

Hon. Speaker: Hon. Samson, you have a request for Statement. Are you ready? Kindly proceed.

Hon. Samson Ooko: Thank you, Hon. Speaker. Pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of Sectoral Committee on Environment and Natural Resources regarding the cleaning and garbage collection within the County, especially in Lindi Ward.

Hon. Speaker, Article 42 of the Constitution, 2010 provides for the right of every person to a clean and healthy environment, which includes the right to have an environment protected for the benefit of the present and the future generation through legislative and other measures. Further, Article 43 (1) provides for the right of every person to the highest attainable standards of health.

Hon. Speaker, the people of Lindi Ward are undergoing both environmental and health challenges due to un-collected garbage. The poor waste management has led to water and air

pollution, disease outbreaks, and habitat destruction. Hon. Speaker, my effort to address the matter with the responsible authorities at the ward and sub-county levels has not born any fruits, despite having a garbage truck working within the Kibra Sub-County.

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

1. Criteria used by the County Executive in collection and dumping of garbage across all wards within the County;
2. Persons responsible for garbage collections within Kibra Sub-County; and
3. Measures the County Executive is taking to ensure prompt cleaning and garbage collections in Lindi Ward for residents to have clean and healthy environment.

Thank you, Hon Speaker.

Hon. Speaker: Chair, Environment Committee, Hon Matara? The Vice Chair, Environment Committee? Hon Mugo, kindly proceed.

Hon. Cyrus Mubea: Thank you, Hon. Speaker, give us two weeks.

Hon. Speaker: Thank you. Hon. Kiogora Eric.

REQUEST FOR STATEMENT REGARDING IRREGULARITY IN SEWER INSTALLATION IN NDWARU LINK ROAD SEWER PROJECT IN RIRUTA WARD

Hon. Erick Murigu: Thank you, Mr. Speaker, for this opportunity. Pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of Sectoral Committee on Environment and Natural Resources regarding irregularities in sewer installations in Nairobi County, and specifically in Ndwaru Link Road, sewer project in Riruta Ward.

Hon. Speaker, the sewer line construction project currently undergoing along Ndwaru Link Road in Riruta Ward, which is being implemented by the Nairobi City Water and Sewerage Company, seeks to address an essential public health concern by improving sanitation infrastructure. However, its implementation on the ground has raised serious concern over noncompliance with legal standards, poor workmanship, and labour rights violations.

Hon. Speaker, the following specific concerns have been reported.

1. Violation of transparency and accountability standards – The contractor failed to erect a project information board on site, contrary to provisions of the Public Procurement and Asset Disposal Act, 2015, and the principle of transparency and public participation as outlined in Article 10 of the Constitution of Kenya.
2. Use of substandard material – Materials being used on site, particularly pipes and construction aggregates, reportedly fall below the standard required under Section 68 of the Public Procurement and the Asset Disposal Act, which mandates suppliers to deliver goods and services that meet contract specifications...

(Hon. Anthony Karanja spoke off the record)

Hon. Speaker: Hon. Majority Leader, please. It is just for the consumption of the electorates.

Hon. Erick Murigu: Thank you, Mr. Speaker, for protecting me.

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3. Neglect of road safety and public order – The work has disrupted traffic flow along the Ndwaru Link Road without any data signage, marshals or traffic control mechanisms in the breach of Section 10 and 11 of the Traffic Act, thereby endangering motorists and pedestrians.
4. Failure to restore damage in public infrastructure – Mr. Speaker, excavation works have left parts of the road and storm water drains damaged and unattended, contravening Article 42 of the Constitution which guarantees every person the right to a clean and healthy environment.
5. Nonpayment of local casual workers – A number of local youth and casual workers hired during the project have not received their wages, contrary to Article 41 of the Constitution which protects the rights to fair labour practices, and the Employment Act 2007 which requires timely and full payment of wages.

Hon. Speaker, such issues not only affect the wellbeing of residents but also reflect poorly on public service delivery and contractor accountability.

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

1. The current status and scope of project, including the expected completion timeline;
2. Whether the contractor is adhering to quality and safety standards as per the project agreement;
3. Action the Nairobi City Water and Sewerage Company is taking to restore the damage load---

Point of Order

Hon. Speaker: Under which Standing Order is your Point of Order?

Hon. Moses Ogeto: (*Off the record*) ...the Standing Order is very clear, that unless authorized by the Speaker, no Member should broadcast. I believe we are connected on YouTube, and he can get whatever he wants from there.

Hon. Speaker: Hon. Whip, you need to revisit your Standing Order. Under the Fourth Schedule, we have general form of Public Petition. May be you are applying the wrong Standing Order. Again, Hon. Member, I do not think that what Hon. Ochieng Jeera is doing will amount to publication. To some extent, it promotes...

(Hon. Peter Imwatok spoke off the record)

Hon. Moses Ogeto: Fourth schedule section four

Hon. Speaker: Thank you, Leader of Majority. The Second Schedule. I hope the video will not be used for a different purpose other than the consumption of the Hon Member, and limited to him alone.

Hon. Peter Imwatok: We do not wish to reprimand any Member on this because everyone wants to be seen doing their representation role. Maybe, Hon. Speaker, you could direct, now that we have the digital system, the Hansard Department to cut statements of Members and sending to

them clearer videos, just like the National Assembly and the Senate, at the rise of the House. We will be very grateful if you direct the same.

(Applause)

Hon. Speaker: That is very possible, Hon. Majority Leader, By the leave of the Chair, that request is granted. Kindly proceed and conclude.

Hon. Eric Murigu: Thank you, Mr. Speaker. It is very important for the leadership to note that the system is not working, and the microphones at the back are not working. That is why we improvise.

Hon. Speaker: Kindly proceed, Hon. Member.

Hon. Eric Murigu: Thank you, Mr. Speaker, I was just letting them know.

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

1. The current status and scope of project, including the expected completion timeline;
2. Whether the contractor is adhering to quality and safety standards as per the project agreement;
3. Action the Nairobi City Water and Sewerage Company is taking to restore the damaged road drainage system and other public amenities;
4. Reason for the delay or failure to pay local workers, and measures being taken to resolve the matter; and
5. Any enforcement action or sanctions that maybe pursued against the contractor for non-compliance.

Thank you, Mr. Speaker.

Hon. Speaker: Chair, Environment Committee?

Hon. Silas Matara: Thank you, Hon. Speaker. Two weeks will be adequate.

Hon. Speaker: Thank you. Clerk, let us proceed. What is the issue

Hon. Eric Murigu: Mr. Speaker, the Chairman has just entered the House and is not even aware of the matter that we have been discussing. I am requesting that the Vice Chair takes over the matter. Again, the reason why I am requesting the Vice Chair to take over the matter is because he is my neighbor.

Hon. Speaker: Order, Hon. Kiogora! The Chair, Environment Committee was online.

Hon. Eric Murigu: I can assure you he was not online, Hon. Speaker, we can check. Please, for due diligence, let the Vice Chair take over the matter because he is my neighbor and the Minority Leader is aware.

Hon. Speaker: Hon. Kiogora, don't reduce this House to neighborhoods.

(Laughter)

Hon. Silas Matara: Hon. Speaker, it is important for the Member to note that it is not in his province to guide the Speaker. Secondly, it is important that if he has evidence that I had not attended this session online, he should table the evidence before the House. Another point...

Hon. Speaker: We are through Hon. Chair; you have given a commitment to respond to the concern of the Hon. Member in two weeks which is very much okay. Kindly, let us proceed.

Point of Clarification

Hon. Member, what clarification do you need from the Chair? Proceed.

Hon. Kennedy Oyugi: Thank you, Mr. Speaker. When I got the Statement from Hon. Kiogora, he was concerned about the sewer in his area of representation and casual payment by Nairobi Water. As far as I am concerned, matters to do with Nairobi Water is under the Water Committee and yet you have referred the Statement to The Environment Committee Thank you, Mr. Speaker.

Hon. Speaker: The technical team under the office of the Clerk had placed this under the Select Committee of Environment and Natural Resources. We will give advice tomorrow whether it is properly or not properly placed before the Committee

Hon. Kennedy Oyugi: I will await the communication

Hon. Speaker: Thank you.

Hon. Peter Imwatok: Hon. Speaker, allow me to raise a concern on the Statements raised before this House. The rate at which Statements are coming is encouraging, but I am scared whether the same responses are coming in line with the statements. This is a challenge to the chairs not to just mention two weeks or three, but that it should go in line with what you have committed before this House.

Hon. Speaker, there is a time you made a communication that if a chairperson had failed to achieve a response within that particular time committed before the Mace and your wig, then they are supposed to report back to the Assembly and ask for an extension of time. It is becoming a choir. There is no precedence in responding to a Statement; you ask and are responded to as per the timelines said. I don't see officers from the Executive coming to respond to Statements in the committee sittings. We take time reading our Statements but they are not being responded to. May the chairpersons pull up their socks and realize that responses are properties of the House and must come.

PROCEDURAL MOTION

RESOLUTION TO SIT ON FRIDAY
27TH JUNE 2025 AT 9:30 A.M. AND 2:30 P.M.

Hon. Peter Imwatok: THAT, pursuant to the provision of Standing Order 33 (3) (c), this Assembly resolves to sit on Friday 27th June 2025 at 9:30 a.m. and 2:30 p.m.

Hon. Speaker, as you are aware, this Assembly will be proceeding for a short recess of two weeks from 4th of July. There is a constitutional threshold of tabling Supplementary Estimates and the pronouncement of the Budget. At the same time, the Controller of Budget has written stringent requirements of us as a County Government on the provision of enabling facts that can help us realize the potential of collecting not less than Kshs.18 billion as our own source revenue.

Hon. Speaker, as the Leader of this House, I am aware that the County Government has so far raised Kshs.13.6 billion, a shortfall of the previous anticipated collection of Kshs.20 billion. Therefore, for us to realize a proper budget, we need to have other Acts and Bills that will enable the County Government realize the collection of revenue. One of it is Regularization Bill that allows Nairobians to regularize their approvals and documents in terms of procurement of lands. We have a tight deadline between tomorrow and the end of the financial year, which will be on Monday. Therefore, I seek the indulgence of this House that we have a sitting tomorrow at 9:30 a.m. and at 2: 30 p.m. to see if we can push and achieve these targets before 30th of this month.

I beg to ask my counterpart, Hon. Bishop to second the Motion.

Hon. Anthony Karanja: Thank you, Hon. Speaker. I beg to second. I understand the gravity and urgency of the extension. I beg to second

(Question proposed)

Hon. Speaker: Hon. Members! Hashim Kamau.

Hon. Hashim Kamau: Thank you, Speaker. As explained by the Leader of Majority and the notice of motion given by Chair, Budget Committee, I support.

Hon. Speaker: Hon. Ogeto.

Hon. Moses Ogeto: Hon. Speaker, I want to thank Leader of Majority for bringing this Motion before this House because of various reasons which he has committed before this House. Even today the President signed the budget for financial year 2025/2026 and the Division of Revenue Bill on how the county governments will get their equitable shares.

By Constitutionalism of this matter, it is prudent this House sits tomorrow so that we don't get out of the timeline. Now that the National Assembly and the Senate have finished their work, it is upon the County Government of Nairobi to finish theirs. I beg to support.

Hon. Speaker: Hon. Mark Mugambi.

Hon. Mark Mugambi: Thank you, Hon. Speaker. I also wish to support the Motion, and as I do so, I would like to ask Members to pray and remember our former colleague, Hon. Guyo, who has been impeached a while ago.

(Loud consultations)

Yes, he has been impeached by 16 out of 18 MCAs.

Hon. Speaker: Hon. Member, kindly concentrate on the Motion.

Hon. Mark Mugambi: Okay. Hon. Speaker, I wish to support the Motion on extension and allow this Assembly to sit tomorrow. I wish to remind Hon. Members that I shall be taking headcount on who will be available. I beg that we have a physical sitting to see who will avail themselves tomorrow...

(Hon. Anthony Karanja spoke off the record)

Hon. Speaker: That is the role of the Whip, so, there is no amount of threats.

Hon. Mark Mugambi: Hon. Speaker, I understand his issues...

Hon. Speaker: Kindly don't engage the Member.

Hon. Mark Mugambi: He was not anticipating his friend would be impeached.

Hon. Speaker: Hon. Fiunifiu.

Hon. Kamau Fiunifiu: Thank you so much. I rise to support this Motion and to also challenge the Whip. When you see these seats not occupied, it is because you are doing your job.

Hon. Speaker, I support this Motion that we sit tomorrow to deliberate on the budget. I would want the Member for Umoja I Ward to withdraw that statement because he is broadcasting unverifiable information. Hon. Speaker, I need your attention. Thank you for the opportunity.

Hon. Speaker: Hon. Mwangi, did you press your mic?

Hon. Deonysias Mwangi: Hon. Speaker, I rise to support the Motion.

Hon. Speaker: Thank you. May I now call the mover of the Motion to reply.

Hon. Peter Imwatok: I thank you, Hon. Members. If indeed what Hon. Mugambi has said about the impeachment, it is not a celebratory thing to do, because Hon. Guyo served this House where I am sitting.

(Applause)

If you allow me, Hon. Speaker, it a sad moment if indeed our leader has been impeached, because what goes around comes around. We should pray for him because he is the first MCA to assent to a gubernatorial seat, an opening to some of us who are becoming soon.

(Applause)

My prayer goes out to him, and the entire Assembly is behind him. We are going to give him our moral support as the Assembly of his origin where he natured his political career, and we will do much we can to support our then leader.

Thank you, Hon. Members for supporting this Motion. Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Hon. Members, before I put the question, maybe on the issue raised by the Minority Whip on headcount tomorrow, I hope it amounts to the tradition of the House. So, that is scripted and it brings some breath of life.

(Question put and agreed to)

MOTIONS

ADOPTION OF REPORT ON CONSIDERATION OF REPORT OF AUDITOR GENERAL ON FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY EXECUTIVE FOR FY 2018/2019, 2019/2020 & 2020/2021

Hon. Speaker: I got a request from the Chair, Public Accounts Committee that Hon. Wachira will be stepping him for him. Is that correct? Are you ready? Kindly proceed.

Hon. Paul Kariuki: I beg to move the following motion.

THAT, this Assembly adopts the Report of Select Committee on Public Accounts on consideration of the Reports of the Auditor General on Financial Statements of the Nairobi City

County Executive for the financial years 2018/2019, 2019/2020 and 2020/2021, laid on the Table of the Assembly on Wednesday 30th April 2025.

Hon. Speaker, the mandate of PAC, as provided for under Standing Order 203 (2), is to examine the accounts showing the Appropriation voted by the County Assembly to meet the public expenditure and of such other accounts laid before County Assembly, as the Committee may think fit.

Hon. Speaker, Article 176 of the Constitution of Kenya establishes the County Government comprising of two distinct and independent arms namely: County Assembly and County Executive. The County Assembly is supposed to enjoy both financial operation autonomy. This is to ensure that the Assembly remains independent while exercising oversight of the County Executive Committee and County Government entities. Indeed, Section 148 (4) designate the Clerk of the County Assembly as the Accounting Officer of the Assembly.

Hon. Speaker, this report of Auditor General was committed to the PAC for consideration and reporting, pursuant to Article 229 (8) of the Constitution. After considering the report, the Committee met and interrogated the Clerk of the County Assembly during the period under review and obtained both written submissions and supporting documents.

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

Hon. Speaker, the Committee having considered both the reports of Auditor General on the Financial Statements of Nairobi County Executive for the FY 2018/2019, 2019/2020, 2020/2021 and all responses written by witnesses it has invited, has made various recommendations that require implementation by the CEC Member for Finance and Economic Planning, accounting officers and state agencies. The recommendations are aimed at deterring future misappropriation of public funds.

Hon. Speaker, I urge Members to support this report, and I call upon Hon. Emmy Isalambo to second.

Hon. Emmy Isalambo: Thank you, Hon. Speaker. As a Member of Public Accounts Committee, we had a meeting with relevant officers and interrogated them. We had observations which we factored and came up with recommendations. If Clerk and his office will follow these recommendations, the Assembly will work better in future. Thank you,

(Question proposed)

Hon. Speaker: Hon. Members! My screen is clear, an indication that there is no any Member who would want to... Hon. Moses, you would want to contribute,

Hon. Moses Ogeto: Thank you, Hon. Speaker. We have received this voluminous book, and we have heard the Member who has been delegated to give this statement before the floor of the House. The Committee has done a wonderful work. What has perplexed me is the recommendations they have given out, that special audit be done, meaning they have seen a lot of loopholes in the County Executive. This will take time. I believe that same Committee will be in

a position to also bring the special audit. Next time we expect that you send some to EACC. I beg to support.

Hon. Speaker: Thank you. I now call the mover of the motion to reply.

Hon. Paul Kariuki: Thank you, Hon. Speaker. As I reply, I want to thank the Hon. Whip for the notable comments towards our recommendations, and I want to bring to his attention that the recommendations to EACC is a route that we have tried following before but it gave us problems due to the strict timelines of these reports. So, it is well noted, and as we move towards expediting these processes of interrogation, writing, and adopting these reports, it is a route that we will explore in the future. Thank you, Hon. Speaker.

(Question put and agreed to)

ADOPTION OF REPORT ON CONSIDERATION
OF REPORT OF AUDITOR GENERAL ON PENDING BILLS
FOR COUNTY ASSEMBLY OF NAIROBI FY 2018/2019 - 2019/2020

Hon. Paul Kariuki: Hon. Speaker, I beg to move the following Motion:

THAT, this Assembly adopts the report of the Select Committee on Public Accounts on consideration of the Special Audit Report of the Auditor General on Pending Bills for the County Assembly of Nairobi for the financial years 2018/2019 - 2019/2020, laid on the Table of the Assembly on Wednesday 30th April 2025.

Hon. Speaker, the mandate of PAC, as provided for under Standing Order 203 (2), is to examine the accounts showing the Appropriation voted by the County Assembly to meet the public expenditure and of such other accounts laid before County Assembly, as the Committee may deem fit.

Hon. Speaker, Article 176 of the Constitution of Kenya establishes the County Government comprising of two distinct and independent arms namely: County Assembly and County Executive. The County Assembly is supposed to enjoy both financial operation autonomy. This is to ensure that the Assembly remains independent while exercising oversight of the County Executive Committee and County Government entities. Indeed, Section 148 (4) designates the Clerk of the County Assembly as the Accounting Officer of the Assembly.

Hon. Speaker, this report of Auditor General was committed to the PAC for consideration and reporting, pursuant to Article 229 (8) of the Constitution. After considering the report, the Committee met and interrogated the Clerk of the County Assembly during the period under review and obtained both written submissions and supporting documents.

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

Hon. Speaker, the Committee recommends that the County Assembly adopts the following recommendations by the Auditor General. That: -

1. The County Government should ensure prudent liquidity management, especially of funds that are first charged as per circular of 2019 from the National Treasury;

2. All pending, recurrent, and development bills should be paid first during the year before any new projects are started;
3. The County Government should take stock and obtain a status report for all projects ongoing, stalled, completed and not in use, and completed projects which have not been handed over to ensure ownership. And this should formally be handed over to the County Government;
4. The County Government should comply with all legal enforcement thresholds for wage bills and development spending;
5. The County Government should make expenditure commitments against approved procurement plans based on allocations and allotments from approved budget in accordance with the Public Procurement and Asset Disposal Act and Regulations;
6. The County Government should provide analysis and classify all the pending bills as per the Public Sector Accounting and the Public Sector Accounting and Board (PSASB) prescribed format and further as either recurrent or development in their annexures to the financial statements.
7. The County Government should ensure that all procurement and payments are processed through the Integrated Financial Management Information System (IFMIS);
8. Timely exchequer release by the National Treasury as per the Public Finance Legislative Framework, and according to the cash disbursement schedule approved by the Senate to ensure timely spending as per the approved budget; and
9. A proposal to ring fence the funds meant to settle the pending bills to avoid the uncontrolled discretionary payment to suppliers, to ensure openness, fairness, transparency, and accountability in the payment process, including payment on a fast-in, fast-out basis.

Hon. Speaker, I urge Members to support this report. I call upon Hon. Mubea to second.

Hon. Cyrus Mubea: Mr. Speaker, Sir, I second this report.

(Question proposed)

Hon. Speaker: Hon. Members! Don't forget to carry the reports with you for scrutiny. You have the reports? Hon. Members, the Sergeant-at-Arms will make sure each and every member has a report. Mheshimiwa Heho.

Hon. Carrington Heho: Thank you, Chair for giving me this opportunity. I can tell even from your desk that the sugar levels of these members are going low, so I will be very brief.

Having sat in the Public Accounts Committee, I can say that we have passionately scrutinized these reports from the auditors, which has lessened the privilege of public funds.

Mr. Speaker, again, let me thank you and the House leadership for extending an olive branch through necessitating the need for having proper workshops to scrutinize these reports. I am in support of this Motion. Thank you.

Hon. Speaker: Hon. Members, my screen is clear, an indication that we do not have any requests. Hon. Paul Wachira to reply.

Hon. Paul Kariuki: As I reply, Hon. Speaker, I want to echo your sentiments on the importance of cutting away these reports, because when it comes to issues of the Assembly, those are issues that also concern some of us here. You should know that when you expend, you must be audited. Mr. Speaker, this boils down even to the simple retreats that we go. So, it is important for Members to surrender whatever payments that are made to them. Thank you, Hon. Speaker. I beg to reply.

Hon. Speaker: Thank you. Hon. Members, before I put the question across, I am just concerned as the Chair and the Speaker, that in order for the Committee to realize such a crystallized budget report, they normally must be given an environment to operate. That is the reason we normally take Members of committees for report writing out of the workstation; that is out of Nairobi. But I am saddened that the budget which is about to be read tomorrow, our budget ceiling has been cut down to Kshs.1.5 billion, up from Kshs.1.9 billion. So, I really don't understand how we will operate going forward. I will try to raise this with the Senate Committee. But that is the correct position. If you can go through the shareable revenue for this financial year, that will mean that the budget, which will be passed tomorrow, can only manage to pay salaries. So it is quite sad.

All said and done, Hon. Members, you will now allow me to put the question.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon. Members, that brings us to the end of the business of the day. The Assembly stands adjourned to tomorrow, 27th June 2025 at 9.30 a.m. I direct that at the rise of the Assembly, the House Business committee sits to slot in business for tomorrow. Thank you, Hon. Members.

The House rose at 4.28 p.m.