



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Fourth Session

#### SPECIAL SITTING

Friday 27<sup>th</sup> June 2025

The House met at 9.00 a.m.

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

#### PRAYER

**Hon. Speaker:** Hon. Members, you may be seated. At least we are hybrid; both physical and virtual. For those Members who are online, kindly log in.

#### QUORUM

**Hon. Speaker:** Clerk, kindly confirm whether we have the quorum to transact the business.

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

Hon. Members, it has been confirmed that we have the quorum to allow us to transact the business of the day.

#### PAPER

#### REPORT ON CONSIDERATION OF THE NAIROBI CITY COUNTY REGULARIZATION OF UNAUTHORIZED DEVELOPMENT BILL, 2025

**Hon. Speaker:** The Chair, Planning Committee, please.

**Hon. Alvin Palapala:** Hon. Speaker, pursuant to Standing Order 135, I beg to lay the following Paper on the Table of the Assembly, today, Thursday 27<sup>th</sup> June 2025:

The report of the Sectoral Committee on Lands, Planning, and Housing on consideration of the Nairobi City County Regularization of Unauthorized Development Bill, 2025 (Assembly Bill No. 2 of 2025).

*(The Paper was laid on the Table)*

## STATEMENTS

### REDIRECTING REQUEST FOR STATEMENT REGARDING IRREGULARITY IN SEWER INSTALLATION IN NDWARU LINK ROAD SEWER PROJECT IN RIRUTA WARD TO WATER AND SANITATION COMMITTEE

**Hon. Speaker:** Hon. Members, under Statements, this is on the Speaker's direction. You may recall during yesterday's sitting, the Hon. Eric Kiogora, MCA, sought a Statement in the Assembly, pursuant to Standing Order 47 (2) (c), regarding irregularities in sewer installations in Nairobi County, and specifically in the Ndwaru Link Road Sewer Project in Riruta Ward, which was thereafter committed to the Sectoral Committee on Planning and Housing.

Subsequently, Hon. Members, upon further examination of the same, and following the advice of the office of the Clerk, the Chair notes that the Statement seeks to inquire into matters related to the operations of Nairobi City Water and Sewerage Company Limited, and hence, the matter would be well executed by the Sectoral Committee on Water and Sanitation.

In view of the above, I wish to redirect the undertaking to the Sectoral Committee on Water and Sanitation to inquire and report to the Assembly accordingly. I call upon the Chairperson of the Sectoral Committee on Water and Sanitation to give timelines. It is so directed. Chair of the Water Committee? Vice Chair? An active Member of the Committee? Whip, you are a Member?

**Hon. Moses Ogeto:** Hon. Speaker, some Members are still sleeping, but I have seen some of them online, especially my Chair for Water. I think he must be sleeping. We request for two weeks.

**Hon. Speaker:** Is the Hon. Member who had sought the request in the Assembly? The best friend to Hon. Kiogora, you will pass the message to him. Thank you, DNG.

Hon. Members, I want to refer you to Standing Order 43 (2), on the sequence of business as it appears on the Order Paper. You are ready?

*(Hon. Wilfred Odalo spoke off the record)*

Okay. Clerk, kindly proceed. The Chair is ready.

## MOTIONS

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

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker. I am sorry for being late, I had some issues that are a bit personal.

Mr. Speaker, Sir, I beg to move:

THAT, this Assembly adopts the 27<sup>th</sup> Report of the Select Committee on County Finance, Budget and Appropriations on the Revenue and Expenditure Estimates for the Nairobi City County Government and the County Assembly for financial year 2025/2026.

Mr. Speaker, Sir, barely two years from now, the electorates will be reviewing the scorecards of the current regime to determine whether to extend the term in office or make necessary adjustments to the roll calls of their elected representatives.

The leadership of the Third County Government promised to change the dynamic fortunes that have been occurring in Nairobi since the onset of devolution, questioned by the historic challenges that have been carried over from the previous regime. For the third year running, the new challenges have added to the historic backlog, and the elected representatives and all actors must rise to the occasion to ensure the vision of the current administration of making Nairobi a ‘City of Order, Hope, Dignity, and Opportunity for all’, remains alive.

**Hon. Speaker:** Kindly, Chair, please approach the Chair.

*(Hon. Speaker consulted with Wilfred Odalo)*

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker. Mr. Speaker, the call for good governance has become a contemporary issue in our nation and the Third County Government under the stewardship of His Excellency Johnson Sakaja. It has been making strides to ensure the fulfillment of promises made to the Nairobians who were faced with options during the last general election.

Hon. Speaker, it must be appreciated that the implementation of budgets is not carried out in ideal environments, hence the likelihood that even perfect plans can face deferred of the PFM Act granted by the County Government leg room through the PFM Act, and defined on how to amend approved budgets to align to the prevailing realities – Hon. Members, to be precise, I am moving the Supplementary II Budget Estimates. These are the moving notes.

The Committee has considered the submitted Supplementary II Budget Estimates for financial year 2025/2026. Mr. Speaker, with the highlights of what the administration intends to achieve, it has noted that the preparation of the revised estimate has been occasioned by intendent cash flow from the equitable share and on-source revenue that have made it impossible to fulfill all the projects that were launched.

Hon. Speaker, the Budget Committee has scrutinized the submitted Supplementary II Budget Estimates and is content that, by and large, the allocations as proposed are well intentioned and aligned to cover the anchoring theme of making ‘Nairobi Work.’

Therefore, Mr. Speaker, pursuant to the provision of Section 135 of the Public Finance Management Act, 2012 and Standing Order No. 234, the Select Committee on County Finance, Budget and Appropriations recommends that: This County Assembly adopts the 29<sup>th</sup> Report of the Select Committee on County Finance, Budget and Appropriations on the Supplementary II Budget

Estimates for the Nairobi City County Government and the County Assembly for the financial year 2025/2026

Hon. Speaker, you realize that any government entity must realign the over and below as estimated in the Estimates during the end of every year. This is why the Executive and the County Assembly have aligned to bring to this Assembly the Supplementary II Budget Estimates so that there are proofs to avoid many audit queries that may arise. On that note, Hon. Speaker, may I call my Vice, Hon. Emily Oduor to second the motion?

**Hon. Emily Oduor:** Thank you, Hon. Speaker. I second the Motion. Thank you.

*(Question proposed)*

**Hon. Speaker:** Hon. Mark Mugambi, your microphone is on.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. I stand to support my Chair. I got carried away by the Secretary General of CAF, today he is smartly dressed for the occasion.

I stand to support the Motion. Keeping in mind that we are only three days' shy of the end of this financial year, knowing very well that most of our budget if not reallocated, won't be utilized in the best way possible. Therefore, I believe, through the wisdom of our Chair, Dr. Wilfred Oluoch Odalo, we will have all these projects or other developments that have been deprived of funds from the supplementary budget, factored into the new budget. We are sure that all these projects will be realized in the next year's financial budget calendar.

Hon. Speaker, with that said and done, allow me to commend the Members of the Budget Committee, led by the Chair and our Vice-Chair, Madam Emily, and all the other Members for the good job they have done through taking time to reallocate the budget well. I support the Motion.

**Hon. Speaker:** Hon. Members, I don't have any further requests. Hon Themendu? Kindly insert your card properly.

**Hon. Jeremiah Themendu:** Thank you, Hon. Speaker for the opportunity. I thank the Budget Committee, led by the Chairman, Hon. Odalo. It is good we have the supplementary budget here with us.

Hon. Speaker, I have seen some sectors have been catered for, like Ward Development, and Environment, whose budget has been increased by Kshs.3.8 million. My concern is, we are in the kitchen now cooking, but when it reaches time to serve the food, you are being told it is finished. I think it is our obligation to make sure all the budget that we have passed here is implemented. To pass the budget is another thing, and then to implement it is another. Hon. Speaker, this is our last budget.

**Hon. Speaker:** What do you mean, "being the last budget"?

**Hon. Jeremiah Themendu:** We had our Kamukunji here, Hon. Speaker, I do not know whether you are aware of the same. We had proposed something from that budget. Going forward, business will not be the same if the trend continues. Hon. Speaker, I reMember the other day you had recommended that the bills and motions that have been passed in this House should be brought

here and we see which have been implementation and which have not. So, we need to be serious in whatever we are doing. Thank you, Hon. Speaker. I support.

**Hon. Speaker:** The mover to reply.

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker. Before I reply, let me give some clarity to Senior, Hon. Mofire that this is not our last budget. Our last budget will be in June 2027 when we will be preparing a budget for those who will be joining. We still have two more budgets.

Two, Hon. Speaker, the issue at hand is the issue of supplementary. I have been approached by a Member asking why the WDP money is negative. I have explained to him that this is supplementary, rearranging the figures for the remaining four days. The main issues in supplementary will come in our estimates. He has also asked me about the issue of the money that was transferred from Liquor. I have informed him that we transferred the money from Liquor to make sure that Members were paid the WDP. There was some deficiency, but we have regularized that.

Having said that, Mr. Speaker, let me start by saying thank your office for enabling us do the Supplementary II in good time. I also thank the secretariat led by our able Committee Clerk, Manyi, who usually refers to me as namesake, and the team; Eric, Alphonse among others. I also thank my Vice, who usually stands in for me when duties call. Members of the Budget Committee, I am very happy for the support you have been giving the Budget team. This one of the committees that does not lack quorum. I beg to reply.

*(Question put and agreed to)*

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

**Hon. Wilfred Odalo:** Mr. Speaker, I beg that the Sergeant-at-Arms circulates the copies, if any, so that they may know what the main budget entails. A copy is also on the website. I will be a bit brief. Any Member who might see any of the projects not captured, kindly approach me when I am seated so that I can explain it further.

Hon. Speaker, I beg to move:

THAT, this Assembly adopts the 27<sup>th</sup> Report of the Select Committee on County Finance, Budget, and Appropriations on the Revenue and Expenditure Estimates for the Nairobi City County Government and the County Assembly for the Financial Year 2025/2026.

Hon. Speaker, barely two years from now, the electorates will be reviewing the scorecards of the current regime to determine whether to extend their term in office or make necessary adjustments. The leadership of the Third County Government promised to change the dynamic fortunes that have been accruing in Nairobi since the onset of the devolution occasioned by historic challenges that had been carried forward from the previous regime. For the third year running, new challenges have added to the historic backlog, and the elected representatives and all actors must

rise to the occasion to ensure the vision of the current administration of making Nairobi a city of order.

Therefore, Mr. Speaker, the Committee has reviewed this third annual budget estimates prepared by the current administration, with the sole intention of determining whether the objectives of the purpose of what the administration intends to accomplish have been upheld. Mr. Speaker, the submitted estimate before the County Assembly has been reduced. It is important to remind the Hon. Members that the budget estimates submitted to the County Assembly on 30<sup>th</sup> April stood at Kshs.48.9 billion. Hon. Speaker, that figure is a wish submission, it cannot work. The recurrent stood at Kshs.14.2 billion, composed of Kshs.34.7 billion for recurrent expenditure and Kshs.14.2 billion for development expenditure. The submitted budget had a number of deficiencies. Key among them being not aligned to the ceiling approved by the Assembly. Hon. Speaker, Members can note that we approved a CFSP some days back.

What was submitted to us had a variance of Kshs.4.2 billion, so that contravenes the sections of the law in the PFM Act.

Hon Speaker, the issue of development, the law requires that we do 30%. What was submitted was Kshs.29.2 billion. So, the Members of the Budget Committee could not approve the said submission.

Hon Speaker, to address this, the Committee undertook a radical surgery of the estimates to accommodate the competing County needs amid sinking a resource envelope, while also ensuring that the approved budget by the County Assembly meet the set legal and statutory requirements. In this regard, the Committee has proposed a rationalization of the budget in the following ways:

- 25% reduction of operation and maintenance cost across all sectors. So, some sectors will have to rearrange themselves.
- 50% reduction of the domestic travel allocation.
- 100% reduction on all foreign trips. So. there will be no foreign trips at the Executive side.

*(Applause)*

- Reduction on all non-items like contracted professional services, advertisement and purchase of a computer. The Committee realized that every department have an issue of buying computers, so we said there will be no more computers. We want development.

The Committee also ensures that there is equality of projects among Members. Therefore, the budget you have before you, is balanced. It has development at over 30% compared to the one which was submitted, which was less than 30%. It's telling you both equitable shares and own source are realistic, and is a solution to ensure reduction of the wage bill and the pending bills. The submitted budget had an own source of Kshs.23.4 billion, whereby we usually collect at around Kshs.14 billion. We have cut it to align with what we have, so that we reduce the pending bills issues.



Therefore, Mr. Speaker, this house is a cognizant of the good work being undertaken by the 'Green Army'. During our elected leaders' meeting, which was called by a Leader of Majority, we agreed on a number of issues of Green Army. So, it was the work of this Committee to look where that money will come from. We as the Committee have reduced the money from the Environment Sector so that the Green Army can be confirmed.

*(Applause)*

Hon. Speaker, the Committee also realized that there were some entities that are not aligned with the law. One of them was Green Nairobi Limited. The other one was the Biashara Revolving Fund. The Committee abolished the true entity in totality... Kindly protect me from the Majority Leader.

**Hon. Speaker:** You are protected, Chair. Please, this is a serious business

**Hon. Wilfred Odalo:** Thank you, Sir. During our meeting, the elected leaders realized that they benefit more on WDP. On that regard, we have enhanced the WDP from Kshs.23 billion. Kshs.25.4 billion.

*(Applause)*

Thank you. I am being advised by Hon Geoffrey Majiwa that I should read until evening.

Hon. Speaker, the Committee also realized that we rearranged the budget during the supplementary, whereby we reallocated the money to building materials. The exercise never worked. According to the information we gathered from public participation and the information we gathered from the Department of Transport, the Committee reallocated Kshs.1 billion to every ward to cater for the roads that Members submitted to the Committee.

*(Applause)*

Hon. Speaker, the issue of bursary has been a thorn in the flesh in this Assembly. The Committee realized that the title of the bursary had issues. The Committee submitted to this Assembly that the description of the bursary be amended to remove primary education and secondary education so that to conform with the duties of the County Government. So, on that regard, we have reallocated the bursary money to where it was, at Kshs.857 million.

*(Applause)*

Hon. Speaker, the County took a bold step to make a new allocation of Kshs.70 million as capitation to vocational training centers, as well as Kshs.127 million for early child development centers. Our vocational training centers shall now be centers of excellence that they were meant to be.

Hon. Speaker, thorny issues since the inception of the County Government and is current, surpass the Kshs.18 billion mark. The Committee received submission from the Controller of the Budget, who was alarmed by the continued growth of the wage bill. It is not only unconstitutional,

but it also has the long-term effect of the strangling at the expenditure line, if it will not be managed.

In this regard, the Committee has proposed a number of measures to address the ballooning wage bill, key among them being that Public Service Management and the County Public Service Board to ensure that any recruitment, promotions, confirmations or any other undertaking will be done with full concurrence of County Treasury on accountability of the availability of funds. Further, the Committee is in the view that new recruitment be deferred until our 'Green Army' are fully absorbed.

*(Applause)*

During the years of service, Hon. Speaker, of which everybody one day will retire, the employees forgo a substantial portion of their income in saving in defined pension schemes in anticipation of seamless life upon their retirement. However, this upending has been elusive as most country retirees spend a lot of their sunset years in City Hall corridors pushing for terminal benefit. Members, if you go to the Treasury, you will find a number of old guys who served this County diligently, pushing for their retirement packages. The money owed to Lap Trust Pension Scheme stands up at Kshs.33 billion. The Committee considered this and allocated a startup amount of Kshs.700 million to Lap Trust, being the scheme with the majority of County employees. The Committee undertook to boost this allocation steadily and progressively through the subsequent budgets. Members, one day when you will retire, you will see the benefits of being taken care of in advance.

Hon. Speaker, the County has witnessed a number of disasters in the current financial year, with recent floods havoc that resulted in displacement, and fires leading to massive destruction in some circumstances, loss of lives. The Committee has therefore allocated an additional Kshs.100 million to mitigate the occurrence of such disasters, thereby taking the total related allocation to Kshs.250 million.

Hon. Speaker, under the Health Sector, the Committee noted that the steps undertaken by the current administration to achieve Universal Health coverage, the Committee specifically noted the good work of the regime at Mama Lucy Hospital, and added an additional of Kshs.130 million to complete 430 beds' capacity within the facility.

Hon. Speaker, the current administration had a soft spot of youths in buy to promote talent and skills, and has been at forefront to ensure we have decent stadiums. Towards this, the Committee has allocated in excess of Kshs.500 million for construction of various stadia across the City: Kshs.170 million Kibabuni Stadium, Kshs.120 million for AA Stadium in Mukuru Kwa Ruben, and other stadiums, as contained in the estimates before you.

Hon. Speaker, food safety and climate change are paramount to ensure healthy nation. The Committee has made allocation of Financing Locally-Led Climate Action Program (FLLoCA) in order to unlock funding from donors and other stakeholders meant to mitigate the ravaging effects of climate change. In the same vein, the Committee has likewise allocated additional Kshs.30



million to donor coordination and stakeholder engagement for them to source and bring on board donors and stakeholders willing to join hands with Nairobi City to develop this great city.

Lastly, Hon. Speaker, the role played by the County Executive Committee Members and the Chief Officers cannot be underestimated. The many aspirations aligned to them cannot be undertaken minus enabling financial resources. It is for this reason that the Committee noted with concern that some CECs and Chief Officers don't even attend during the budget-making process. This is not acceptable. So, I will have to name them so that those CECs and Chief Officers can pull up their socks.

Hon. Speaker, in this regard, the Committee wishes to put notice to the following CECs and alert them that any future absence shall attract some level of sanctions.

1. Ms. Susan Silantoi – She has never attended our Committee meetings.
2. Ms. Maureen Njeri – She has never attended our Committee meetings.
3. Ms. Rosemary Kariuki – She has never attended our invite during budget-making.
4. Patrick Mbogo.
5. Stephen Gathuita Mwangi.
6. Christine Ireri, the County Attorney – Since acting in the position, she has never attended any meeting of budget-making in this Assembly.

Based on the above, Hon. Speaker, having reviewed the Budget Estimates for the financial year 2025/2026, the Committee recommends that the policy recommendation contained in the tabled report, be approved.

There are a number of recommendations we usually make, but none of them has been adhered. So, in our next budget reading, I think we look on them and the implementers of the same.

That the recommendations, the policy issues, budget classification, revenue framework, budget reduction, budget increase, be approved as contained in the report.

Mr. Speaker, Sir, in conclusion, and pursuant to provision of Section 131 of the Public Finance Management Act, 2012, and Standing order 222(8), the Select Committee on County Finance, Budget and Appropriations recommends that this County Assembly adopts the 27<sup>th</sup> Report of the Select Committee on County Finance, Budget and Appropriations on the Budget Estimates for the Nairobi City County Government and the County Assembly for the financial year 2025/2026.

A rejoinder on the same, Hon Speaker, if you look at the report before you, you will realize every Member's interest has been captured. In addition to the WDP, every Member will be free to monitor their projects at a tune of more than Kshs.60 million that you will be controlling.

Having said that, allow me to call one of my diligent Members, who is also a leader in the Assembly, Hon Mark Mugambi, to second the motion.

**Hon. Mark Mugambi:** Thank you. Hon Speaker, once again, allow me to commend Dr. Oluoch Wilfred Odalo. As I mentioned earlier, we can see that most of the development budget that was transferred from the supplementary budget has indeed been captured in the new year's financial budget. All the bursaries and the WDPs, I am sure the Member that had a question to the Budget Chair, is now adequately informed. Going through the whole budget, I can see that the

cries of the Roads Committee are well taken care of. This is after most of the projects that were being replaced with materials over the last two financial years have been relocated budgets.

Hon Chair, allow me to commend the Chair, the Majority Leader, and The Minority Leader in that order for making sure that in the budget, the Roads Committee gets what they were really fighting for. The Roads Committee had rejected the recurrent expenditure for the Roads Sector because of the development budget that had continuously been removed. Now that we have reallocated the same amount, it will be therefore prudent that the Roads Sector passes even the recurrent budget that they had initially rejected because their issues are more or less sorted with the tabling of this budget. With that said and done, I second the motion.

*(Question proposed)*

**Hon. Peter Imwatok:** Hon Speaker and the entire House, allow me to rise as a first person to support this third budget of the Governor Arthur Johnson Sakaja, with a few comments. First, I congratulate the entire Assembly for being here in numbers this morning. It shows the commitment that we have towards the people of Nairobi.

Second, I commend the Committee on Budget and Appropriations. I have lived long enough in this House to see a committee that is consistent and a committee that is not consistent. So far, I must give kudos to all Members of the Budget Committee, led by their Chair and Vice Chair. You have made us proud in every financial year; you have never failed to deliver. I was privileged the night before yesterday to be in the command center where this particular issue of budget preparation was done. Anything I raised, it was already in the hands of the Chair and his technical team.

Hon. Speaker, in particular, I want to commend on the issue of Ward Development Fund. Just as Hon Jeremiah Themendu said, we had a meeting here and the Chair hid us from this. He never pronounced himself clearly whether it was an addition of Ward Fund. But a fortnight before, he made a call and told me he will not let down the elected leaders. He said must increase the World Development Fund. And now, we have Kshs.25.4 million.

*(Applause)*

I want to point out, Hon. Speaker, that this Kshs.25.4 million does not belong to the Executive. It belongs to the devolved units called the ward units. Therefore, the processes of procurement, execution, and supervision is a shared identity between the elected Members and the Executive, so that we demystify the myth that the Executive wants to give us a favor. In our meeting with the elected leaders, we recommended to the CEO of WDF, the CEC Finance, and the Chief Officer of Finance of the removal of all procurement officers currently serving at the Ward Development office because of the unbecoming behavior they have towards contractors and towards Members of the County Assembly.

Hon. Speaker, I also want to point out what the Chair spoke of. Those CECs who do not even care when their budget is being prepared yet budget is a policy document. Already censure

number one has begun by the Chairman of the Budget Committee and the entire Committee, commending that next time – Maybe before next time, they will be busy in the corridors of courts. That is also a sanction, because I have seen someone has rushed to court. You can go to the Court of Appeal or the Supreme Court, but we have done our job. We will never deal with you. If you misrepresent this Assembly and if you think that you can control us, we will never deal with you. Whether you go to court or where, the Standing Orders guides at the Supreme authority of the County is vested in this Assembly. And the Constitution defines an Assembly is like a high court. Therefore, this court has passed a resolution that we will not deal with you. It does not matter which court again tells you to deal with us.

Hon. Speaker, on Waziri Silantoi, Waziri Maureen, Waziri Rosemary, and Waziri Mbogo, you are on notice before this House. You will not disrespect the Committee of Budget and other Committees, and still just walk scot free in this County. We have made a resolution as a House and as a leadership that any Member who feels the Executive is infringing on the rights of Nairobians and your work of oversight, please bring the name. As leadership, we will be steadfast.

With those few remarks, I want to recommend the resumption of all the projects. I am sorry, the Chair for Budget and the entire Committee. Implementation Committee led by Majiwa and myself, after the 1<sup>st</sup> Quarter, we want to see all these projects advertised and awarding ongoing.

*(Applause)*

Upon the passing of this report, the Chair of Implementation Committee, Hon. Geophrey Majiwa, kindly you must undertake here, we are starting our job to make sure that projects are implemented. Hon. Speaker, I thank you.

**Hon. Speaker:** Thank you. Hon. Clement

**Hon. Clement Kamaru:** Upon revisiting this document and having a conversation with it, clearly it captures every Member in a clear manner and also rationally. This is unprecedented, it has never happened before. I am sure that every Member in this House today will go home happy and inform his constituents that indeed something is coming home.

That said and done, I had a question that I wanted to direct to the Chair of Budget, but the Leader of Majority has answered it. My worry is on the implementation part of it. The delays in procurement and contracting sometimes puts someone off. It is paramount that we honestly and realistically follow what the Majority has said, that we try and fast-track the implementation of these projects that have been aligned in this budget. You realize we have roughly 85 roads at the same time. My question is; do we have the capacity to advertise all these works at the same time? Time is of essence and Members are sometimes suppressed or depressed when these things delay. My urge to the Committee, especially on the implementation part of it, is to quickly engage and make sure that all these roads or whatever projects that have been outlined in this budget are in the 1<sup>st</sup> Quarter, have been advertised, tendered, and commenced. This monkey business of having to keep on following in offices for projects to take place, should cease. I think that is where most

Members have a problem with, having to visit offices to beg for projects that have already been assigned. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Samora? Hold on a bit. What is the issue, Majority Leader?

*Point of Clarification*

**Hon. Peter Imwatok:** Allow me to clarify to the House one thing for a second. I am seeing Members sending me messages, pursuant to our meeting as elected leaders on those 22 wards which had been paid. I had a meeting with the Chair Budget, CEC Member for Finance, the Chief Officer and the Ward Fund CEO. At 10.35 a.m., I had been sent a list of Kshs.332 million, equivalent to 22 wards. The current available projects are in IB for those wards. We agreed that as we pass this budget as a House, this will be the first charge on Ward Development Fund for these 22 wards.

*(Applause)*

I think it is good Mr. Speaker for this to be captured on Hansard.

**Hon. Speaker:** Thank you for that clarification. Hon. Samora.

**Hon. Samora Mwaura:** Thank you, Mr. Speaker for this opportunity to contribute in this important motion. First, I want to congratulate the Budget Committee, led by the Chair. As the Vice-Chair of WDF, I am very impressed. Congratulations to the Chair and the Committee for increasing the WDF budget from Kshs.23 million to Kshs.25.5 million. That is a step in the right direction because our target is Kshs.30 million, so, we are somewhere.

Secondly, I want to enquire because when we had a meeting of the elected, we agreed that the Budget Committee passes the bursary budget, and they also allocate something for the pending bills for the bursaries that we had issued forms last year, to pay those bursaries and issue new ones. I hope that one this been taken care of.

Thirdly, I want to echo the sentiments that have been presented by the previous debaters. We always put the projects in the budget but the implementation is the problem. Can the House resolve that after the passing of the budget and the budgeting process is over, we give the Executive a timeline to implement its projects and advertise them? We put them in the budget and they delay until the next supplementary, then they swap them off and start telling us that they are buying materials. I have been putting my road for the last two budgets but it has not been implemented. Kindly, the House should resolve on how to make sure that they execute these projects.

For WDF, we now know that with the Kshs.25 million, Members can tarmac their roads comfortably unlike last time that the contractors were always complaining that the budget is not enough. Thank you very much.

**Hon. Speaker:** Hon. Munga

**Hon. Clarence Munga:** Thank you, Mr. Speaker. Allow me to first congratulate the Chair and the entire Members of the Budget Committee for coming up with a budget that is reflecting the aspirations of Nairobians.

Mr. Speaker, there are issues that have been affecting my people, specifically Salim Road and Muslim Social Hall that have been neglected by the County for a very long time. I want to appreciate the Chair for ensuring that they are factored in this budget.

Mr. Speaker, in the last budget or the end of this financial year, we had some allocations for construction of roads across the County. If you can remember, there was a memo that emanated from the Executive giving instructions to different sectors not to advertise these jobs. I want to urge the Executive that once we pass this budget on the floor of this House, it is important they ensure implementation part of it takes place immediately we pass this budget. Advertisement of these works should commence.

*(Applause)*

Mr. Speaker, there is a tendency of supplementary budget watering down everything that this House has passed. It is my plea that we ensure full implementation of this budget is done. Also, I urge the Executive to ensure that speedy processes of procurement and payments are done accordingly so that we see development in our wards. With that, I want to support the passing of this budget and ensure that the implementation is done. Thank you very much, Mr. Speaker.

**Hon. Speaker:** Vice Chair, Budget Committee.

**Hon. Emily Oduor:** Thank you, Hon. Speaker. I stand here to support this Motion. First, Hon. Members, there is something that has really touched us, and I can see so far no one has talked about it; the money we are allocating to LAPTRUST. The Chairman indicated very clearly that most of our people have been along the corridors looking for their pensions and they have not been able to get it. For the first time, I think since I joined this Assembly in the Second Assembly, this is the first time we are considering these people. I am one person that soon is going to retire and this really touched me because I imagined what these people will be going through out there without their monies.

The Chairman has also mentioned the wage bill; our wage bill is very high. Why is it high? Because we are unable to pay for the pension of the aged workforce. What happens is that we keep retaining them, we cannot even employ the younger people. Mr. Speaker, you were involved because we always consult you during the budget meetings. Thanks to the Budget Committee, which I am part of. Going forward, I hope that our people will get their monies and retire peacefully.

Secondly, Chair, thank you for putting the CECs and the Chief Officers on notice. It is sad that the Committee travels all the way to go and get views of the CECs and Chief Officers, but you arrive and they are not there. We sit waiting for them but they don't even respond. I am appealing to the Chair PAC that soon I hope we are going to bring some also on notice. The other things that I wanted to talk about have been mentioned. I support. Thank you.

**Hon. Speaker:** Majority Whip and then Minority Whip.

**Hon. Moses Ogeto:** Thank you, Hon. Speaker. First, I want to...

*(Hon. Silas Matara spoke off the record)*

**Hon. Speaker:** Hon. Member, I have not given you a mic. Kindly be seated, the Whip is on the floor.

**Hon. Moses Ogeto:** The Chair for Environment...

**Hon. Speaker:** Can you sit and consult in low tones please?

**Hon. Moses Ogeto:** Hon. Matara, you know the precedence of this House. Those who have been elected for more than six times should be respected. Take a queue after me.

First, Hon. Speaker, I want to sincerely support this Motion, and thank the Chair for Budget for doing a very good distribution of roads. Hon. Speaker, you know very well that in Kilimani Ward there is Chania Avenue which is always on television day in day out. I know that you normally use that road.

Hon. Speaker, the Chair Budget and the Committee has emphasized on 30% development, that is a very comprehensive thing and we must congratulate them. I have seen WDP projects, which is the spinal cord to every elected leader in this Assembly. I would wish the Executive adopts this because it will bring development across the County. It does not matter if you are loved by the Executive or by the Assembly, it cuts across. It does not matter if you are white or black, even if you do not like me, it will be implemented.

Hon. Speaker, you can see how the Gen Z did to the roads; the roads are very deplorable. For this financial year, I would wish that these roads be constructed to the standards they deserve. Hon. Members mentioned the procurement processes which normally take a long time and are rewarded to unscrupulous contractors who do not do standard jobs. We believe that out of these estimates the County Executive will be in a position to ensure that the contractors who have been awarded these tenders do a good job. For that reason, Hon. Speaker, I support this Motion.

**Hon. Speaker:** Sorry, Hon. Catherine, hold on a bit. Hon. Mugambi.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. It is like my counterpart has just stolen the points that I intended to put across about development. However, allow me to share the same thoughts by Hon. Clement Kamaru from Kahawa West Ward.

Hon. Speaker, I call upon all the chairpersons and vice-chairpersons to follow the footsteps of the Hon. Chair Budget. The role of the chairpersons is to make sure that their sectors are worked on, and not to lament. After they have brought their proposals to the Budget Committee, and the Committee has taken care of all those proposals and put them in the budget, it is the role of the chairpersons to make sure that all these projects we are passing today are advertised on time. Therefore, it is upon your prerogative to make sure that your sectors... *Yetu ni kupitisha. Tumewawekea, ni nyinyi mfuatilie na Procurement Department.*

**Hon. Speaker:** Hon. Whip...

**Hon. Mark Mugambi:** Sorry, Hon. Speaker. It is upon the chairpersons to make sure that the budget we are passing for your sectors are advertised on time. The BQs for the Road Sector should be ready, as we are done with the passing of this document so that time constraints won't be an issue for procurement.

*(Hon. Susan Makungu consulted loudly)*



**Hon. Speaker:** Hon. Susan, the Member is on the floor, please. Kindly proceed.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. As I was saying, let us make sure that our chairpersons are up and running as soon as we are done with this budget. Let them liaise with the Chief Officers and the procurement because each sector has procurement officers. As soon as we are done passing this, as soon as next month, we should have the BQs for all the development projects that we are passing ready for advertisement. If they face any challenges, that is where the Majority Leader, the Minority Leader, the Whips, and the Chair Budget comes in to help push the Executive if they delay in doing what is needed of them. Let us not wait until mid-financial year to rush and push for the advertisement of these projects. After this has been done, it helps us achieve a good percentage of projects done and completed before the next supplementary budget. With that said and done, I beg to support.

**Hon. Speaker:** You may proceed, Hon. Catherine.

**Hon. Catherine Okoth:** Asante sana, Bwana Spika kwa kunipatia hii nafasi ya kuchangia huu Mswada. Kwanza, naunga huu Mswada mkono. Viongozi wetu ambao wamechaguliwa, hii bajeti imewapatia 30% kwa kazi zote ambazo watakua wanafanya kwa mitaa yao. Nawapongeza sana kwa hii. Hiyo kazi itafanya wengine wao warudi kwa hii Assembly mwaka wa 2027.

*(Applause)*

Pili, Bwana Spika, sisi kama kina mama tumefurahia sana kwa kuwakumbuka vijana wetu ambao wanafanya usafi kwa jiji letu. Juzi kulikuwa na kukuru kakara hapa Nairobi lakini kufikia asubuhi, jiji ilikuwa imesafishwa. Tumepongeza sana kwa kuwakumbuka vijana wetu.

Tatu, Bwana Spika, kwa waliostaafu, hii bajeti imewatengea pesa. Nilishuhudia kisa moja ambapo mmoja wa waliostaafu alikuja kuangalia pesa yake na alianguka chini na kuzimia. Alikuwa ametoka kwa wodi ya mwenzangu, Mheshimiwa Oscar Lore. Ilibidi nifanye vile naweza kumsaidia. Ni aibu sana, na ni wazazi wetu. Nimepongeza sana Kamati ya Bajeti ya mwaka huu kwa kuwatengea fedha hao waliostaafu.

Ya mwisho Bwana Spika, sisi kama wale ambao hatuna wodi, tunachangia mno. Hata wakati wa kikao cha *Assembly* utapata tuko wengi.

*(Applause)*

Wale wenye wodi wanaangalia wodi zao huko mitaani, sisi tunawapitishia kama hawajui. Najua Mwenyekiti wetu na naibu wake wanatupenda sisi, angetutengea pesa kidogo hata kama ni ya *sanitary towels* ili tushughulike nayo kidogo kama walioteuliwa.

Nimeshukuru sana kwa hii bajeti, na naona nyuso za wale walioteuliwa wote zimefurahi na inang'aa. Asante sana, Bwana Spika.

*(Applause)*

**Hon. Speaker:** The Deputy Majority Whip.

**Hon. Stazo Omung'ala:** Mr. Speaker, thank you for this opportunity. Allow me to question the Majority Leader, when he said that these equipments were being procured that might help people who have extreme heights in all aspects...

**Hon. Speaker:** I hope you do not fall under people with disability.

*(Laughter)*

**Hon. Stazo Omung'ala:** That is why, Mr. Speaker, I have just said extreme heights. Mr. Speaker, allow me to support this motion and in particular, on the education part where Kshs. 270 million will be approved for development of ECDEs. Where we come from, our ECDEs are an eyesore.

Mr. Speaker, the swiftness in which this Committee, led by Hon Wilfred Odalo, used to make these documents and to make sure that this County operates, may it be mirrored on the Executive side during implementation. That is why I beg to differ with Hon Ronaldo when he said that nobody should be following on these issues. I don't think the Executive also does a follow-up on the Budget Committee. The Budget Committee does its work according to the law and the capacity they have. So, Mr. Speaker, there is no need that we make a tendency of now people following up on procurement, and these CECs and Chief Officers on what they are supposed to do. They are appointed to do this work. The Assembly has always passed these budgets so that the Executive side is equipped with the necessary documents to do their work. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon James Karanja.

**Hon. James Karanja:** Thank you, Hon Speaker for this moment. Mine is to echo some sentiments which I think don't concur with the others. I have talked to the Chair of Budget that, according to this document, the first tarmac road in Ruai Ward has been allocated Kshs.50 million instead of Kshs.137 million. The residents of Ruai will be disappointed. This is because they collect Kshs.800 million per year from this ward. This doesn't augur well with them. I hope something can be done. This budget is below par to Ruai Ward, and I don't know what kind of threshold can be used to make the wards that are underdeveloped to get development. My ward is the one that leads in revenue collection, Hon Speaker, but when it comes to development, we are the least. It means this County doesn't consider my ward in terms of development. Currently, the road is stalled. From Ruai Ward, we are not supporting this Budget. Thank you, Sir.

**Hon. Speaker:** Hon DNG.

**Hon. Davidson Ngibuini:** Thank you, Hon Speaker for the opportunity. I rise to support this budget. I would like to register some comments.

First and foremost, I am extremely happy to see that stalled projects in my ward from the days of the NMS and from the days when His Excellency Evans Kidero was Governor, have been allocated some money. Woodley is a great beneficiary, but what I would like to raise is that we have so much rollover projects. For example, Woodley Stadium, from when I was elected...

**Hon. Speaker:** Hon. Karis, kindly switch off your mic

**Hon. Davidson Ngibuini:** ... and we did our first budget, Hon Speaker, you will note that every financial year, Woodley Stadium appears and continues to appear again and again.

Another issue is in Mbagathi Hospital outpatient block. It is another rollover project that continues to appear. It is tendered and re-tendered. Also, Joseph Kangethe Social Hall, which has now been listed as the Southern Borough Office under Kibra, is built a little bit, then a contractor raises the certificate awaiting payment and he is not paid on time, then withdraws. We have to go again and re-tender and procure. It is extremely tiring.

The biggest challenge here is that contractors in this County are not being paid on time. So, mine is to request the Budget Committee and this House to ensure that the County Executive pays these certificates on time. Most of these contractors are extremely frustrated. Even Ward Development Fund, which we just discussed, you will find that many of them have abandoned the sites. In my ward, for example, I have a road called Fort Jesus that the contractor abandoned site for over two months because he has not been paid. Some of them are even starting to get paid for the financial year 2022/2023 certificates. I ask that we be faithful to the people we contract and give these jobs to.

Apart from that, there is an issue that has been mentioned here by Hon Clarence Munga about the CFO who issued a memo instructing all Chief Officers in all the sectors not to absorb development funds. That is why you find most development funds are being absorbed and procurement being done towards the end of December thereabout. That memo is a travesty and should not be allowed by this House. It is an illegality. There is no reason why we sit here as an Assembly, pass budget, and then somebody sends a memo and says, "do not use this money." It is wrong.

Hon Speaker, I would like us to consider the reasons why some of our funds exist, like the Liquor Board Fund. I was just having a side chat with the Budget Chairman; I sit in the Culture Committee, and we know the Liquor Board Fund had money after the court case was adjudicated and the account lifted. It had about Kshs.100 million plus, but this money was swept out of the Liquor Board account into the CRF account. I know the reason, he has explained to me it is to pay WDP, which we need paid. But what was the reason for this fund to be constituted, established, and why does it exist? As legislators, we need to also have fidelity to the laws that we pass in this House.

Hon Speaker, as I conclude, mine is to say that we need to ensure that our people are going to get the bursaries, which they have not gotten from term 2, 2024 yet we spoke about this in our Kamkunji.

There is an issue that I have not heard being discussed here; intergovernmental agreement. Hon. Odalo, when will it be signed, and which date? So that when we are passing this budget in the afternoon, we know for sure that we are not going to put money in this budget and then continue crying of kids staying at home. Thank you so much, Hon Speaker.

**Hon. Speaker:** Hon Lawi.

**Hon. Lawrence Odhiambo:** Thank you, Hon Speaker. First of all, let me take this opportunity to thank Hon Chair for Budget, for this budget of today. As the Committee of

Transport, we have been allocated Kshs.1.7 billion. We are supporting this budget. Hon Speaker, are we sincerely going to use this Kshs.1.7 that has been allocated to Roads and Public Works? That is my biggest question because initially, we rejected this because...

**Hon. Speaker:** Is it a question or a concern?

**Hon. Lawrence Odhiambo:** We rejected this budget, Hon Speaker.

**Hon. Speaker:** Hon Member, is it a question or a concern?

**Hon. Lawrence Odhiambo:** It is a concern, Honourable Speaker. We are supporting this budget, but it is a concern.

**Hon. Speaker:** Okay. You need to be clear

**Hon. Lawrence Odhiambo:** I support what Hon Catherine has said, that the budget we are passing today and the projects allocated to our wards is what will make us come back in 2027. Are we really sure that this budget will really work for roads in our wards? That is my concern.

Two, I can see we have Kshs.1.87 billion for health. We have hospitals in our wards that lack drugs, are we sure that this money will cater for drugs in those hospitals? Our people are dying because of lack of drugs.

Three, I can see allocation of Kshs. 270 million for ECDEs. We have around 70 ECDEs that were given to one contractor. Up to now nothing has been done to the ECDE in my ward, Nayan Primary School. So, with this Kshs.270 million, I know the school will be built. We are supporting this and we want to see the surety that this budget will cater and help our Members come back, come 2027 after election. Thank you, Hon Speaker, I support it.

**Hon. Speaker:** Hon. Thuo.

**Hon. Kamau Fiunifu:** Thank you so much, Hon Speaker. Firstly, allow me to acknowledge the good work that the Member for Makongeni Ward undertook last week to make sure that the wards that have not... Hon Speaker, I need the attention of the Member for Makongeni. Thank you. I want to give you your flowers when you are here. I want to acknowledge the good work that the Member for Makongeni undertook last week to make sure that the wards that have not been paid or the contractors that have not been paid are paid. Hon Member for Makongeni, also give us an undertaking on when. I know there are financial constraints but it is good you give a timeline on the same. All the same, thank you so much for the good job.

Hon Speaker, I rise to support the budget before this House. I would also want to say that we need to decorate this budget by breathing life into it. We have had budgets here that have not been implemented before and I hope this one is going to be implemented fully. As Members, we have an opportunity to do our oversight to make sure that all the projects that have been listed in this budget have been implemented in a timely manner.

That other issue, Hon Speaker, is about equity in allocation of projects. There is an issue there because you get, especially those Members who are in Committees that you call them infrastructure committees, like Transport Committee, have not been good to most of our Members here. Today, at least I am happy I have a capital project for Runda, and it is on that basis I am supporting this budget.

Lastly, Hon Speaker, the Member for Ruai Ward has alleged that Ruai is the only ward that has the highest revenue collection for this County. That is not true. There are many revenue streams and rates. People who live on the western side of Thika Highway, are the people who pay rates in this County. For a long time, we have been feeding the cow, but it is being milked elsewhere on the Eastlands side. So, I am asking of equity in distribution of development projects, going forward. Through the Speaker, Hon Member for Ruai, I hear your concern, but also as a County, we just have Kshs.20 billion that we get from the National Government. It is high time the leadership of this County engage Commission on Revenue Allocation. As a city, Kshs.20 billion is never enough to do development in this County. With those few remarks, I support this budget fully, and I hope it will be implemented to the letter.

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

**Hon. Robert Alai:** Thank you, Hon Speaker. I rise to support the motion. I think we need to give kudos to the Chairman of Budget and the Budget Committee for being the safety valve in this County. Not only in the Assembly, but also the County, because they tend to help us withstand a lot of things in this County. So, I would like to appreciate them for the good work they have done in trying to balance the development allocations throughout the County.

Hon Speaker, I want to encourage us, because I am seeing a very ambitious figure there of on-source revenue. I ask the two Members of County Assembly who come from the eastern side... Low-revenue collectors should not take the attention of the Speaker. I would like to encourage us to look for innovative ways of collecting revenue, because I see a challenge of meeting that figure of close to Kshs.20 billion in on-source revenue when we are still struggling to even get to Kshs.15 billion.

Hon Speaker, if you take a look at the creative economy, if you come to this city, the CBD, during weekends, you will see a lot of young people coming out and trying to apply their trade, creating TikTok videos and so on. We can find ways of registering these young people so that we recognize their talent, recognize their trade, and also give them the opportunity to be empowered by creating a way of ensuring that every one of them has an identity.

Hon Speaker, you need to also recognize that in this city today, a lot of the Juakali artisans, the people coming from the Burundi, the Congo, and the Rwanda are doing manual work, which were previously done by the people who are citizens of this country. The people who are cooking coffee, who are supplying tea and coffee to builders, the people who are building, and the electricians in most of the construction projects now, are not Kenyans. How do we ensure that these people are registered? They are charging below the market rate, but why can't we ensure that they are recognized by being registered? Why can't we ensure that they pay a small fee to the County which they operate in? A city in any country is a premium location. You cannot get to any city for free. The accommodation rate cannot be the cheapest. The cost of getting employment there cannot be free for everybody, especially the people who are not citizens of the country.

I encourage us, especially the Finance Committee and the sector, to find ways of ensuring that these people pay rates. Hon, we need to recognize that in this country, 18 million people are employed. Out of those 18 million people, only 3 million people are in formal employment. The



15 million people are in informal employment yet these 15 million people are not in the radar, especially of the city counties. We have to find ways of ensuring that they are recognized and also are paying rates. If you walk along Baricho Road near the Race Course, very many young people are applying their trade there. How do we ensure that the County at least recognizes their trade, gives them special recognition through numbers, ensuring that they can be empowered, but also that they pay a small fee as part of their work in the County?

Hon Speaker, I ask you to protect me from Hon Petit and Hon Miche, they are consulting in very high tones.

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

**Hon. Robert Alai:** Hon Speaker, you need to see what happened to the City now after *maandamano*. We need to recognize that the CBD is a premium ground, we need notes. and I am going to say a very controversial thing here. I ask that you forgive me, but not every bodaboda, and matatu can get to the CBD at the lowest rate. I ask that the cost of operating business in the CBD be made a bit premium, so that the sanctity, the value, and the premium value of the CBD is maintained. Now, it is like it is not being properly managed. If you go to Kimathi Street, Moi Avenue, Ronald Ngala, and Tom Mboya today, you will see the destruction which was caused. But also, when the people are struggling to do their trade in the evening, I think that we have lowered the bar so low. It is not that we are locking people out of the CBD, but we are recognizing the value of the CBD as the premium location of doing business in this country. So, Hon Speaker, I beg to support with those small contributions. Thank you.

**Hon. Speaker:** Mheshimiwa Nasra Nanda. Hold on a bit. Mheshimiwa Majority, do you have an issue?

**Hon. Peter Imwatok:** The work of the Leader of Majority is to guide the House when the Speaker's eyes are blind and ears not hearing. Hon. Members, you are aware the program is very clear, we have two sessions today, with the first one ending at 2:30 p.m., and we have 3 bills to execute. We also have the Minister for Finance who is supposed to appear before us and pronounce this particular budget, thereafter we will have three days to discuss. I hereby indulge the Speaker to have a sequence in that by 12:30p.m, we move to the other Bill so that it goes for publication. I beg you, Members. I can see the Speaker's screen is full and everyone wants to contribute but the time for the Government press is 12p.m. If we delay before then then, we will not be able to publish these Bills today. If that happens, it means that we will not be able to have the afternoon sitting and the CECM for Finance will not be able to pronounce the budget today. He is supposed to be before us at 3 p.m. to pronounce it. So, I ask for your indulgence Hon. Speaker. If one or two can contribute, then we move to the next order. Thank you

**Hon. Speaker:** I hope Members will take that positively. Hon. Nasra Nanda.

**Hon. Nasra Nanda:** Thank you, Mr. Speaker, I rise in support of this Supplementary Budget. I want to start by expressing my profound gratitude and congratulations to the Chair Budget, who is also, in many ways, a senior and a leader for us young legislators of this House.

**Hon. Speaker:** Just to correct you, at least at this point, it is the Budget Estimates, not the supplementary.



**Hon. Nasra Nanda:** Thank you, and well guided, Mr. Speaker. I want to also recognize the leadership of this House for taking the time to address the following issues. Number one, the dignity of the elected Members of the County Assembly through the Ward Development Fund. Second, with the efforts of the Chair of Education, the bursaries and the TVET considerations under the budget are also well received. The third is on account of the disaster budget under Environment.

As you are aware, Mr. Speaker, last year Nairobi was among the most affected counties when it came to the flooding, so this development is well received, especially on account of the Kshs. 100 million received from FLLOCA and the disaster programs as well. I also want to specifically applaud the Chair Budget, the leadership, and of course the Chair for Environment for doing away with the illegal Green Nairobi Limited and to ensure the protection of the contractors of Nairobi.

Lastly, Mr. Speaker, I am particularly proud of two main things. One, that the efforts and recommendations aimed at ensuring that development allocation reaches the 30% threshold required by law and that the Executive understands and has been made aware that all of us first and foremost serve the people of Nairobi, and second, is that we are working together to deliver that ambition. Should they ever forget, Mr. Speaker, I am proud to say that the Assembly has let me know, and informed the Executive, that be they so big, the law was, is and will always be above them. Thank you, Mr. Speaker. I support the Estimates

**Hon. Speaker:** Hon. Jasho then Hon. Majiwa.

**Hon. Member:** Thank you, Mr. Speaker, for giving me this chance. I am the one who using Hon...

**Hon. Speaker:** Order, Hon. Member! I have never known you as an impersonator. Please, you need to approach the Chair for the use of the card. Because this is going in the Hansard. So, just be seated, Hon. Member. Hon. Majiwa, please.

**Hon. Geophrey Majiwa:** Thank you, Hon. Speaker. First and foremost, I want to take this opportunity to congratulate the Committee on Budget and Appropriations, headed by Hon Wilfred Oluoch Odalo. In other quarters, they refer to him as the doctor, and I ask, he is a doctor for what? He is a doctor for many things, one including preparation of budget, because even other things that he does also require a budget.

Hon. Speaker, this budget is very ambitious, and it is a people's budget. As an Assembly, we need to stand with this budget, support it, and ensure that it is implemented to the letter. It is a budget that is meant to change a lot of things in the city. It is only fair that, as representatives, we make sure we join our hands together to push the implementation of this budget, so that come next budget, we will be able to look back and say what we achieved before we pass another budget. We have had tendencies in this Assembly of passing budgets but we don't follow to know whether they have implemented what we passed, and that has given the Executive a window. In my Committee of Implementation, sometimes when CECMs come to our meeting to state why they have not implemented certain resolutions of the Assembly, the reasons they give us is that the Cabinet sat down and changed the budget that we passed here. It should go to the Executive that

the Cabinet has no authority over the resolutions of the Assembly. When we pass a budget here, it should remain as that. We can only be the ones changing it through our supplementary. The Cabinet cannot change our resolutions and take away the budget that we have given to our Department and do different things with it. So, that should go to the Executive, so that they know they are going outside the law.

Hon. Speaker, I also want to just throw a caution to my friend, Chairman of Budget, that during his time, he came when there was so much pending bills. I may not be an expert to look through the papers, but I want to assume that they have tried to pay the pending bills that have been there. However, I know there is still so much that is still lying unpaid, but I just want him to look at it positively and ensure that during his time he reduces the pending bill as much as possible, and making sure that he does not accrue any new pending bills, because the business of digging a hole to fill another one is not a good business. So, as he pays for the old pending bills, he should ensure that he does not create a new pending bills, that when he leaves office, his predecessor will come and find a huger pending bill than he found. That should actually be looked at and

One of the areas that probably we need to focus on is the County Attorney's Office. I have seen they have given County Attorney about Kshs.20 million for their personal emolument. I don't understand much about that, but I want to believe it is to deal with new lawyers who are employed and have not been recruited into the LSK for practice. I think this is a big team that was employed, which needs to help this County now reduce pending bills that have been accruing from our court cases. We have court cases that have been bringing a lot of bills in this County, and it is a high time the County Attorney ensures that we don't get more court awards that are heavy and loading this County with heavy pending bills, because that is the area that we have the heaviest pending bill. So, the Chairman should focus on issues that are bringing pending bills to this County, which most of them come from the legal cases that are in court. There should be a way in which this can be controlled to ensure that even the rulings that are coming from court are fair to the County and do not give us bills that we cannot be able to pay.

Hon. Speaker, I want to also appeal to the Chairman to ensure that the Department of Talent, Sports and Skills is protected. They Sector appeared before us a day ago, and we were asking them, the youths are all over in the streets because they have nothing to do, yet they are the ones that are charged with the responsibility of making sure the youths are taken care of. Their reason was that, they cannot even repair social halls, because when the Assembly gives them the budget, it is taken away by the County Cabinet. So, I want this department to be protected and their budget be protected, so that they are able to deal with youth issues in this County. Thank you so much, I support this.

**Hon. Speaker:** Hon. Members we are running out of time, and I have up to 9 requests. So, I need...

*(Loud consultations)*

Order Members! I need the direction of this House because I have up to 10 requests. The way I am going to manage it – Is it by the resolution of the House that we call the mover to reply?

**Hon. Members:** Yes!

**Hon. Speaker:** Is that the position of the House?

**Hon. Members:** Yes!

**Hon. Speaker:** Okay, may the mover reply.

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker, before I reply, let me react to some of the issues raised by Members, for Hansard purposes.

Number one, is the issue that has been raised by Hon. Majiwa. I earlier indicated that the Acting County Attorney has never attended our meeting, so she has never presented any request to us, but in our own way, we allocated sum of Kshs.200 million. You will see it in the Bill.

Two, there is concern of Clement Kamaru and many other Members on the implementation of the same...

*(Hon. Paul Ndu'ngu spoke off the record)*

**Hon. Speaker:** The Chair, Trade, please.

**Hon. Wilfred Odalo:** Mheshimiwa Petit, you are a Member of the Budget, you should be keen when the Chair is presenting. Thank you for your protection, Mr. Speaker.

On the issue of Clement Kamaru, on the implementation part of what we will be passing, Hon Speaker, a couple of days ago, the Leader of the Majority invited the CEC Member for Finance and the Chief Officer, some of the engagements bore fruit. So, I am requesting the Leader of Majority and the leadership of this Assembly to call the procurement side to this Assembly, so that we know where they have challenges, and we don't leave that issue to Members.

Hon. Speaker, courtesy dictates that when you have a side chat with a leader, you assume some facts, but that one has not been embraced by a Member. Let me put some records clear on the allocations of Ruai Ward, since I started being a Chairman of Budget. Hon. Speaker, financial year 2022-2023, Ruai Ward received a total of Kshs.402 million. These were the things that the Budget Committee passed. One, construction of Ruai Market, which was at a tune of Kshs.30 million; construction of Children's Rehabilitation Center, phase two, which was at Kshs.20 million; ECDE at Highway Manyatta, which was at Kshs.12.9 million; construction of new ECDE at Thomas Makangeni, which was at Kshs.12.8 million; construction of new motorable bridge at Ngundu-Kamulu, which was at Kshs.26.6 million; construction of 1<sup>st</sup> and 2<sup>nd</sup> Avenue Block 10, which was at Kshs.155 million; construction of physical land use plan, which was at Kshs.50 million; and construction of Highway Manyata VCT perimeter wall, which was at Kshs.12 million. That was the financial year 2022-2023.

In the financial year, 2024-2025, Hon. Speaker – I have skipped the financial year 2023-2024 – Ruai Ward received a total of Kshs.256 million, and these were the projects. Completion of stalled new medical block at Kamulu Health Center, which was awarded Kshs.20 million; upgrading into bitumen standards, Sir Henry Road, which was allocated Kshs.137 million, and there is a certificate of Kshs.37 million, and we have awarded another Kshs.50 million; construction of footbridge, which was at Kshs.55 million; perimeter wall and a modern kiosk of Ruai-Kamulu at Kshs.14.9 million.

Hon. Speaker, courtesy dictates that if you have a side chat with a leader, you steal some of the information. Those are the records we have as Budget Committee. Ruai Ward, he has gained more, even more than the Chairman of Budget's Ward in this Assembly.

*(Hon. James Kariuki spoke off the record)*

**Hon. Speaker:** Kindly, Mheshimiwa, don't engage the Chair of Budget please.

**Hon. Speaker:** Hon. Speaker, a number of issues that have been raised by Members will be discussed, and a number of Members have approached my chair for the omission of their projects. I will advise them the itemized paper that will come during the next session, they will see their things as we guarantee.

*(Applause)*

Hon. Speaker, let me take this opportunity to once again thank my Members of budget, the House at large, and the leadership. The way the House is fully composed tells you the way they love and respect the Budget Committee. Hon. Speaker, let me thank your office for the good job. I beg to reply.

**Hon. Speaker:** Thank you, Chair, for the elaborate reply.

*(Question put and agreed to)*

**Hon. Speaker:** Clerk, proceed.

## **BILL**

### *Second Reading*

#### THE NAIROBI CITY COUNTY REGULARIZATION OF UNAUTHORIZED DEVELOPMENT BILL, 2025

**Hon. Speaker:** The Hon. Chair.

**Hon. Alvin Palapala:** Thank you, Mr. Speaker. As the Chair of Budget Committee sits down, he is the Chair for allocation, and brings in the revenue in the County. Thank you.

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

THAT, pursuant to Standing Order 136 (1), the Nairobi City County Regularization of Unauthorized Development Bill, 2025 (Assembly Bill No. 2 of 2025), be now read a Second Time.

Hon. Speaker, this Bill was introduced in this Assembly and read for the First Time on 3<sup>rd</sup> June 2025. It was committed to the Committee on Lands, Planning and Housing for consideration of public participation and reporting.

Hon. Speaker, for avoidance of doubt, the main objective of the Bill is to bring unauthorized development that meets the minimum standards under the umbrella of the planning framework and provide a framework for enforcement action against developments that do not comply with the provisions of the Bill and regulations. In addition, the County is going to benefit

because it is a project that, if enacted, the County is projected to collect about Kshs.5 billion annually from application of fees, and this is where Ward Development Fund bursaries will get money.

Hon. Speaker, it is important to note that for the first time in the history of this Assembly, the Planning Committee conducted a public participation in all the 17 sub-counties on a Sectoral Bill, in the spirit of having a wider scope of views from across the County. The process took place in two days, i.e., 18<sup>th</sup> and 19<sup>th</sup> June 2025, with key submissions from institution stakeholders. Indeed, may I at the onset thank the leadership of this Assembly and the office of the Clerk for the immense support you gave the Committee throughout the process. May I also thank the County Executive for extending technical support to the process by assigning officers to each and every venue during the process.

Hon. Speaker, the Committee did an immense and honorable work on scrutiny and examination. They dutifully applied their minds in this process until we were able to process the report that I just laid. To the secretariat of the Committee, thank you for your all-out support to the Committee and for ensuring that administratively the Committee remained effectively facilitated despite the challenges faced.

Hon. Speaker, as I indicated in our report, I will be moving some amendments to the Bill on behalf of the Committee. The amendments are both a product of the proceedings from the engagement with the public and from the intents I negotiated deliberation in the Committee. They are only meant to make the Bill better, align it with the other laws and policies, streamline the process of regularization to make the Bill more realistic during the implementation stage. I call upon all Members to read out the report that has just been tabled at Committee stage amendments which will be appended on today afternoon Order Paper to internalize the Bill for debate.

Hon Speaker, I now take this opportunity to call my Committee Member, my brother and the leader of this House, Majority Leader, to second this Motion. Thank you.

**Hon. Peter Imwatok:** Hon. Speaker, I normally say Chair *ni moja* in Planning Committee. Somebody asked me today in the morning, why I am rushing to bring the Bill? The Chair for Budget read a communication from the Controller of Budget, which speaks to the fact that before the budget is taken to the Controller of Budget, the Government's Treasury should give strategies they are putting in place on how to raise on-source revenue. Hon Speaker, as you are aware, by yesterday the County Government had collected Kshs.13.6 billion, a shortfall of Kshs.6.4 billion from the previous budget estimates that the Assembly expected them to collect.

Hon. Speaker, this Bill was enacted in this Assembly about 10 years ago, and the effect of this Bill then brought the first ever record of Kshs.12.8 billion which was collected in this County. I want to urge the entire House that this Bill is for us to make sure that enough money comes in the coffers so that the issue of fighting who is paid and who is not paid in terms of ward distribution projects, is not available.

On the issue of bursaries that the name has been changed to confirm the current dispensation. Hon. Speaker, there is a backlog of bursaries that has not been paid. We discussed these issues. For us to be able to bring in a supplementary budget after the passing of the budget,

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we need to have a source of revenue that will pump in more money to our CRF. Hon. Speaker, I am sure with a lot of certainty if this Assembly attaches this Bill on the budget as it goes the Controller of Budget, we will be able to realize our potential as a County and raise enough resources that can enable to finance our projects and our recurrent expenditure of the County.

I therefore urge the Assembly that we make this as a priority as fast as possible. I beg to second. Thank you.

**Hon. Speaker:** Hon. Whip.

*(Question proposed)*

**Hon. Moses Ogeto:** Hon. Speaker, first and foremost, I want to thank the Chair for Planning. He has indicated that the Chair, Budget only appropriates, and he gives the revenue.

Hon. Speaker, this Regularization Bill will also assist the Members who come from this other side which don't have titles. Hon. Alai and Hon. for Member for Karura said that their wards, together with my ward, Kilimani, Parklands, and CBD are the ones that fund this County because they have titles. So, this Bill will cure that and we will be in a position to collect more revenue.

Hon. Speaker, we have talked about Ward Development Programs. The only way this can be achieved is through the collection of the revenues so that we are able to get where WDP can be paid to a tune of Kshs.3 billion. With this amount, you will definitely see development. I urge the Members to support this Bill. I know there are some people who are chairmen of those grabbed lands of this side ...

**Hon. Speaker:** Order, Hon. Whip! I just hope that you are a land owner on this other side and you are not a tenant. So, please take cognizance of that, and thank you for your contribution. Hon. Musango.

**Hon. Musango Maithya:** Thank you, Mr. Speaker for giving me time to contribute to the Regularization Bill. I think it is a very good idea. and if it will be supported and passed, it will bring more revenue to the County especially at my ward whereby we have so very many tall buildings. This will enable them pay rent rates, and it will be more advantageous to our city. I support it, Mr. Speaker.

**Hon. Speaker:** Chair of the Budget Committee.

**Hon. Wilfred Odalo:** Hon. Speaker, I stand to support the Motion. Hon. Speaker, when you retire, you will let our Majority Whip know that even the Chair of Budget resides in Eastlands and he is not a land grabber.

With this Bill, Hon Speaker, there will be security of the structures that are already built along the Kangundo Road and other unregularised areas. It will be a win-win situation for the County to have additional on-source revenue, and to the residents they will have their structures regularized. I stand to support.

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

**Hon. Anthony Karanja:** Thank you, Hon. Speaker. I think this is the third time that we are attempting to pass this Bill, the Planning Committee has been sitting on it. I want to support



and urge our Members to support it. It will revolutionize how we will collect revenue in this County.

Hon Speaker, this Bill seeks to allow and to urge the Executive to expedite the process of titling, especially the Eastlands area of this city. It is important to note that you cannot get an approval for building without a title deed; a very simple document.

Hon. Speaker, we have a report that says that more than 70% of the structures in this city are not approved. This is an opportunity to do the right thing, and an opportunity for the people who put pressure on water system, sewer system, and on our roads to contribute to the development of the same areas of the city. I support.

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

**Hon. Chege Mwaura:** I rise to support this Bill. Mr. Speaker, my colleagues have mentioned a lot about the revenue function of the Bill, but I think it is important for Members to also understand that part of the regularization is not just the titling. It is also for the buildings that have already been constructed, but because they did not have a titles then, they could not get the approvals done at City Hall. So, they will be regularized if the building is in re-inspected and found to be okay. As my friend talks about the people on this side, there are a lot of construction that have happened, and these people did so without bank loans because no bank will give you a loan without a title. So, these resilient people of Eastlands have invested heavily without any support of a bank loan. If they are brought on the grid, I think it will help us in bringing back the safety standards of those buildings so that our people live in buildings that are safe.

Hon Speaker, I know a lot of issues will come when we are doing the Committee of the Whole, so that we can look at it keenly inside. I hope the Chair will allow us to get the copies earlier so that by the time we are doing Committee of the Whole, we should be able to look at it in depth. I like the structure of the Bill, it is a forward-moving legislative proposal.

Finally, Mr. Speaker, the people who we were prosecuting the other day, fall on the same docket. I can see them rushing to get court orders, which they were not even honoring the ones they had. They want to gag this House in doing their job. I hope this House will stand firm and stand with what we believe so that they do not crop back to the offices by the back door. The decisions made by this House must be protected and must be maintained so that the sanity of this house is trusted and respected. Thank you, Mr. Speaker.

*(Applause)*

**Hon. Speaker:** Hon. Peter Maina Mwangi. Okay, he is not ready. The Deputy Majority Whip, then Hon. Mayor.

**Hon. Stazo Omung'ala:** Allow me to support this Bill, Mr. Speaker. Coming from Embakasi, I think this will bring sanity when it comes to now buildings that are fit for people to stay. I want to inform the Majority Whip that this House is full of many chairmen that I know, and not grabbers. As Hon. Chege Mwaura said, people have built without loans, which means they

have the means, it is only the implementation of such laws that now will bring them into fore and compete with the ones who have gagged us from the other side of the city.

I thank my brother, the Hon Palapala, for the work well done. Thank you, Mr. Speaker.

**Hon. Speaker:** Hon. Majiwa.

**Hon. Geophrey Majiwa:** Thank you, Hon. Speaker. I congratulate Chairman for this noble move to bring this motion today. I take this chance to point out that this Bill is achieving two main things: It is achieving security of human beings and their lives who live in the Eastern part of this City, and also achieving security for the investors who have invested there, who are actually the majority.

Hon. Speaker, what probably the young men who came to the city the other day do not know is that the economy of this city lies in the Eastern part of it. This other side they call Western, consume what has been generated from Eastern part of the city. That is the secret they do not know and because they came the other day, we cannot blame them. If people are talking of people who are living in slums, we also have slums like Githogoro, Deep Sea and Waruku, which are not in Eastlands. These young men do not know that these slums exist. Some of them are in their wards.

This is an important Bill that we need to ensure that is achieved to its conclusion because the kind of money that is going to come to this County with this Bill, is money that will change the lives of the Members who are in this House and the lives of the residents who live in Western part of this city, because they have a lot of infrastructure that need money. The money will only come from Eastlands. Therefore, I support this. Thank you.

**Hon. Speaker:** Hon. Fiunifiu.

**Hon. Kamau Fiunifiu:** This is indeed a very important Bill, and I am thankful that I serve in the Committee of Planning. We have able chairman who most of the time works under intense pressure because of the interest that some of the motions and the bills that come before this Committee bring.

Hon. Speaker, the old men must also know that at one point, they were young men. The old man who has just spokem before me, the Member for Ruaraka, I want to inform him through you, Hon Speaker, that the so-called Githogoro is not an informal settlement. The people who live there pay the same rates like the people of Ruanda and Muthaiga. The structures are informal because we need to accommodate people who have come from the countryside. So, the place is quite habitable for them.

Secondly, Hon. Speaker, I want to echo the statement by the Member for Waithaka, that 70% of residents of Nairobi, particularly guys from the Eastern side of Nairobi pay nothing to this County... Please protect me from Hon. Wairia, Hon. Speaker. I am on the floor. Thank you.

As I finish, all of us must feed the cow, because this cow is fed in Muthaiga, Kileleshwa, and Karen, Hon. Speaker, but most of the time this cow is milked in Mathare, Korogocho, and such like places.

Hon. Speaker about Ruai Ward, I talked about equity in terms of allocations of development projects and I am ashamed that over a billion from 2022 has been channeled there. I

want to stop there and thank you so much. I hope now we can be able to fund our budget, and I am happy that all of us can feed this cow.

**Hon. Speaker:** Hellen Okello. Chair, please don't be naughty, please. I will give you an opportunity to contribute.

**Hon. Hellen Okello:** Asante sana Bwana Spika naunga mkono Msawada huu.

**Hon. Speaker:** Hon. Jeremiah Themendu.

**Hon. Jeremiah Themendu:** Thank you, Hon. Speaker for this chance. Let me first thank the Committee...

**Hon. Speaker:** Kindly proceed and contribute.

**Hon. Jeremiah Themendu:** This issue of regularization is very important, particularly in our area, Embakasi Central, because many buildings do not have approval plans. The issue came a long time ago in this Assembly. We are also discussing the issue of Westlands, Muthaiga and other places which are inhabited by the rich people of this County. If Karura is paying about Kshs. 100,000, Eastlands areas like Embakasi Central should be paying less than that, like Kshs. 50,000,

I support this Bill, and I think this is timely. Implementation should be done immediately. As they implement the Bill, they need to involve the Members of the County Assembly from the areas that are affected.

**Hon. Speaker:** Thank you, Hon. Member. Hon. Matara, the last, and then the mover to reply.

**Hon. Silas Matara:** Thank you, Hone Speaker, for this opportunity. In the interest of time, I am going to go straight to the point. I rise to support this important Bill. In our wards, there was fear of this Bill in terms of people not understanding the import captured in the Bill. I congratulate the Chair for Planning and the Executive for getting courage to have this Bill passed by this Assembly.

Hon. Speaker, in terms of safety, it is important that the Chair follows up on the regulations and policy which will give life to this Bill, to ensure that there won't be any compromise when they are going to do inspections of those buildings in order to regularize them.

Most importantly, this House has been speaking about expenditure in terms of making a budget and spending that budget. But there is a big disconnect between what we budget for and what we collect in our resource basket. When Governor Sakaja was being elected into office, he spoke about infrastructure bond. There are multilateral partners who can be able to support the County in giving input...

**Hon. Speaker:** Time out. The mover to reply, please.

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

**Hon. Alvin Palapala:** Thank you, Hon, Speaker. I want to take this opportunity to thank the whole House for supporting this Motion...

**Hon. Speaker:** Thank you, Hon. Chair, you may be seated. Hon Members, you may remember the special sitting is supposed to go up to 12.30 p.m. For that reason, I now put the question.

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Speaker:** Hon. Members, that marks the end of the business of the day in the morning session. The Assembly stands adjourned to 2.30 p.m. today.

*The House rose at 12:25 p.m.*