



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Fourth Session

Tuesday 3<sup>rd</sup> June 2025

The House met at 2.30 p.m.

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

PRAYER

QUORUM

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

Clerk kindly confirm whether we have quorum. Hon. Members we are going hybrid; Clerk confirm physical appearance and online as well.

*(The Clerk-at-the-Table consulted the Speaker)*

The Clerk has cited lack of quorum under Standing Order No. 37 (2). I direct the Serjeant-at-Arms to leave the door wide open as you ring the bell for 10 minutes. Thank you.

*(Quorum bell was rung)*

*(The Clerk-at-the-Table consulted the Speaker)*

**Hon. Speaker:** Hon. Members, after the bell has been rung for 10 minutes the Clerk has confirmed that we have quorum to transact the business of the day. Clerk kindly proceed.

### COMMUNICATION FROM THE CHAIR

#### RESUMPTION FROM LONG RECESS

**Hon. Speaker:** Hon. Members, good afternoon. I have a communication to convey in regards to the resumption from the long recess. It is with great pleasure and renewed sense of purpose that I welcome you all back to this August House after a long and well deserved recess. I hope this period has afforded you the opportunity to rest, reflect and connect with your constituents

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we are here to serve. During the recess I trust that each one of you engaged meaningfully with the citizens you represent.

Hon. Members, the concerns raised by your constituents must guide our deliberations. For that reason, the issues of uncollected garbage, lack of medical supplies to hospitals, unauthorized constructions, access to education for the unprivileged, water rationing in our city, quality of food supplies in the county, matters of Ward Development Programmes registration, disorderly public transport, poor infrastructure, remain pressing and we must address them with urgency and precision.

I also commend the various assembly committees that continue with oversight and investigative functions during the recess. Your commitment in ensuring accountability in governance is commendable and reinforces the integrity of this institution. However, with the enhanced public scrutiny and informed constituents, committees will be required to redouble their efforts in oversight role.

Hon. Members, on revisiting previous directions and directives, indeed you may recall that in my communication on 30<sup>th</sup> April 2025, I did identify a number of critical sector issues that require urgent intervention by the county. However, since the assembly acts on the basis of factual information and recommendations from committees, I direct the sectoral committees to conduct site inspection visits and collect information on various areas within the scope of their mandate.

Consequently, I was impressed to read media reports on some committees doing this, for instance, the sectoral committees on Health Services, Urban Planning and Water and Sanitation. In the said directions, committees were required to present reports on resumption. Therefore, in the next two weeks, committees shall be required to table the reports with recommendations for considerations by the assembly.

#### THE PROCEDURE FOR CONDUCT OF SITE VISITS

Hon. Members, may I remind committees and their Chairpersons that the conduct of site inspection visits is guided by critical legislative instruments and processes. The procedures are clearly provided for in the Assembly Committee Manual and Standard Operating Procedures. These instruments are critical to assist the committees from overreaching their mandate. They were put in place to operationalize Section 9 (2) of the County Government Act 2012 that forbids Members of the County Assembly from directly or indirectly being involved in the Executive functions of the County Government and its administration.

I wish to inform, the Chairpersons that it is not out of order to have officers of the County Executive accompany committees. However, the intention of committees must focus on establishing the fact which inform reports to be tabled in this assembly. Whereas the role of officers of the Executive should be limited to technical support and advice to the committee while in the field. Committees should therefore always adhere to the laid down procedures and operate within their mandate during site visits.

#### LEGISLATIVE PRIORITIES

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Hon. Members, as we resume from recess, it is correct to observe that our performance has been comparatively below expectations. However, all is not lost because we still have some time to the end of the term. Therefore, our legislative agenda must be bold, progressive and responsive to the needs of our people. Key amongst our priorities should be publication and passage of numerous legislative proposals that are at various stages. My office and that of the Clerk have been committed to this process despite challenges of budget shortage for drafting.

However, I want to acknowledge the efforts of our Legal Department through the office of the Clerk which has put extra effort to do internal drafting of Bills. These efforts have borne fruits and I am glad to report that some Bills have been published including Regularization of Unauthorized Developments Bill and Health Services Bill which are on the Order Paper today.

#### CALL FOR UNITY AND DECORUM

Hon. Members, this is a kind reminder that the proceedings of the assembly are being broadcast live to the public and our constituents follow debates and our contributions. What we say in this privileged parliamentary platform carry significant implications and meaning to them. Therefore, as we tackle this critical issues, I urge you all to uphold the dignity and decorum of this assembly, have a robust debate, the hallmark of democracy but it must be conducted with the respect, severity and a shared commitment to the county's progress. Let us focus on the greater good.

#### MEMBERS WELFARE

Hon. Members, in my past communication, it has come out that the assembly has been facing strained cash flow which has adversely affected Members of aspects including payments of workshops and suppliers. I also wish to inform the assembly that the County Assembly Service Board and the assembly leadership have been relentlessly seeking ways to address the foregoing challenges, I am glad to report that we have made some progress and that all 4<sup>th</sup> quarter workshops have been paid to the Members. Nevertheless, committees that are yet to conduct their workshops should do so as scheduled. May I reiterate the Board's commitment to the welfare of the Members as part of its duty in facilitating Members to execute their constitutional mandate. Appreciation noted Hon. Members. Thank you.

Hon. Members, the weekend just ended marked a very important moment in history where the entire country converged in Homabay County to celebrate Madaraka Day on Sunday 1<sup>st</sup> June 2025. Being my rural home, it was special for my family to be honored by H.E President Samoei Ruto CGH and the former Prime Minister of the Republic of Kenya Rt. Hon. Raila Amolo Odinga to take time out of their busy schedule to visit my rural home. It is for this reason that 1<sup>st</sup> June 2025 Madaraka Day will forever be etched in our family history as a truly unforgeable occasion.

The decision by the two eminent personalities to grace our humble rural home was an honor beyond words, a gesture that speaks volumes of their dedication to connect with every citizen no matter how far-fetched.

Hon. Members, this is not honor to the Speaker but to the County Assembly of Nairobi and the Members of the County Assembly at large.

Hon. Members, the visit was not merely a formal engagement, it was a moment of genuine warmth, a testament to the spirit of unity and progress that Madaraka Day embodies. We felt truly seen and valued and their great interactions with each member of our family brought smiles and memories we will cherish for a lifetime. The sight of them in our village engaging with its people has inspired us all.

The sight of them in our village engaging with the people has inspired us all. This visit has invigorated our community and reinforced our belief in leadership that cares deeply for all corners of our nation. Thank you Mr. President and your brother right Hon. Raila Amollo Odinga for this incredible privilege. We are deeply grateful for your time, humility and wavering commitment to our nation's development and especially the rural areas. May god bless you.

In closing honourable Members, I remind us all the privilege to serve in this Assembly comes with immense responsibility. Let us rise above partisan interest and work collectively for the prosperity of our country in line with the rallying calls by the aforementioned leaders of this country. The task ahead is great but so is our capacity to achieve it. May God bless our deliberations and guide us in serving our country in honor. Honourable Members, thank you for listening.

*(Several Members stood at the bar)*

Hon. Members, you may proceed and have your seats.

*(Members took their seats)*

Clerk!

## PAPERS

**Hon. Speaker:** The Hon. Leader of Majority

**Hon. Peter Imwatok:** Hon. Speaker, the Hon. Clerk of this Assembly...

**Hon. Speaker:** The Clerk is not a honourable Member!

**Hon. Peter Imwatok:** The Clerk of the Assembly...

**Hon. Speaker:** Kindly Hon. Majority Leader, you will make the Clerk feel like he is part of the elected Members which he is not

**Hon. Peter Imwatok:** Hon. Speaker, the Clerk of the Assembly Edward Gichana told us through a kamkunji that when we get back from recess, we will find laptops on our desks and so Hon. Speaker that is for your noting, the Board and the respective Clerk.

Before I lay the following Papers, allow me to congratulate you

**Hon. Speaker:** You are in order Hon. Majority Leader, proceed.

**Hon. Peter Imwatok:** As a human being and being visited by the Head of State and the only Prime Minister alive in the republic of Kenya is an honor. Not only is it an honor to you as

the Speaker of this House but also to us that the highest power of this country can recognize one Ken Ngondi, the Speaker of Nairobi, walk on foot to your house and say hello to your mother who is 86 years of age.

It is an honor and a blessing Hon. Speaker. May God bless mom and may she live long and may you live long to see where this country is headed to. On the same breath I wish to note that my counterpart Bishop and I plus the whips did not sleep as we were in constant communication consulting on the Members welfare. To date, the fourth quarter, no Member of the county assembly can say that they have not received their imprest or payment.

This is what we want, and Clerk on the same breath, may we start this quarter with the same breath where no Member shall travel for retreat without receiving payment in their pockets. That will give us credence to work our oversight, legislative and representation role. So congratulations to the Speaker and the Clerk and may God bless all of us. Let us work for the people of Nairobi. As long as the Speaker has signed to a committee sitting out of the Assembly, every person must respect that as it is an extension of this parliament.

Therefore, the committee of Health, Environment and all others who went for site visits have total support from the entire leadership of this House to do your jobs. With those few remarks Hon. Speaker, let me also welcome all of us back and thank you to the whips for the good job of ensuring that Members are okay and safe. Thank you Hon. Speaker.

#### NAIROBI CITY COUNTY REVENUE EXPENDITURE REPORT FOR THE PERIOD ENDED 31<sup>ST</sup> MARCH 2025

**Hon. Peter Imwatok:** Hon. Members, pursuant to Standing Order 166 of the Public Finance Management Act 2012, I beg to lay the following Papers on the Table of this assembly today Tuesday 3<sup>rd</sup> June 2025; the Nairobi City County Revenue expenditure report for the period ended 31<sup>st</sup> March 2025 to be tabled before the committee of Budget, Finance and Appropriations. Hon. Speaker, I beg to lay.

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

**Hon. Speaker:** Thank you Hon. Majority Leader, the paper laid stands committed to the Budget and Appropriations committee for consideration. Clerk, let us proceed.

#### NOTICES OF MOTION

**Hon. Speaker:** Hon. Maragu, kindly press on your mic.

**Hon. Anthony Maragu:** Thank you Hon. Speaker, I wish to give notice of the following Motion; aware that article 159(2c) ...

**Hon. Speaker:** Hon. Member, I have received a request from the Leader of Minority. You may be seated.

**Hon. Anthony Kiragu:** Hon. Speaker, I want to confirm the rules, Hon Speaker, and I want someone to confirm whether Hon. Maragu is properly dressed for this session. This is the first day and I believe we should start on the right footing.

**Hon. Speaker:** Kindly Sergeant- at- Arms verify the concern of the leader of Minority

*(The Sergeant-at-Arms verified if the Member was properly dressed)*

**Hon. Speaker:** Hon. Maragu, the Sergeant –at- Arms has confirmed that you are not properly dressed and are in jeans trousers. Sergeant, assist the Member to exit the chambers.

*(Hon. Anthony Maragu was escorted out of the chamber)*

**Hon. Speaker:** Gen Z Manenos! Clerk, let us proceed.

### STATEMENTS

**Hon. Speaker:** Actually it is the Hon. Member for Mwiki who has, do I say that? It is you that has passed the kind of attires to Hon. Maragu, now. Am I correct? Yes, so thank you we are under order 7 on statements. I don't know whether the leadership have got welcoming remarks to relay to the Assembly. Any Member? Any Leader who has welcoming note to fellow Members? It must not be necessarily be leadership. Yes, Minority Leader please.

**Hon. Anthony Kiragu:** I would like to this opportunity to welcome Members again...

**Hon. Speaker:** Hansard Office can you...the Minority Leader is struggling.

**Hon. Anthony Kiragu:** I want to welcome Hon. Members again it is fortunate that we are back, the Lord has been good. It is good to note that we are coming back to this session without one of our Members who left us to be with the Lord so we should now take our time to work for the people of Nairobi because that is the opportunity that we have been given.

Hon. Speaker I would like to echo the sentiments of the Majority Leader and Clerk who is here that he is committing to have Members having a smooth period during this session so that they will be able to oversight and do what they are supposed to do.

We would request Hon. Clerk to streamline the financial system to what they have always been that Members go for retreats with money in their pockets.

I would also like to challenge Members that this is the second last financial year and the last budget that you will be passing for this House; let us be more serious than ever to do oversight and represent our people as we have always done.

Personally and on behalf of the Kenya Kwanza coalition and as the Chairman of UDA in this County we are committed to ensure we do oversight very well, very firm and...

**Hon. Speaker:** You need to be correct and clear. Is it self-proclaimed UDA Chair in Nairobi or appointed or elected or selected?

**Hon. Anthony Kiragu:** Hon. Speaker when the Party was formed I am the one who took that position because it was vacant. That does not change.

**Hon. Speaker:** So it is self-proclaimed Chairman?



**Hon. Anthony Kiragu:** Not self-proclaimed, self-appointed. It is working Hon. Speaker. No has laid claim to that seat. You can confirm anywhere the two people who are competing with me have all backtracked and am the only one there so it is unopposed. Thank you Hon. Speaker.

**Hon. Speaker:** Okay thank you. Hon Whip.

**Hon. Moses Ogeto:** Thank you Hon. Speaker first and foremost I want to sincerely welcome all Members back to the Assembly. As my leader said it is unfortunate that this Assembly lost one of us, may his soul rest in peace.

Hon. Speaker, as you can see you have come back with lot of blessings after being visited by the President of the Republic of Kenya and the Right Hon. Raila Odinga because there is no other Prime Minister after him so we can't call him former Prime Minister. He is the only current and forever Prime Minister.

Hon. Speaker, we want to sincerely thank Hon. Members especially the committee on Health, committee on Planning and committee on Environment. That Hon. Speaker you remember you gave out raft of information of what must be done and for some reasons, the Whips - you have given us firm instructions that we should change the membership. Hon. Speaker we do request you that we give them time now that they have started showing their energy towards the responsibility given to them.

Hon. Speaker I believe the committee on Health will today receive my Bill which will include raft of changes to hospitals and I believe the committee will give guidance. As Leader of Majority and Minority have said that you will protect the Members of this Assembly when they are doing their oversight role we are there and we expect that the same Members be protected as stipulated in the Constitution of Kenya.

Hon. Speaker with those few remarks we welcome you Members back, and proceed and do the functions as per Article 195 of the Constitution.

**Hon. Speaker:** Hon. Deonysias Mwangi? Hon. Redson Otieno? Hon. Heho? Hon. Jared Akama are you ready? Kindly proceed.

REQUEST FOR STATEMENT REGARDING THE  
MANAGEMENT OF PUBLIC AND PRIVATE CEMETERIES,  
FUNERAL PARLORS AND CREMATORIUMS IN THE COUNTY

**Hon. Jared Akama:** Thank you very much Hon. Speaker for this opportunity. I have a statement request. Pursuant to Standing Order No.47 (2)(c) I wish to request a statement from the chairperson of sectorial committee on Health Services regarding the management of public and private cemeteries, funeral parlors and crematoriums in the county.

Hon. Speaker, Pursuant to Part II of the Fourth Schedule of the Constitution of Kenya 2010 provides the responsibility for managing cemeteries, funeral parlors and crematoriums falls under jurisdiction of County Governments.

Accordingly, it is the county duty to ensure that these facilities are adequately maintained and operate in compliance with relevant public health laws as well as in the most humanely way.

Hon. Speaker, Nairobi's population has seen substantial growth over the years leading to the saturation of cemeteries such as Langata which has already been declared full. However, the rising cost of burying loved ones in rural areas combined with increasing pressure on available land further highlight the need for sustainable solution within the county.

Hon. Speaker, public and private funeral homes should operate with the compassion, professionalism and commitment to supporting families during their time of loss. It is therefore important to know management and operation of funeral parlors.

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

1. The number of public and private cemeteries, funeral parlors and crematoria currently available in the county and number of requests received monthly.
2. The status and condition of these facilities including their level of compliance with public health regulations.
3. A comprehensive report on whether these cemeteries, funeral parlors and crematoria are designed and operated in an environmentally sustainable manner.
4. Whether there are any laws that allow burial of loved ones in private homes in the county.
5. A detailed report on the purview within which the county government operates when disposing of bodies which have overstayed in the mortuary.
6. Measures the County Executive is taking to ensure there is adequate burial sites in the county. Thank you Hon. Speaker.

**Hon. Speaker:** Thank you Hon. Akama. Chairperson, Health Services kindly give undertaking.

**Hon. Maurice Ochieng:** Thank you Hon. Speaker. I will request the Hon. Members to give us 30 days.

**Hon. Speaker:** Hon. Jared Akama.

**Hon. Jared Akama:** Speaker I want the chair for Health to this matter serious. I am requesting this statement based on the experience I have every day. For your information, Hon. Speaker, my office is in the Langata Cemetery and I want to confirm that the people of Nairobi are really struggling to give their loved ones' befitting send off.

If this matter is treated with urgency, it will not only help us as Nairobians, but at the same time, ensure that...

**Hon. Speaker:** You are not comfortable with 30 days?

**Hon. Jared Akama:** The urgency, Honorable Speaker.

If we can work within two weeks. These are issues that can be sorted within two weeks, Honorable Speaker.

**Hon. Speaker:** Chairman, can you consider bringing down the number of days?

**Hon. Maurice Ochieng:** Thank you, Speaker. This issue of cemetery requires a lot of time. One, as a committee, we made a resolution on the way the cemeteries are being handled and we found out that in Langata, there is a developer who has been given a piece of land within the



cemetery. So it will require us time as we involve other agencies like DCI, the Anti-Corruption[EACC] and the Land Commission[NLC]. So I will request 30 days.

**Hon. Speaker:** Thank you, and Hon. Chair.

**Hon. Jared Akama:** I am wondering whether the Chair is insinuating that he wants to investigate the people buried in Langata Cemetery. Where does DCI come in? My questions are very simple, Hon. Speaker, and I do not believe that I have raised any criminal issues to be addressed by the DCI. So let him be serious on this matter, Honorable Speaker.

**Hon. Speaker:** And for that reason, I would want to request the Chair of the Health committee whether he has really understood your concern and question as raised. Because the approach itself, Hon. Morris, does not address the plight of the Member. Kindly, are you listening?

**Hon. Maurice Ochieng:** Thank you, Speaker. I was listening very carefully and very keenly. We do not want to give a raw response. That is why I am requesting. Already we have issues in Langata cemetery where a private developer has been given 11 acres within the cemetery. So we need to do an inquiry.

And it will also involve the DCI to help us to know who this private developer is. And also, we will do a letter to the Land Commission to confirm.

**Hon. Speaker:** What is the concern of the fellow chair? What is his concern in his request for a statement?

**Hon. Maurice Ochieng:** The concern—what do you mean by the concern?

**Hon. Speaker:** What is the content of his request for a statement?

**Hon. Maurice Ochieng:** He wants to know if it involves the people who have also grabbed; he's talking of the cemetery. There are individuals who have grabbed the part of the cemetery. And he also wants to know how many cemeteries we have within the county.

You need a DCI to tell you what to do. As we probe these cemeteries, one of them is Langata, which has already been grabbed by an individual developer.

**Hon. Speaker:** Chairman, it is okay. Chair Akama, you will have to bear with the Chair of the Health Committee. He has made a request of 30 days to respond to your concerns. So kindly bear with him. Thank you; let's proceed. Clark.

Oh, Hon. Redson, are you ready? And kindly apologize to the House because you are late; you are taking them back.

**Hon. Redson Onyango:** Hon. Speaker, I was not late; I was in the House.

**Hon. Speaker:** Sure? Yes, sure. Oh, you didn't catch the eye of the speaker. Kindly proceed.

**Hon. Redson Onyango:** Thank you very much. Hon Speaker, pursuant to Standing Order 47(2) (c), I wish to request a statement from the chairperson of the Health committee.

*(Point of Order)*

**Hon. Speaker:** There is a point of order from the Leader of the Minority.

**Hon. Anthony Kirangu:** Thank you, Hon. Speaker. Again, we are starting the new session. Honorable Speaker, I highly suspect that Hon. Redson Otieno is not properly dressed.

**Hon. Speaker:** Kindly, Sergeant-at-Arms Elisa, confirm. Hon. Redson, you may be upstanding.

*(The Sergeant-at-Arm verified if the Member was properly dressed)*

Hon. Member, you should not engage the Sergeant-at-Arms.

*(The Sergeant-at-Arm consulted the Speaker)*

Hon. Member, I'm sorry. It has been confirmed by the Sergeant-at-Arm that you are not properly before the House. You are in an open shoe.

*(Hon. Redson Onyango was escorted out of the chamber)*

Thank you.

Clerk, let's proceed.

## **BILL**

### *First Reading*

#### THE NAIROBI CITY COUNTY REGULARIZATION OF UNAUTHORIZED DEVELOPMENTS BILL, 2025 (ASSEMBLY BILL NO.2 OF 2025)

[A Bill for an Act of the County Assembly of Nairobi City to Provide for The Legalization of Unauthorized Development and for Connected Purposes]

**Hon. Speaker:** The Chair? Honorable Members, the Nairobi City County Regularization of Unauthorized Development Bill 2025, Assembly Bill No. 2 of 2025, is now committed to the Committee on Lands, Planning and Housing.

Clerk, let's proceed.

## **BILL**

### *First Reading*

#### THE NAIROBI CITY COUNTY HEALTH SERVICES BILL, 2025 (ASSEMBLY BILL NO.3 OF 2025)

[A Bill for an Act of the County Assembly of Nairobi City to Provide for A Legal Framework for Implementing Section Two of Part Two of the Fourth Schedule to The Constitution, The Regulation and Management of Health Services, and for Connected Purposes]

**Hon. Speaker:** Thank you. Honorable Members, the Nairobi City County Health Services Bill 2025, Assembly Bill No. 3 of 2025 is now committed to the committee on Health Services for consideration. Thank you.

### COMMITTEE OF THE WHOLE HOUSE

**Hon. Speaker:** Hon. Members, Motion number 10, on the Nairobi City County Civic Education Bill 2023, Assembly Bill No. 9 of 2023, as read out by the Clerk, is not ready, and for that reason, it stands deferred to the committee of House Business for reallocation.

*(The Bill was deferred)*

### ADJOURNMENT

**Hon. Speaker:** Hon. Members, this brings us to the close of the business of the day, and the assembly now stands adjourned to 2.30 p.m. tomorrow, Wednesday.

I direct the House Business Committee to have a sitting at the rise of the assembly. Thank you, and enjoy your evening.

*The House rose at 4.56 p.m.*