



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Fifth Session

#### SPECIAL SITTING

Friday 20<sup>th</sup> February 2026

The House met at 2.30 p.m.

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

#### PRAYER

*(Loud consultations)*

**Hon. Speaker:** Order, Hon. Members! Kindly, Hon. Members, find your positions. Hon. Lawi, please be seated. Hon. Minority Leader, proceed and take your seat.

Hon. Members, the Clerk has confirmed the quorum to allow us transact business of the day. I therefore call out the Clerk to call the order of business as it appears in the Order Paper.

#### COMMUNICATION FROM THE CHAIR

##### PROCESSING OF COOPERATION AGREEMENT BETWEEN NAIROBI CITY COUNTY GOVERNMENT AND NATIONAL GOVERNMENT

**Hon. Speaker:** Hon. Members, I have got a communication, No. 6 of 2026. Kindly, Hon. Whip and Hon. Majiwa, the Whip is on the floor. Hon. Members, you may proceed and take your positions. Thank you.

*(Several Hon. Members entered the Chamber)*

Hon. Members, allow me to recognize, at the Gallery, the members of the fourth estate. Hon. Kago, please, the Speaker is on the floor.

Hon. Members, I have got this communication to convey, and have read out the subject matter, being the processing of the Corporation Agreement between Nairobi City County Government and the National Government.

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Hon Members, Standing Order 45 (1), regarding processing of a Message requires that the Speaker reads to the County Assembly any Message from the Governor or Senator. However, the Standing Orders anticipates that a Message may be received in unusual circumstances and the remedy is provided for in Standing Order 45 (2) which provides that: -

*"If a message is received from the Governor or the Senator of the County, at a time when the County Assembly is not in session, the Speaker shall forthwith cause the message to be transmitted to every Member and shall report the message to the County Assembly on the day the County Assembly next sits"*

Consequently, Hon. Members, I caused the Message to be transmitted electronically to all Hon. Members on 19th February 2026 under Message No. 1 of 2026. Therefore, may I now report to the County Assembly that my Office received a Message Ref. NCCG/GOV/CA/015/2026 dated 18th February 2026 from His Excellency the Governor formally notifying the County Assembly the execution of a Cooperation Agreement between Nairobi City County Government and the National Government for promotion of social and economic development in the Capital City.

Hon Members, in his Message, the Governor beseeched the County Assembly to exercise its Constitutional oversight role over the Cooperation Agreement. Therefore, based on established practice, I guided that the Agreement be processed through an Ad Hoc Committee. Subsequently, I committed the Agreement to the said Ad Hoc Committee to be established pursuant to Standing Orders to undertake the following:

- i. Study the said Cooperation Agreement and un-pack its contents and implications;
- ii. The role of the County Assembly as far as implementation of the Agreement is concerned;
- iii. The impact of the Agreement on the Budget making process for the FY 2025/2026 and FY 2026/2027;
- iv. The Ad Hoc Committee to conduct a public participation on the Cooperation Agreement guided by all relevant laws; and
- v. The Ad Hoc Committee to table a report to the County Assembly recommending for the approval of the agreement or otherwise

Hon Members, I proceeded to give the following directions:

1. That since we have limited time before the commencement date of the Agreement, the Majority and Minority Whips to present to my office, the names of Members to be part of the Committee as soon as practicable, but not later than today Friday 20<sup>th</sup> February 8.00 a.m. While tabling the names, the Whips were required to ensure that the Membership comprised of the Speaker as the Chairperson, Majority Leader as the Vice Chairperson, Minority Leader, the Deputy Speaker and Six (6) Members from the Majority Coalition and Five (5) Members from the Minority Coalition. However, following further consultations, I have expanded the Committee to include Majority and Minority Whips; an independent Member and two Members of the Chairpersons Panel; and

2. The Clerk to facilitate the Gazettement of a Special Sitting, today, Friday 20th February 2026 at 2.30 p. m, to consider and approve the appointment of Members to the said Ad Hoc Committee following a formal request by the Leader of Majority Party, pursuant to Standing Order 32.

Indeed, Hon. Members, I wish to confirm that this Special Sitting was published in a Gazette Notice No. 2296 dated 19th February 2026, which legalizes this sitting as properly convened. Further, I confirm that the party Whips from the Majority and Minority Coalitions presented the names of Members to the Ad Hoc Committee, which have been listed in today's Order Paper for the Assembly's consideration for appointment.

Hon Members, without appearing to pre-empt the outcome of today's deliberations and considering the timelines we are operating under, I wish to direct that upon appointment by the Assembly, the Ad Hoc Committee shall convene immediately in my Office to commence its business in accordance with the foregoing terms of reference. The Clerk is hereby further directed to immediately constitute and provide a dedicated Secretariat to the Ad Hoc Committee and circulate sufficient copies of the Cooperation Agreement to Hon. Members.

You so stand guided, Hon. Members. Thank you.

## PAPER

### COOPERATION AGREEMENT BETWEEN NAIROBI CITY COUNTY GOVERNMENT AND NATIONAL GOVERNMENT

**Hon. Speaker:** Hon. Members, under Order No. 5, on the Corporation Agreement between the Nairobi City County Government and the National Government, to be laid before the Assembly by the Leader of Government Business. Kindly proceed

**Hon. Peter Imwatok:** Hon. Speaker and Hon. Members, allow me to lay the following Paper before this Hon House.

Pursuant to Article 189 of the Constitution of Kenya, 2010 and Section 65 of the Urban Areas and Cities Act, Cap 275, I beg to lay the following Paper on the Table of this Assembly, today, Friday 20<sup>th</sup> February 2026:

The Corporation Agreement between the Nairobi City County Government and the National Government.

Hon. Speaker, with me, is a fully signed agreement between the National Government and the County Executive, led by his Excellency the Governor Arthur Johnson Sakaja. For avoidance of doubt, it is an original document emanating from State House and the Attorney General's office. I beg to lay.

*(The Paper was laid on the Table)*

**Hon. Speaker:** Thank you, Hon. Majority Leader. The Paper stands laid

## NOTICE OF MOTION

### ESTABLISHMENT AND APPOINTMENT OF MEMBERS TO AD HOC

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COMMITTEE TO SCRUTINIZE COOPERATION AGREEMENT BETWEEN  
THE COUNTY GOVERNMENT AND THE NATIONAL GOVERNMENT

**Hon. Speaker:** Hon. Members, under Order No. 6, the Leader of Majority will give notice of Motion on the constitution of the Ad Hoc Committee on Corporation Agreement. Kindly proceed.

**Hon. Peter Imwatok:** Hon. Speaker, AWARE THAT Article 189 of the Constitution of Kenya, 2010 provides for the cooperation between the National Government and County Governments, more particularly Article 189 (2) dictates that Government at each level, and different governments at the county level, shall co-operate in the performance of functions and exercise of powers and, for that purpose, may set up joint committees and joint authorities;

FURTHER AWARE THAT Section 6 (5) of the Urban Areas and Cities Act, Cap 275 provides for the legal basis for intergovernmental cooperation and partnership between the two levels of governments for purpose of enhancing the performance of functions and delivery of services;

ACKNOWLEDGING THAT the Nairobi City County Government and the National Government of Kenya entered into a Cooperation Agreement on 17<sup>th</sup> February 2026 for the promotion of social and economic development within the Capital City, pursuant to Section 6 of the Urban Areas and Cities Act, Cap. 275 and anticipated to take effect after fourteen (14) days with effect from the date of execution;

COGNIZANT THAT the Agreement provides for collaboration between the two levels of Government in the following areas; -

- i. Refuse collection, management of refuse dumps and solid waste disposal;
- ii. Development, maintenance and improvement of County roads, non-motorized transport and street lighting;
- iii. Planning and development of markets;
- iv. House related infrastructure; and
- v. Provision of water and sanitation services.

FURTHER COGNIZANT of the dictates of the of Article 196 (1) (b) of the Constitution of Kenya, 2010, requiring a County Assembly to facilitate public participation and involvement in the legislative and other business of the Assembly and its Committees;

NOW THEREFORE, this ASSEMBLY resolves to; -

1. Pursuant to Standing Order No. 211, establish an Ad Hoc Committee to consider the Cooperation Agreement executed between the Nairobi City County Government and the Government of the Republic of Kenya and to report to the County Assembly of Nairobi;
2. Approve the following Members of the County Assembly to constitute the Ad Hoc Committee: -
  - 1) Hon. Kennedy O. Ng'ondi, MCA – Speaker, Chairperson
  - 2) Hon. Paul Kados, MCA – Deputy Speaker
  - 3) Hon. Jateso Peter Imwatok – Majority Leader

- 4) Hon. Anthony Karanja Kiragu, MCA – Minority Leader
  - 5) Hon. Moses Ogeto Nyangaresi – Majority Whip
  - 6) Hon. Mark Mugambi Macharia, MCA – Minority Whip
  - 7) Hon. Waithera Chege, MCA – Deputy Minority Leader
  - 8) Hon. Stazo Omung’ala, MCA – Deputy Majority Whip
  - 9) Hon. Wilfred Oluoch Odalo, MCA
  - 10) Hon. Silas Matara Ongwae, MCA
  - 11) Hon. Fatuma Abey, MCA
  - 12) Hon. Wanjiru Kariuki, MCA
  - 13) Hon. Malyun Abdi, MCA
  - 14) Hon. Lawrence Odhiambo, MCA
  - 15) Hon. Francis Kimondo, MCA
  - 16) Hon. Sospeter Mumbi, MCA
  - 17) Hon. Hashim Kamau, MCA
  - 18) Hon. Anthony Ngaruiya, MCA
  - 19) Hon. Agnes Njeri, MCA
  - 20) Hon. Mark Thiga, MCA
  - 21) Hon. Kame Adano, MCA
3. The Ad Hoc Committee to be guided by the following Terms of Reference (ToRs):
    - i. To study the said Cooperation Agreement and unpack its contents and implications;
    - ii. To examine the role of the County Assembly as far as implementation of the Agreement is concerned;
    - iii. To assess the impact of the Agreement on the Budget-making process for the Financial Years 2025/2026 and 2026/2027;
    - iv. To conduct public participation on the Cooperation Agreement in line with Article 196 of the Constitution of Kenya, 2010 and all relevant laws; and
    - v. To table a report before the County Assembly of Nairobi recommending approval of the Agreement, with or without amendments, or otherwise.
  4. That upon tabling and adoption of its report by the County Assembly of Nairobi, the Ad Hoc Committee shall stand dissolved.

Hon. Speaker, I beg to give a notice of the Motion.

**Hon. Speaker:** The notice stands given.

### MOTION

#### ESTABLISHMENT AND APPOINTMENT OF MEMBERS TO AD HOC COMMITTEE TO SCRUTINIZE COOPERATION AGREEMENT BETWEEN THE COUNTY GOVERNMENT AND THE NATIONAL GOVERNMENT

**Hon. Speaker:** Hon. Majority Leader

**Hon. Peter Imwatok:** Hon. Speaker, I beg to move the following Motion before this Hon. House.

AWARE THAT Article 189 of the Constitution of Kenya, 2010 provides for the cooperation between the National Government and County Governments, more particularly Article 189 (2) dictates that Government at each level, and different governments at the county level, shall co-operate in the performance of functions and exercise of powers and, for that purpose, may set up joint committees and joint authorities;

FURTHER AWARE THAT Section 6 (5) of the Urban Areas and Cities Act, Cap 275 provides for the legal basis for intergovernmental cooperation and partnership between the two levels of governments for purpose of enhancing the performance of functions and delivery of services;

ACKNOWLEDGING THAT the Nairobi City County Government and the National Government of Kenya entered into a Cooperation Agreement on 17<sup>th</sup> February 2026 for the promotion of social and economic development within the Capital City, pursuant to Section 6 of the Urban Areas and Cities Act, Cap. 275 and anticipated to take effect after fourteen (14) days with effect from the date of execution;

COGNIZANT THAT the Agreement provides for collaboration between the two levels of Government in the following areas; -

- vi. Refuse collection, management of refuse dumps and solid waste disposal;
- vii. Development, maintenance and improvement of County roads, non-motorized transport and street lighting;
- viii. Planning and development of markets;
- ix. House related infrastructure; and
- x. Provision of water and sanitation services.

FURTHER COGNIZANT of the dictates of the of Article 196 (1) (b) of the Constitution of Kenya, 2010, requiring a County Assembly to facilitate public participation and involvement in the legislative and other business of the Assembly and its Committees;

NOW THEREFORE, this ASSEMBLY resolves to; -

5. Pursuant to Standing Order No. 211, establish an Ad Hoc Committee to consider the Cooperation Agreement executed between the Nairobi City County Government and the Government of the Republic of Kenya and to report to the County Assembly of Nairobi;
6. Approve the following Members of the County Assembly to constitute the Ad Hoc Committee: -
  - 22) Hon. Kennedy O. Ng'ondi, MCA – Speaker, Chairperson
  - 23) Hon. Paul Kados, MCA – Deputy Speaker
  - 24) Hon. Jateso Peter Imwatok – Majority Leader
  - 25) Hon. Anthony Karanja Kiragu, MCA – Minority Leader
  - 26) Hon. Moses Ogeto Nyangaresi – Majority Whip
  - 27) Hon. Mark Mugambi Macharia, MCA – Minority Whip
  - 28) Hon. Waithera Chege, MCA – Deputy Minority Leader
  - 29) Hon. Stazo Omung'ala, MCA – Deputy Majority Whip
  - 30) Hon. Wilfred Oluoch Odalo, MCA

- 31) Hon. Silas Matara Ongwae, MCA
  - 32) Hon. Fatuma Abey, MCA
  - 33) Hon. Wanjiru Kariuki, MCA
  - 34) Hon. Malyun Abdi, MCA
  - 35) Hon. Lawrence Odhiambo, MCA
  - 36) Hon. Francis Kimondo, MCA
  - 37) Hon. Sospeter Mumbi, MCA
  - 38) Hon. Hashim Kamau, MCA
  - 39) Hon. Anthony Ngaruiya, MCA
  - 40) Hon. Agnes Njeri, MCA
  - 41) Hon. Mark Thiga, MCA
  - 42) Hon. Kame Adano, MCA
7. The Ad Hoc Committee to be guided by the following Terms of Reference (ToRs):
    - vi. To study the said Cooperation Agreement and unpack its contents and implications;
    - vii. To examine the role of the County Assembly as far as implementation of the Agreement is concerned;
    - viii. To assess the impact of the Agreement on the Budget-making process for the Financial Years 2025/2026 and 2026/2027;
    - ix. To conduct public participation on the Cooperation Agreement in line with Article 196 of the Constitution of Kenya, 2010 and all relevant laws; and
    - x. To table a report before the County Assembly of Nairobi recommending approval of the Agreement, with or without amendments, or otherwise.
  8. That upon tabling and adoption of its report by the County Assembly of Nairobi, the Ad Hoc Committee shall stand dissolved.

Hon. Speaker, I beg to move this Motion with a lot of respect to the entire House. First I want to appreciate that upon the gazettelement of the Special Sitting, aware that today was a Friday, I did not expect a full House, but by God's grace we are here.

Hon. Speaker, on this particular day, 17<sup>th</sup> February 2026, I was privileged to be among the few who were invited to the highest House in the land; the State House, to witness this important occasion. I was with the Speaker, the Leader of Minority and Hon. Wilfred Oluoch Odalo. The Minority Whip, the Majority Whip and Hon. Chege Mwaura had travelled. I was privileged to witness the President overseeing the same on behalf of the National Government, led by the Prime Cabinet Secretary Dr. Musalia Mudavadi.

Hon. Members, as you are aware, we are all broad-based government in this House. It is in that spirit that we bring this agreement in this House. The National Government and the County Government are cooperating to bring – without pre-empting the debate on the Ad Hoc Committee's role, I wish to implore this House to give this Committee a chance to deliberate on this particular agreement and bring for us an important report that all of our concerns are addressed. I believe in this team that is led by our able Speaker, deputized by myself, it is a historic Ad Hoc Committee.

For those of us who were here in the last regime, we had the NMS. But this is different from the NMS, this is a Cooperation Agreement, it is not a Deed of Transfer. These are two different and distinctive things. Some, through the media, may misrepresent facts. There is a difference between a Deed of Transfer of functions under Article 187 and a Co-operation Agreement under the Urban Areas and Cities Act, Section 6.

Hon. Speaker, without much ado, allow me to invite my counterpart, the Leader of Minority to second this Motion on approval of the Ad Hoc Committee.

**Hon. Anthony Karanja:** Thank you very much, Hon. Speaker and the Majority Leader. I beg to second this Motion and to assure our Members that we have done our very best. We cannot accommodate everybody in the Committee, but we have tried to capture our diverse strengths and capabilities. We assured the people of Nairobi that we have the experience, the capacity, the education, the will and the commitment to make sure that Nairobi is working.

Hon. Speaker, this cooperation is based on Article 189 of the Constitution of Kenya, 2010 like he has said, and not Article 187 like we did in the last Assembly. This is a collaboration and not a transfer of services. Hon. Speaker, we have cooperated with the National Government before and most recently in the area of education; that is bursaries, where we had to commit and sign a framework that allowed us as a County to assist the National Government in bursaries for education, which is not our mandate but the National Government's mandate.

Hon. Speaker, I have had the privilege of interacting with the document, like I said yesterday, and I would like to urge every Member to take their time to go through the 13 pages of the document, understand and to familiarize themselves with the Urban Areas and Cities Act, 2019, the Intergovernmental Relations Act, and Article 189 of the Constitution of Kenya.

Hon. Members, it is a historical moment that the drafters of the Constitution envisioned that Nairobi should and must collaborate with the National Government. This is the first time that we are formalizing this. I believe that people that we have put there will put this County first, will stand for this Assembly and reclaim our position. I want to assure you that as per the agreement, we as an Assembly retain our oversight role, that is not going anywhere, during public participation and during the debate for this document. Let your voice be heard and let your input be incorporated in this document.

Hon. Speaker, without much ado, I second the list and urge everybody to support. Thank you.

*(Question proposed)*

**Hon. Speaker:** I can see a request from Hon. Alai.

**Hon. Robert Alai:** Thank you, Hon. Speaker for presenting to the House the very Agreement which we have heard previously a lot about but we have not seen it, even now that we are debating the composition of the Ad Hoc Committee. I think we need to realize that the actual Agreement has not been seen by these Hon. Members.

Hon. Speaker, from the onset, I think that we need to realize that this is a House of law and order, and I find it wrong for us to come to the House to compose an Ad Hoc Committee to debate

a matter which can easily be handled by the Sectoral Committees. If the Agreement was to be looked at in order to decide whether it is correct and why it should be implemented, then will we be able to change whatever has been signed there? I don't know if there is an opportunity to change.

The other thing is, why don't we use the Budget Committee and the Justice and Legal Affairs Committee to check on this agreement. But for matters like roads, solid waste management, housing, markets, and water and sanitation, we have the respective committees. Hon. Speaker, the moment we come to this House whenever there is an agreement like this and we bring an ad hoc committee in the House and is chaired by the Speaker, who is the custodian of the fair process and also the impartial referee, I wonder how he is going to Chair the process and not look bad on the President. What is going to happen here is that, people are going to look like the President is forcing you to land this plane. Why don't we leave this thing to the Budget Committee and the Justice and Legal Affairs Committee to handle it?

*(Applause)*

All these matters are falling within the Sectoral Committees. If we break the Sectoral Committees, it is going to look like the Executive has actually disbanded the Assembly.

*Point of Order*

**Hon. Speaker:** Hon Robert Alai, there is a Point of Order. Your mic is off, please. Remember to cite the Standing Order you are basing your Point of Order.

**Hon. Anthony Karanja:** Point of Order under Standing Order No. 95. Hon Speaker, it would be wrong to assume that the Speaker will not be fair. The Hon Member has not taken time to understand that this Committee has a duty and has a timeline of 11 days. This is just to look, collect public views and bring a report into this House for it to adopt, reject or amend.

Hon Speaker, this is not a finance issue. This is a whole spectrum of issues that relate on cooperation, on the Articles of the Constitution, the Urban Areas and Cities Act and others. Not an issue of finance. A lot of English may make people think that the Member knows what he is saying. This is an 11-day Committee that is going to table a report on the cooperation on this House. It is not on any operational issue, not on any finances, and not on any project, just on cooperation, nothing else. So, it would be wrong for him to continue misleading this House.

The Members who have been seconded to this Committee actually come from all those Committees. We have done a lot of work with the Majority Leader and the Whips to make sure that all those committees that he is mentioning are represented in this Ad Hoc Committee. It would be unfair for us to subject an issue that would prolong this to 24 Committees in this House, for a thing that is only supposed to take 11 days. He will have an opportunity after we table this report to do that. Thank you.

*(Applause)*

**Hon. Speaker:** Before the Member proceeds, Hon Robert Alai, just for information, Members are supposed to understand at what point the House calls for a formation of an Ad Hoc Committee. This is a special Committee. Normally, you need to interrogate your Standing Orders on what point do we need an Ad Hoc Committee. So, it is well thought out. Hon Member, you can proceed with your contribution.

**Hon. Robert Alai:** Hon Speaker, I do not know why the hurry to interject and even speak before more... He has taken more time than the time I took to even prosecute my simple point. And for the Speaker to say that this is a very straightforward matter, I find that now the process is not going to be fair. I believe that we are putting the cart before the horse. We want this process to succeed. Do not make it look like the President has forced you to land this plane. Please, the Sectoral Committees – We have the Justice and Legal Affairs Committee. The Member should not be debating this issue and call it a Point of Order.

**Hon. Speaker:** Hon Robert Alai, on a point of correction, you are supposed to be pleading with the Members. You are not supposed to engage the Speaker because I am not part of the debate. Kindly plead with the Members maybe to be on your side on the motion.

**Hon. Robert Alai:** Hon Speaker, I do not know if there is a decision you have already made on this matter. I ask you to protect me from yourself and the other leadership Members.

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

**Hon. Robert Alai:** Hon Speaker, I find it bad to have Leadership also in the Committee because the they are supposed to guide the House on important matters. These Members should be given opportunities. Why don't we appoint other Members who are not the Leadership, especially people from the Speaker's panel? You have like the whole Speaker's panel is on the Committee. I do not know how it looks to the House. But if it looks bad, Hon Speaker, it is bad. I kindly ask you to look at those points with an objective and fair mind without looking like it has to land and it has to happen. If you look at it that way, then we are going to dirty this process from the word go. Hon Speaker, I submit.

**Hon. Speaker:** Hon Robert Alai, before you conclude, you are supposed to actually indicate whether you are opposing...

**Hon. Robert Alai:** Hon Speaker, I oppose the Motion.

**Hon. Speaker:** Registered. Any other contribution? Hon Mark Mugambi.

**Hon. Mark Mugambi:** Thank you, Hon Speaker. Hon Robert Alai's sentiments are much welcome. However, I understand the frustrations that most Members feel, especially our friends, for not being part of the said Ad Hoc proposal. We actually had to increase the number to 21 so as to accommodate at least a Member...

**Hon. Speaker:** Hon Mark Mugambi, the number is not the subject for discussion.

**Hon. Mark Mugambi:** I am just enlightening him. The wisdom to which we used the 21 Members, Hon Speaker, was because we intended to at least have a Member from each Sectoral Committee appear. I do not know the issue with which the Member has with the leadership, because anything that he mentions and anything that he types, it has to do with the leadership. At

some point, we have even left him and others to take charge so that the process does not derail. If the leadership makes it derail, we leave them to take charge.

**Hon. Speaker:** Are you for the motion?

**Hon. Mark Mugambi:** I am supporting anything that involves the President, Hon Speaker.

**Hon. Speaker:** Order, Hon Member!

**Hon. Mark Mugambi:** I support it, Hon Speaker.

**Hon. Speaker:** I kindly withdraw that reference point of the President. The Motion before the Assembly does not in any way institute the name of the President.

**Hon. Mark Mugambi:** Hon Speaker, I withdraw, however, anything that involves the development of Nairobi, I will gladly support it. Thank you.

**Hon. Speaker:** Hon Dabar Mohamed.

**Hon. Dabar Mohamed:** Thank you, Hon Speaker. I support the Motion, however, in the spirit of what Hon Alai has raised, I suggest that the membership be expanded to 23 members, including the Chair of Legal and Justice. That is the only submission I have, but I support the motion fully. Thank you, Sir.

**Hon. Speaker:** Hon Rex Omolleh? Mheshimiwa Dabar, you may approach the desk to be advised.

**Hon. Rex Omolleh:** Thank you, Mr. Speaker, Sir. I stand here to support this Motion. My only concern was, when the leadership or whoever concerned in constituting the Ad Hoc Committee is involved in constituting it, there are so many members who would want to learn how to handle such situations in terms of Ad Hoc. But since we joined this House, I think we have had like two Ad Hoc Committees, and the Members seem to be the same.

*(Applause)*

Mr. Speaker, some of us would like to know how these things are done, and when we are denied these opportunities, we do not feel right. We are here to learn so that we have the city be run accordingly in the right way. Otherwise, anything that involves building the city, I support. Thank you very much.

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

**Hon. Geophrey Majiwa:** Thank you, Hon Speaker. I stand to support the Motion. However, I have to express my fear that because this is a House of records and precedence, we had more or less a similar scenario in the last Assembly, and there is record here of public participation in such matters. It was open for all Members to go around. This time, you have zeroed in to a smaller group. I do not know whether you are setting a new precedent because Hon Bernard Mutura set his own. I do not know who will come after you will set another precedent.

What is important is that I believe that Members are going to be allowed to conduct public participation through this arrangement in their individual wards, so that you do not tell us that it is this one group that will go around 85 wards collecting views of the people they do not know. It has to be individual wards to have their own time to do their own public participation because even

a single ward left out can petition this arrangement. So, I second the Motion. I believe that it will not disappear in Tanzania like another one. Thank you.

*(Laughter)*

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

**Hon. Kamau Fiunifu:** Thank you, Hon Speaker. The issue that I would want to raise, is the issue of timeline. It is not captured in this document. We want to know whether this Committee is going to conduct business indefinitely. We need to know when they need to finish up. I hope we are not introducing another bureaucracy in implementation of the cooperation agreement between the National Government and the County Government.

Hon Speaker, on the public participation, we must do a meaningful one in the wards. And that public participation does not have to be cosmetic. On the roadmap, Hon Speaker. I hope this Committee, as they study and examine this document, are going to come up with a roadmap on its implementation.

Lastly, on the composition of this Committee, I have seen new names. This is the fairest composition of a Committee I have seen in the recent times. Because I have seen the very minority have been considered in this Committee. To see the names of Hon Wanjiru Kariuki, Hon. Agnes Njeri, and Hon. Antony Ngaruiyah on that list, I support the composition. But I do not know whether they were just put there to decorate this list.

*(Laughter)*

**Hon. Speaker:** Order, Hon Member! Kindly be kind to the Hon Members. Hon. Rex.

**Hon. Rex Omolleh:** Thank you, Hon Speaker. This is very unusual. I thank God for the very first time salvation is coming on both sides. May the good God bless you. Congratulations, Hon Agnes Njeri, Hon. Wanjiru Kamau and Hon. Anthony Ngaruiya.

*(Applause)*

**Hon. Speaker:** Thank you. Mheshimwa Kanyi.

**Hon. Samuel Kago:** There are two Kanyi's, Mr. Speaker. I rise to support this Motion. This Committee is well constituted, just as my colleague has said. Kasarani is well represented. I represent the good people of Mwiki. As long as Hon Anthony Ngaruiyah Jasho is there and the two ladies, that is a very good constitution. I was of the view of my colleague, Hon Robert Alai, but our Minority Leader, Hon Mark Mugambi, has well clarified. Anything that will bring development in my ward, like completion Mwiki Stadium, the Social Hall and roads, I support. The report should have come like yesterday, Mr. Speaker, so that we get this development that our people in the wards are yearning for. Thank you, Mr. Speaker, and all the best to the Committee.

**Hon. Speaker:** Hon Gitau Stephen Ndegwa,

**Hon. Silas Matara:** Kindly give me audience, Hon Speaker.

**Hon. Speaker:** Please, I have called out a name.

**Hon. Silas Matara:** I am using his card, Hon Speaker.

**Hon. Speaker:** That is not proper, please. You would have actually informed the Speaker. Kindly take your seat, Hon Silas Matara.

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

Please, please! That is not supposed to be my problem. Please, you need to approach the desk, please, Hon Silas Matara. Because it will go at least on record and Hansard as if the Member has contributed. Now, you may proceed.

**Hon. Silas Matara:** Thank you, Hon Speaker. First, I would like to thank God for this opportunity, for seeing this year and be able to come to this House. Also, I thank God that as an Assembly we are back to move with the agenda of changing Nairobi.

Hon Speaker, I rise to support the Motion on three aspects. Number one, as a House, we need to ask ourselves three questions. As County, we have been here for the last three years and some of us have been here for the last eight years. We have to take cognizance of the fact that as Nairobi, due to the resource constraints, we are not able to effectively offer services to Nairobi. We must recognize that we are all MCAs, irrespective of the positions that we hold. So, each and every Member of this House has a right to be appointed to each and every respective Committee. I believe we have the adequate competence and capacity to prosecute any matter.

Hon. Speaker, Members need to understand that what is the purpose of Ad Hoc Committee. We have several tools to address any issue before this Assembly. We need to realize that we form Ad Hoc Committees to handle unique matters that are urgent. So, the question before us is; is this cooperation agreement urgent? In my view, it is. Is this cooperation agreement unique? It is. Then, as such, it qualifies to give reason to form an Ad Hoc Committee. Even if we go the other route, as suggested by my colleague, Hon Robert Alai, on two different matters that are supposed to be dispensed with in this House, it will lead to formation of a joint a committee, which will end up with the same situation. The question is not about who is in the Committee, because we are equal amongst ourselves. The question is; is it important? If it is, let us, as an Assembly, not form the habit of politicization of everything because this is a political institution. Let us be guided by objectivity. Let us look at the intended purpose of this cooperation agreement. In as much as we might be having issues, each and every matter, be it environment, transport or markets, is going to be prosecuted effectively in those respective committees.

By the virtue of me being in a specific committee, it does not mean that I do not have a right to dispense with the matter being handled by that respective committee. So, as an Assembly, let us refrain from the habit of being a litigative Assembly, whereby we raise questions and oppose everything without looking at the objectivity and the intended purpose of a particular matter before us. We owe upon our constituents to dissect and examine matters before us in the right manner.

With those few remarks, Hon. Speaker, I support this Motion. The terms of reference of this committee is clear on the Order Paper. There is nothing that is hidden. Everything is clear on the intended purpose of this Committee. I urge my colleagues to support this Motion. Let us get

into work because we do not have time to argue amongst ourselves. We do not have time; we only have time to deliver for Nairobians. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Sospeter.

**Hon. Sospeter Mumbi:** Thank you for this opportunity. I rise to support the Motion on two grounds. Number one, I acknowledge and appreciate your office for living the spirit of the Standing Orders to consider the interest of independent candidates. So for that, I say, thank you. On behalf of my counterpart, Hon. Kimondo, we say a big thank you.

Number two, Hon. Speaker, the composition is okay, and I support it. I want to urge Members that any time one has an issue with the list or the composition of any committee, it will be courteous of them to point out which names because I have heard many members rising and perhaps mentioning or opposing certain names. Saying that certain names have been appearing in the list but they are not bold enough to come out clear and perhaps outline the specific names. If anyone has an issue with the list, they need to point out that particular name, as opposed to having blanket statement of saying certain names. With that, I support. Thank you.

**Hon. Speaker:** Ochieng Jera.

**Hon. Samson Ooko:** Hon. Speaker, I rise to support this Motion. However, my colleague, Hon. Alai, had mentioned some very important issues. That as much as we support development coming to our wards, when forming this Committee – Hon. Speaker, you know I am a parrot who talks about anything that people talk about. The Committee is constituted of about 90% of leadership. Next time, consider Members. The same team who went to State House and came back with the report are the same team in this particular committee.

*(Applause)*

When will Members be felt, heard or be seen as leaders, Hon. Speaker? As much as I support this Motion, next time, please consider Members. I was expecting to see Virginia Kangethe in this Committee. There are so many Members here who should be in this Committee, not only the leadership. The chair for Justice and Legal Affairs Committee should have been in there. Where is Hon. Kaende in the list?

*(Laughter)*

Hon. Speaker, moving forward, if you are to constitute an Ad Hoc committee, please consider Members because they need to learn. I am supporting the document, but please consider our cries. Thank you.

**Hon. Speaker:** Hon. Members, statements of facts. It is not the Speaker who constitutes committees. That is a preserve of the Whips of the House. My only place is to nominate independent Members to sit in various committees. So for that reason, it is not the Speaker but the Whips of the divides of the House. Hon. Chege Mwaura.

*(Hon. Mark Mugambi spoke off the record)*

You had consumed your time, please. No! I do not know whether he is ready to be informed. He has declined. Order, Hon. Mugambi! Please, let the allegation rest. The Member does not want to be informed. Please, take your seat.

**Hon. Chege Mwaura:** Thank you, Mr. Speaker, for giving me this opportunity. I rise to support the Motion. First and foremost, I want to mention that have never been part of any Ad Hoc committee, not because of not getting a chance, but I feel maybe it is important to clarify that the works of a Whip – I have been a whip before – of balancing out Members is a very difficult role. I am happy that the Assembly is also building its capacity to debate, and at the end of the time, get a chance to finally vote on the Motion.

Mr. Speaker, I heard that the timeline is actually very short. So, Members, I will just plead with you that allow this Committee its chance to be able to deliberate on the issues. The ones that feel they would want to learn; you are allowed to go as friends of the committee. I hope that the deliberations of this Committee will come up with a recommendation that gives a chance to another committee, maybe as a caretaker of the implementation, so that the Members also get a chance to be part of it.

Mr. Speaker, I think it is important for this Committee to clarify the issue that is affecting Nairobians enough to go to court, on the basis of Article 189 as Cooperation, as opposed to a Article 187 as Transfer. The Committee should task itself and put a lot of energy to ensure that members of the public are comfortable with the arrangement.

Mr. Speaker, during the other regime, we were faced with almost a similar situation. Let the Committee ensure that they safeguard the legislative function of this Assembly so that the functions that will be joined between the National Government and the County Government, that legislative, and oversight role are not be blurred to the extent that we can only see good projects being done, but we cannot be able to oversight them. I hope it comes out of the report.

Members should have a follow-up mechanism once the Committee starts operating. When it starts operating, I hope there will be a framework where it captures the Members' concerns within the various sectoral committees to follow up. There should be a feedback mechanism so that Members of this House and also of the public can be taken through, so that at the end of the day, we are not left with a situation where any monies expanded by this County to the County Government leaves to go to the National Government, and the ones that is coming to the National Government is properly safeguarded to deliver for the people of Nairobi.

Mr. Speaker, I also want to finish because I can see you also been put on the dock. The Appointments Committee of this House that appoints all the CECs, is chaired by the Speaker. Given the benefit of doubt to lead this process for 11 days, let the report come and we table it. Let us encourage the debate of the House so that Members are able to debate then vote at the end of the day. But I think, Mr. Speaker, it is a good start.

There is a reason we are getting help. When we were here last year, we were complaining on the issues that we are having with the Executive. Maybe this one becomes a way of unlocking those issues. Therefore, let us give this Committee the chance. We wish them well and support them, and let us just give them the benefit of doubt to be able to deliver. I thank you, Mr. Speaker.

*Point of information*

**Hon. Speaker:** Hon. Mark Mugambi, what is the issue?

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. I wanted to inform Hon. Ochieng Jera that, it is a lie you have just put on Hansard, saying that 90% of the Members in this list were in the last Ad Hoc committee. Actually, as the Whips, that was the cutting line because on my side, I made sure that none of the Members, other than the Minority Leader, was in the last Ad Hoc committee.

Hon. Speaker, the other criteria that we used was, any Member that tried to lobby to be in this, I made sure that didn't appear here. I got around 16 requests from my friends, they know themselves. None appeared in the list. The Members that are in the list are surprised that they are here. My deputy ought to be in this Ad Hoc committee. She was a member of the other Ad Hoc committee, but I was not a member. Therefore, that is the wisdom that guided me. I actually never want to be in these Ad Hoc committees because there is a false narrative or perception that Ad Hoc committees are, kind of, have something...

**Hon. Speaker:** Kindly, you have made your point. The last speaker, Hon Kiogora.

**Hon. Eric Murigu:** Thank you, Mr. Speaker, for this opportunity. I would like to support this Motion. I just want to inform this House that for the last three years, this is the fourth year, you have been our Speaker and you have led us so well.

On this matter, Mr. Speaker, as the Chair, you cannot lose direction. I just want to let the Hon. Members know that this specific Committee that has been formed is going to bring to us around Kshs. 80 billion this coming financial year. It is important for this House and especially the elected Hon. Members not to lose the sight of a gazelle because of a dashing squirrel. Hon. Jera wants to lose us here, Mr. Speaker.

Mr. Speaker, I urge this House, with a lot of humility, to allow this Committee that has been formed to go on. I want to inform Hon. Jera that these Members who have been appointed in the said Committee are important Members of this House for the last three years. I urge the Hon. Members to support, as Hon. Hashim and Hon. Mark are aligning with my sentiments. Thank you very much, Mr. Speaker.

*(Hon. Samson Ooko spoke off the record)*

**Hon. Speaker:** You are out of order, Hon. Ochieng Jera, please be seated! e. Hon. Members, I now give right of reply to Hon. Leader of Majority.

**Hon. Peter Imwatok:** Hon. Speaker, allow me to appreciate the House for a robust debate. That is a maturity of a democracy, where either side of the House makes the House lively on a particular agenda before the floor of the House. Hon. Speaker, it is also imperative for me to inform this House, as I reply, that in many precedents of Parliament, most Ad Hoc committees are chaired by the Speaker. There must also be a guided democracy. This is the County Government's position, led by Arthur Johnson Sakaja and the National Government position, led by His Excellency the

President William Samoei Ruto. This is important for the County of Nairobi. At some point, allow some guided democracy, and the Whips, in their wisdom, know each one of us.

Hon. Speaker, there are Hon. Members before this House who light fire and leave. Namely, Hon. Alai and the musketeers, they know themselves. This is 2026, we will not fear to say the truth...

**Hon. Speaker:** Hon. Majority Leader, please don't use unparliamentary language.

**Hon. Peter Imwatok:** Hon. Speaker, I expect Hon. Alai to fire and sit as also we fire back with facts. Not to fire and leave. Because you are selling lies before the Hansard. The truth of the matter, a House must operate within the premise of the Standing Orders. The Standing Orders are very clear at what point the Speaker decides to form an Ad Hoc Committee, and explicitly explains what is the function of a sectoral committee.

Hon. Speaker, the wisdom of the Whips to constitute this Committee, you may find the major project the President, in his wisdom, announced is the issue of garbage collection. The Chair for Environment, Hon. Matara, is among these Committee members. A lot of issues will be handled on budget lines. The Chair for Budget Appropriation is the leader seated next to us. In his own wisdom, God never appointed me to be the Leader of the Majority not to step the State House. If you feel bad, I was there. I am sorry for you. Even tomorrow, I have been invited and I will be there. Broad-based is not a project, it is an entity that makes a difference in this country. As we say, we are all in broad-based government. Now, you are trying to push others behind. We are coming in, be prepared to be pushed out.

*(Applause)*

Hon. Speaker, from the onset, there are people who speak on both sides of the language. If you go on Hansard two years ago, the same champions of the Broad-Based Government, are now opposing.

Hon. Speaker, on the issue of Ad Hoc Committee, it is only six days. Today is on a Friday. Who is working tomorrow and Sunday? Who is working on Monday, as a parliamentary practice? The issue of public participation is not a function of Ad Hoc Committee. It is the Ad Hoc Committee to combine the public views in the wards. We are requesting all of us to be there. The wisdom of the Constitution speaks about public participation in Article 196. It also requires you as elected and a special elect to be part of that public participation. Please, let us go back to electorates. What we are seeing is not good. *Tuingie* ground.

Hon. Members, allow me to appreciate the Speaker's office, the Clerk's office, and all those who have spoken. It is a democracy. I feel when somebody looks at Hon Fatuma Abey, whom I have never known the second name, in this Committee. And a Member is saying she does not deserve to be in the Committee. Hon. Sospeter is known, the chairman of the welfare. Now, he is representing you in this Committee. What is your problem? The chairman of welfare when he was representing you in fighting for all allowances, he was top and a good man. But now he is representing you in Ad Hoc Committee, he is a bad man. Hon. Sospeter, I warned you before.

A House must be guided through the Standing Orders and also guided democracy in terms of Government agenda. This is the President's agenda and the Governor's agenda. As much as the Speaker will reprimand me on this, because for a decision to be made by the National Government under the Act should collaborate with the County Government, the Head of State must give a green light. That is why on the signing of this agreement, he was seated there to witness on behalf of the National Government. I was there as a Leader of Majority to witness on behalf of the people of this House. The Speaker was there to witness as the arbiter of this House.

Hon. Speaker, we must be honest with ourselves. There will be a one kilometer road per every ward. The Chair of Budget Committee is here, how much is 30% of Kshs. 43 billion in terms of development? We cannot afford, but the National Government can afford. The much we hasten it, the much we get back to our wards launching this one kilometer road.

Hon. Members, it is not about the Ad Hoc Committee. Another one has told me the other one got lost in Arusha. I don't remember Arusha getting lost in the Ad Hoc Committee. The Standing Order is very explicit, the last submission on this Motion says the Ad Hoc Committee shall cease to be in session at the expiry of its time. This Committee cannot go beyond stipulated time. So, Hon. Majiwa, the issue of the previous Ad Hoc Committee, it is the timing that expired, not the Ad Hoc committee which got lost. You cannot revive a time lost. Today is 2026, you cannot revive an Ad Hoc committee of 2024. It is not possible.

I appreciate the first timers like Hon. Rex for raising a concern that indeed we need to nurture other leaders within us who are fighting to come back in 2027, to also know how Ad Hoc committee operates. But as the Leader of Majority, I cannot allow you to guide the government business in my absentia because you might guide like Hon. Alai.

Hon. Speaker, I want to appreciate the entire House, Hon. Chege Mwaura and all those who have spoken. Hon Ochieng Jera, don't hesitate, speak your heart. Some of us in 2013 used to speak on everything and became good debaters in parliament. As long as you say with that humility and respect to each other, not only to leadership. But there's also a tendency that is cropping here. There is head from that far corner where Hon Swaka sits. Some of us died a long time ago...

**Hon. Speaker:** Order, Hon. Majority Leader!

**Hon. Peter Imwatok:** Hon. Speaker, I am saying the head for leadership comes with issues. The others who saw me greeting the President in a Kshs. 200 million tie, they are now saying, "how did Imwatok go to State House?" My friend, see you tomorrow. *Naanza kuwapanga kwa* broad-based government because we allowed them, *na wanaharibu*. We are back in broad based. If you know you have no position in Assembly....

**Hon. Speaker:** Order, Hon. Majority Leader!

**Hon. Peter Imwatok:** Lastly, Hon. Speaker, allow me just to say thank you to the clerks. As the Committee Vice Chair, we are constituting immediately so that the adverts should go out there for public participation within seven days. Also to tell our people to come out and speak the truth. There is no deed of transfer, there is a collaboration between the National Government and the County Government. There is nothing leaving the County Government going to the National

Government, but there is something leaving the National Government coming to the County Government. Hone speaker, I beg to reply.

**Hon. Speaker:** Thank you. Hon. Members, before I put the question, I just want to share with you, as your Speaker, my take in the whole process of coming up with the names of the Ad-Hoc Committee Members, especially the Office of the Speaker. You have gone through the document. As indicated, you have seen the Prime Cabinet Secretary as the Chair of the Steering Committee, co-chaired by the Governor. So, that alone tells you the magnitude. For some reason and by extension, it demands that the Speaker, who is non-partisan, is best fitted for that position to chair that Committee. I would want to give you a homework to go and check on your archives, the parliamentary practice where several speakers have chaired the ad hoc committees at the National Assembly.

*(Question put and agreed to)*

### ADJOURNMENT

**Hon. Speaker:** Hon. Members, as you are upstanding, I direct the Ad Hoc Committee, as approved by the Assembly, to have its first sitting at the rise of the Assembly.

Hon. Members, the Assembly stands adjourned to next week, Tuesday 24<sup>th</sup> February 2025 at 2.30 p.m.

*The House rose at 4:26 p.m.*