



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fifth Session

Tuesday 3rd March 2026

The House met at 2.30 p.m.

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

PRAYER

Hon. Speaker: Hon. Members, you may proceed and take your seats.

(Loud consultations)

Order, Hon Members! Order! Hon. Members, be orderly, please. Kindly do not introduce any business which is not sanctioned by the Speaker in the plenary.

Clerk, kindly confirm whether we have the quorum to proceed.

(Hon. Catherine Okoth consulted loudly)

Order, Hon Catherine! Hon Catherine, please. Clerk, proceed.

COMMUNICATION FROM THE CHAIR

ACKNOWLEDGEMENT OF VISITING DELEGATION

Hon. Speaker: I have got a communication to relay:

Hon. Members, today's sitting, which is graced by distinguished delegation drawn from the student leadership of various universities across the Country, who gave a courtesy call to the Office of the Speaker. The members of the delegation are seated at the Speaker's Gallery.

Hon Members, the delegation comprises of the following, and I will request them to be standing in their position as they wave, as I read out their names.

1. Rachel Makarios – Vice President of Kenyatta University.
2. Cornelius Gwako - Congress person of School, Law Kenyatta University

3. Odhiambo Siwo - Congress person for Sports, Kenyatta University
4. Derrick Kiprop - Congress person, School of Public Health
5. Jeconiah Otieno - Congress person, Usambara Hostel
6. Shamin Erupe - Gender and Special Needs Secretary
7. Rose Maraga - Congress person for Creative Arts
8. Macloud Nyamweya - Congress person for SLASS
9. Ondieki Felix - School of Law Jomo Kenyatta University of Agriculture and Technology (JKUAT)
10. Kevin Makori - Governor, the University of Nairobi

(Applause)

May I take this opportunity, on behalf of the County Assembly of Nairobi City, to extend a warm welcome to our guests and to appreciate them for finding it appropriate to visit our County Assembly. I wish you all the best in their engagements in the Assembly. Feel utmost welcome. Thank you.

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

(Several Members entered the Chamber)

I hope the Clerk has distributed the report of the Ad Hoc Committee to the Members. Sergeant-at-Arms, please circulate the reports. Clerk, you can proceed.

PAPERS

Hon. Speaker: Hon Members, under Order No. 5, we have the report of the Controller of Budget on County Government's Budget Implementation Review for the first three months of the financial year 2025-2026. The Leader of the Majority Hon Peter Imwatok.

Hon. Peter Imwatok: Hon Speaker, allow me also to extend my warm welcome to the student leaders who are seated on the Speaker's Gallery. Welcome to the County Assembly of Nairobi, where laws are passed on behalf of the citizens of Nairobi.

Hon Speaker, I have several Papers to be laid. I am looking for the one you have read. I think it is number...

Hon. Speaker: Just proceed, under Order No. 5. You have up to about five, so, it does not matter.

REPORT ON NAIROBI CITY COUNTY FISCAL STRATEGY PAPER FOR FY 2026-2027, AND THE MEDIUM-TERM DEBT MANAGEMENT STRATEGY PAPER FOR FY 2026-2027 TO 2028-2029

Hon. Peter Imwatok: Hon Speaker, pursuant to Section 117 (1) and Section 123 (1) of the Public Finance Management Act, CAP 41 (2) (c), I beg to lay the following Paper on the Table of this Assembly, today, Tuesday 3rd March 2026:

The report of the Nairobi City County Fiscal Strategy Paper for the financial year 2026-2027, and the Medium-Term Debt Management Strategy Paper for the financial year 2026-2027 to 2028-2029.

Hon. Speaker, [the Paper] to be committed to the Committee of Budget and Appropriation.

(The Paper was laid on the Table)

REPORT ON CONSIDERATION OF COOPERATION
AGREEMENT BETWEEN NATIONAL
GOVERNMENT AND COUNTY GOVERNMENT

Hon. Peter Imwatok: On the same, Hon Speaker, allow me to lay the following Papers.

Pursuant to the Standing Order No. 211 (4) (b), I beg to lay the following Paper on the Table of this Assembly, today, Tuesday 3rd March 2026:

The Report of the Ad Hoc Committee on the Consideration of the Cooperation Agreement between the National Government of the Republic of Kenya and the Nairobi City County Government.

(The Paper was laid on the Table)

REPORT OF CONTROLLER OF BUDGET ON COUNTY
GOVERNMENT BUDGET IMPLEMENTATION REVIEW
FOR FIRST THREE MONTHS OF FY 2025-2026

Hon. Peter Imwatok: Hon Speaker, pursuant to Article 228 (6) of the Constitution of Kenya, 2010, I beg to lay the following Paper on the Table of this Assembly, today, Tuesday 3rd March 2026:

The report of the Controller of Budget on County Government Budget Implementation Review for the first three months of the financial year 2025-2026.

Hon Speaker, [the Paper] to be committed to the Committee of Budget and Appropriations.

(The Paper was laid on the Table)

NAIROBI CITY COUNTY REGULARIZATION OF
UNAUTHORIZED DEVELOPMENT ACT, 2025

Hon. Peter Imwatok: Pursuant to Section 11 of the Statutory Instruments Act, 2013 and Standing Order No.208 (2), I beg to lay the following Paper on the Table of this Assembly, today, Tuesday 3rd March 2026:

The Nairobi City County Regularization of Unauthorized Development Act, 2025.

(The Paper was laid on the Table)

REPORT ON PLACEMENT OF HON DAVID
WANYOIKE IN ASSEMBLY COMMITTEES

Hon. Peter Imwatok: Hon Speaker, pursuant to Standing Order No.169, I beg to lay the following Paper on the Table of this Assembly, today, Tuesday 3rd March 2026:

The report of the Select Committee on Selection on Placement of Hon David Wanyoike, MCA, in Assembly Committees, following his election as a Member of the County Assembly for Kariobangi North.

(The Paper was laid on the Table)

NOTICE OF MOTION

ADOPTION OF REPORT ON CONSIDERATION OF COOPERATION AGREEMENT BETWEEN NATIONAL GOVERNMENT AND COUNTY GOVERNMENT

Hon. Speaker: Hon Members, under Order No. 6, Notice of Motion by the Leader of the Majority, Hon Peter Imwatok, on the report of the Ad Hoc Committee on the Consideration of the Cooperation Agreement between the National Government and the Nairobi City County Government.

Hon. Peter Imwatok: Hon Speaker and Hon Members of this great House, I beg to give the Notice of the following Motion:

THAT, pursuant to Standing Order No. 211 (4) (b), this Assembly adopts the Report of the Ad Hoc Committee on the Consideration of the Cooperation Agreement between the National Government of the Republic of Kenya and the Nairobi City County Government, laid on the table of the Assembly, today, Tuesday 3rd March 2026.

Hon. Speaker: Notice of Motion stands given.

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT REGARDING STRUCTURAL SAFETY OF BUILDINGS IN THE COUNTY

Hon. Speaker: Is Hon Joseph Ndung'u present? Are you ready to proceed? Request for a Statement from the Chairperson of the Committee on Lands Planning. Kindly, Sergeant-At-Arms, facilitate the Hon Member.

Hon. Joseph Ndung'u: Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Lands, Planning and Housing regarding structural safety of buildings in the County, specifically, in the Central Business District.

Hon. Speaker, in the course of few years back including 2025, the County has experienced the collapse of several buildings and preliminary investigations point to negligence either on the part of developers, lapses during approval by the County Government or its agencies, and inadequate or lack of periodical structural integrity and safety assessment.

In the Central Business District. for instance, the building that hosts Beams Hotel and other businesses located at the junction of Mfangano Street and Sheikh Karume street, has multiple visible cracks on its exterior walls. The cracks raise serious concerns about the structural integrity of the building and the safety of people who operate inside and around the building.

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

1. Whether the County is aware of the visible cracks in the said building and if so, what immediate enforcement action has been taken to ensure the safety of the public;
2. Whether the building has a valid and up-to-date Certificate of Occupation and whether its structural design and any subsequent modifications have ever been approved by the County's building authorities;
3. Whether the County has any plans to address such incidents of apparent structural failure in buildings across Nairobi, particularly in the aging CBD infrastructure; and
4. Steps that the County is taking to ensure that developers adhere to approved development plans and conform to all laws and regulations governing construction in the County.

Thank you, Mr Speaker.

Hon. Speaker: Chairperson of the Sectoral Committee on Lands Planning and Housing to give an undertaking.

Hon. Alvin Palapala: Thank you, Hon Speaker. We request for 14 days.

Hon. Speaker: Have you considered the Assembly Calendar? Members shall be proceeding for their short recess on Thursday.

Hon. Alvin Palapala: Two weeks after recess.

Hon. Joseph Ndung'u: Mr. Speaker, I think this matter has been on and off this floor for several times I think it is a matter that deserves the seriousness of this Assembly because even as I was preparing this Statement, there was another building that collapsed near the bus station in Nairobi. So, I think we need to be fair to the Nairobians and maybe speed up the matter and make it one week.

Hon. Speaker: Hon Chair, is the request of the Member possible?

Hon. Alvin Palapala: Mr Speaker, we can do it one week after recess.

Hon. Speaker: Okay, thank you. Hon Redson Otieno?

REQUEST FOR STATEMENT REGARDING CONTINUED VACANCY
IN OFFICE OF COUNTY SECRETARY IN ACTING CAPACITY

Hon. Redson Onyango: Hon Speaker, pursuant to the provisions of Standing Order No. 47(2) (c), I wish to request a Statement from the Chairperson of the Sectoral Committee on Labour and Social Welfare regarding the continued vacancy in the office of the County Secretary in an acting capacity for a period exceeding six months.

Hon. Speaker, the Office of the County Secretary is a critical office in the County Executive, responsible for coordinating County Executive functions and ensuring effective service delivery.

Section 44 of the County Governments Act, 2012, provides for the appointment of a substantive County Secretary through a competitive and transparent process. Further, Section 34 of the Public Service Commission Act, 2017 stipulates that an officer may be appointed in an acting capacity for not less than thirty (30) days but not exceeding a period of six months, during which the position should be filled and substantively advertised.

Hon. Speaker, despite these clear legal provisions the said office has remained under an acting appointment for a period exceeding six months, raising concerns on compliance with the law, accountability and effective administration.

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

1. A comprehensive report on the implementation of the Courts' directive in Constitutional Petition No. E480 of 2024 wherein the Court directed the Governor to ensure that a County Secretary is appointed within sixty (60) days; and
2. A detailed report on the exact duration for which the Office of the County Secretary has been held in an acting capacity including a chronological account of all acting appointments made in respect of the Office and the justification for exceeding the statutory period.

Hon. Speaker: Thank you. Who is the Chair for Labour?

Hon. Kennedy Oyugi: Thank you, Mr. Speaker. I am standing in for the Chair, as a Member of the Labour Committee. If you can allow the Labour Committee to sit during the recess, then the response can be adduced the first week after recess.

Hon. Speaker: Have you at any given point come to contact with the said Court order?

Hon. Kennedy Oyugi: Not at all. That is why we have given ourselves one month during the recess to interrogate. I mean, we are going to sit during the recess, so we will give the response a week after recess.

Hon. Speaker: Before you make any formal commitment, you get to understand what is contained in the orders.

Hon. Kennedy Oyugi: Then if that is the case, then let us go with the tradition of two weeks after recess.

Hon Speaker: Thank you. Hon Redson, I know you have further request.

REQUEST FOR STATEMENT REGARDING DUPLICATION OF LEADERSHIP ROLES WITHIN COUNTY HEALTH FACILITIES

Hon. Redson Onyango: Hon. Speaker, pursuant to the provisions of Standing Order No. 47(2) (c), I wish to request a Statement from the Chairperson of the Sectoral Committee on Health Services regarding the duplication of leadership roles within Level IV and Level V County Health facilities.

Hon. Speaker, the County Governments Act, 2012 provide for structured management and responsible utilization of public resources, while Article 201 of the Constitution of Kenya, 2010 emphasizes prudent and responsible financial management. The continued existence of parallel authority within Level IV and Level V County health facilities has raised concerns regarding compliance with approved organizational structures and optimal use of human resources.

Hon. Speaker, concerns have been raised regarding the continued duplication of leadership roles within Level IV and Level V County Health Facilities, where the facility managers at Level IV, both Chief Executive Officers, and Medical Superintendents at Level V perform overlapping administrative and operational functions. The existence of such parallel authority structures raises questions on compliance with approved organizational frameworks and clarity of reporting lines within the County health sector.

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

1. A comprehensive report detailing criteria for the appointment of Chief Executive Officers, Medical Superintendents and Facility Managers within the same County health facilities and any guiding principle;
2. A detailed report of the specific roles, reporting lines and supervisory mandates assigned to each office to avoid duplication of functions; and
3. The measures being undertaken by the County Executive to streamline facility.

Hon. Speaker: The Chairperson of the Committee, Hon Maurice?

Hon. Maurice Onyango: Thank you, Hon Speaker. I think the Hon Member is my Member of the Committee, so I think those issues we can deliberate on the Committee.

Hon. Speaker: Please help me understand your concern as the Chair of the Committee.

Hon. Maurice Onyango: I am saying the Member, Hon. Redson Otieno, a representative of Ngei Ward, is a Member of Health Committee.

Hon. Speaker: So what is your advice to the House?

Hon. Maurice Onyango: These issues, we can handle at the Committee level.

Hon. Speaker: Has he ever raised the same concern at the Committee meetings?

Hon. Maurice Onyango: I would advise him to raise the issue in the Committee, so that we can put it as an agenda for discussion. Unless there is a Member who is not a Committee Member and wants to know why the Chief Executive Officers and the hospital managers were employed.

Hon. Speaker: Hon Redson, can you confirm to the House whether you are a Member of the Health Committee?

Hon. Redson Onyango: Yes, I am a Member, but I have raised these issues because they have not been taken care of. And he knows, he is the Chairman.

Hon. Speaker: Kindly, Chairman, take the responsibility on the concern of the Member and give, at least, action on his concerns.

Hon. Maurice Otieno: Thank you, Hon. Speaker.

Hon. Speaker: Clerk, let us proceed.

MOTION**ADOPTION OF REPORT ON CONSIDERATION OF
COOPERATION AGREEMENT BETWEEN NATIONAL
GOVERNMENT AND COUNTY GOVERNMENT**

Hon. Speaker: The Leader of the Majority.

Hon. Peter Imwatok: Hon Speaker, allow me this very important afternoon to present this Motion.

THAT, pursuant to the provisions of Standing Order 211 (4)(b), this Assembly adopts the Report of the Ad Hoc Committee on the Consideration of the Cooperation Agreement Between the Nairobi City County Government and the National Government of the Republic of Kenya, laid on the Table of the Assembly on Tuesday 3rd March 2026.

Hon Speaker and Members of this House, you are aware that about 14 days ago, the National Government and the County Government entered into a cooperation agreement for economic development of this County, on four sectors.

Hon Speaker, subsequently, on Friday, in a Special Sitting, you committed this cooperation agreement under the Committee instituted by the two Whips; the Ad Hoc Committee on the Consideration of the Cooperation Agreement between the National Government and the County Government.

Hon. Speaker, after lengthy discussions and sittings that culminated in public participation, last week on Thursday at the Charter Hall, thereafter on Friday in 17 sub-counties, you as the Chair of this Committee – I present as the Vice Chair of this Committee – you took your Committee through the agreement of the cooperation, and gave the following recommendations for consideration for this House: Without much more ado, I would not want to go into the entire report because all Members in their portal and subsequently on a hard copy, they have this particular report before them.

Hon. Speaker, allow me with your permission to go through specific recommendations that this Committee recommended to this House as we persuade Members to pass this particular report on behalf of the people of Nairobi and the Country's capital Nairobi.

Having considered the Agreement, the submissions from stakeholders, and the observations outlined herein, the Committee makes the following recommendations for consideration and adoption by the Assembly:

1. THAT, the Nairobi City County Assembly APPROVES the Corporation Agreement entered between the National Government and Nairobi City County Government on 17th February, 2026 for the promotion of social and economic development within the Capital City with the following amendments: -
 - a) That implementation of projects should clearly distinguish between national and county responsibilities to avoid duplication of functions. Where joint execution is required, written implementation protocols should define the extent of responsibility assumed by each party.

- b) That upon the coming into effect of the Agreement, the Steering Committee shall, within thirty (30) days, submit to the County Assembly a comprehensive and itemized list of all approved projects to be implemented under the framework, ensuring equitable distribution across the eighty-five (85) wards of the County. The submission shall include detailed project descriptions, estimated costs, funding sources, implementation timelines, and designated implementing entities, in order to promote transparency, facilitate alignment with the County's budgetary and development frameworks, and secure prior legislative awareness and effective oversight of the implementation roadmap.
- c) That all projects undertaken, whether independently or jointly pursuant to the Cooperation Agreement, shall upon completion or upon termination of the Agreement, be formally handed over to the Nairobi City County Government. Such handover shall include all relevant documentation, designs, approvals, warranties, asset registers and operational manuals to ensure continuity of management, maintenance, and service delivery.
- d) That the Steering Committee established under the Cooperation Agreement to include the respective County Executive Committee Members responsible for the functions under collaboration, to provide policy direction and executive oversight. Further, in the Implementation Committee, the respective County Chief Officers shall serve in place of the County Executive Committee Members, and shall be responsible for the technical and administrative execution of projects under the Agreement, thereby ensuring clarity of roles, operational efficiency, and accountability within the County Government structure.
- e) That in all projects implemented either singly or jointly under the Agreement, County technical officers including engineers, planners, quantity surveyors and other relevant professionals ought to be actively involved throughout the project cycle, including planning, design, procurement oversight, implementation, inspection and certification. This shall guarantee institutional knowledge transfer, technical compliance with county standards, and sustainability of infrastructure assets beyond the life of the Agreement.
- f) That all prior commitments, undertakings, or promised support made by the National Government to the Nairobi City County Government outside the Cooperation Agreement, but relating to functions now under collaboration be duly honoured in accordance with the principle of legitimate expectation and the obligation of intergovernmental good faith under Article 189 of the Constitution of Kenya, 2010.
- g) That all current service providers already lawfully engaged by either the County Government or the National Government particularly youth groups, community-based organizations, Persons living with Disabilities (PWDs) and other local enterprises within the sectors under collaboration, be given priority consideration

- for onboarding into the implementation framework of the Cooperation Agreement, provided they remain willing and meet the requisite legal and contractual standards.
- h) That the Select Committee on Implementation of the County Assembly be provided with regular, structured reports on the progress, financial status, and implementation milestones of all projects undertaken under the Agreement. Such reports shall be submitted by the Steering Committee on a quarterly basis or as otherwise determined by the Assembly, to enable effective legislative oversight in accordance with Article 185 of the Constitution and the oversight mandate of county assemblies.
 - i) That public feedback mechanisms should be institutionalized at project level to ensure continued citizen engagement.
 - j) That the two-tier governance structure should develop detailed operational guidelines defining responsibilities, quorum, voting procedures/rights, reporting timelines and engagement of stakeholders.
 - k) That future amendments or supplementary arrangements under the Agreement shall be submitted to the County Assembly for consideration and approval in accordance with its constitutional oversight mandate.
 - l) That in the event of renewal or termination, the County Assembly shall be informed in advance to allow oversight of outstanding obligations and financial commitments. Termination should not disrupt ongoing projects without a clear transition or exit strategy.

Hon. Speaker, I beg to lay the Motion before the House, and ask my counterpart, Hon Kiragu, to second.

Hon. Anthony Karanja: Thank you, Hon. Speaker. As a Member of this Ad Hoc Committee and a Member of this County Assembly, I would like to second this report. I don't know whether I should contribute now. Yes, it has not been easy. I want to state that this collaboration is one of the best things that has happened to this city of Nairobi. We have burnt midnight oil, we have spent our weekend, we have argued, we have pulled, we have pushed, but finally, the document is here.

Hon. Speaker, I would like to take exception with the Budget Committee Chair who has really pushed me to the wall when we were discussing about this, on how good it is and say that we were not able to accommodate everything that the people of Nairobi wanted in this document because it has limited time, limited resources, and it had a framework that we did not want to deviate from.

Hon. Speaker, things like the health sector, it appeared in every public participation that it requires attention and assistance. I would like to appeal to Members of this County Assembly that the work is not all done. The National Government has picked those four areas where they want to assist and we still have a lot of work to do. We still have a lot of kilometers to cover. We still have a lot of thinking to do. Congratulations to the Committee, to the Chair, and especially to the Vice Chair who is making noise there. He was very dedicated to this, and all the Members.

I would also like to thank Members who are concerned and seeking their input and to know what was happening and say thank you to you for your guidance in delivering this document, this is a very sensitive document. We hope and pray that it will be implemented. We have maintained the relevance of this Assembly and the County in this document. We have welcomed with open hands those who want to work with us to make Nairobi Singapore. Those who want to make us realize the Singapore dream earlier than we intended. I second and support.

(Question proposed)

Hon. Speaker: Hon. Members, plenary please. Hon. Mark Mugambi, your mic is on.

Hon. Mark Mugambi: Thank you, Hon Speaker. I wish to concur with both leaders on the Ad Hoc Committee report. As a Member of the Committee, we have had intense discussions and public participation across Nairobi, getting views from different wards, different sub-counties and Nairobi County at large.

Hon. Speaker, I would like to give much appreciation to His Excellency the President for the help or the hand that he has extended to us as a County. Our re-election, especially most elected leaders among the 85 wards, is pegged on the actualization of all the wish lists that are captured in the agreement. If we have all those projects delivered on time, most of these leaders won't have – because I am a victim of residents' harassment due to dilapidated sections within Umoja I Ward. In the two subsequent financial years, we have budgeted for roads but we end up not procuring them. The one kilometer that has been extended per ward will greatly assist me and most of us here within our wards. In Umoja I Ward, there projects that have stalled for more than seven months due to non-payment of contractors, like the maternity and Tena Baptist playing ground.

Hon. Speaker, I beg to support this Motion and ask my fellow Members to support the recommendations, which you as our Chair has assisted us in coming up with. All were done in good faith between the National Government and the County Government, because we took keen consideration into each and every item. I beg to support.

Hon. Speaker: Hon. Carrington.

Hon. Carrington Heho: Thank you, Mr. Speaker. I rise with so much admiration, having sat in the previous Ad Hoc Committee. Mr. Speaker, allow me to commend the good work that was done by the team, our colleagues and equally members of the secretariat.

As I am looking at the recommendations, Mr. Speaker, I must say I was a little bit hesitant and pessimistic concerning what was left in our duty to oversight whatever report that will have been brought forth by this Ad Hoc Committee. It had a very good finish in the recommendations, that in the event of the renewal termination, the Assembly shall be informed in advance to allow oversight of outstanding obligations and financial commitments. It insists that termination should not disrupt ongoing projects without a clear transition or exit strategy.

Just to voice what my Whip has just said, that the re-election of the majority of these Members is pegged on how good this report will be implemented. Allow me to commend the good work, knowing that there will be equally a joint funding and that model will be taken care of by

our very able Chair, Hon Wilfred Odalo. I know it is in good sense. In the majority of the budgets that we have passed, you have looked into those wards that were equally so much neglected in the past and they are grossly underdeveloped. I hope this equally will transition into the same joint financial cooperation between in the Cooperation Agreement. I beg to support.

Hon. Speaker: Hon. Lily Kidenda.

Hon. Lily Kidenda: Hon. Speaker, allow me to express my appreciation for the work that the Ad Hoc Committee has done under your chairmanship and the able secretariat group that worked alongside you. I would like to make reference to the public participation engagement that we had last week. I was in the discussions and, yes, I have taken part in public participations before, but I would like to really appreciate the engagement that we had. There was a positive tone from Kenyans as we sat and listened and the energy with which those who had questions and those who supported and even those who had ideas. I would like to appreciate the presentation that was done by the legal principal, legal officer and our Clerk, Jolinda Wangui. It was all very well structured.

I know that because of that a few additions have been made, but I would like to just zero in on a few things that I may want to seek clarification on and if they have been addressed, kindly allow me. I stand to support. I would like to find out if a clear legislative and oversight role of the County Assembly in the agreement has been augmented beyond that which was represented. Because as long as we work as those who have this responsibility, it is critical that there are no grey areas.

I hope, I did not have time to go through this, you will provide a clear definition of non-disclosure of data of the agreement to any third party. I would like to believe that that has been clearly defined, who the third party is and how that is properly reinforced.

Hon. Speaker, critical services like health and education seem to have been left out of this collaboration agreement. I think it would be critical for us to understand that health and education are functions that we need to look at and need addition of funds. Upgrading of any function in this Country without health and education being critically looked at, would leave out very critical functions. Under your chairmanship, Hon. Speaker, I do hope that there is room for these critical functions to be include for the benefit of the Nairobians. Thank you, Hon Speaker. I congratulate you and your team.

Hon. Speaker: Thank you. Hon Odalo.

Hon. Wilfred Odalo: Thank you, Hon Speaker. Before I make my comment, allow me to congratulate the wise men who are up there and also to appeal to Makori, the outgoing governor, University of Nairobi, to give a hand to one of his colleagues, Emmanuel Seth Odalo, who is also vying for the same seat. Thank you.

Hon. Speaker, the actors of the Constitution were very right and they saw the need and they actually embraced Nairobi being a service delivery County by enacted a law, Article 189(2), where it says there shall be a cooperation. As the Chairman of the Budget Committee of this House, I strongly support this Cooperation Agreement.

Hon. Speaker, allow me also to congratulate our Governor and our President for giving a nod to Section 6 (5) of the Urban Areas and Cities Act, that allows for the cooperation to continue

and to be enacted to help Nairobian. Without much ado, Hon Speaker, we have struggled a lot to balance the budget. As my MCA, engineer, said, we really struggled a lot to balance whatever we have. With the Kshs.80 billion in our budget, we are good to go. I strongly support. Thank you.

Hon. Speaker: Hon Hashim Kamau.

Hon. Hashim Kamau: Thank you, Mr. Speaker, I rise to support the Motion. I want to highlight two critical points regarding the Cooperation Agreement. On Legal mandate, as stated by Chairman Budget, Section 6 (5) of the Urban Areas and Cities Act, CAP 275, entering into an agreement is a mandatory requirement. The law uses the word ‘shall’ and not ‘may.’ So, we are behind by 13 years to fulfill the statutory obligation.

On the issue of resource necessity, Hon. Members, Nairobi is the capital city of Kenya and the seat of the National Government. It is a global diplomatic hub and Nairobi needs services, Mr. Speaker. Without the assistance of the National Government, there is no way we can deliver our services. In this regard, Mr. Speaker, I support the Motion.

Hon. Speaker: Hon Sam Kago.

Hon. Samuel Kago: Thank you, Mr. Speaker. I rise to support the report of the Ad Hoc Committee and in support of this Cooperation Agreement. But my worry, Mr. Speaker, it is in the implementation level. This cooperation has come to clean the mess that is in Nairobi County and to complete the pending projects left pending by the Implementation Committee, who in this place is the head of Nairobi City County, the Governor.

This County, through this House and the Budget Committee, chaired by Hon. Odalo, we have appropriated money for projects in this county. But, Mr. Speaker, we have not seen any projects that have been completed or done apart from the kitchens. So, putting the implementation of this cooperation under the head of County Government of Nairobi, there I can smell a problem, going by what has not been implemented. I support it, but on the implementation part of the Committee, I do not support it. Thank you, Mr. Speaker.

Hon. Speaker: Hon Ochieng Jera.

Hon. Samson Ooko: Thank you so much, Hon. Speaker. May I first rise to support this wonderful Motion and appreciate the entire Ad Hoc Committee and the Secretariat for the job well done.

Hon. Speaker, I was privileged to attend a public participation in Kibra. Our residents appreciated the Assembly for appointing one of our own, Hon. Lawrence Otieno, to be in the Ad HOC Committee. At least we felt that we are part of this Assembly. I heard them say that as much as we have a steering Committee that is led by Hon Musalia Mudavadi, and the implementation Committee led by the Governor, at least one of us, be it the Speaker, the Majority Leader or anybody, should be placed so that he is there to observe the process and the progress on our behalf.

(Applause)

Hon. Speaker, there is a fear that as much as you have come up with a wonderful document like this one, there are members of Parliament who feel that MCAs do not deserve these projects in their wards. That is why we wanted somebody to work hand-by-hand with the Governor, so that

our issues cannot be addressed moving forward. I am glad that the County of Nairobi has a budget of Kshs. 40 billion, which around Kshs.20 billion comes from the exchequer and we collect around Kshs.13 billion. I do not know where the Kshs.7 billion comes from. Now the President saw mercy on us and said he is going to give us 80 more billion, at least every ward will have a project. Therefore, I am happy, on behalf of the people of Lindi Ward, that this time we are going to see development come down to our area. I have been saying here that Lindi Ward is the poorest in Nairobi. We have no space to put up a toilet or a public facility. But this time, I am going to have roads and street, courtesy of the President. May the committee live long. Thank you so much.

(Applause)

Hon. Speaker: Hon Majority Whip Moses Ogeto?

Hon. Moses Ogeto: Hon Speaker, thank you so much for giving me this opportunity. First and foremost, I want to thank you by the virtue that you are the Chair of this Committee. You have tirelessly worked to ensure that this document sees the light of the day. I also want to thank the secretariat for working so hard also to bring more and more views from the public, so that this Cooperation Agreement sees the light of the day.

Hon. Speaker, I support this Cooperation Agreement. Reasons being, Nairobi is covered under Urban Cities Act of 2011, Section 6 (5). Nairobi is being described as the capital city of Kenya. When I saw the President reading his speech, it was clear that he also wanted to bring Nairobi Metropolitan Police to the capital city of Nairobi to improve security.

This Cooperation Agreement, Hon. Speaker, between the Nairobi County Government and the National Government, will enhance development across the city. His Excellency Governor Sakaja must be a happy man because of the Kshs. 80 billion being injected to the County Government.

In 2019, I travelled with Hon. Chege Mwaura and Hon. Wilfred Odalo to Tennessee, USA, where roads were being managed by the central government under Joe Biden. If you go to New York or Cape Town, South Africa, the national governments manage various projects for the county governments. Nairobi is a special capital city which needs a lot of development.

Hon. Speaker, if you go to my ward, Kilimani, you will find ongoing projects being done by the National Government by virtue that Kilimani hosts the who is who. We are talking about 40,000 streetlights and bringing water to the city so that Hon. Ochieng Jera does not cry why his ward, Lindi does not have water. That is the reason for this cooperation. I heard some say that this is a deed of transfer. No. In the year 2020, we did a deed of transfer and it was a mess. I believe that this Cooperation Agreement will ensure that various institutions will be in a position to take over developments that are needed. With those few remarks, Hon. Speaker, I support this Motion.

Hon. Speaker: Hon. Nasra.

Hon. Nasra Nanda: Thank you, Mr. Speaker. I rise to support this Cooperation Agreement because it is anchored in the law, and in particular Article 189 of the Constitution of the Republic of Kenya, and Section 6 of the Urban Areas and Cities Act. The agreement is pro development, it

provides for the collaboration when it comes to waste management, roads and drainage, street lighting, water and sanitation, and housing infrastructure. All which are critical to ensure the dignity of the people of Nairobi.

It also creates a joint financing framework aligned with the public finance management framework under the PFM Act, and it seeks in particular to mobilize additional capital investment into the capital so that truly Nairobi can be positioned as a city that can compete with other leading cities.

However, whilst these are progressive actions and I support them, there is a key point that I want to make before this House, that development cannot override due process. The same report notes financial implications, joint governance structures and oversight gaps including the absence of explicit reporting to the County Assembly. So, given the weight of this document, my only grievance, as part of this process, is that we cannot, in all seriousness, be handed substantive documents or revisions at the point of debate and be expected to exercise meaningful oversight under Article 185 of the Constitution.

Supporting development does not mean surrendering institutional safeguards. We can approve progress. We can approve this document but we must reject procedural shortcuts. This is not about personalities, this is about protecting devolution, protecting public finances, and protecting the integrity. So, let us be pro-development always but never anti-law, anti-procedure and anti-integrity of this House. Thank you.

(Applause)

Hon. Speaker: Hon. Fiunifiu

Hon. Kamau Fiunifiu: Thank you, Hon. Speaker. Through you, I wish to tell my colleague that this is a House of debate and is moved when people have debated. From the onset, I want to thank the President for his good intentions. I also want to thank the people who will be executing this report, and support the Ad Hoc Committee for the report they have come up with. We should understand that you cannot side step the Assembly. As much as we are doing development in Nairobi, we must involve the Assembly who represent the people.

I support this cooperation and dare say that over the years, the National Government has abducted the responsibility of Nairobi. We share this city with the world, and as Members who have debated before me have submitted, Nairobi is a regional hub. It is important that I affirm to support whatever is happening on Nairobi River Regeneration. We must also be cognizant of the fact that this is a global city that has the UN headquarters, hence must be a city of order.

On public participation, Hon. Speaker, I went to City Park and the electorates from Westlands supported this because we have been neglected and nothing much is happening there. My worry is the implementation matrix because there is Kshs. 80billion coming. We have seen over the years sacred wards. With this money, we must see equity, and all the wards must have a stake in what is happening. It is very painful to see that there are wards that are never considered when it comes to development. Projects have stalled and contractors have not been paid. On that note, I support this document as long as there will be equity.

Lastly, we must have a meeting with the implementers of this project. They must tell us what they want to do in the various wards. We do not want a situation whereby all these monies go to Eastlands, because we have been neglected as the western side of this city. I must say that because it is my opinion and you have your own – Hon. Speaker, I have lost my line of thought. I support.

Hon. Speaker: Thank you. Hon. Alai

Hon. Robert Alai: Hon. Speaker, have you called me?

Hon. Speaker: Yes! Your mic is on here.

Hon. Robert Alai: Hon. Speaker, I did not want to contribute to this Motion because I feel like we are not following procedure in the House. What you are conducting is an ambush debate because Members need to compare two documents. There is a document which was laid in this House sometime back against what we have been given today. The fact that we have not seen the other document makes it very hard for me to claim that I can support what I have not read and compared with the other. So, Hon. Speaker, I beg to oppose.

Hon. Speaker: Thank you. Hon. Majiwa

Hon. Geophrey Majiwa: Thank you. Hon. Speaker for giving me this opportunity to weigh into this document. As much as I may want to support the process of this document because it is tied to the development that goes to our wards, it is important to highlight the areas we feel are not properly before us.

Hon. Speaker, you have heard an indication that there is an inclusion of membership of those committees, whose names were not appearing in the original document. For the wisdom of the Committee that sat down, there are areas that they thought to include people who were not in the original document. That is why you hear one of the members screaming that we needed to have the first document so that we have an opportunity to compare with the second document and agree with them on the wisdom that guided them into putting these names at this juncture. I want to believe that inclusion of these new names does not create confusion in this document.

Hon. Speaker, we have had traditional managerial skills that have led us to where we are. Now, the president is picking us from the dustbin and trying to bring us back to the road. There are people who have taken us to the dustbin where we are currently lying. Hon. Speaker, for the years I have been here, there is no development that has taken place in Baba Dogo Ward. Every time they put a budget to it and when the implementation time comes, then they shift the budget to areas that they think have more interest to them.

I want to believe that by bringing these people into this new committee, it is not for them to transfer their selfish traditional way of managing these finances, because if they could not manage Kshs. 40 billion, then by adding them another Kshs.80 billion, we see a lot of danger. We want to be cautious that we are not messing ourselves thinking that we are helping ourselves. We may be talking here that the President has come to help us yet the problem that the President wanted to solve has been watered down and the hyenas have entered the camp. We must know what exactly we are doing with this money that the President has brought to us. This idea of bringing people in people who have failed us for three years, what new ideas are they bringing?

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When they took these jobs, they promised us that they have the capacity and the skills to do these jobs yet they have failed us to an extent that the President has come to our aid. So, if the President did not come, does it mean we would be going home empty handed?

Now that the money has been brought, Hon. Speaker, I want to kindly request you to ensure that we do not give present hyenas to mess the Kshs. 80 billion, the way they have messed the billions that have been presented to them. They have not even taken the opportunity to gazette to the people of Nairobi the audited accounts to show what they have been doing with the monies they have had for the last three years. Kindly ensure that the people of Nairobi are safe because if you mess with them, the responsibility starts with you. Thank you.

(Applause)

Hon. Speaker: Hon. Mofire.

Hon. Jeremiah Themendu: Thank you Hon. Speaker. I stand here in support of the Ad Hoc committee report. I thought this was like the NMS where functions of the County were transferred, but I have come to know that this is a cooperation between the National and County Government, under Article 189.

Let me first thank the Committee for looking into areas where we can have an encroachment in our services as Nairobi County. But my worry is, it might be just like the NMS time when some projects were done by contractors and up to date they have not been paid. The reason why it does not indicate that they were paid is because they were paid somewhere in State House, and when the NMS was gone, all the projects that were not paid were transferred there. These contractors are until today pursuing their payments in vain.

We have wasted three years here without completing projects in our wards. By termination of this cooperation, let the implementers make sure that all the debts for the contractors are paid. That is why I am supporting the projects because of what is happening, and let Nairobians get value for their money. Let me say that we cannot ignore the Kshs. 80 billion coming from the National Government. Thank you, Hon. Speaker, I support.

Hon. Speaker: I have only two requests, from Nicholas Juma and lastly, Hon. Stazo Omung'ala.

Hon. Nicholas Okwacho: Thank you, Mr. Speaker for the opportunity. I rise to support the document that came from State House, and not the one that came from the Ad Hoc Committee.

(Applause)

The one from the Ad Hoc Committee, we have not gone through it as we have just been furnished with. I understand that there are some amendments which we are not privy to. I thank the President for thinking about Nairobi and coming in to support Nairobi.

Hon. Speaker: Hon. Member, we are in Motion No. 8. I hope you have gone through the Motion.

Hon. Nicholas Okwacho: I have not gone through the report.

Hon. Speaker: Kindly check Motion No. 8.

Hon. Nicholas Okwacho: As the Chair, were there some amendments because most of the Members do not know the amendments which were done to the original report.

Hon. Speaker: Hon. Nicholas Juma, kindly check properly the Motion upon which you are responding to.

Hon. Nicholas Okwacho: Thank you, Mr. Speaker.

Hon. Speaker: Thank you. Hon. Stazo.

Hon. Stazo Omung'ala: Thank you, Hon. Speaker. Allow me to thank H.E the President for invoking Article 189 of the Constitution of Kenya that mandates that both levels of government shall cooperate in performing functions and may set up joint committees or authorities to make sure that the country goes through.

Hon. Speaker, the people of Upper Savannah elected me to this House for them to get adequate services. For this matter, I beg to support the motion and tell Members of this House that the document in front of them is a culmination of the public participation that we did in their wards. I was in Karen Ward and Hon. Rex was also present. Whatever is in the recommendations is what people of Nairobi recommended. I beg to support.

Hon. Speaker: Hon. Members, there are several requests, one from Hon. DNG, Hon. Lawi and Hon. Alvin. Can we proceed in that order?

Hon. Davidson Ngibuini: Thank you so much, Hon. Speaker. I rise to support the Motion. First, I would like to register my gratitude to H. E the President for considering the capital city of Kenya, Nairobi.

Hon. Speaker, simply put, we need the financial resources that the head of state has promised Nairobians. The Kshs 80 billion will go a long way in enhancing service delivery in this city. If you look at the key areas that this money is going to solve, it is the pain points have been facing. If you look at roads, the money will help us to construct the roads and drainages. Water has been a serious issue where we have been having low water pressure and there are even areas that do not have pipe water since independence. Hopefully, this will be solved.

Hon. Speaker, we also have the issue of garbage which has been a crisis. We do not have enough resources to solve the garbage collection challenges. We are sharing the collection trucks and in some areas we do not even have back hoes, in Dandora we only have one excavator. When the excavator breaks down, we don't have any other and all the collection efforts in terms of the landfill stalls. We hope that these monies will be utilized properly so that we can be able to serve Nairobians better.

Hon. Speaker, if you look at the sewer, we have sewer busts all the time. This is an opportunity for us to rectify that by expanding our sewer systems. I am also glad that markets have also been highlighted in this agreement because we have traders that are encroaching our foot paths and road reserves on regular basis. We need to build functional markets that will be able to accommodate our traders so as to free the non-motorized transport system for the purpose that it was intended for.

Hon. Speaker, I support this and pray that we would be able to fast track these works so that by the time we are going to seek for re-election the wananchi will be able to see the work that has been done in the capital city.

Hon. Speaker: Thank you.

Hon. Lawrence Odhiambo: Thank you, Hon. Speaker. I rise to support this Motion. First, as you know, this cooperation is going to benefit mostly the people of Kibra, especially on roads. On energy, I am beneficiary because my ward has been given 200 street lights. God loves us so much. In the Second Assembly, the NMS did great things, and through their work, I was able to come back to this Assembly.

Hon. Speaker: Kindly, Hon. Lawi, use parliamentary language.

Hon. Lawrence Odhiambo: Okay, Hon. Speaker. Because of this cooperation, I know I will come back here.

Hon. Speaker: Kindly withdraw that from the records.

Hon. Lawrence Odhiambo: I withdraw.

Hon. Speaker: Thank you.

Hon. Lawrence Odhiambo: Hon. Speaker, I attended the public participation. We were given this document and it was a proposal so that your people can go through and give their views. For example, they proposed that health sector and markets be considered. My area has four Level 4s but they don't have drugs. If we could have put issues to do with the health sector, my people would be appreciating this cooperation. I stand to support and God bless you. Thank you.

Hon. Speaker: Hon. Alvin Olando, then Hon. Oyugi, and lastly Hon. Emmy.

Hon. Alvin Palapala: Thank you, Mr. Speaker for giving me this opportunity. First, I want to thank the Ad Hoc Committee for the good job they have done. I also want to thank the President for the work he is doing for Kenyans.

I have two issues on housing, as the Chair of urban Planning and Housing. My main concern is the Pangani and the Jevanjee projects where people have paid deposits for those houses and up to now they have not been completed. It is my prayer that through the joint cooperation between the National Government and County Government that the two projects can be completed. My concern is if we could get cooperation for the two projects can be completed. Thank you Mr. Speaker, I support.

Hon. Speaker: Hon. Oyugi.

Hon. Kennedy Oyugi: Thank you. Mr. Speaker. I rise to support the report, However, I am seeking some clarification especially on observation and recommendation. If you go to observation, is it (iii)? It reads; that the identified areas of collaboration largely relate to functions constitutionally assigned to the county government but allow the national support and coordination. However, there is need for clear operational distinction between national and county responsibilities to avoid duplication of functions and jurisdiction conflicts particularly in projects requiring joint execution.

Number two, the second clarification that I am seeking is on recommendations; i.e. roman 12.' The agreement establishes reporting obligations primarily to execute structures at both levels

of government. However, the committee observed that explicit reference to direct reporting to the county assembly is absent.’ You get that, ‘direct reporting to the county assembly is absent.’ Notwithstanding---

Hon. Speaker: But---

Hon. Kennedy Oyugi: Just a moment, let me finish.

Hon. Speaker: It gets a reference at recommendation level.

Hon. Kennedy Oyugi: Yes. Notwithstanding the assembly’s constitutional mandate to exercise oversight is missing. My worry is; are we not negating our constitutional mandate of oversight?

Hon. Speaker: Hon. Oyugi you now read it with both the recommendations of the Adhoc Committee report.

Hon. Kennedy Oyugi: Yes. That is why I was seeking for the clarification. Why are you referring me---?

Hon. Speaker: Those are the observations and subsequently they have been cured in the recommendations. Can we proceed?

Hon. Kennedy Oyugi: I am being helped unofficially by Hon. Waithera. But Mr. Speaker, these are the recommendations, whom are we recommending them to? Are we suggesting that as an Ad Hoc Committee of the Assembly to amend or who are we suggesting these recommendations to?

Hon. Speaker: Hon. Oyugi you are a senior ranking member of this assembly and you know how reports are normally implemented. Please don’t---

Hon. Kennedy Oyugi: But Mr. Speaker this is a disturbing matter to me.

Hon. Speaker: I have said that you are a senior ranking member of this assembly and you understand the reports of committees are implemented. You are out of order please. Next speaker!

Hon. Emmy Isalambo: Thank you, Hon. Speaker for catching my eye. I stand to support this Motion. First, I want to thank the committee that and burnt the midnight oil to come up with these recommendations. As I was going through the amendments, one caught my eye; the one on people living with disabilities. When we attended the public participation held at Charter Hall, there was a man who stood up and said that they have not been considered as people living with disabilities. I am glad that it is among the amendments proposed.

Nairobi being the face of Kenya, this is very timely, and we are very happy for the President to have sat with the Governor and thought of this cooperation. For the President to have allocated Kshs. 80 billion, he must have done his thorough research and seen what the Nairobians really need. We should be asking ourselves, why didn't he not go lower or above. The President has done his research through his team and he knows exactly what each and every ward needs. Nairobi, I am sure, will be the face of Kenya, and all the other counties will be reflecting on us. With that, Hon. Speaker, I support the Motion. Thank you.

Hon. Speaker: Hon. Members, I now give the right of reply to the mover of the Motion.

Hon. Peter Inwatok: Hon. Speaker, I am grateful that Members have really ventilated into this Motion. I want just to highlight a few concerns that have been raised.

On the concern by Hon. Okwacho, the document before you, Hon Member from Eastleigh South, from page 9 to page 14, is a Cooperation Agreement. They are in. You can do a comparative analysis versus what the Committee has forwarded before this Assembly. Let me also clarify under the Cooperation Agreement, the financing implication of this cooperation. I want to dissuade the Members from the notion that the National Government is bringing Kshs.80 billion to the County coffers. No, those are facts out of context. The National Government is bringing impetus in terms of programs run by agencies. The Athi Water, adding us more water to the County, KURA doing our class B and class E roads across the city, among other functions. There will be no money to be brought to the County Government of Nairobi.

Hon. Speaker, also in the finance clause, it speaks about joint development. Both the County Government and the National Government must budget for this project. Therefore, the County Government will not run away from its responsibility of budgeting, implementing the CIDP and ADP of this County. Therefore, I want to dissuade every member. There is no Kshs. 80 billion brought to the County Treasury. There are only programmes and projects brought to the capital city of Nairobi under the County Government of Nairobi. Let us distinguish those things. There is a difference between the County Government of Nairobi and the capital city of Kenya, domiciled in the City County of Nairobi.

Hon Speaker, I want to agree with those who oppose. My brother, Hon Robert Alai, I love your tenacity. On one hand, we support the President and on the other hand, we don't support the course of the President. It is okay and allowed. It is a democratic process. But I want to dissuade all our members., let us look at the bigger picture when we are debating all these debates. The President, in his own wisdom, called on the County Government under Arthur Johnson Sakaja to give rights for the National Government to come into play. Because without instruments, the National Government cannot appropriate funds to any agency for us to be able to get this capital city working like Accra and other capital cities in the world.

Hon. Speaker, I want also to align myself with thoughts of legislative agenda. Looking at our recommendation, Hon. Speaker, it speaks about independency of this Assembly. That at all times, within 30 days, as prescribed by these recommendation, the Steering Committee - because of time I am rushing - under this Agreement, will submit a proper report before this Assembly that will be shared by all members. I love Hon. Waithera Chege, she put for us an amendment and said, irrespective, the National Government is going to institute these projects. Therefore, it should be equitably distributed among the 85 wards.

Hon Speaker, oversight role kicks in at that point. When we read this agreement, Hon. Oyugi speaks about implementation process. Hon. Oyugi, the Member for High-rise Ward, with all due respect, the Nairobi Water CEO, he says, *mbwegze*. Hon Speaker, I want to align myself and say---

(Hon. Robert Alai raised a Point of order)

Hon. Speaker: The Member is replying, so you can't give a point of order.

(Hon. Robert Alai spoke off the record)

Hon. Speaker: Hon. Alai, the member for Kileleshwa Ward, at the point of reply, the debate is closed.

Hon. Robert Alai: Hon. Speaker---

Hon. Speaker: Hon. Alai, please, you can't rise on a Point of Order when the Member is replying. Kindly, Hon Alai.

Hon. Peter Imwatok: I have just corrected myself, Hon Speaker, and said, Hon Oyugi, the CEO for Nairobi Water. I hope Hon. Alai will pardon me on that.

Lastly, Hon Speaker, I want us just to accept the reality that, you cannot avoid the call of nature. The call of nature has knocked, that Section 6 (5) of the City Urbans Act must be invoked by this sitting Governor and the sitting President.

You may not like William Samoei Ruto, you may not like Arthur Johnson Sakaja, they have invoked the law. The law is in mandatory terms. The capital city of Kenya, sitting in County, shall enter into agreement with the national government in progressive development agenda of a capital city, it is mandatory. Hon. Speaker, I love the assembly. For all coming, I hope after this, as a leader of this house, there are a lot of concerns that I am going to raise with even the head of state, because I have a right as a head of this house.

If indeed we came for a purpose solely, that we want to develop Nairobi, then we can dissuade ourselves from other insinuations. Honorable Speaker, I am talking to Azimio Party Coalition, I am still the leader. I will be calling on a meeting with Azimio all members in the next 24 hours to discuss matters of importance of the party. I beg to reply.

(Applause)

(Question put and agreed to)

Hon. Speaker: Clerk, call out the next order.

MOTION

APPOINTMENT OF HON. DAVID WANYOIKE TO COMMITTEES

Hon. Peter Imwatok: Hon. Speaker, it is a privilege I will be presenting this motion on this day. I know it was not the right time, Hon Speaker, to do this. But you are aware a legislature is a legislature.

Last week, our colleague, though in the higher house, the Honorable Ng'eno, lost his life in a tragic plane accident. Hon. Speaker, with the authority, before I read this second motion, if you can lead us in a minute of silence on behalf of our colleague in the National Parliament, in his respect.

Hon. Speaker: Hon. Members, as requested by the Leader of Majority, on the demise of the Honorable Member, let us observe one-minute silence in his honour.

*(Members stood in their places honour
of the departed Member of Parliament)*

Hon. Speaker: Thank you.

Hon. Peter Imwatok: May his soul rest in eternal peace until we meet beyond the shores.
Thank you, Hon. Speaker.

THAT, pursuant to the provisions of Section 14 (4) of the County Governments Act, 2012 and Standing Order 171, this Assembly approves the appointment of Hon. David Wanyoike, MCA, Member of the County Assembly for Kariobangi North Ward, to the following Committees: -

1. Sectoral Committee on Environment and Natural Resources;
2. Sectoral Committee on Trade, Tourism and Cooperatives; and
3. Sectoral Committee Agriculture, Livestock and Fisheries.

(Applause)

Hon. Speaker, as I said before I stood, that is with a heavy heart that we welcome our brother who replaced our demised brother, Munuve, to join us in committees upon approval. We are aware that since he was elected, he has never attended any committee pursuant to the provision of the standing order. Therefore, at this day, the Selection Committee felt it important that he replaces the brother in the same committees to serve the people of Kariobangi North. I hereby invite Hon. Susan to second this motion.

Hon. Susan Makungu: Thank you, Mr. Speaker. I second.

Hon. Speaker: Thank you.

(Question proposed)

Hon. Members, my screen is clear, an indication that there is no contribution. On this motion, I give the right of reply to the mover of the motion.

Hon. Peter Imwatok: Mine is very simple, Hon Speaker. Hon. Wanyoike, welcome to the committee sittings and therefore inductions. We look forward to working with you as a member of the DCP in this assembly.

But we are looking forward for a cooperative understanding and legislative agenda to be pushed forward collectively. We wish you the best, and thank you, Members of this County Assembly.

(Applause)

(Question put and agreed to)

Hon. Speaker: Yes, Hon. Alai.

Hon. Robert Alai: Hon. Speaker, I am standing on Standing Order No. 83 on to deliver or raise a message of privilege. I would like to kindly ask the House that when we raise issues of procedure here, it does not mean that we oppose whatever is before the House. So I expect somebody else to be misleading the House, but not the Majority Leader. But since we know how

he has been driving the House, I would excuse him for disobeying or breaking all the laws and even common courtesy and decency dictates that at least you clearly represent the member.

Hon. Speaker, secondly, I would like to ask, I see the Honorable Majority Leader is very enthusiastic about the Hon. Member of Parliament we have just lost. But is the Honorable Majority Leader or the House aware if we have any member who is stuck in the Middle East? Because I am personally aware of a single member who is stuck in the Middle East when the war is going on. What is this House doing to ensure that a Hon. Member is not lost in the Middle East war? Hon. Speaker, I beg to get an answer on that and also to ask kindly the Majority Leader to be truthful, be honest, be factual and listen to the members. Thank you.

Hon. Speaker: Thank you Honorable Alai. I will allow you next time to arise on the correct standing order. The standing order you have just cited, Standing Order No. 83, is on errors corrected.) But your concerns have been admitted. Thank you.

Hon. Peter Imwatok: Hon. Speaker allow me to---

Hon. Speaker: It is not appropriate to engage the Hon. Member.

Hon. Peter Imwatok: He has asked for a reply from the government side where our member is and I have an answer on this.

Hon. Speaker: The Speaker is aware because it is me who approved his visit.

Hon. Peter Imwatok: Direct it to me now.

Hon. Speaker: That is not directed to you.

Hon. Peter Imwatok: He has asked us courtesy to dictate, Hon. Speaker.

Hon. Speaker: Kindly, let us rest here.

Hon. Peter Imwatok: Thank you, Hon. Speaker.

Hon. Speaker: Thank you. Can we proceed? The concern of the Member has been noted. I will communicate at the appropriate time on the issue to do with the security of Hon. Abbas Khalif.

BILL

Second Reading

NAIROBI CITY COUNTY CLEAN, RENEWABLE AND SUSTAINABLE ENERGY BILL, 2025

Hon. Speaker: Hon. Members, on this subject motion, I would seek clarification from the relevant Chair of the sector to bring the House to speed on the status of this Bill. The Chairperson, Environment Committee, what is the position? No, Hon. Themendu is the mover. Actually, he is the sponsor of the Bill. But now we need some clarification in regards to the report. Where is the Chairperson for Environment? The Vice Chair? Do you have any information to share with the Assembly?

Hon. Abel Atito: Not right now, may be tomorrow.

Hon. Speaker: Hon. Member, kindly, can you persuade the Assembly? I am made to understand it is the Chairperson of the ICT Committee, not Environment. Hon. Njogu? The Vice-Chair of the Committee?

Hon. Alai, what is expected of the Committee is just the progress report. The progress report on the status of the Renewable and Sustainable Energy Bill, 2025. Maybe if you have information to share with the Members, that can make us proceed to the next level.

Hon. Robert Alai: Hon Speaker, I was with the President in the tour of Nairobi today. I don't have any information about this. I kindly ask...

Hon. Speaker: Thank you. So now, on behalf of the Committee, would you recommend this subject motion to be deferred?

Hon. Robert Alai: Hon. Speaker, I kindly ask for it to be deferred. Thank you.

Hon. Speaker: Admitted. Let us proceed, Clerk. Clerk, kindly proceed.

(Bill deferred)

MOTION

Hon. Speaker: The report of the Select Committee on Public Accounts, the Chairperson, PAC, Hon. Chege Mwaura, are you ready to proceed? Hon. Chege, your mic is not functional.

Hon. Chege Mwaura: Mr. Speaker, thank you for the opportunity. I was away on some other duties, and I had delegated the business for the day to the Vice Chair. The Vice-Chair is informing me that the issue had been postponed to a later date. So, I don't know what is the new direction.

Hon. Speaker: The correct position, Chairperson, is that the Chair had directed that Members be given enough time to go through the report and are in a position now to debate conclusively. I do not know whether that is the case.

Hon. Chege Mwaura: We are always ready. It is just that I needed concurrence with the team that was in the House. But I will allow the Vice Chair to help me on this.

Hon. Speaker: Chair, if you are not ready, kindly persuade the House on how to move forward, please.

Hon. Chege Mwaura: That is why I am asking the Vice Chair to step in.

Hon. Speaker: You cannot do that and engage your Vice Chair...

Hon. Chege Mwaura: I am only engaging. He is part of my Committee, and he was the one in the House.

Hon. Speaker: But you can do that silently. Because now you are exposing your Vice Chair.

Hon. Chege Mwaura: I am not exposing. I am talking to something we have discussed on the phone, and so we are in concurrence.

Hon. Chege Mwaura: Vice Chair of PAC, can you take responsibility?

Hon. Abel Atito: Thank you, Mr. Speaker. I think within that confusion, I requested that these motions be deferred to a later date, so that we organize ourselves.

Hon. Speaker: You can only persuade the House, but not the Chair.

Hon. Abel Atito: They are already persuaded. Yes, starting with Hon. Nicholas Juma, Mr. Speaker. We requested for some time so that we can organize ourselves.

Hon. Speaker: Does the request extend to Order No. 12?

Hon. Abel Atito: Yes, the two of them.

Hon. Speaker: What is the feeling of the House?

(Hon. Members unanimously agreed)

Hon. Speaker: Your request has been admitted, Hon Member.

Hon. Abel Atito: Thank you, Mr. Speaker.

(Motions deferred)

ADJOURNMENT

Hon. Speaker: Hon. Members, that brings us to the close of business of the day. The Assembly stands adjourned to 2.30 p.m. tomorrow, Wednesday 4th March 2026.

I direct the sitting of the House Business Committee at the rise of the Assembly. Thank you and enjoy your evening.

The House rose at 4:42 p.m.