



THIRD ASSEMBLY – (FIFTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, AUGUST 5, 2026 AT 2.30PM

1. The Assembly assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.

QUORUM OF THE ASSEMBLY

The Presiding Speaker (Hon. Malyun Abdi, MCA) having confirmed that there was no Quorum at the commencement of the Assembly caused the bell to rung for 10 minutes. At the expiry of 10 minutes and having confirmed that there was quorum, the Presiding Speaker called the Assembly to order.

3. MESSAGES

NOMINATION OF DR. MACHEL WAIKENDA TO POSITION OF COUNTY SECRETARY

Hon. Members, under Standing Order 45 (1) relating to the message from the Governor, it provides that the Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly.

Further, Section 44 (2) of the County Government Act 2012, provides the County Secretary shall be nominated from persons completely sourced under Paragraph (a) by the Governor with the approval of the County Assembly appointed by the Governor. In this regard, I wish to report that I received a letter reference NCC/GOV/ADM/082/2026 dated 27th July 2026 from the Governor regarding the nominations of the persons for the appointment as the County Secretary.

Hon. Members, I now wish to convey the following message. **Hon. Members**, this is message of His Excellency the Governor conveyed pursuant to the Section 44(2)(a) of the County Government Act 2012. An advertisement was made on 11th May 2026 by the selection panel of the position of the County Secretary and the Head of Public Service.

Hon. Members, the said panel listed ten applicants who were interviewed on 4th of June 2026. Therefore, the successful applicants' names were forwarded to His Excellency the Governor for consideration and nomination. Subsequently in the exercise of the powers conveyed to him by Section 44(2)(b) of the County Government Act 2012, His Excellency the Governor conveyed that he has nominated Dr. Machel Waikenda for the appointment to the position of the County Secretary and Head of Public Service.

Hon. Members, His Excellency the Governor now seeks the approvals of the County Assembly on the nominee for the appointment of the said position.

Hon. Members, Standing Order Number 48 requires that upon receipt of notification of the nomination of the appointment under Section 44 of the County Government Act, such nomination shall stand committed to the Select committee on Appointment. I hereby refer the name of the nominee to the Select Committee on Appointment for vetting and reporting to the House within the statutory timeline and in accordance with the relevant laws and Standing Orders. Thank you Hon. Members. You stand guided.

4. MOTION - HON. DAVIDSON NGIBUINI

Subject: Need for Nairobi City County Executive to Settle accrued pending bills owed to suppliers and contractors

Motion Made and Question Proposed;

AWARE THAT Article 201 (a) of the Constitution of Kenya, 2010 dictates on the principles that guides on all aspects of Public Finance in the republic, which includes inter-alia, openness, accountability, prudent and responsible use of public funds;

FURTHER AWARE THAT Section 104 of the Public Finance Management Act, 2012 and regulation 55(2)(b) of the County Public Finance Management

Regulations made thereunder requires County Governments to prioritize the settlement of all eligible trade payables being the pending bills as first charge on the budget of a county government in its subsequent fiscal year which the liability is recognized;

DEEPLY CONCERNED THAT, according to the Report of the Office of the Controller of Budget for the for the First Nine Months of the FY 2025/2026; Nairobi City County led in trade payables ageing, also referred as pending bills, at Kshs.81.79 billion, accounting for 53% of ALL County Governments' payables, and notably, 61.61 billion out of the payables are debt that are over 3 years old, constituting 75% of the total trade payables ageing;

GREATLY DISTURBED THAT the unresolved pending bills owed to contractors, suppliers and service providers by the County Government of Nairobi City has continued to accumulate over successive fiscal years, consequently exposing the county to litigation, penalties, interest charges, auctions and undermining the confidence of private sector in doing business with the County;

FURTHER DISTURBED THAT the delayed payables have adversely affected contractors, suppliers and service providers, many of whom are Small and Medium Enterprises (SMEs) leading to cash-flow constrains, business closure, loss of employment and irreversible financial distress in some cases; **COGNIZANT THAT** the County Government ought to embrace and work towards the "zero pending bills" policy direction enforced by the National Treasury towards eliminating outstanding government arrears;

NOW THEREFORE, this Assembly **RESOLVES** that the County Government of Nairobi;

1. Undertakes immediate and comprehensive verification and validation of all pending bills owed to contractors, suppliers and other service providers, and where necessary, with independent auditors to ascertain authenticity, accuracy and amounts claimed;
2. Prioritizes and treats the verified pending bills as a first charge against the County budget for the current and subsequent fiscal years and in

- strict adherence to the Public Finance Management Act, 2012 and its regulations;
3. Develops and publishes a clear payment plan and timelines within 90 days of adoption of this substantive motion and copy of the plan shared with County Assembly;
 4. Submits quarterly reports on to the Assembly through the County Executive Committee Member for Finance and Economic Planning Sector on the status of the pending bills, amount settled, outstanding and reasons thereof; and
 5. Administrative controls to be instituted including disciplinary measures against any officers found to have contributed to irregular accumulation of pending bills and non-adherence to the laid-down procurement process and procedures

Debate ensued;

Mover replied;

Question put and **agreed to**;

And the time being twenty minutes Past Four O'clock the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

5. ASSEMBLY ROSE - at twenty minutes Past Four O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, August 6, 2026 at 2.30 p.m

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