



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (FIFTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, APRIL 7, 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 Speaker having confirmed that there was Quorum at the commencement of the Assembly called the Assembly to order.

**3. COMMUNICATION FROM THE SPEAKER
RESUMPTION FROM RECESS**

Hon. Members, I have the following communication to convey-

“Hon. Members, may I seize this moment to warmly welcome you back to the County Assembly after a well-deserved break. Indeed, as the sunset of our term begins – and kindly underline the word ‘sunset of the term begins.’ – the constituents are keen on us providing our impact on their lives and livelihoods. Being their representatives in matters of service delivery, they have been and will continue holding us to account in matters related to education, health, water, sanitation, infrastructure, and other services.

Hon. Members, as we resume this part of the Assembly Calendar, our in-tray is full with business that need to be processed and considered. In the Assembly Business Committee that I chair, numerous businesses, including Motions, Bills, and Reports have been presented, and the same will be lined up for consideration in this plenary in the coming days.

Hon. Members, committees are the engine of any legislature where business are processed. Engagement with stakeholders takes place and in-depth deliberations are undertaken. Consideration of such business is always a work in progress that is expected to culminate into documents that are tabled in this Assembly.

I am aware that many committees are currently considering and processing Petitions, Sessional Papers, Statements, Regulations, and Reports on various

other items. I call upon the chairpersons to expedite the consideration of such businesses in accordance with and in compliance with timelines provided for in the Standing Orders, practice, and undertakings. Most importantly, any committee before which any Bill was committed must first track its consideration and present reports within the coming two weeks of this communication. Any committee that is experiencing any challenge that affects the timely tabling of business should escalate to the Chairperson of the Committee on Liaison or even my Office.

PRESIDENT'S ADDRESS TO THE COUNTY ASSEMBLY

Hon. Members, my office is in receipt of a letter from the Chief of Staff and Head of Public Service at the National Government, Felix K. Kosgei, EGH, REF SHGM/2 VOL/128, dated 23rd March 2026, confirming that His Excellency Dr. William Samoei Ruto, CGH, the President of the Republic of Kenya, will deliver an address to this County Assembly on Thursday 9th April 2026.

Therefore, this is to officially bring to your attention the said Presidential Address to our Assembly and inform you that I have consulted with the Leader of the Majority and the Leader of Minority Party, and we are in concurrence in accordance with the provisions of Standing Order 28(1).

Hon. Members, without appearing to undervalue the former President's Address to the County Assembly of Nakuru in 2019, this Address will be historic because it will be characterized with protocols and formalities that benefit a Presidential Address akin only to the State of the Nation Address normally delivered in the Kenya National Assembly.

In order to ensure the success of this scheduled address, plans which include parking management, access control, security in and around City Hall, traffic management, protocol and invitation guests and friends of the County Assembly are already at an advanced stage.

Hon. Members, Standing Order No. 28 provides that the procedure applied in the conduct of an address by the Governor and the protocol applied to the Governor entering and leaving the Chamber shall, with necessary modifications, apply to the Senator or a visiting dignitary. Therefore, as plans get underway, you will be guided and indeed you will observe alterations in the manner in which the events will be conducted. All Members are duly notified and are hereby invited to attend this important event on Thursday 9th April 2026. Thank you.

ADMISSION OF LYDIA MATHIA TO THE COUNTY ASSEMBLY

Hon. Members, I have further communication to relay to the Assembly. This being on admission of Lydia Mathia to the County Assembly.

Hon. Members, you may recall that at its sitting held on 24th June 2025, this County Assembly passed a Censure Motion against Lydia Mathia, the then Chief Officer for Urban Renewal and Housing in the County, for alleged gross misconduct, abuse of office and disobedience of the court order. This resolution of the Assembly resulted in her being declared unfit to hold public office and a recommendation for disciplinary proceedings to be commenced by the County Public Service Board.

Hon. Members, vide Petition No HCC-HRPET/E392-2025 dated 26th June

2025, Lydia Mathia, while seeking relief, informed the court that the Censure Motion was introduced and debated without notice and without according her a hearing, and that she only learned of it through the media. Consequently, she sought the following relief from the court:

1. Conservatory orders restraining the implementation of the Assembly resolutions or any adverse action against her;
2. A declaration that she was denied a fair hearing; and
3. A declaration that the Assembly usurped the powers of the County Public Service Board.

The court granted the conservatory orders restraining the respondents, the Nairobi City County Assembly, Nairobi County Government and two others from implementing, enforcing or acting in reliance on the resolutions emanating from the Censure Motion dated 19th June 2025, which was passed on 24th June 2025. Further, the respondents were restrained from taking any adverse action against the Petitioner, Lady Mathia. This will be enforced until the determination of the matter.

Hon. Members, in view of the foregoing, I have isolated two issues for examination:

1. Whether courts can interfere with parliamentary processes despite the existence of the principle of separation of powers; and
2. Application of the sub-judice rule in the Assembly in relation to the current Petition.

I will proceed to address the first issue, which is whether the courts can interfere with parliamentary process despite the existence of the principle of separation of power.

Hon. Members, the principle of separation of powers provides that:

- a) Each arm of government must respect the independence of other arms of government.
- b) No arm should direct another arm on how to exercise its mandate.
- c) Courts of law are proper judges of compliance with constitutional requirements for all public agencies and must exercise this role with objective and specificity.
- d) All arms of government in performing their function remain subject to the law.

Hon. Members, the Constitution apportions power among different organs. In the devolved scheme of things, the County Assemblies are mandated to exercise legislation, oversight and representation, which are equivalent to those of Parliament.

However, the court retained some authority under Article 165 (3) (d) (ii) of the Constitution of Kenya, 2010 to determine whether an act or omission purportedly exercised under the Constitution or any law is consistent with or contravenes the Constitution.

Hon. Members, whereas the principle of separation of powers must be respected, it does not seal parliamentary processes from judicial scrutiny, where

allegations that fundamental rights are alleged to have been infringed are proved or where the court needs to protect persons from irreparable harm that may be occasioned caused by such processes.

Indeed, in his ruling issued in May 2025, the Right **Hon. Moses Masika Wetangula, the Speaker of the National Assembly of Kenya**, determined that once a matter is tabled in Parliament, plenary, or committee, it falls under the legislature's exclusive constitutional territory, and that while individuals can seek legal redress, they must wait until parliament has concluded its business, e.g. vetting, passing a Bill before challenging it in court.

Under application of the sub judice rule in the Assembly in relation to the current Petition, **Hon. Members**, the principle of sub judice, as provided for in the Standing Order 97, prohibits from discussing matters that are actively before the court, where such discussion may prejudice fair determination. However, the Standing Order provides for the following thresholds: -

- a) Standing Order No 97 (2), a matter shall be considered to be sub judice when it refers to active criminal or civil proceeding.
- b) Standing Order No. 97 (3) (c), civil proceeding shall be deemed to be active when arrangement for hearing, such as setting down a case for trial, have been made, until the proceedings are ended by judgment or discontinuance.

I now therefore determine and direct as follows;

1. With respect to whether the courts can interfere with parliamentary process despite the principle of separation of powers:

Judicial oversight in the circumstance of the matter impugned petition in court or the censure motion is not considered an encroachment on legislative independence but a constitutional necessity to ensure organs of government act within the scope of the law.

This is so because the matter had already been concluded by the Assembly and open to scrutiny; and

2. On the application of the sub judice rule in the Assembly in relation to the current petition:

The petition was already filed and pending before the court and therefore any debate or resolution by the Assembly or whoever touching on the same matter will amount to violation of this rule.

Now therefore, **Hon. Members**, in the foregoing circumstances, the status quo that obtains is that the court has suspended the implementation of the Censure Motion and that the resolution passed on 24th June 2025 will only stand reversed once the Hon. Speaker formally communicates as such.

In view of the foregoing and in compliance with the courts order, the said officer of the County Executive shall be admitted to the precincts of the Assembly for the purpose of discharging her duties in the plenary committee or any other platform. Hon. Members, you are so guided.

Thank you."

4. PAPERS LAID: -

The following papers were laid on the Table of the Assembly;

- i. **THE 3RD REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON THE NAIROBI CITY COUNTY FISCAL STRATEGY PAPER AND THE DEBT MANAGEMENT STRATEGY PAPER FOR THE FINANCIAL YEAR 2025/2026 AND OVER THE MEDIUM TERM; and**
- ii. **THE 14TH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET AND APPROPRIATIONS ON PUBLIC PARTICIPATION ON NAIROBI CITY COUNTY FISCAL STRATEGY PAPER FOR FINANCIAL YEAR 2026/2027.**

(Hon. Wilfred Odalo, MCA – Chairperson)

5. NOTICES OF MOTION

- i. **SUBJECT: ADOPTION OF REPORT ON COUNTY FISCAL STRATEGY PAPER AND DEBT MANAGEMENT STRATEGY PAPER FOR FY 2025/2026 AND OVER MEDIUM TERM**

THAT, this Assembly adopts the report of the Select Committee on County Finance, Budget and Appropriations Committee on the Nairobi City County Fiscal Strategy Paper and the Debt Management Strategy Paper for the financial year 2026/2027 and over the medium term, laid on the Table of the Assembly, today, Tuesday 7th April, 2026.

(Hon. Wilfred Odalo, MCA – Chairperson Budget Committee)

- ii. **SUBJECT: RENAMING OF FOREST LANE TO BISHOP ALLAN KIUNA LANE**

AWARE THAT naming and renaming of county roads, streets, and public places is a function vested in County Governments under paragraph 5 (c) of Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010, and is guided by the need to honor distinguished individuals who have made outstanding contributions to society;

FURTHER AWARE THAT the late Bishop Allan Kiuna was a distinguished religious leader, humanitarian, and co-founder of Jubilee Christian Church, alongside Reverend Kathy Kiuna, whose headquarters is located along Forest Road (Forest Lane) in Parklands, Nairobi, and with over 15 other branches in Kenya and several international locations;

APPRECIATING THAT the late Bishop Allan Kiuna through his initiative dubbed; ‘Heroes for Christ Program’, created an impact in the County by rehabilitating destitute men struggling with addiction by providing meals, counseling, medical care, and spiritual support;

FURTHER APPRECIATING THAT his foundation supported education, healthcare, and numerous social initiatives that positively transformed lives and restored families across Nairobi and beyond;

COGNIZANT THAT after a courageous battle with cancer, Bishop Allan Kiuna passed away on 9th July 2024, leaving behind a legacy of faith, resilience, compassion, and service to humanity;

MINDFUL THAT Forest Road (Forest Lane) hosts the Jubilee Christian Church headquarters, which for decades has served as the spiritual and administrative home of his ministry and remains a center where countless lives have been transformed and community outreach programs continue to thrive;

RECOGNIZING THAT renaming Forest Lane in Parklands to Bishop Allan Kiuna Lane would be a fitting tribute to his enduring legacy and would preserve his memory for future generations as a symbol of hope, transformation and service;

NOW THEREFORE, this Assembly urges the County Executive, through the County Addressing Unit, to initiate the necessary administrative and legal processes to rename Forest Lane to Bishop Allan Kiuna Lane, and upon approval, the County Government undertakes the installation of approved signage upon all official records, maps and documentation reflecting the same name.

(Hon. Chege Mwaura, MCA)

iii. SUBJECT: NAMING OF 4TH PART OF PARKLANDS AVENUE AS SHREE VALLABH AVENUE

AWARE THAT Paragraph 5 (c) of Part 2 of the Fourth Schedule of the Constitution of Kenya, 2010 provides for county transport, including but not limited to county roads as a county government function;

FURTHER AWARE THAT the County Government of Nairobi is vested with the mandate of naming and renaming streets, roads, and public places within its jurisdiction in a manner that reflects the cultural diversity, heritage, and historical identity of its residents;

APPRECIATING THAT Parklands area in Nairobi County is home to a significant population of residents of Indian descent who have, over decades, contributed immensely to the economic, social, and cultural development of the County and the Republic of Kenya at large;

COGNIZANT THAT Clause 3.3 of the Nairobi City County Property, Addressing and Street Naming Policy under Sessional Paper No. 2 of 2021, provides for the general guidelines for street and road and on the selection of names which requires such name to be inter-alia of good character, must meet the threshold set by Chapter 8 of the Constitution of Kenya, 2010;

NOTING THAT the current designation of 4th Park Avenue Road, from Diamond Plaza to Wangapala Road does not adequately reflect the rich cultural heritage and historical presence of the Indian community residing in the Parklands area;

FURTHER NOTING THAT the proposed name, Shree Vallabh Avenue, bears cultural, religious, and historical significance to members of the Indian community, particularly those who associate with the Shree Vallabhacharya, who was a 16th century Hindu philosopher, thereby fostering a sense of belonging, identity and recognition while promoting cultural diversity, and social cohesion;

NOW THEREFORE, this Assembly urges the County Executive, through the County Addressing Unit, to initiate the necessary administrative and legal processes to rename part of 4th Parklands Avenue Road - from Diamond Plaza to Wangapala Road adjacent to Karama Towers in Parklands, Nairobi County, to

Shree Vallabh Avenue, and upon approval, the County Government undertakes the installation of appropriate signage and updates all official records maps and documentation to reflect the new name.

(Hon. Chege Mwaura, MCA)

6. BILL – SUBJECT: THE NAIROBI CITY COUNTY WARDS DEVELOPMENT PROGRAMME BILL, 2026 (ASSEMBLY BILL NO.2 OF 2026.

First reading

(Committed to Ward Development Fund Committee)

7. MOTION – SUBJECT: ADOPTION OF REPORT ON ALCOHOLIC DRINKS CONTROL AND LICENSING BOARD FOR YEAR ENDED 30TH JUNE 2023

Motion Made and Question Proposed;

THAT, this Assembly adopts the REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE NAIROBI CITY COUNTY ALCOHOLIC DRINKS CONTROL AND LICENSING BOARD FOR THE YEAR ENDED 30TH JUNE 2023, laid on the Table of this House on Tuesday 18th November 2025.

(Hon. Chege Mwaura, MCA)

Debate ensued;

Mover replied;

Question put and ***Motion Agreed to;***

8. MOTION – SELECT COMMITTEE ON PUBLIC ACCOUNTS

SUBJECT: ADOPTION OF REPORT ON FINANCIAL STATEMENTS FOR COUNTY EXECUTIVE FOR YEAR ENDED 30TH JUNE 2023

Motion made and question proposed: -

THAT, this Assembly adopts the REPORT ON THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR THE NAIROBI CITY COUNTY EXECUTIVE FOR THE YEAR ENDED 30TH JUNE 2023, laid on the Table of this House Tuesday 18th November 2025.

(Hon. Chege Mwaura, MCA)

Debate ensued;

Mover replied;

Question put and ***agreed to;***

9. MOTION – SELECT COMMITTEE ON PUBLIC ACCOUNTS

SUBJECT: ADOPTION OF REPORT ON RECEIVER OF REVENUE FOR COUNTY GOVERNMENT FOR YEAR ENDED 30TH JUNE 2023

THAT, this Assembly adopts the REPORT ON SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON RECEIVER OF REVENUE FOR THE COUNTY GOVERNMENT OF NAIROBI FOR THE YEAR ENDED 30TH JUNE 2023, laid on the Table of this House on Tuesday 18th November 2025.

(Hon. Chege Mwaura, MCA)

Debate ensued;
Mover replied;
Question put and ***agreed to;***

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

10. ASSEMBLY ROSE - at Sixteen minutes past Four O'clock.

MEMORANDUM

The Speaker will take the Chair on
Wednesday, April 8th, 2026 at 2.30 p.m.