

RESIDENT OF NAIROBI CITY COUNTY

24th June, 2025

Edward O. Gichana
Clerk,
Nairobi City County Assembly
P.O. Box 45844
NAIROBI.



RE: PRESENTATION OF A PUBLIC PETITION PURSUANT TO ARTICLE 181 OF THE CONSITUTION OF KENYA 2010 SECTION 15 AND SECTION 88 OF THE COUNTY GOVERNMENTS, ACT 2012 AND STANDING ORDER 213 BY RESIDENTS OF NAIROBI CITY COUNTY REGARDING THE IMPEACHMENT OF NAIROBI CITY COUNTY GOVERNOR HON. JOHNSHON SAKAJA

We, the undersigned Senior Citizens of Kenya, who resides in Nairobi City County.

1.DRAW, your attention to the following

2.THAT aware that the constitution of Kenya under Article 181 of the Constitution of Kenya 2010 and Section 15 and 88 of the County Government Act 2012 provides the rights for Citizen to petition the authorities or the County Government on any matter.

3.THAT WHEREAS, standing order 213 of the Nairobi City County Assembly, standing order provides for the manner of presenting public petition to the County Assembly.

4.THAT WHEREAS, Section 181 (1) a & c of the Constitution of Kenya 2010 and Section 33 of the County Government Act 2012 as read together with standing order 68 of Nairobi City County Assembly provides for grounds upon which a County Governor may be removed from office by way of impeachment.

5.AND WHEREAS, Article 73,74, 75 and 232 of the Constitution of Kenya 2010 provides for the accountability for state officer to the public, for decisions and actions as a key guiding principle of Leadership and integrity.

6.FURTHER AWARE that Section 8, 9, 10, 11, 24, 32 and 34 of the Leadership and integrity provides for general leadership and integrity code to wit:- breach of public trust , failing to carry out the duties of his office in a professional, transparent and accountable manner, using his office unlawfully to enrich himself, failing to conduct the duties of his office with impartiality and objectivity in accordance with Articles 10, 27, 73 (2) (b) and 232, and practicing favoritism and engaging in corrupt or unethical practices, and engaging in actions that bully Nairobi City County business community, and Nairobi county residents.

7.AND FURTHER AWARE that Section (11) (l), 2 (a) (i) c of the Public Officers and Ethics Act that provides that a public officer shall not use his office to improperly enrich himself or others and shall not accept favors from a person who has interest that may be affected by the carrying out of the public officer's duties.

8. AND FURTHER AWARE that Article 232 of the Constitution of Kenya and 2010 provides for the values and principles of Public Service, high standards of professional ethics, representation of Kenya diverse communities and (i) affording adequate and equal opportunities for appointments, training and advancement, at all levels of the public service of (i) men and women, the members of all ethnic groups, and **Persons with disabilities**.

AND FURTHER AWARE THAT, the Governor, H. E Johnson Sakaja has duly failed to uphold the oath of office and instead he has grossly violated the constitution of Kenya, has abused the office and his conduct is wanting;-

We Petition the Honourable Assembly, **NOW** to resolves to remove Hon. Johnson Sakaja (Herein referred to as the Nairobi County Governor) from the office of the County Governor of Nairobi City County , by way of impeachment pursuant to Article 181(1)(a)&(b) of the constitution of Kenya 2010, Section 33 of the County Government Act, 2012 and the County Assembly Standing Order No. 68 and 213 on the following grounds that;-

1. **Gross violation of the constitution or any other law.**

WHEREAS Article 179(4) vests Governors chief executive powers on the Governor AND whereas in consideration of the provision of Article 10 and 73(1)a(iii)&(v) of the constitution of Kenya 2010, in so far as it connotes to the manner in which a state officer is expected to exercise assigned authority , Article 75(1) of the constitution of Kenya 2010 as read with Sections 8,9,10,11,24,32 and 34 of the Leadership and Integrity Act, 2012 and Section 9 and 11(1)(2)(a)(i), (c) of the Public Officer Ethics Act obligates a state officer to behave in all sense in a manner that is devoid of comprising Public or Official interest in favour of personal interest , The Governors through his office and personal assistant recruited ,sponsored and financed and further deployed criminal gangs armed with crude weapons on 17th June, 2025 to disrupt terrorize , bully or to coerce by threat or violence and to maintain power of violence against lawful and peaceful protestors who were " Peaceably and unarmed " picketing and demonstrating incomplete disregard of the provision of Article 36,37 & 38 of the constitution of Kenya 2010, and in violation of the constitution obligation established human rights norms, the National Police Act, Public Order Management Act, Article 238(2)b, of the constitution of Kenya 2010prohibit of state violence against citizens; precedent set in; *Okiya Omtata vs AG. (2020)eKRL(state must protect peaceful protestors)*.

IN COGNIZANT OF Kenya gazette notice number 2728 (2019) H.E the Governor Johnson Sakaja has deliberately disobeyed the same which waived all rent arrears for Nairobi County properties accrued before 30th April 2019 ,H.E Johnson Sakaja has falsely claimed tenants owe 15 years of rent ,when the maximum after the waiver is 74 months (thus 6 years and 2 moths) this purely violates section 12 of interpretation and general provision Act and Article 73(1)a of the integrity in public office. And further in the contravening of the bill or Right, Human Rights Act 2011 and Article 43(1) on housing rights,the Governor without adequate notice deployed criminal gangs in cooperation with a few county staff to carry out unlawful and illegal eviction of tenants in county houses and land without obtaining a court Order as required under section 152B of the land Act. The Eviction and Resettlement guidelines, 2020 requires court supervision and notice Article 40 (Protection against arbitrary property deprivation)-*PRECEDENT ; misu-Bell Welfare Society vs KENYA (2021)eKLR(Forced evictions unconstitutional*

Gross misconduct

>The Governor H.E Johnson Sakaja in contravention of the relevant labour laws, unlawfully extending the contract terms of Eng. Muguna, Managing Director, Nairobi water and sewerage and Company Ltd.

>The Governor H.E Johnson Sakaja forcefully contravened the county Government Act 2012, Section 45 by appointing an unqualified Officer *Eva Wangechi Wairiuko* to act as chief officer security and compliance

>In further gross misconduct and abuse of office H.E Johnson Sakaja appointed *Mr. Samuel nyagara* as the Chief Executive Officer of Nairobi County Public Service Board, knowingly that the Officer is not a holder of **Certified Public Secretary** (CPS) and not registered with the professional body.

> The Governor further appointed and or reassigned *Godfrey Akumali* to assume the office of the County Secretary in an acting capacity while he has no qualifications of a County Secretary, he has placed his cronies in *dual* employment (Where Chief Officer of a Department is the substantial Director of the same Department or at times they are reassigned to other department)

The Governor H.E. Johnson Sakaja engagement, connivance and complicit behavior boils down to gross mis conduct and gross abuse of office, he's been acting full of his own importance

Crimes under National Laws and County.

➤ The Governor H.E Johnson Sakaja is in gross violation of the bill of right and the human rights

➤ That Article 54(1) of the Constitution of Kenya 2010 provides for the rights of persons with disability (PWDs), that Persons with disability are entitled to reasonable access, Article 10(2) of the constitution of Kenya recognize human dignity ,equality, social justice ,inclusivity ,human rights, non- discrimination and protection of the marginalized in public service and county, in contravention to the above Article the Governor Johnson Sakaja while in the process of recruiting county staff continuously excluded and or discriminated persons with disabilities.(PWDs)

➤ That budget approved since the Governor was elected to date, the Governor

H.E Johnson Sakaja has not provided for specific budget lines to demonstrate substantial effort by the County Government in implementing disability mainstreaming programs, this exclusion has exposed the persons with disability (PWDs) to low level of living standard and serious negative economic impact by Nairobi City County Government.

➤ This matter in this Petition is not pending before any Court of Law or other Constitutional or legal body.

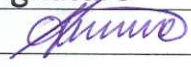
➤ **NOW THEREFORE, We, PRAY** that the Honorable Nairobi City County Assembly:

- i) Recommend the removal of the Governor H.E Johnson Sakaja by way of impeachment on the above grounds.
- ii) To Revoke of terminations by the Governor through his Office and personal assistant or his Officers of any act, matter or thing that were lawfully done by the local authorities (herein referred to as City Council of Nairobi) to comply with **Urban Areas And Cities Act 2011.**

Dated at Nairobi this 24th day of JUNE 2025

And your petitioners will forever pray.

PRTITIONRES NAMES, CONTACT AND SIGNATURES

No.	Name	Contact	Signature
1	Maxwell Ochar	0720339068	
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