



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – First Session

Thursday 21st December, 2018

The House met at 2.30 p.m.

[Hon. Acting Speaker (Mr. Chege Mwaura) in the Chair]

PRAYERS

QUORUM

Hon. Acting Speaker: We do not have the quorum, Serjeant-at-Arms ring the bell for ten minutes.

(Quorum bell was rang)

Order Hon. Members, I have been told we have attained the quorum. Let start the business of the House.

(Loud consultations)

Order Members, Consult in low tone, Hon. Kirangu and the Deputy Majority Leader please have your seats. Chairman of Water, have your seat too. Clerk proceed!

PAPERS

THE REPORT OF THE SELECT COMMITTEE ON THE COUNTY FINANCE BUDGET AND APPROPRIATION ON THE CONSIDERATION OF THE SUPPLEMENTARY BUDGET FOR THE FINANCIAL YEAR 2018/2019 FOR THE NAIROBI COUNTY GOVERNMENT AND ASSEMBLY

Hon. Acting Speaker: The Chair Budget.

Hon. Robert Mbatia: Mr. Speaker, pursuant to Standing Order 222 (5) I beg to the following paper on the Table of the Assembly today the Friday, 21st December 2018. This is the Report of the Select Committee on the County Finance Budget and Appropriation on the consideration of the Supplementary

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Budget for the financial year 2018/2019 for the Nairobi County Government and Assembly. Mr. Speaker I beg to lay.

Hon. Acting Speaker: Thank you, Leader of the Majority do you have any papers to lay Chairperson, Planning Committee!

SESSIONAL PAPER, NO.1 OF 2018 ON URBAN HOUSING RENEWAL AND REGENERATION POLICY

Hon. Antony Kirangu: Thank you Mr. Speaker, pursuant to section 31(f) of the County Government Act 2012, I beg to lay the following paper on the Table of the Assembly today Friday, 21st December 2018. Sessional paper, No.1 of 2018 on Urban Housing Renewal and Regeneration Policy.

Hon. Acting Speaker: Chairman, next order! The paper that has just been laid by the Chairman Planning, I commit it to the same Committee of Planning to go through it and give us a report in due cause. Thank you.

NOTICES OF MOTION

Hon. Acting Speaker: Chair Budget.

Hon. Robert Mbatia: Thank you Mr. Speaker, I beg to give notice of the following Motion. That this Assembly adopts the Report of Select Committee on the County Finance Budget and Appropriation on the consideration of the Supplementary Estimates for the financial year 2018/2019 for the Nairobi County Government and the Assembly laid on the table today Friday, 21st December 2018. Thank you, Mr. Speaker.

MOTION

THE SUPPLEMENTARY BUDGET ESTIMATES

Hon. Acting Speaker: Chair, Budget.

Hon. Robert Mbatia: Thank you Mr. Speaker, I beg to move that this County Assembly adopts the Report of the Finance, Budget and Appropriations Committee on the First Supplementary Budget Estimates for the financial year 2018-2019 for the Nairobi City County Government and County Assembly.

Mr. Speaker, the revised County Budget stands at Ksh. 33,344,851,538 with the revised recurrent budget standing at Ksh. 22,560,397,538 while the revised development budget stands at Ksh. 10,784,454,000. Through the approval granted by this County Assembly in June of this year, the County Government had been granted authority to spend Ksh. 340million on bursary fund for primary education, Ksh. 50million for construction of modern kiosks, Ksh. 200million for improvement of the bridges in the City and Ksh. 80million for emergency fund programs.

Further, Mr. Speaker, the County had been authorized to continue ensuring that the County employees access conducive working environment through timely payment of salaries, provision of quality of medical insurance and facilitation through other necessary working paraphernalia. The important of an effective legislative arm of the County Government cannot be gainsaid and it is for this reason that the County Assembly was granted a budget ceiling of Ksh. 1.979billion for both recurrent and development expenditures.

Hon. Acting Speaker: Order Chairman! Hon. Members I hope you are following through because you do not want issues in between saying that you did not follow. So please be keen with the

Supplementary Budget that is going to affect us until we end the financial year. So, Chairman you can proceed!

Hon. Robert Mbatia: Thank you, Mr. Speaker the First Supplementary Estimates have been submitted to among others provide basis for payment of additional funds required for payment of Contractual Guards under the Environment Sector at Ksh. 446million, provide additional Ksh. 343million for the Office of the Governor, increase the total allocation for the Education Sector by Ksh. 89million, increase the budget for the Health Services Sector by Ksh. 66.2million among others.

Mr. Speaker, in addition to the above adjustments the fulcrum of the Supplementary Estimates is for this House to okay the reallocations that have been undertaken across the various sectors. The reallocations have been done for various votes to reflect the expenditures incurred between 1st July 2018 and the time the First Supplementary Estimates were prepared and submitted to the County Assembly.

Mr. Speaker, the Finance, Budget and Appropriations Committee has reviewed the First Supplementary Estimates together with the submissions of the County Executive and the various Chairs of the Sectoral Committees and wishes to confirm that the intention is to ensure that the budget is responsive to the changing circumstances in the implementation of the budget.

The Committee therefore requests that this House approve the First Supplementary Estimates for the FY 2018-19 to enable the utilization of the funds as proposed before 30 June 2019.

Our recommendations Mr. Speaker as I wind up are as follows:

1) Policy Measures

Mr. Speaker sir, in addition to the recommendations already contained in other parts of this report, the Finance, Budget and Appropriations Committee recommends that the County Assembly adopts the following measures: -

a) That the County Executive Member for Finance immediately submits to this Assembly reports on the administration of Conditional Grants in the County;

b) That the County Executive Committee Member for Finance submits to the County quarterly reports on implementation of the revenue raising measures contained in the Finance Act 2018;

c) That the County Treasury institutes measures to improve transparency and accountability in the budget process;

d) That the County Treasury forms a revenue steering taskforce to address the challenges arising from revenue leakages and budget deficits;

e) That the County Executive Committee Member for Finance and the County Chief Officer for Finance ensures complete adherence to the approved budgets by limiting IFMIS auto creation functionalities;

f) That the County Executive Committee Member immediately submits to the County Assembly a report on the extent of the accounting functions assigned to the respective County Chief Officers; and

g) That the County implements the debt management strategies contained in the previous Debt Management Strategy Papers and the reports on such implementation be submitted to the County Assembly in a quarterly basis.

Mr. Speaker, having considered the submissions from the respective sectors and after consultation with the County Executive Committee Member for Finance, the Committee recommends that the following changes be affected in the First Supplementary Budget Estimates for the FY 2018-19: -

- 2) Revenue Projections
 - a) That under the Conditional Grants being part of the National Transfers, the allocation for KDSP be increased by Ksh. 50, 730, 985 as balances brought forward from the FY 2017-18.
- 3) Expenditure Reallocations
 - a) That the County Assembly adopts the budgetary reallocations as contained in the tabled supplementary estimates for the FY 2018-19; and
 - b) That the projected expenditures for personal emoluments be rationalized to align the compensation to employees to the various stations of service and to make the costs as realistic as possible
- 4) Budget Reductions
 - a) That under the Office of the Governor and Deputy Governor (Inspectorate Headquarters) the allocation for Training Expenses (Vote 2210799) be reduced by Ksh. 54 million;
 - b) That under the Office of the Governor and Deputy Governor (Inspectorate Headquarters) the allocation for Contracted Technical Services (Vote 2211311) be reduced by Ksh. 80 million;
 - c) That under the Environment, Water, Energy and Natural Resources Sector the allocation for Contracted Guards and Cleaning Services (Vote 2211305) be reduced by Ksh. 150million;
 - d) That under the ICT, Infrastructure and E- Government, the allocation for Advertising, Awareness and Publicity Campaigns (Vote 2210504) be reduced by Ksh. 40million;
- 5) Budget Increases
 - a) That under the Office of the Governor and the Deputy Governor, the allocation for Confidential Expenditures (Vote 2211312) be increased by Ksh. 26million;
 - b) That under the Environment, Water, Energy and Natural Resources Sector the allocation for Ward based water projects (Vote 3110599) be increased by Kshs. 150million;
 - c) That under the Finance and Economic Planning Sector the allocation for Contracted Professional Services (Vote 2211310) be increased by Ksh. 105million for revenue enhancement strategy; and
 - d) That under the Public Works, Transport and Infrastructure Sector the allocation for public street lighting be increased by Ksh. 43million.

Mr. Speaker, in conclusion and pursuant to the provisions of Section 135 (2) and (4) of the Public Finance Management Act 2012 and Standing Order 228 the County Finance, Budget and Appropriation Committee recommends that:

This County Assembly adopts the Report of the Finance, Budget and Appropriations Committee on the First Supplementary Budget Estimates for the Nairobi City County Government and County Assembly for the FY 2018-19.

Hon. Speaker, I beg to move and request Hon able Hon. Fredrick Okeyo to second me. Thank you, Mr. Speaker.

Hon. Acting Speaker: Thank you Chairman. Hon. Okeyo!

Hon. Fredrick Okeyo: Thank you Mr. Speaker. I think the Chair is excited. My name is Fredrick Okeyo not Kennedy Okeyo Correction for that. Chair when I look at the documents and as a Committee and if you compare page 16 that is on budget reduction and budget increases. You will note that, there are some critical areas we looked into. The first one under Public Works Transport and Infrastructure, where there was increase of 43million. If you look again on Economic Planning under finance Sector, there was an increase of 105 million. It is stated there clearly that it is revenue enhancement strategy. The reason for that is as a County we have been doing so poorly when it comes to revenue collection and as a Committee we noted that and as it stands right now, if you compare the projected against what has been collected the County has collected 2.9 that is as at the end of November.

The projection up to end of December will be 3.4million. If you do that arithmetic in terms of percentage, you will note that we doing very poor and it is below 20%. As at 20% it is a disgrace to the County as a whole being a County that we are proud of and we control 60% of GDP it is a disgrace. We need to wake up as a County so that we can put our resources because budget is not about expenditure we have to look at the revenue also and that is why we want to empower that sector so that they can at least bring up something.

If you look at it according to my understanding, in the next one or so years we will have no money to do our development, pay up salaries and do anything. Therefore, it is a wakeup call to the leadership as well as other Sectors and Committees so that we can put our efforts and measures to make sure we increase our revenue and on that note, I beg to second.

Hon. Acting Speaker: Thank you.

(Question proposed)

Hon. Acting Speaker: The Hon. Peter Warutere.

Hon. Peter Warutere: Hon. Speaker, I rise to support this very important Supplementary Budget and looking at the estimates and various additions that have been given to various Departments and as I am looking at my Department of Health, I can see like whatever I had requested has been taken care off. We are now back to working Assembly and this money will go a long way to ensuring that at least all the Departments in one way or the other, the deficit are taken care off. I think in very few words we are all victims. If you do not act today, then we will have issues. Therefore, for us not to have issues, I beg to ask all the Hon. Members that at least we take a commonsense of purpose that we adopt these estimates as they are so that moving forward, we can have developments in our Wards. The Executive can have the money that they need and while we are at it as a House, we will be able to move forward. Thank you very much Hon. Speaker, I beg to second.

Hon. Acting Speaker: Thank you. The Hon. Gari?

Hon. Maurice Gari: Thank you Mr. Speaker. I rise to support this Supplementary Budget. Mr. Speaker, you know we have been recalled back because we closed down the chapter of the Assembly but due to the emergency of these funds, we have seen the importance of coming back here to support this budget. Mr. Speaker, I am supporting this fully but I want a clarification from the Chairman Budget. I need to be informed on a figure here which does not add up to me because sometimes we need to know things; let it go to the *Hansard* on page 8 (d) 5322, we need clarification and again---

Hon. Acting Speaker: Order! Hon. Gari, you are saying page 8 so that the Members can follow through.

Hon. Maurice Gari: Page 8 (d) 5322 on the Kenya Gazette.

Hon. Acting Speaker: Page of this --- Item No. (b)?

Hon. Maurice Gari: Yes, Mr. Speaker. And again, you turn back to page 4 (r). Mr. Speaker, that is why I want the Chairman of Budget to at least elaborate for us because there are two different figures there on our main issue of Assembly but at the entire budget, I can see that there is no problem with that. I beg to support.

Hon. Acting Speaker: The Chairman has taken note and he will do that when he is doing his reply. The Hon. Peter Kimuhu.

Hon. Peter Kimuhu: Thank you Mr. Speaker for giving me this opportunity to support this particular Bill. Mr. Speaker, I had a very rare opportunity to actually participate in the development of this document in Mombasa. I have not been in the Committee of Budget for quite a while since I came to the Assembly. I will actually urge Members to earnestly support this document because what we saw in Mombasa, the engagement for 4 days in the development of this document Mr. Speaker, I can stand here before my fellow Members to ascertain and confirm that this document has been developed with the highest precision, the work that has gone into the development of this document was beyond reproach.

Mr. Speaker, I would like to take this opportunity to congratulate the Budget Committee. The Committee has done a great deal of work. Sometimes we think that we are actually working very hard but you will never know the level at which you are working until you see another committee at work. Mr. Speaker, the great men and women who belong to this Committee, to be very honest with you, they require a very high level of recognition.

Mr. Speaker, I will not say much, but I will tell you some of us have got a great deal of knowledge in budget making and we shall give that knowledge and support to the Budget Committee at all times. I therefore summarize by saying that I support this document and I support it dearly, sincerely and absolutely. Thank you, Mr. Speaker.

Hon. Acting Speaker: Thank you. The Hon. Minority Whip.

Hon. Peter Imwatok: Hon. Speaker, allow me to cut my trip for Bahamas to be here purposely, and also to commend the Majority Leader of this House for calling me to action. More importantly, to appreciate the NASA side as you can see; we are full house meaning we support the government of the day to serve the Nairobians.

Mr. Speaker, we must appreciate the government side for coming in numbers despite that they are business men and women, they are here making sure that the government runs even when on recess. The government side led by the Spokesperson of the government, who sometimes he forgets that he is the one with 1st Class Honors; Hon. Warutere. Mr. Speaker, I stand here completely aware of the enormous task out of this Supplementary Budget. One of the reasons, you remember the last Supplementary Budget, I had a heated debate with my Majority Leader until he had to cut his trip to Isiolo to be with us and came to Rainbow Hotel in Ruiru to make sure that the government gets the Supplementary Budget.

Mr. Speaker, at that particular time, the center of interest was very simple; it was about the insurance to be given to the staff. I remember when I was debating this even some staff were on the Gallery and they said; why is the Leader of opposition so much keen on insurance? The Majority Leader and his side were against it. But today I am here purposely to support the cause of the staff as my Hon.

Chair said that he was part of this document in Mombasa, I was there. And one question that I asked the Executive side under the able Chairmanship of Hon. Mbatia and his Vice-Chair was simple; a Supplementary Budget must have interest, and what was the interest?

Mr. Speaker and the entire House, I was informed that the interest was the staff of Nairobi City County government, number one which was the CBA. To be honest, I used to be a spokesman of the government then, the CBA agreement is something that is so emotive to the members of staff. Mr. Speaker, for the last one week I received more than 200 calls and for the first time I realized indeed I am the Leader of the Opposition. Most of the staff were asking me what the opposition is saying about this Supplementary Budget because their interest is inside the CBA agreement.

Therefore Mr. Speaker, we stand here affirmatively and say we support the Supplementary Bill. That the staff of the Nairobi County for the first time can get the CBA agreement as signed by the Governor and then they will get paid from January 2019. Number two, Mr. Speaker, I want to affirm this; that we are here to support this Bill because of the Ward Development Fund and other requisite like the Ksh.150 million that the Budget Committee has given to the Water Committee. That we can have these projects devolved to the Ward levels. Mr. Speaker, looking at the history of the Assembly and our County government, many a times and this will be squarely on the Majority Leader's hands, we don't want a situation whereby the interests of the Members like the Ksh.150 million for the Ward based projects it should be a priority for us, the Hon. Majority Leader.

Number three Hon. Speaker, allow me to say the issue of the environment the Kshs.90 million, I have not seen but I know the Chair of Budget talked to me that there is a priority for the government and I believe the Chair and the Majority Leader are aware that there were issues of the Traffic Marshals. Let us not get out of this place without talking about this. The Traffic Marshals are our young men and women of this City and the Majority Leader knows what they are undergoing. Kindly follow up for the entire 122 Members so that we be part and parcel of the process as much as we pass the budget..

(Applause)

Lastly Mr. Speaker, mine is just to say that I wish you all a merry Christmas and a Happy New Year and come next year this House I believe will be a very different House and for those who doubt your answer is here and for those who still fear you will be answered. Thank you.

(Applause)

Hon. Acting Speaker: Thank you. The Leader of Majority please.

Hon. Abdi Hassan: Thank you Mr. Speaker, sir. I want to take this opportunity to first thank the members for availing themselves here to pass this important document. Mr. Speaker, this document contains many components which are of benefit to the staff and the City of Nairobi. Mr. Speaker, as my good friend and Whip of the Opposition has stated, the CBA is a critical component in this Supplementary Budget and the CBA which was signed three years ago by the previous government - of which my good friend was the number one defender of - has never implemented that CBA.

Mr. Speaker sir, I want to take this opportunity to thank the Governor of Nairobi for implementing this CBA. It is a very important for the welfare of the staff of Nairobi County to be taken care of and I know

when the staff of Nairobi County go for this festive season they will bless the Governor and this Assembly for adopting this Supplementary Budget. Mr. Speaker sir, on issues environment, when you come from Mombasa going all the way to Waiyaki Way, Jogoo Road where my good friend comes from and Outer Ring Road from GSU to the Airport, the City is green. Mr. Speaker the City is beautiful and for this I want to congratulate His Excellency the Governor for making Nairobi the green City under the Sun again.

(Applause)

Mr. Speaker sir, the issue of the Traffic Marshalls is a very important issue and this issue cannot be discussed on the floor of the House. Mr. Speaker, I want to assure members that each and every individual who sits in this Assembly, his interests will be catered for, rest assured of that Mr. Speaker, and one of the reasons for the delays is to cater for the interest of the Member. Mr. Speaker sir, with those few remarks...

Hon. Acting Speaker: Leader of Majority, when you say the interest, do you mean the interest of Nairobians?

Hon. Abdi Hassan: Yes, I mean the Nairobians. Mr. Speaker sir, if you go to Article 1 of the Constitution it says; "The Sovereign will of the Kenyan people belongs to the Kenyans themselves and they can exercise it directly or indirectly". Mr. Speaker, the members who sit in this House represent the sovereign will of Nairobians and that is the reason I am saying that it is the interests of the Nairobians that will be taken care of.

(Laughter)

Mr. Speaker, the issue of the Ward Development Fund, as we have seen in the Supplementary Budget we have seen that it has been catered for. Mr. Speaker, I want to also to tell my good friend the reason why he sees me here wearing kanzus is to make sure that the business of the House, the business of the Government sails through without any hindrance. The next thing Mr. Speaker, I want you to invoke Standing Order number 100 due to the mood of the House and call the Mover to reply. Thank you.

Hon. Acting Speaker: Thank you Leader of the Majority. I know there are so many requests and I am happy that the Motion is receiving a lot of interest but I assure you that there is still another level, we still have to go to the Bill itself and then we go to the Committee of the Whole so all these chances are going to be captured. So, I will just give one area and then I will proceed to call the Mover to reply. So, the Hon. Majiwa.

Hon. Geoffrey Majiwa: Thank you Mr. Speaker. I will be very brief, it is just a concern that I want to register, that it is important that we are very happy with this document. We are passing it when we know very well that it is going to take care of the interests of the people of Nairobi. However, in our duty as the legislators we also have a role to oversight and what is contained in this document is going to come before us again in the near future as we oversight. It is my request that you also facilitate us as members that when we want to do our oversight role because we have seen situations where we pass a budget like this and it is used differently from the intended purpose we had passed it for.

So kindly give us an opportunity to oversight so that when we pass a budget here it goes to the intended purpose. Thank you, Mr. Speaker, I support the document.

Hon. Acting Speaker: Thank you and finally, the Chair of Water.

Hon. Paul Kados: Thank you, Mr. Speaker. I stand here to support this Supplementary Budget. One, it has taken care of Ward based water projects which as you know before we did not have as much... Last year we had only Ksh.3 million per Ward. Let me congratulate the Budget Committee and the Office of the Governor for seeing the light and agreeing to increase Ward based projects which I think will go a long way to help the Members of this Assembly. To cap it all the money to look into ECD centers has been increased and so in that I beg to support. Thank you.

Hon. Acting Speaker: Thank you very much. I now call the Mover to reply.

Hon. Robert Mbatia: Thank you Mr. Speaker...

Hon. Cecilia Aiyot: Point of Order.

Hon. Acting Speaker: What is your Point of Order Cecilia?

Hon. Cecilia Aiyot: Mr. Speaker, kindly allow the women of this great Nairobi County Assembly to also say a word on this very important Motion./

Hon. Acting Speaker: Hon. Cecilia, you are aware that we have a lot and they will still have a chance to contribute. It is not that I have misrepresented you, I will catch your eye because we still have another procedural Motion and then this is another Motion. We will get to the Bill itself and you will have a chance to contribute, otherwise if I do not control – and I know you have cut your recess short to be here – I also want to manage your time. So, proceed Mover to reply.

Hon. Robert Mbatia: Thank you Mr. Speaker. I want to appreciate this Assembly because even the concern by the members of the other gender, I know that they are in support, none is opposing it and I really appreciate this. Mr. Speaker, I want to appreciate the mood of this House and the leadership of this House led by you, Mr. Speaker, we managed to rush these documents passing through every stage that it is supposed to pass through by law. I also want to appreciate the members of the Liaison Committee and also want to appreciate the members of my Budget Committee. Some were even unwell as you know Mr. Speaker but they braved all their illnesses to come and attend the process. Mr. Speaker, also the members present here as ably put by Hon. Imwatok, they were on recess, they were on holiday and they were recalled and the House is full.

I want to appreciate you all for this and Mr. Speaker, it is an indicator that this Assembly is willing to oversight and support the Executive so they should also extend that same hand of cooperation as we continue. Mr. Speaker as I say that I want to insist that the sectoral Committees now should move out and have oversight over the Executive because we are doing dismally on revenue.

Mr. Speaker, I also want to appreciate my family. We were on holiday and they allowed me to leave their camp and come here and I had to come with them to justify that I was coming to the Assembly. *(Laughter)* They were wondering whether I was going to another family so this is confirmation enough that I only have one family and I came for parliamentary business. *(Laughter)* Mr. Speaker, I do not want to just rubbish or pass over Hon. Gari's concern but I am limited by the rules and procedures in this House. The question that Hon. Gari raised is in the Appropriation Bill which we have not dealt with so I have the answer but it is in the Appropriation Bill and it will be anticipating debate if I would answer him now. So Mr. Speaker, I beg to reply. Thank you.

Hon. Acting Speaker: I now put the question.

(The question is put and agreed to)

PROCEDURAL MOTION

Hon. Acting Speaker: Leader of Majority.

Hon. Abdi Hassan: Thank you Mr. Speaker. That notwithstanding the provision of Standing Order number 127, this Assembly resolves to reduce the publication period of Nairobi City County Supplementary Appropriation Bill 2018 from 7 days to 1 day. I will ask my good friend, Deputy Whip Hon. Ogeto to second. Thank you.

Hon. Acting Speaker: Deputy Minority Whip.

Hon. Moses Ogeto: Thank you, Hon. Speaker. I also want to thank the Hon. Members for leaving their busy schedules in this holiday and coming to attend this important function. Hon. Speaker, the publication period of this Motion will give this Assembly the powers conferred in this Supplementary Budget to ensure that the confines of the law are within its precedence. Hon. Speaker, as I second this Motion I also wish – because Hon. Speaker I may not get a chance – the Hon. Members a merry Christmas and a happy and prosperous new year. Thank you Mr. Speaker.

Hon. Acting Speaker: I now propose the question.

(The question is proposed)

Hon. Acting Speaker: Hon. Members. Hon. Susan Makungu. Susan, you were not prepared? Where is Hon. Ayot? I cannot see any gender requests. The Hon. Ndumi.

Hon. Rose Ndumi: Thank you Mr. Speaker sir. I stand to support this Supplementary Budget 2018/2019. I also want to thank the Chair and Mr. Speaker, I think in this House we can put a name to the Chair, he is a professor of Accounts. I also want to thank the members of the Budget Committee, the Chairs who attended the meetings and made it a good one. Mr. Speaker sir, sometimes when the Chairs go away to correct the budget, sometimes you can adopt other members and we join together with them.

Mr. Speaker, I also want to thank the Governor of Nairobi for the good work he has been doing and I thank the Chair because if you follow the Supplementary properly, everything adheres together very nicely. You can go to Health and you see how Pumwani Hospital is working, you go to Planning with their able Chair, we go to Roads and so I stand to support Mr. Speaker. Thank you.

Hon. Acting Speaker: Thank you. The Hon. Millicent Okatch. Remember it is the procedural Motion reducing from 7 days to 1. I promised we will have the ladies responding and then I call the Mover. I take it that you are supporting, thank you.

Hon. Millicent Okatch: Thank you Mr. Speaker sir, I support the Motion.

Hon. Acting Speaker: Thank you. I now call the Mover to reply.

Hon. Abdi Hassan: Thank you Mr. Speaker sir. I want to thank the members for supporting this Motion and I also want to wish them a merry Christmas and a happy and prosperous new year. I also want to put a word of caution to the members and our friends who are coming from Lakeside. When you go for this festive season, be careful, there is *Jakadala* which is very dangerous and vicious.

(Laughter)

I hear it can kill you within 7 days.

(Laughter and applause)

We want you back in one piece come February. Thank you, Mr. Speaker sir.

Hon. Acting Speaker: Thank you Mover. I now put the question.

(The question is put and agreed to)

**NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATIONS BILL 2018, ASSEMBLY BILL
NUMBER 10 OF 2018**

**A BILL FOR AN ACT OF THE NAIROBI CITY COUNTY ASSEMBLY TO AUTHORIZE THE ISSUE OF A
SUM OF MONEY OUT OF THE COUNTY REVENUE FUND AND ITS APPLICATION TOWARDS THE
SERVICE OF THE YEAR ENDING 30TH JUNE 2019 AND TO APPROPRIATE THAT SUM AND A SUM
VOTED ON ACCOUNT BY THE NAIROBI CITY COUNTY ASSEMBLY FOR CERTAIN PUBLIC
SERVICES AND PURPOSES**

FIRST READING

Hon. Acting Speaker: Chairman, Budget.

Hon. Robert Mbatia: I beg to move that the Nairobi City County Supplementary Appropriation Bill, 2018 be read a second time. Mr. Speaker sir, just a while ago, the County Assembly---

Hon. Acting Speaker: Order! This is the first reading. It goes back to the Clerk and then you will proceed after the second reading.

**THE NAIROBI CITY COUNTY ASSEMBLY SUPPLEMENTARY APPROPRIATIONS BILL 2018
(ASSEMBLY BILL NO. 10 OF 2018)**

SECOND READING

Hon. Acting Speaker: Chairman, Budget.

Hon. Robert Mbatia: Thank you Mr. Speaker. For the purposes of the *Hansard*, I beg that the Supplementary Budget Appropriation Bill 2018 be read a second time. Mr. Speaker, just a while ago, the County Assembly adopted the report of the Finance, Budget and Appropriation Committee on the consideration of the First Supplementary Budget for the Financial Year 2018/2019. In the adopted report, the County Assembly has granted authority for implementation of Ward based water projects disbursement of bursaries to needy students, improvement of county infrastructure, supporting the legislative function of the County Assembly, ensuring that we have a clean city that delivers to its citizens among others.

Mr. Speaker sir, this Appropriation Bill will provide legal basis for utilization of the funds approved by the County Assembly. Mr. Speaker, the Budget Committee has scrutinized the submitted Bill and confirmed that it is consistent with the figures approved in the Supplementary Estimate Report. The recommendations have been incorporated as resolved by this Assembly. Mr. Speaker, I wish to urge the

members to support this Bill and give the County the go-ahead to utilize the funds for completion of development projects and other lines of expenditure outlined herein before the end of the current financial year.

Hon. Speaker, I beg to move and request my able Vice Chair, Hon. Karani, to second.

Hon. Acting Speaker: The Hon. Vice Chair of Finance and Budget?

Hon. Patrick Karani: Thank you Hon. Speaker. I rise to second the Motion. First of all, let me say that I am energized by the caring, creative and dedicated employees and the general Nairobi residents who pay their taxes to make great things happen in this City. Mr. Speaker, it is our responsibility, as leaders who were elected to this House, to make sure whatever is contained in the budget as policy is put into action. To do so, we should have a common vision as leaders. This vision should be responsive. When we sit down and agree, we should find one way of saying yes instead of 3 ways of saying no. Passing the budget is one thing but there are so many issues that need to be addressed. Of importance is the issue of deficits.

Hon. Acting Speaker: Hon. Member on the floor, you are requested to be more audible. I understand you are not feeling well.

Hon. Patrick Karani: I am trying my best. As leaders elected to this House, let us try to make this budget policy a bit actionable. We need to rise up and make sure we assist the Executive because this is a two-tier government. It is not the business of the Executive alone. It is also our business to make sure that things are happening.

Mr. Speaker, it is worrying that this County is going to run into a deficit because people at lower levels collect money and it is not being banked. We must rise up as leaders and we do proper oversight because we have cases on the other side where money is collected and it is not banked. Our Governor tried to curb corruption but he doesn't have a thousand eyes to observe what is happening at lower levels. We must rise to the occasion and be able to address this. To this end, I take this opportunity to urge Hon. Members to look into this budget with full perspective. When you look at the budget, you can look at it as a political tool through which the political objectives will be addressed. All of us who were elected, have campaigned on a platform of development. But it is through this budget that you can be able to actualize your manifestos.

I would also request Members to look at this budget with an administrator's eye. It is through the budget that the policies of the government will be able to be realized. You also need to see it with an accountant's eye. Make sure that every penny that has been spent has been accounted for. Members should look at the budget with an economic eye. You know, money is not enough. The wishes are many but resources are very scarce. So, you need to look at the budget in terms of how rational we are spending this money. This is a call for this House to wake up and do their constitutional requirement. And by doing this, we will be protecting our government, we will be doing service to Nairobian.

Mr. Speaker, for Nairobi to become the City of choice to work, invest and live, we need an efficient and effective budget process. And this will be achieved when Members take the appropriation process very serious. So, I am calling upon Hon. Members to endorse the Appropriation Bill. The Committee has gone through the figures. The figures are very good. We tried to cut deficit. We made departments to reallocate within the budget that we have passed.

(Applauses)

So, I beg to second the Motion. Thank you.

(Applauses)

(Question proposed)

Hon. Acting Speaker: Hon. Millicent Jagero.

Hon. Millicent Jagero: Thank you Mr. Speaker. First, I would like to commend the Budget Committee for the good work that they have done. Going through the Bill, it has been based around objectives rather than inputs. And from what I have read and seen, I will focus more on the health that has been allocated a huge chunk of 6.389 billion. The preventive and curative care are going to be a plus not only to His Excellency the Governor but to the entire County because you find that in many health facilities there are no drugs at all and the existing facilities are in a dilapidated state and the money that has been allocated there on general administration, planning and support services is going to help in the rehabilitation of the facilities and in the general administration. Therefore, I stand to support the Bill.

Hon. Acting Speaker: Thank you. The Hon. Nicholas Okumu Ouma. You are not ready? Hon. Clarence Munga.

Hon. Clarence Munga: Thank you Mr. Speaker. Basically, Appropriation Bill gives the Executive powers to appropriate the funds that have been allocated in this budget. Let me also take this opportunity to caution the heads of departments, basically the CECs and the Chief Officers. There are some sectors that are not performing at all. We allocate money to those sectors and you find that at the end of the Financial Year, that department has not either procured or have no plan of procuring. I can possibly highlight a sectors like social services and education. Other than giving bursaries, we don't see ECDs being constructed in our Wards. And that is a devolved function. So, with this Appropriation Bill, we are actually giving powers to the Chief Officers and CECs to do what is right, to ensure that they work within that timeframe, they procure on time and ensure that we deliver services to Nairobian. Having said that, I support this Bill.

Hon. Acting Speaker: Thank you. The Hon. Leah Supuko.

Hon. Leah Supuko: Thank you Mr. Speaker sir. I would like to thank the Budget Committee and their Chair for the good work that they have done to bring us a very good Supplementary Budget. I have seen two areas of importance to Nairobian. Like construction of ECD centers and for the increase of water revenue. I would like to thank our Chair of Water Committee for the input in supporting that budget. So, I support the Bill.

Hon. Acting Speaker: Thank you. The Hon. Kennedy Oyugi.

Hon. Kennedy Oyugi: Thank you Mr. Speaker. I rise to support the Bill. However, there are areas that have concerns that I wanted the Budget Committee to highlight. For example, if you go to page 7, under environment, water and natural resources, no. (E), "10 million be allocated for rent of vehicles". Let us speak on that. Honestly, why would you spend 10 million for renting of cars? Why can't we use the same amount to purchase new cars instead of renting?

Hon. Acting Speaker: Proceed, Chairman.

Hon. Robert Mbatia: Mr. Speaker, Hon. Ayugi is on the report and we are now on the Appropriation Bill. I can clarify that with him afterwards. But for now we are on the Appropriation Bill. Thank you.

Hon. Acting Speaker: You stand guided?

Hon. Kennedy Oyugi: I stand guided, Mr. Speaker. Otherwise, since the Chairman has promised that he is going to clarify, I support.

Hon. Acting Speaker: Thank you. Hon. Silas Matara.

Hon. Silas Matara: Thank you Hon. Speaker for this opportunity. First I would like to register my gratitude to the able Chair and his Committee and everyone who participated in the development of this Bill. Secondly, we have to take cognizant of the fact that as leaders of Nairobi, we are going to be judged by how we treat the vulnerable members of the community.

So, in that respect, I congratulate the Committee for adding more money to the health sector, education and youth. I urge the Executive that once we pass this Appropriations Bill then the responsibility is on the Governor, his CECs and the Chief Officers to ensure that they increase the rate of absorption of funds to avoid cases of rushing to procure services that are not necessary to the people of Nairobi. In the same respect, I would like the relevant sectors and departments from the Executive side to make sure that officers expedite the process of procuring items and services that we have budgeted for so that come 30th June at the closure of the financial year then all items will have been implemented. Let the Governor continue with his spirit of fighting corruption and ensure that there is no misuse of funds that as has been passed by the Assembly. Thank you and with that I support .

Hon. Acting. Speaker: Thank you. Hon. Anita.

Hon. Anita Thumbi: Thank you very much Mr. Speaker. I want to take this chance to congratulate the Budget Committee for this Bill. I can see that there is allocation of enough funds on preventive, promotive and curative health care and also some amount has been allocated to afforestation. The late Wangari Mathai once said and I quote "He that plants a tree loves others beyond himself" and with that I say thank you to the Budget Committee for considering replanting of trees. I support.

Hon. Acting. Speaker: Thank you. Finally Hon. Jairus Omayo.

Hon. Emapet Kerubo: *(Inaudible)*

Hon. Acting. Speaker: Are you on a different card?

Hon. Emapet Kerubo: Can I use his card?

Hon. Acting Speaker: No. let me call--- Order Hon. Adow. You are seriously out of order
(Hon. Adow speaks off the microphone)

Hon. Acting Speaker: Have I asked anyone to reply and is there a problem if I do the same?

(Hon. Adow speaks off the microphone)

Hon. Acting Speaker: I had called Hon. Jairus to speak but he is not the one who used the card and I was making the correction. Hon. Emapet, you can now use the card.

Hon. Anthony Karanja: Honorable Speaker my microphone is on.

Hon. Acting Speaker: Just put it off.

Hon. Emapet Kerubo: Can I proceed?

Hon. Acting Speaker: Yes.

Hon. Emapet Kerubo: Thank you Mr. Speaker. I want to give a silent round of applause to the Budget Committee and the entire team for the great support towards this Bill. Being a youth, I am

impressed by the allocation put to the education, youth affairs, sports, culture and social affairs. It is prudent and of much support that the youths and ECD teachers now have more allocation to their sectors. I also want to congratulate our able Governor Mike Mbuvi Sonko for ensuring that the Environment sector has been allocated an extra Ksh. 343 million and so I want to appreciate all of you and I know that we will all be safe and sound. I wish to see all of us come 2019 healthy and sound. Be blessed and I support.

Hon. Acting Speaker: Thank you. I will now call the mover. You all understand the pressure that I have in terms of managing your time. Hon. Adow! You are a member of the Liaison Committee and you even interacted with the document. Members of the Budget Committee are at liberty to speak but I want to balance this for members who have not interacted with the report.

(Loud consultations)

Hon. Acting Speaker: Order! Order Hon. Kiragu! It is very important that you understand the pressure that the Chair has when allocating time. You need to understand the criteria that I use when doing this. I try to ensure that I give members who have not seen the time to express their opinions because you had your chance the whole of last week in Mombasa but if time allows then I will give you a chance to speak. Let us proceed and once we get to the Committee of the Whole House the Deputy Speaker will give you a chance to speak. I now call upon the mover to reply.

Hon. Robert Mbatia: I want to appreciate every Member and wish every member seasoned greetings this festive season. Through this document Mr. Speaker we are giving the Executive powers to spend and on the other hand we are getting power to oversight. The ball has therefore been thrown back to us and with that I thank you Mr. Speaker.

Hon. Acting Speaker: Order Hon. Adow! Sergent-at-Arms make sure that the Hon. Member is seated. Hon. Adow, I am on my feet and the next time you will be out of this Chamber.

(Hon. Adow takes a seat)

(Question put and agreed to)

Hon. Acting Speaker: Clerk

THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2018: A BILL FOR AN ACT OF THE NAIROBI CITY COUNTY ASSEMBLY TO AUTHORISE THE ISSUANCE OF SUM OF MONEY OUT OF THE COUNTY REVENUE FUND AND ITS APPLICATION TOWARDS THE SERVICE OF THE YEAR ENSING ON THE 30TH JUNE, 2019 AND TO APPROPRIATE THAT SUM AND A SUM VOTED ON ACCOUNT BY THE NAIROBI CITY COUNTY ASSEMBLY FOR CERTAIN PUBLIC SERVICES AND PURPOSES.

SECOND READING

Hon. Acting Speaker: Next Order

COMMITTEE OF THE WHOLE ASSEMBLY

(Hon. Acting Speaker leaves the Chamber)

(The Mace is lowered)

[Hon. Chairman (Deputy Speaker) assumes chair]

Hon. Chairman: Honorable Members, we are now in the committee of the whole House to consider the Nairobi County supplementary Appropriations Bill 2018; Assembly Bill no. 10 of 2018. We shall start with clause 2

Clause 2

Hon. Chairman: Honorable Members, I propose that clause 2 be part of the Bill. Debate?

(Question put and agreed to)

Clause 3

Hon. Chairman: Honorable Members, I propose that clause 3 be part of the Bill. Debate?

(Question put and agreed to)

First schedule

Hon. Chairman: Honorable Members, I propose that the schedule be part of the Bill. Debate

(Question put and agreed to)

Second Schedule

Hon. Chairman: Honorable Members, I propose that the second schedule be part of the Bill. Debate

(Question put and agreed to)

Title

Hon. Chairman: Honorable Members, I propose that the title be part of the Bill. Debate

(Question put and agreed to)

Clause 1

Hon. Chairman: Honorable Members, I propose that the clause 1 be part of the Bill. Debate

(Question put and agreed to)

Hon. Chairman: The mover

Hon. Robert Mbatia: Mr. Chairman, I beg to move that the Committee do report to the Assembly its consideration of the Nairobi City County supplementary Budget Bill 2018; Assembly Bill no. 10 of 2018 and its approval thereof without amendments. Thank you Mr. Chair.

(Question proposed)

(Question put and agreed to)

(All Members rise as Mr. Speaker assumes his seat)

(Hon. Chairman leaves seat)

(Mace is put in its original position)

(All Members sit)

Hon. Acting Speaker: Chairman?

Hon. Chairman: Hon. Speaker sir, I beg to report that the Committee of the Whole Assembly has considered the Nairobi City County Supplementary Appropriation Bill 2018; Assembly Bill no. 10 of 2018 and approved the same without amendments.

Hon. Acting Speaker: Thank you Chair of Chairs for the report. I now call the mover of the Bill

Hon. Robert Mbatia: Mr. Speaker sir, I beg to move that the Assembly do agree with the Committee in the said report. Thank you Mr. Speaker.

(Question that the Bill be read a third time proposed)

Hon. Acting Speaker: Hon. Cecilia Ayot?

(Question put and agreed to)

Hon. Acting Speaker: Chairman Budget.

Hon. Robert Mbatia: I beg to move that the Nairobi City County Supplementary Budget Bill 2018, Assembly Bill no. 10 of 2018 be read a third time. Thank you Mr. Speaker.

(Question that the Bill be read a third time proposed)

Hon. Acting Speaker: Members, I will allow you to make your deliberations before we proceed. Hon. Susan Makhungu.

Hon. Susan Makhungu: Thank you Mr. Speaker for giving me the opportunity to contribute. I am glad to see Members with brighter faces from the recess and I stand to support the great work of our able Governor Mike Mbuvi Sonko. Thank you.

(Applause)

Hon. Acting Speaker: Thank you. Hon. Osman Adow.

Hon. Osman Adow: Thank you Mr. Speaker. Members of the Budget and Liaison Committee are few in the House compared to the rest who don't have the information which I would like to give. The collection of revenue in this County is at about 50% which means that less than 50% of the projects that are

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listed here will not be done at the end of the year unless the revenue collection goes up. I therefore urge all committees to support their departments and make sure that revenue collection is maximized because we are doing poorly. Let every department pull up its socks so that we don't have a deficit, or be in debt or even these projects will not be done. That is the information that I wanted to pass to the House. Thank you Mr. Speaker.

(Applause)

Hon. Acting Speaker: Thank you. Hon. Samora Mwaura

Hon. Samora Mwaura: Thank you Mr. Speaker sir for the opportunity to say a word on this document. First and foremost I would like to congratulate the Budget Committee for a job well done. Secondly, I would like to make a few comments in regards to the allocations on roads, public works and transport sector. Mr. Speaker sir, most members understand that most of the problems afflicting this City are to do with roads and lighting. One of the most difficult things that we have been having is the problem of machines.

For example I raised a question in this House a few months ago that the County is operating with only one grader that is serving 85 Wards. This allocation on equipment is very little, Ksh.35 million given the fact that we only have one platform to repair the lights and one grader. I think the Budget Committee could have done Nairobians a very big service if they could have added the allocation on equipment which is only Ksh.35 million.

Another key observation is the allocation on modern kiosks. Mr. Speaker sir, you understand that a few months ago there was a very big operation that rendered many traders jobless. I think they should have allocated more money on modern kiosks so that we could at least absorb some of these people who were rendered jobless. Thank you very much Mr. Speaker sir, those are my key observations.

Hon. Acting Speaker: Thank you. The Hon. Nancy Muthami.

Hon. Nancy Muthami: Thank you Mr. Speaker for catching my eye. I want to congratulate the Governor of Nairobi Mike Mbuvi Sonko for the great job that he has done and also my able Chairman for Budget and the entire Budget Committee, me being a member there. We worked tirelessly and I stand to support.

Hon. Speaker as I conclude, allow me without overemphasizing to wish Members a happy festive season. Thank you.

Hon. Acting Speaker: Thank you. The Hon. Lawrence Otieno Odhiambo.

Hon. Lawrence Odhiambo: Thank you Mr. Speaker sir. I rise to support this Motion. First, the reason why I am supporting this is because of the allocation of sports. You find that last time we were supposed to go to Uganda and unfortunately just because there was no funds allocated in our docket, we did not manage to go and participate in Uganda and Rwanda. You can imagine the way we came to your office to shout at you because of the funds, so it is good maybe from next year we know very well that we will be participating in sports because we will be having enough funds. Thank you, I beg to support.

Hon. Acting Speaker: Thank you. The Hon. Laura Mwende? Order! This may be their maiden speech.

Hon. Laura Mwende: *Asante sana Bwana Spika. Nasimama kuunga mkono na ku---*

(Laughter)

Hon. Acting Speaker: You are protected, proceed.

Hon. Laura Mwendu: *Na kumpongeza Gavana wa Nairobi Mbuvi Mike Sonko kwa kazi nzuri ambayo ameifanya hususan kwa mazingira, tunamtakia kila la heri. Na kwenu nyinyi nyote, namtakia sikukuu yenye fanaka na mwaka mpya poa.*

(Applause)

Hon. Acting Speaker: Order! Hon. Kennedy Obuya, find the nearest seat.

(Question is put and agreed to)

**A BILL FOR AN ACT OF THE NAIROBI CITY COUNTY ASSEMBLY TO AUTHORIZE THE
ISSUANCE OF A SUM OF MONEY OUT OF COUNTY REVENUE FUND AND ITS APPLICATION
TOWARDS THE SERVICE OF THE YEAR ENDING ON 30TH JUNE 2019 AND TO APPROPRIATE THAT
SUM AND A SUM VOTED ON ACCOUNT BY THE NAIROBI CITY COUNTY ASSEMBLY FOR CERTAIN
PUBLIC SERVICES AND PURPOSES**

THIRD READING

Hon. Acting Speaker: I want to congratulate you Members for having added another Bill before the year ends we have at least added the number of Bills that we have made. Hon. Members, I am so thankful to first and foremost my guests who are the Hon. Robert Mbatia's family for coming to see what your dad does---

(Applause)

And now they know that it is not easy work. You can see that he is also getting a lot of bullying and it is part of his work. So when you see him at home, you give him better and bigger support.

I also want to congratulate the technical team that has also helped us for being there because I can see Erick, the Budget Clerk who is also the newest wedded husband and he cut short his honeymoon trip to come and ensure that the Bill has been passed together with the team that has worked tirelessly in that Committee. Hon. Members, I also want to thank you as the Budget Committee that has done a lot of work and wish that you continue with that spirit in 2019. May we give them a loud of parliamentary applause.

(Applause)

Hon. Members, I also want to thank you so much for creating or interrupting your time because today is 21st and some of you had already committed your time elsewhere but having put the Notice in the newspapers yesterday and you actually find that we are full house, I thank you. I also want to thank the leadership together with the Whips for ensuring that we have done a very good job in ensuring that we had business and we had quorum.

Hon. Members, 2018 was also very dramatic and full of events that have also led to my sitting here.

(Applause)

I was not here when we went for recess, so I am happy also to congratulate you for having come to a close we are almost 10 days to the end of 2018. God has kept us and we have done a good job for Nairobianians. I hope that before we meet again you will keep yourselves safe and I pray to God that he gives us 2019 which is also going to be... we want to have more bills and more business like these happening. With that and many remarks, I wish you a very good Christmas holidays, take time to relax, have time for your family when January starts we are still going to be on recess. So you will have time particularly the one who have Wards have chances to go to your Wards and also at least in the areas that have been roughed a bit you also go and energize those areas.

ADJOURNMENT

Hon. Acting Speaker: With those few remarks Hon. Members, this House stands adjourned. Thank you so much.

(The House rose at 4.20 p.m.)