



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

Third County Assembly – First Session

#### SPECIAL SITTING

Thursday 19<sup>th</sup> January 2023

The House met at 2.30 p.m.

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

#### PRAYER

#### COMMUNICATION FROM THE CHAIR

##### SPECIAL SITTINGS

**Hon. Speaker:** Honorable Members, I have a Communication to communicate. Honorable Members may I take this opportunity to welcome you for today's Special Sitting which has been convened to consider important business regarding the operation of the County. I most sincerely thank you for honoring the invitation.

Honorable Members, you may recall the Assembly sitting held on Tuesday 17<sup>th</sup> January 2023, the Leader of the Minority party laid on the table of the Assembly the Nairobi City County Supplementary No.1 Budget estimate, Fiscal Year 2022/2023, and I committed the same to the Select Committee on County Finance, Budget and Appropriation for consideration and reporting. Similarly, I issued the communication in which I contemplated a subsequent Special Sitting subject to request to conclude the consideration of the said estimate.

Honorable Members, indeed pursuant to the Standing Order No. 32, I received a letter dated 16<sup>th</sup> January 2023 from the Leader of the Majority party requesting that I convene a Special Sitting today 19<sup>th</sup> January 2023 commencing at 2.30 p.m. in order to exhaust the important business before us. Accordingly, I acceded to the request upon examining and being satisfied of the business proposed therein.

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Consequently, today's special sitting is properly convened via gazette notice No.457 published in Kenya gazette dated 18<sup>th</sup> January 2023 to consider:

- i. The Report of the Select Committee on Finance Budget and Appropriation on Consideration of the Supplementary Budget Estimates (1) for the Financial Year 2022/2023 and
- ii. The Nairobi City County Supplementary (1) Appropriation Bill 2023

Honorable Member, kindly note that Standing Order No. 32 (4) restrict the manner of consideration of scheduled business and it states that, and I quote; *"Whenever the County Assembly meets for a special sitting, the Speaker shall specify the business to be transacted on the day or days appointed and the business so specified shall be the only business before the County Assembly during the special sitting, following which the County Assembly shall stand adjourned until the day appointed in the County Assembly calendar."*

Consequently, Honorable Members, the business specified in the aforementioned gazette notice shall be the only business to be transacted during today's sitting. You are so guided honorable Members. I thank you.

### PAPERS

**Hon. Speaker:** The Honorable Chair for Budget and Appropriation.

**Hon. Wilfred Odalo:** Thank you, Mr. Speaker, pursuant to Standing Order 196 (6) I beg to lay the following Papers on the Table of this Assembly today Thursday 19<sup>th</sup> January 2023: The Fourth Report of the Select Committee on County Finance, Budget and Appropriation on the First Supplementary Budget Estimate for the year 2022/2023 for the Nairobi County Government and County Assembly. Thank you.

### NOTICES OF MOTION

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker, I beg to give notice of the following Motion: That the Assembly adopts the report of the Select Committee on County Finance Budget and Appropriation on the Finance First Supplementary Budget Estimate for the year 2022/2023 for the Nairobi County Government and County Assembly laid on the table of the Assembly today Thursday 19<sup>th</sup> January 2023. I beg to lay.

### MOTION

ADOPTION OF REPORT ON THE CONSIDERATION OF THE SUPPLEMENTARY BUDGET ESTIMATES NO.1 FOR THE FY 2022/2023 FOR THE COUNTY EXECUTIVE AND THE ASSEMBLY

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker, that this Assembly adopt the Report of the Select Committee on County Finance, Budget and Appropriations on the consideration of the Supplementary Budget Estimates No.1 for the FY 2022/2023, For the County Executive and the Assembly, Laid on the Table of the Assembly.

Hon. Speaker, poor application of the well-intended provisions of the law on planning and budgeting has the long-term effects of driving the masses to poverty, keeping away many children out of learning institutions, and making public facilities places deplorable while public officials remain dodgy on accountability issues.

Hon. Speaker, in the annual estimates for the FY 2022-23, the County Assembly had approved a total budget of Kshs. 39.6 billion out of which Kshs. 27.6 billion was meant for recurrent expenses while Kshs. 11.9 billion was earmarked for development programmes. The allocated resources were meant to provide a smooth launching pad for the aspiration of the third County Government while at the same time ensuring that the unfinished business from the previous regime are also attended to. This supplementary budget has further been submitted to support the efforts put in place by the new administration to *“Make Nairobi Work”*.

Hon. Speaker, the probability of full achievement of the very good intentions contained in the submitted supplementary budget is directly linked with the extent to which the County Government can realize its internal revenue targets. The Committee was informed during the consideration of these estimates that at the time the County was still shy of collecting Kshs. 3billion from internal revenues against an annual target of about Kshs. 18billion.

On its review of the approved budget for the current financial year, the Controller of Budget observed that the projected figure of Kshs.18.28billion was *“unrealistic based on historical trends and may lead to hidden budget deficit and accumulation of pending bills”*. Comparing the projection and the past revenue performance, the Controller implored upon the County Executive Committee Member for Finance *“to monitor OSR performance in the FY 2022-23 and make necessary revisions in the supplementary budget in order to avoid a budget deficit”*.

Hon. Speaker, the Committee associates itself with the observations of the Controller of Budget and further notes that there is a need to shift from abstract to realistic budgets backed by achievable revenue targets. On conditional grants, the Committee submits that the implementers of the various grants totalling Kshs.1.4billion must initiate measures to ensure timely compliance with the attendant conditions and access to the earmarked funds. It is the view of the Committee that budgets carry with them the hopes and aspirations of the people and such hopes and aspirations must not be anchored on quicksand, fiscally speaking.

Hon. Speaker, the Committee on its review of the various budget items that were approved noted that the supplementary budget intends to reclassify the Kshs. 651million initially allocated for car grants, loans and mortgages for Members of the County Assembly from development to recurrent vote as advised by the Controller of Budget. The Committee urges County Executive Committee Member for Finance to work hand in hand with the Clerk of the County Assembly to ensure that once approved, this budget line be implemented without fail.

Hon. Speaker, the Finance, Budget and Appropriations Committee has scrutinized the submitted Supplementary Budget Estimates and is satisfied that the proposed adjustments and reallocations are well-intentioned. In various areas that require amendments, the Committee shall be proposing the same for consideration by the House.

## RECOMMENDATIONS

### POLICY ISSUES

Hon. Speaker, having reviewed these revised budget estimates, the Committee identified several issues that it proposes be addressed going forward: -

- 1) That the arithmetic errors in the submitted supplementary budget estimates be corrected;
- 2) That going forward, supplementary budgets submitted for approval must contain information on the extent of budget implementation for both recurrent and development votes;
- 3) That amounts allocated for Emergency Fund be utilized in line with the provisions of Section 110-115 of the PFM Act, 2012;
- 4) That measures be initiated to improve the performance of Own Source Revenue and such measures be submitted to the County Assembly periodically for review; and
- 5) That the payment of legal pending bills be guided by the findings of the established Committee on review, scrutiny and verification of pending legal bills.

#### BUDGET REDUCTIONS

- 1) That the development allocation for Refurbishment of offices under Administration be reduced by Kshs. 45million;
- 2) That the development pending bills be reduced by Kshs. 33.5million;
- 3) That the Kshs. 2million allocated for an update of tenancy records for revenue enhancement be knocked off the budget;
- 4) That the allocation for the renovation of the City Hall Annex Building under the Lands Sector be reduced by Kshs. 35million;
- 5) That the allocation for Medical Insurance be reduced by Kshs. 93million;
- 6) That Kshs. 25million be reallocated from Electric Buses to development pending bills; and
- 7) That the allocation for recurrent pending bills be reduced by Kshs. 25million

#### BUDGET INCREASES

- 1) That Kshs. 80million be allocated for refurbishment/ branding of City Hall Annexe;
- 2) That Kshs. 35.5million allocated for ongoing projects under Urban Renewal and Housing;
- 3) That the allocation of other operating expenses under Urban Renewal and Housing be increased by Kshs. 5million;
- 4) That the allocation for Foreign Travel under Finance and Economic Planning be increased by Kshs. 45million;

- 5) That the allocation for legal-related pending bills under Finance and Economic Planning Sector be increased by Kshs.50million;
- 6) That the allocation for Foreign Travel under the Ward Development Fund be increased by Kshs. 10million; and
- 7) That the allocation for Foreign Travel under the Education Sector be increased by Kshs. 8million.

Hon. Speaker Sir, in conclusion, and pursuant to the provisions of Section 135, 154 of the Public Finance Management Act 2012 and Standing Order 234 the Select Committee on County Finance, Budget and Appropriations recommends that:

“This County Assembly adopts the Report of the Select Committee on County Finance, Budget and Appropriations on the First Supplementary Budget Estimates for the Nairobi City County Government and County Assembly for the FY 2022-23”

Hon. Speaker I call upon the Minority whip to second the Motion.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker and as I support the Motion, we are all aware of the urgency of this Supplementary Bill. The Members have waited long enough for the loans and car grants which is actually the backbone of this supplementary estimate Hon. Speaker. I, therefore, take this chance to thank the Chair of Budget and the entire Budget Committee for having sat down and burnt the midnight oil for us to have this sitting today. I also thank you, Hon. Speaker and both Minority and Majority leaders for convening the Special Sitting because were it not for them we could have waited until the opening of the Assembly in February so that we can correct the errors that befell our budget. Therefore Hon. Speaker, it is my prayer that once we are done with these supplementary estimates that those in charge will move with speed so that those Members can finally get what they are entitled.

As you are aware also it is six months now and we do not have enough time to keep them waiting if it is possible lets at least try and see if these Members can get their loans before we resume in February. With these few remarks Hon. Speaker, I beg to second.

*(Applause)*

*(Question Proposed)*

**Hon. Peter Imwatok:** Hon. Speaker, I am being informed by the Chairperson of the Budget and Appropriation Committee to once again say to the entire House - Happy New year.

*(Members responded in affirmation)*

Thank you so much. To my counterpart Leader of Minority thank you for the consultative talks that we had on this Bill. First of all, I must say as a leader of this House I apologize to the entire Members of this House that before we adjourned this Assembly, we had promised Member in a span of four days or so they will have their reimbursement in term of cars and mortgage.

Hon. Speaker, this is a spirit of this Bill and the essence as to why you cut short your trip to come back to this country to preside over this Assembly today and to make sure that the welfare of these Members is taken care of. There is much as to it that the Leader of Minority, the Whips and every Member is careful to know when are they going to get their money in terms of car reimbursement in terms of car loan and mortgages.

I believe the spirit captured very well by the Budget and Appropriation Committee that had sat from yesterday to realize this Bill that we are not going to wait any longer. This is because the Controller of Budget has put a bottleneck on this issue based on the reallocation of votes in the previous Appropriation Bill. I believe now after reallocating it to a proper voting line, Hon. Speaker, there is no choice than the Controller of Budget to release to the Nairobi MCAs what belongs to them.

Hon. Speaker, looking at the realignment of votes as read by the Chair we want this Government to succeed, no doubt about it. We do not want this government to succeed on behalf of the government; we want it to succeed on behalf of the people of Nairobi.

I believe across the political divinity; we are all for the good for the Nairobians; not for the good of the Majority Leader or Minority Leader or the whip or the majority side or minority side but it is about Nairobi.

Therefore, my word is to say thank you so much to the Budget and Appropriation Committee led by the Chair and the vice-Chair and the Members who commuted yesterday to Naivasha and looked at this Bill and came back today in the morning.

I was even laughing in the office, I had never seen the chairman and for the first time in my office he came past lunchtime and he went to iron his suit because it was creasing and I asked him what time he woke up and, Hon. Speaker, you can bear me witness as this suit did not come from home as it was ironed this afternoon (*Laughter*). People are so busy, and I was told we are not busy for our own interests; we are busy for the interest of the people.

The Speaker and the clerk of this House we want to see money in our accounts in terms of car reimbursement and mortgages. Someone told my Leader of Minority Leader to stop writing months, hours and days left for us to exit this House but the reality is that days are running out of our hands. We are now almost five months down and it is important for the Board to hasten the Controller of budget to release this money for us. We want to buy land and big cars and be able to pay these loans in good time.

Mr. Speaker, sometimes when you find us dozing in the House, it does not mean that we are sleeping. We are very much engaged. I saw something on a Member here the other day. There is a difference between relaxing and sleeping. You sleep when you do not have clothes on or with pajamas. Let us be honorable enough that when you find a Member taking a nap after a tedious day then you do not say that they were dozing because this chamber is hot as you can see.

Therefore, Mr. Speaker, this is about us receiving our car loan and reimbursement and anything else to that is secondary. So that as we resume our committee sittings, money will also resume in our pockets. We have Members here who do not have cars. The other day four Members were going to a funeral in Busia and they asked me to give them my car. This shows that there is a problem.



We want to plead with the Controller of Budget, treasury, the CEC finance, the new chief officer finance to look at the Assembly as an independent body and release what belongs to the Assemblies at any given time.

*(Some Members walked out)*

**Hon. Speaker:** Honorable Member, kindly do not leave the plenary

**Hon. Peter Imwato:** For those who do not know, there are toilets on this side but for short-term purposes only. Hon. Speaker, I thank you for your patience. We promised together with Hon. Kiragu that we want everybody to be happy in this House. We are all honorable Members and we cannot feel good when I drive my car and another Member is not driving or even have food at my house when that is not the case elsewhere. Let me leave it there and thank the entire Budget committee for the good work. Before I sit, I wish to say that if anyone has an issue then they should feel free to raise it. This is a House of debate. We should not go to social media asking to see the nitty gritty of the budget. Just say that vote number xyz does not align with the law, or the aspirations of Nairobians, or even take cognizance of my interests. Let us discuss matters of budget lines in the chamber because it is our own baby and God bless you all.

**Hon. Speaker:** Honorable Minority Leader

**Hon. Anthony Kiragu:** Thank you Majority Leader. You have captured some of the points that I wanted to capture and especially on Members wanting to raise certain issues. I would like to remind the Clerk of this Assembly that the PFM Act is very clear that the budget should be presented to everybody in a format that is understandable and available. So we appeal to the Hon. Speaker that next time on behalf of everybody we should have a document that gives us details of all the changes.

Number two, I have looked at this budget and I support it with a rider. We have 11 changes and only one which is the car loan for Members affects this Assembly and with that I will chose to support this Budget. However, I have seen that the Executive has requested amongst other things that they want to increase the legal pending bills by Kshs. 100 million. It is okay but I would want to remind Governor Sakaja that every time he is on the media he talks about our inflated legal bills. This week he gazetted a 14-member committee that is supposed to review, scrutinize and verify the pending legal bills. Hon. Speaker, I would like to ask which legal bills he has reviewed, scrutinized and verified that he needs another Kshs. 100 million on top of what we had allocated to pay.

Hon. Speaker, we have seen an increase of Kshs. 100 million to the completion of stadium. We had allocated money in the main budget and the works have not yet started. It is not that the works are half way and they have realized that they need a further Kshs. 100 million to complete the works. In fact, I would like to take this opportunity to ask the Executive to leave boardrooms and go to the ground because our people are waiting for roads, markets and water. They are still very busy in boardrooms planning, scrutinizing documents and I do not know the kind of plans that they are making.

I have also seen that we need Kshs. 35 million for the refurbishment and branding of City Hall Annex in 2023. I can assure you that one of the problems in that building is toilets and I know from simple mathematics that the money is not enough to do just the toilets let alone the lifts and painting. We will have to oversight as Members of the Assembly and look at these changes as they happen. What is going to happen, who will do it and the cost implications.

Hon. Speaker, I have also seen that we as the County Government of Nairobi want to be operating buses in the city. Do we really want to go back to owning buses and operating them to collect money? It is not right for a government to compete with the private sector for some of these services and it is not fair. We cannot be refereeing other stakeholders and also running business.

Hon. Speaker, I have also seen an increase in the administration headquarters by Kshs. 149 million. I may not be privy to a lot of information but word on the street is that there is an intention of moving the Governor, CECs and chief officers to another building other than City Hall. Which means they will be less accessible to the people of Nairobi County. Hon. Speaker, this may not be the way to go. It may not be right and with that, I beg to support the budget and assure you that we will do our work because we have the capacity, will and mandate to continue looking at the monies that the people of Nairobi have allocated and for the people of Nairobi for the money they pay as taxes. Thank you.

**Hon. Speaker:** Honorable Whip

**Hon. Moses Ogeto:** Thank you Hon. Speaker. I was keep to listen to the Leader of Minority but I also want to wish you and the entire House a Happy New Year. This year will be of great success and importance. I also want to congratulate the Members of Budget and Appropriations committee led by the chairman who burned the midnight oil from yesterday and ensured that this Bill will takes the interests of Members.

As much as the Leader of Majority and Minority have expressly said that what is important is the allocation given to the Assembly, which is also their right and should not be shortchanged. As per the SRC circular, we are supposed to have commuter vehicles to help us go between our residents and the people so as to serve them better. It is also our right to access mortgage facilities and so Mr. Speaker, it is not a privilege but a right. You can imagine the number of aspirants who ran for elections in these positions but God allowed only 125 to be elected. Members of the county Assembly are usually castigated while they forget to castigate others like the judges, magistrates and others who also receive these privileges.

I see that the Hustler Nation wants to introduce trains in the city and carry people freely. Hon. Speaker, money has been increased to a tune of Kshs. 823 million shillings to ensure that small creditors who have worked for this city are paid. The economy of Nairobi is about 67% of East Africa, meaning it highly depends of Nairobi. It is therefore important that the creditors who had given services to Nairobians are paid. I urge Members to ensure that the budget is passed as has been recommended by the Members of the Budget committee.

Hon. Speaker, sometimes you realize that to make an organization successful then you need to change the behavior and colours of the institution and that is why as per the Governors manifesto, he wants to change the colors at City Hall or refurbish it to a standard that is favorable to the staff and will make them be more competitive. The supplementary budget also has proposals that the Governor's administration captures service delivery in the county and hopefully in one year's tie we will ask ourselves the changes the budgets we have been passing have brought to the residents of Nairobi.

**Hon. Speaker:** Time out Hon. Ogeto

**Hon. Moses Ogeto:** Hon. Speaker, with those few remarks I want to thank the honorable Members who have come to the House today and ensure that they pass this supplementary Appropriations Bill for us



to be able to deliver to the residents of Nairobi. I beg to support the budget and believe that we are moving in the right direction. Thank you.

**Hon. Speaker:** Honorable Members, I am not able to see your requests on the screen. Maybe you can light your microphones in case you want to contribute. Hon. Morphire, your microphone is on.

**Hon. Jeremiah Themendu:** Thank you Hon. Speaker. I want to thank the committee on Budget and Appropriations for the good work led by their chairman Hon. Dr. Odallo and appreciate the Majority Leader and his team for working for the team. I mentioned to him that Members seemed to be bitter because they were lacking money. We are almost six months down the time and there is a time limit to paying back the loan. The budget is in the interest of Nairobians that we pass the Supplementary Bill because we have pending issues and the Governor cannot do anything without accessing the funds. Hon. Speaker, I think that any budget is brought here from the Executive and given to the committee on Budget to go through it and scrutinize it before coming to the Assembly for approval. I do not know what happens after we have followed every procedure that---

**Hon. Speaker:** Mheshimiwa Dabar please! Maybe, you can visit the backroom but not to leave the Assembly. Hon. Rex, get seated. Hon. Member, you may proceed.

**Hon. Jeremiah Themendu:** after passing all those procedures Hon. Speaker, we pass the budget Bill and it goes to the Controller of Budget where I do not know what happens when it reaches there. When the money is delayed there then justice will not be there. In addition, projects that are being worked on in our wards are not being implemented. We do not know the attitude from the Controller of Budget so that we get to see what is happening. Other counties money is being released except Nairobi. We cannot blame the Governor or the Speaker because we know where the problem comes from. We need to look at it critically because we are the ones doing oversight.

Hon. Speaker, I know that the handle is not with us but at the Controller of Budgets but I appreciate the remarks from our Majority Leader. With those few remarks, I support fully and not halfway.

**Hon. Speaker:** Hon. Kiogora Please

**Hon. Eric Murigu:** Thank you Mr. Speaker for giving me this chance to rise and support this budget. I am a first timer in this Assembly and the leadership have been promising us car grants and mortgage and we have waited for so long. I rise to support this because I hope that this time we will not be disappointed. Before we went home for Christmas the Majority Leader promised us but it did not happen. Members were calling me to ask and I almost thought that I was the spokesperson to the Majority leader. I am humbly requesting our Majority leader and the Speaker not to fail us this time.

**Hon. Speaker:** Honorable Member, are you accusing the Speaker? Kindly withdraw

**Hon. Eric Murigu:** I withdraw

**Hon. Speaker:** Thank you

**Hon. Eric Murigu:** Mr. Speaker, I want to support this document because I have been here for the last one month requesting for an office and our Minority Leader promised that once we get our monies we will be able to get our offices operational.

**Hon. Speaker:** May I call the mover of the Motion to reply, please

**Hon. Wilfred Odalo:** Thank you Hon. Members for the support and comments across the divide. Nobody is perfect and the comments will enhance the performance of everybody in the sector. Thank you Mr. Speaker, I beg to reply.

**Hon. Speaker:** Thank you.

*(Question put and agreed to)*

### PROCEDURAL MOTION

#### REDUCTION OF THE PUBLICATION PERIOD OF THE NAIROBI CITY COUNTY SUPPLEMENTARY (1) APPROPRIATION BILL NO. 1 OF 2023

**Hon. Wilfred Odalo:** Thank you. Notwithstanding the provision of Standing Order No. 131, this Assembly resolves to reduce the publication period of the Nairobi City County Supplementary (1) Appropriation Bill 2023; Assembly County Bill No. 1 of 2023 from seven days to one day. I call upon the Minority Leader to second.

**Hon. Speaker:** Minority Leader, please.

**Hon. Anthony Kiragu:** Hon. Speaker, I second.

*(Question proposed)*

**Hon. Speaker:** I have a request from Hon. Catherine Apiyo. Okay, let us have Hon. Lex Omore you have pressed your button, put it off if you are not going to contribute. Hon. Kamau Thuo and Hon. Lex put your mikes off.

I now call the mover to reply.

**Hon. Wilfred Odalo:** Thank you Members for supporting by way of giving signs. We are now moving to the next issue; which is the Bill itself---

**Hon. Speaker:** Honorable Member, you are supposed to reply.

**Hon. Wilfred Odalo:** Hon. Speaker, I must build myself then I---

**Hon. Speaker:** Please, just reply

**Hon. Wilfred Odalo:** Hon. Speaker, I beg to reply.

*(Question put and agreed to)*

### BILL

#### *First Reading*

#### THE NAIROBI CITY COUNTY SUPPLEMENTARY (1) APPROPRIATION BILL 2023; ASSEMBLY BILL NO. 1 OF 2023

(A Bill for an Act of 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 On 30<sup>th</sup> June 2023 And to Appropriate That Sum and A Sum Voted On Account by The of Nairobi City County Assembly for Certain Public Services and Purposes)

**BILL***Second Reading*

THE NAIROBI CITY COUNTY SUPPLEMENTARY (1) APPROPRIATION BILL 2023; ASSEMBLY BILL NO. 1 OF 2023

**Hon. Wilfred Odalo:** Thank you, Mr. Speaker. I beg to move that the Nairobi City County Supplementary (1) Appropriation Bill 2023, be read for the Second time.

Mr. Speaker, a while back the County Assembly adopted the Fourth Report of the Finance, Budget and Appropriation Committee on the consideration of the first appropriation budget estimates for the year 2022-2023. In the adopted report, the County Assembly has granted authority for payment of car loan and mortgage funds for Members of the County Assembly, payment of pending bills and allocation of development projects as a well routine issue related to actual service delivery.

The County Government does not have the pleasure to continue employing a wait-and-see attitude as millions of shillings meant to benefit our people as conditional grants remain unutilized in various special purpose accounts. The conditional grant has also guaranteed that the county fiscal issue on budget rationalization and allocation accented by Sections 135 and 154 of the PMF Act 2012 is put in action. We urge the county actors to implement this budget with a view of putting to rest the unending nightmare of business people following up on their payments for decades.

The committee takes this early opportunity to urge the County Executive Committee Member for Finance to ensure that the process of funds meant for the Members car grant is processed without any delay. The approved budget, Mr. Speaker, shall also guarantee timely payment of salaries, efficient operation of the County Executive and adequate facilitation for the County Assembly to perform its functions.

Mr. Speaker, this Appropriations Bill aims at providing a legal basis for the utilization of funds approved by the County Assembly. The Budget Committee has scrutinized the submitted Bill and confirmed that it is consistent of the figures approved in the Supplementary Estimates Report. The recommendations have been incorporated as resolved by this assembly.

Hon. Speaker, I urge Members to support this Bill and give the county the go ahead to utilize the funds for the completion of development projects and other lines of expenditure outlined herein before the end of the current financial year. Hon. Speaker, I beg Hon. Fathiya to second the motion.

**Hon. Fathiya Mohammed:** Thank you Mr. Speaker sir, thank you Chair. I would also like to appreciate the Budget Committee for burning the midnight oil to discuss this budget. This is going to help Members to get the money for their car grants and also settle the pending bills for the suppliers who have been in the waiting list.

Mr. Speaker, I second. Thank you.

*(Question proposed)*

**Hon. Speaker:** The mover!

**Hon. Wilfred Odalo:** Thank you, I beg to reply.

**Hon. Speaker:** Thank you, Hon. Chair for Budget and Appropriation Committee for that.

*(Question put and agreed to)*

*(The Bill was read a Second Time and committed to a Committee of the whole House)*

**Hon. Speaker:** Hon. Members, before we move to motion No. 12, I would like to bring to the attention of the assembly the challenges that the Chair is facing in regard to the Committee of the Whole Assembly. As you are aware, Standing Order No. 18 requires that the Deputy Speaker chairs the Committee of the Whole Assembly. Unfortunately, the Deputy Speaker is currently undergoing some medical surgery in India.

We are also faced with another challenge because the First Member of the Speaker's Panel had been hospitalized after undergoing surgery as well at Nairobi Hospital and is still recuperating. The other Member of the Speaker's Panel Hon. Katile is outside the country. The other member of the Speaker's Panel is in Mombasa; Hon. Kimemia. Hon. Doreen is nursing a sick mother in the hospital.

Honorable Members Standing Order No. 21 requires that in the absence of the Deputy Speaker and Members of the Speaker's Panel, we conduct elections to elect a Member who will take over the position of the Deputy Speaker until he gets back. I direct the Hon. Majority Leader to conduct the exercise of electing a Member to preside over the Committee of the Whole Assembly.

**Hon. Peter Imwatok:** Hon Speaker, with such kind of communication it has really affected you and it is upon us as Members to pray for our colleagues, especially our Deputy Speaker, our First Member of the Speaker's Panel that God's grace may be upon them and they come back when they are healthy. For those who are outside the country or within the country but engaged, may God Almighty guide them until they come back.

Mr. Speaker, and the entire House allow me to nominate one of the most experienced panelist who has been with us in the last assembly and understands the assembly's procedures without induction to preside over the Committee of the Whole Assembly. I propose Hon. Emily Oduor. I need a seconder from the Minority side and if not we can use the ballot. I request the Minority leader to second. Thank you.

**Hon. Anthony Kiragu:** Hon Majority Leader, sorry I was not attentive but I know what you have said is okay, I second.

*(Laughter)*

**Hon. Speaker:** Is there any Member protesting against the proposed Member? Hon. Emily, please be on your feet. The Honorable Member has been proposed to sit in for Hon. Kados who is the Deputy Speaker for today's sitting. Any Member opposing her election, you may rise on your feet as well. Or any Member who would like to run against her.

Honorable Majority Leader you do not qualify. Is there any Member who is willing to challenge her? Can the Chair confirm that she is duly elected? Hon. Emily Oduor you may proceed and get the blessings of the Chair as you Chair today's sitting. Proceed while being escorted by the Serjeant-at-Arms.

*(Applause)*

Clerk, proceed.

**COMMITTEE OF THE WHOLE ASSEMBLY**

*(Mr. Speaker left the Chair)*

IN THE COMMITTEE

*[Ms. Chairperson (Hon. Emily Oduor) took the Chair]*

THE NAIROBI CITY COUNTY SUPPLEMENTARY (I) APPROPRIATION BILL, 2023 (ASSEMBLY BILL NO. 1 OF 2023)

**Hon. Chairperson:** Honorable Members, you may be seated. Honorable Member, please do not get out until we finish the session. We are going to make it short, just be patient.

Hon. Members' we are now in the Committee of the Whole Assembly to consider the Nairobi City County Supplementary (1) Appropriation Bill 2023 (Assembly Bill No. 1 of 2023).

*Clause 2*

*(Question that Clause 2 be part of the Bill proposed)*

**Hon. Chairperson:** Any debate?

*(Question that Clause 2 be part of the Bill put and agreed to)*

*Clause 3*

*(Question that Clause 3 be part of the Bill proposed)*

*(Question that Clause 3 be part of the Bill put and agreed to)*

*The Schedule*

*(Question that The Schedule be part of the bill proposed)*

*(Question that The Schedule be part of the bill put and agreed to)*

*The Title*

*(Question that The Title be part of the Bill proposed)*

*(Question that The Title be part of the Bill put and agreed to)*

*Clause 1*

*(Question that Clause 1 be part of the Bill proposed)*

*(Question that Clause 1 be part of the Bill put and agreed to)*



**Hon. Chairperson:** Mover!

**Hon. Wilfred Odalo:** Thank you, Hon. Chairperson. I beg that the Committee do report to the assembly its consideration of Nairobi City County Supplementary (1) Appropriation Bill 2023 (Assembly Bill No. 1 of 2023) and its approval thereof without amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*(Mr. Speaker in the Chair)*

### REPORT AND THIRD READING

**Hon. Chairperson:** Hon, Speaker, I beg to report that the Committee of the Whole Assembly has considered the Nairobi City County Supplementary (1) Appropriation Bill 2023 (Assembly Bill No. 1 of 2023) and approved the same without amendments.

**Hon. Speaker:** Thank you for the advice, the mover, please.

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker. I beg to move that this assembly do agree with the Committee in the said report.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Speaker:** The mover, please.

**Hon. Wilfred Odalo:** Hon, Speaker, I beg to move that the Nairobi City County Supplementary (1) Appropriation Bill 2023 (Assembly Bill No. 1 of 2023) be now read a Third Time.

*(Question proposed)*

*(Question put and agreed to)*

*(The Bill was accordingly read a Third Time and passed)*

### ADJOURNMENT

**Hon. Speaker:** Thank you, Honorable Members for this afternoon's sitting. The Assembly stands adjourned to a later date that shall be communicated to you in case there is any need. Have a great afternoon.

**The House rose at 4.34 p.m.**