



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Second Session

Thursday, 19th June, 2014

The House met at 2.30 p.m.

(Mr. Speaker in the Chair)

PRAYERS

NOTICES OF MOTION

Hon. Speaker Hon. Speaker (Mr. Alex Ole Magelo): Order. Clerk.

(Consultation between the Speaker and the Clerk)

Hon. Speaker: Very well, Hon. Kamau Thuo, Notice of Motion.

Hon. Member for Karura Ward (Mr. Kamau Thuo): Thank you Hon. Speaker, I will go straight and give the Notice of Motion. I beg to give notice of the following Motion;

THAT, aware that under the Article 186(1) of the Constitution of Kenya, and Fourth Schedule, the function and powers of County Government, among others, covers roads, street lighting, electricity, water and sanitation provision; further aware that County Government can impose taxes and rates under Section 109(3) of the Constitution, a function which hasn't been devolved to other entities; **DEEPLY** concerned that the Runda Residents Association and Runda Water Ltd have been demanding gate passes and charging for them and for road use and erecting barriers preventing some vehicles from accessing public roads in Runda Estate which is a clear breach of the Constitution and conditions under which Runda Association/Runda Water Ltd were allowed to operate the barriers by the defunct Nairobi City Council, this Assembly resolves that the County Government remove or order the removal of all the barriers erected on

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public roads by the Runda Residents Association and illegal levy of charges by the said Association/Runda Water Ltd, with immediate effect. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kamau Thuo from Karura. The House Business will reschedule your Motion. Hon. Manyala, Notice of Motion.

Hon. Member for Kayole South Ward(Mr. Elizabeth Manyala): Mr. Speaker, sir, I beg to give notice of the following Motion; **THAT** aware that menstrual hygiene management is quite a challenge confronting millions of girls in the informal settlement and schools within Nairobi City County; further **AWARE** that most of these girls are from poor and vulnerable families while some of them are orphans and therefore, they are unable to afford to buy sanitary pads/towels on a monthly basis forcing most of them to use rags, feathers and other inappropriate products that can result in infection; **DEEPLY** concerned that during menstruation most of these vulnerable girls often choose to skip school every month and at times some of them are forced or lured into extra marital sex in order to get resources to purchase sanitary towels; this Assembly urges the County Government to consider partnering with Non-Governmental Organizations and sanitary towel manufacturing companies in order to provide free sanitary towels to vulnerable girls living and studying in the informal settlement. Thank you, Hon. Speaker.

Hon. Speaker: Very well Hon. Manyala. Next Order.

STATEMENTS

REQUEST FOR A STATEMENT REGARDING OWNERSHIP OF UNDEVELOPED LAND ADJACENT TO CITY MARKET, NAIROBI

Hon. Speaker: Hon. Wilfred Odalo.

Hon. Member for Mabatini Ward (Mr. Wilfred Odalo): Yes Hon Speaker, Pursuant to Standing Order Number 41(2)(c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding the ownership of the undeveloped land adjacent to City Market, Nairobi City, Central Ward.

Hon. Speaker, it is alleged that the land was illegally transferred to a private developer. It is also alleged that the defunct City Council was in the process of reclaiming the land back and the County Government inherited the process.

Hon Speaker, in the Statement, the Chairperson should enquire into and report on:-

1. How the land was transferred to the private developer;
2. Listed owners of the land after the transfer;
3. Measures being put in place by the County Government to reclaim the land since the land was reserved for expansion of the market and parking bay for shoppers.

Thank you, Mr. Speaker.

Hon. Speaker: Very well, Hon. Wilfred Odalo. Indeed, the Chairperson for Sectoral Committee on Planning, this is a Statement that requires less than 48 hours to answer because all the records are within the County. The Chairperson for Sectoral Committee on Planning and Housing, Hon. Obonyo, please.

Hon. Member of Gatina Ward(Mr. Mike Obonyo): Mr. Speaker, both the Chairman and the Deputy are absent from the House, so let me take the responsibility and say that we will give the answer next week on Tuesday.

Hon. Speaker: Very well, Tuesday 2.30 p.m. Hon. Kamau Thuo.

REQUEST FOR A STATEMENT ON THE RELATIONSHIP BETWEEN THE NAIROBI CITY COUNTY, ENVIRONMENT DEPARTMENT AND BETTER BEST ENTERPRISE

Hon. Kamau Thuo: Thank you, Hon. Speaker. Pursuant to Standing Order 41(2)(C), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources--

Hon. Speaker: Please you are not audible.

Hon. Kamau Thuo: Okay thank you. Hon Speaker, Pursuant to Standing Order 41(2)(C), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources regarding the relationship between Nairobi City County and particularly between the Environment Department and the Better Best Enterprise.

Hon. Speaker, the County committed to finance a loan advanced to Better Best Enterprise by Jamii Bora Bank on the agreement that the County will repay the loan. In the Statement, the Chairperson should enquire into and report on the following:-

1. The terms of agreement between Nairobi City County and Better Best Enterprise;
2. The Signatories to the agreement;
3. Why the matter was never presented to the County Assembly for approval.

Thank you, Mr. Speaker.

Hon. Speaker: Hon. Thuo, I hope you have done your research on this. Hon Chairperson, Sectoral Committee on Agriculture Environment and Natural Resource.

Hon. Member for Makina Ward (Mr. Alhad Ahmed Adam): Thank you, Mr. Speaker. We had said that we are going to do some consultation with the Department and then we are going to give you the answer on Tuesday afternoon.

Hon. Speaker: Hon. Adam, are you sure you are able to give us the reply on Tuesday?

Hon. Alhad Ahmed Adam: Yes, we are going to do a consultation with the Department, I think we should make it on Thursday.

Hon. Speaker: Wednesday, at 2.30 p.m.

Hon. Alhad Ahmed Adam: Okay, thank you.

(Hon. Ngaruiya stands up)

Hon. Speaker: Hon Ngaruiya, you are rising on a---

Hon. Member for Kahawa West (Mr. Patrick Ngaruiya): Mr. Speaker, I want to rise on a Personal Statement, it is a very touchy issue whereby yesterday the Chairperson---

Hon. Speaker: Order, Hon. Member. You are rising on what?

Hon. Patrick Ngaruiya: It is a personal statement on why I'm raising queries---

Hon. Speaker: You know about the personal statements?

Hon. Patrick Ngaruiya: Yes, I looked for you in the office throughout the day.

Hon. Speaker: You had already approached me but you cannot say that it is a personal statement, it was for personal enquiry, not for a personal statement.

Hon. Patrick Ngaruiya: Thank you for correcting me, Mr. Speaker. It is a personal enquiry on some of the statements that we have requested in this particular House, like in my statement---

Hon. Member for Viwandani Ward (Mr. Samwel Nyangwara): *(Inaudible interjection)*

Hon. Speaker: Order, Hon. Nyangwara.

Hon. Patrick Ngaruiya: I requested my statement in March, Mr. Speaker, and up-to-date, which is four months down the line, I have not received any communication.

Hon. Speaker: Very well, Hon. Ngaruiya please approach the Chair.

(Consultations between the Speaker and Hon. Ngaruiya)

Hon. Speaker: Hon. Members, it is true I approved the request for a statement on 12th March, 2014 and this was to go to the Sectoral Committee for Transport and Public Works, on graders for road construction inherited from the defunct City Council and it reads;

"Hon. Speaker, in the Statement the Chairperson should enquire and report on the number of functioning graders for road construction that were inherited from the defunct City Council and whether the County Government has plan to procure more. Signed by the Chairperson for Sectoral Committee".

Again, within this week Hon. Mbogri, you reported that your Committee of Implementation, you were about to give this House the answers required by Members. I would like the Committee to find out

and consult with Hon Ngaruiya in regards to this statement to be tabled next week. I thank you. Yes, Hon. Mboku, what is it, do you have anything for us?

Hon. Member for Nairobi South Ward (Mr. Manoah Mboku): I have a personal statement.

Hon. Speaker: Yes you came to my office within the required two hours before the Assembly commenced.

Hon. Member for Hospital Ward(Hon. George Ochola): *(Inaudible interjection)*

Hon. Speaker: Hon Ochola, you did not come to see me earlier so your personal statement is out of order.

Hon. Manoah Mboku: Mr. Speaker, I wish to draw your attention to Standing Order number 95 which states that "*order shall be maintained in the County Assembly by the Speaker and in a Committee of the whole County Assembly by the Chairperson of such Committee but disorder in Committee may be censured only by the County Assembly on receiving a report thereof.*" Mr. Speaker, will it be in order if I apply Standing Order number 104 which states that---

Hon. Speaker: Hon. Chairperson, can you repeat that again?

Hon. Manoah Mboku: Mr. Speaker, I wish to draw your attention to Standing Order number 95 which states that "*Order shall be maintained in the County Assembly by the Speaker and in a Committee of the Whole County Assembly by the Chairperson of such Committee by disorder in Committee may be censured only by the County Assembly on receiving a report thereof.*" Mr. Speaker, if you look at the Standing Order of 104 which states; "*conduct is grossly disorderly if the Member concerned; (a),creates actual disorder*" and if you look at (e) it states "*otherwise abuses his or her privileges and (i) acts in any other way to the serious detriment of the dignity or orderly procedure of the County Assembly*". Number (2) continues to say "*The Speaker or the Chairperson of Committees shall order any Member whose conduct is grossly disorderly to withdraw immediately from the precincts of the County Assembly.*"

Mr. Speaker, why I am quoting this Standing Order is because today when we were having a Health Committee Meeting, one of the agenda affected a Member and he mobilized his friends to come and disrupt our meeting. Mr. Speaker, there was total chaos in this Assembly----

Hon. Speaker: Order. The Hon. Chairperson mobilized his friends?

Hon. Manoah Mboku: Yes, Members of other Committees, and they came and disrupted our meeting, Mr. Speaker. It was chaotic and our Clerk was harassed and a lot of insults were made which were terrible. Were it not for the adjournment that I called for Members were going to fight in the House. I want to seek your direction if I was in order to have sent Hon. Abdi Mohammed outside because he contravened this Standing Order. Thank you.

Hon. Speaker: Very well, Hon. Members. I would like to have a report on my desk and indeed it is so in regard to Standing Order 95 in cases of--- The Committee Chairpersons, you are guided by the

Standing Orders, and indeed, it is at the discretion of the Chairperson to take action in regards to the disorderly conduct of Members in any Committee. However, on receiving the report from the Committee Chairman of Health, I will issue a communication on Tuesday in regards to this because this is not the first time the issue of disorderliness has been reported during Committee meetings. Remember, Committee meetings are an extension of the Assembly. I will give the direction and communication on Tuesday at 2.30 p.m. Next Order.

(Applause)

MOTIONS

Hon. Speaker: The Chairman on the Select Committee on Budget and Appropriation, Hon. Michael Ogada.

Hon. Member for Embakasi Ward(Mr. Michael Oganda): Thank you very much, Mr. Speaker, sir. I beg to move the following Motion;

THAT this County Assembly adopt the reports of the Budget and Appropriation Committee for the budget estimate for the Nairobi City County Government and County Assembly, tabled in the County Assembly on Tuesday, 17th June, 2014.

Mr. Speaker, sir, in line with the provisions of the Constitution, the budget estimates for the two arms of the County Government were submitted to the Office of the Clerk on the 29th April, 2014 and subsequently laid on the Table of the Assembly on the 30th April, 2014. As required by law the estimates stood committed to each of the Sectoral Committees to consider and report on the same to the Budget and Appropriations Committee to review and table a report to this Honorable Assembly.

Mr. Speaker, sir, the Standing Orders require that Sectoral Committees consider the Budget estimates and report to the Budget and Appropriations Committee within twenty one (21) days. Further, the various provisions of the law have put emphasis on the need to ensure that there is public participation. To this end the Committee is grateful to the various Sectoral Committees that appeared before it and whose submissions have formed an integral part of this report. The Committee also acknowledges the important input from the members of the public who took time to present their views to the Budget and Appropriations Committee during the public hearings held in this Charter Hall on the 30th of June, 2014.

Mr. Speaker, sir, it is worth reminding Members that the budget process is not guesswork but a framework that is purely anchored in the Constitution and the subsidiary legislation, the Public Finance Management Act (PFM), 2012.

Mr. Speaker, sir, the major shift in the budget making process all over the world is the abandoning of the itemized budget and implementation of the program based budget. Hon. Members will note that Section 210(12) of the PFM Act 2012 requires that counties start implementing the program based budgets in 2014/15. Despite these express legal provisions and statutory timelines, the Budget Committee and all

other Sectoral Committees were indeed shocked to receive a budget that had not made any attempt in making their budgets program based.

Mr. Speaker, this Assembly is a law making institution and hence it must be at the very top in defending and abiding by the set legal thresholds and procedures. The estimates presented on item basis made it difficult for the Committees to decipher the reasons underlying the allocations and how the same would influence the standards of living for the residents of Nairobi City. That notwithstanding, the Budget Committee took it upon itself to ensure that the Executive submitted to the Committee a program based budget as required by law. Going forward, this Committee strongly recommends that any future estimates must be program based and any estimates submitted in any other format to this House should be declared inadmissible. It is nonetheless imperative to commend the County Assembly Service Board for having conformed to the provisions of the law and submitted a program based budget.

Mr. Speaker, Members may recall that this Assembly considered and adopted the County Fiscal Strategy Paper (CFSP) which was an important tool as it set the sector ceiling and priorities that the County would aim to pursue during any particular calendar year. However, it was the submission of most sectors that they were either not consulted or were not aware of the very importance of this paper in the overall budget process.

Mr. Speaker, sir, the sector priorities must be from the bottom up where the sectors themselves are allowed to determine what they consider urgent in any coming financial year after which the very many priorities are consolidated at the County Treasury whom in their own discretion and in line with the development plans, employs from the bottom up all allocation of resources. The Budget Committee hence urges all sectors to ensure they actively participate in the formulation of strategy papers in the next financial year.

Mr. Speaker, sir, as Hon. Members may be aware, this Assembly is yet to be faced with the County Integrated Development Plan (CIDP) for consideration and approval. Section 104 of the County Government Act 2012 indeed makes it illegal for appropriation of funds for projects outside a development plan developed by the County Executive Committee.

(Loud consultations)

Hon. Speaker: Order Members! Order! This is a very important presentation.

Michael Ogada: ---developed by the County Executive Committee and approved by the County Assembly. It is based on this knowledge that the Budget Committee wrote to the County Treasury and ensured that the projects captured in these estimates are the same ones highlighted in the CIDP. The County Treasury indeed submitted to the Budget Committee a draft CIDP which would soon be tabled in this Assembly for debate and approval.

Mr. Speaker sir, the total County budget for the FY 2014/15 amounts to **Kshs.30,024,172,118** including **Kshs.1.9 billion** for the County Assembly. This comprises of **Kshs.13.7 billion** allocated for personnel costs, **Kshs.4.9 billion** allocated for operations and maintenance and **Kshs.9,037,600,000 billion** allocated for development expenditure.

Mr. Speaker sir, the County has a huge debt that continues to limit the amounts available for development projects in the City. The Budget Committee remains steadfast and committed to ensuring that debt and debt repayments do not deny Nairobi County the opportunity to improve its services to the public. The Committee has in this regard insisted that the County Executive is to ensure that the County's debt portfolio is not expanded more than the County can service.

Mr. Speaker, sir, in the first ten months of the FY 2013/14 the County managed to realize revenues to the tune of Kshs.9.8billion from internal sources. In addition the County had received more than 90% of its national share as allowed by the division of Revenue Act, 2013. These figures of revenue are indeed worrying given that the County has a budget of almost Kshs.30 billion against a revenue flow of less than Kshs.20 billion. In this regard, the Budget Committee has insisted on the County Treasury and all Chief Officers/County Executive Committee Members to leave no stone unturned and no non-performing officers on the job towards ensuring that we realize our revenue targets. Much care has indeed been taken in this budget to ensure that the revenue figures in our books are as realistic as possible.

Mr. Speaker sir, as you will note, there are departments or sectors which are very integral to the revenue generation of this County and hence need much attention to ensure that we remain in the first lane as far as revenue generation is concerned. Despite that well documented fact, the County Executive submitted to the Committee that they intend to roll out a fleet management system in the coming financial year that would regulate which departments use which type of vehicles and at what time. The Committee strongly opposes the issue of pooling all vehicles together and further voted against the idea of leasing vehicles as it considered it expensive and unsustainable going forward.

Mr. Speaker, sir, as you may be aware this Assembly has been affected by the intermittent revenue flows from the County Treasury leading to delays in many important undertakings. These are indeed mishaps that can be avoided with proper planning and strict adherence to the provisions of the law. The Budget Committee has therefore tasked the County Treasury to ensure that there is a cash flow projection for the County as anticipated in Section 127(1) of the Public Finance Management Act, 2012. In this purpose, the Office of the Clerk of the County Assembly must be involved so as to ensure that the County Assembly is not caught unawares in case of any upheavals.

Mr. Speaker, sir, the County Assembly Service Board had requested for a total of Kshs.1.9 billion out of which only Kshs.386 million would be directed towards development expenditures representing a rise

of more than Kshs.500 million or about 50% of the original budget of 2013/14. It would be improper for this Honourable Assembly to continue putting pressure on entities within the County to contain their recurrent budgets but trivialize the ballooning expenditures within. It is with this commitment that the Budget Committee reviewed the estimates for the County Assembly with the aim of ensuring that the figures are rationalized and that all of us live within our means.

Mr. Speaker, sir, the County Assembly estimates for this coming financial year have incorporated a number of areas that are of interest to Members, and the Committee on its part confirmed that there were allocation of Kshs.260 million to cater for the balance for Car Loan and Mortgage not financed through the 2013/14 supplementary budget. The onus is now on the Loans Management Committee to ensure that the funds are made not only available but also accessible to Members and staff without any further delays.

Mr. Speaker, sir, the allocation for refurbishment of the Chambers are projected to rise from the original amount in the 2013/14 approved budget of Kshs.267 million to Kshs. 300 million in these estimates. Whereas the Committee was convinced by the explanations given by the Office of the Clerk that the increase was due to the cost of equipment to be purchased like the Hansard Equipment, the Committee has resolved that it would not okay any further upward surge in the costs and would be proposing reductions in this vote.

Mr. Speaker, sir, it has been unfortunate that in the 21st Century this Assembly still transacts business using a tirade of paperwork that is not only environmentally unfriendly but also more costly. It is based on the need to align itself to the National Government trademark of digitalizing government operations that the Assembly budget has set aside funds to purchase I-pads for Members that would aim to address conclusively the problems associated with paperwork.

(Applause)

Mr. Speaker, sir, the contribution of the Honourable Members from the female gender in this Assembly cannot be wished away and hence the need to incorporate them in the activities of this City. This can only be done if they are facilitated with resources to make a difference. The Budget Committee would therefore be recommending that amounts be set aside in the Assembly Budget for gender activities in the City.

(Applause)

However, these would not be spent until a proper legal framework has been brought to this Assembly for interrogation and approval. In developing that legal framework the female counterparts are encouraged to consult widely and engage all and sundry including the Budget Committee and the County Treasury.

Mr. Speaker sir, the Ward Development Fund was expected to improve the various sections of the Wards. However, to this end no meaningful development has occurred in the Wards making Members aliens within their own electorates. The Budget Committee would wish that the projects are implemented in the 2014/15 financial year. In this regard therefore, the Committee recommends that the bank balances for the Fund which had been allocated in the FY 2013/14 but not utilized due to a myriad of factors be carried forward to the year 2014/15. In addition, the Budget Committee would be recommending that the amounts be increased to Kshs.20 million per Ward starting from this year.

Mr. Speaker sir, with regard to bursaries, the Committee urges the Education Department to ensure there are no disbursement delays this time round. Also, so as to increase the coverage of beneficiaries, the Budget Committee will be proposing increases in the amounts set aside for bursaries per Ward.

Mr. Speaker, sir, as Members may recall the original budget document submitted to this Assembly had very many legal shortcomings and the Budget Committee directed the County Treasury to make changes in it to ensure it is reduced and complies with the set statutory threshold. In this regard, it is worth noting that the revised budget is broken down as follows:-

- Total Expenditure is expected to be **Kshs. 28,765,588,927** out of which **Kshs. 9,120,700,000** would be directed towards development expenditure while **Kshs. 1,450,000,000** would be meant for debt repayment; and
- That total revenue in the revised budget be **Kshs. 26,301,672,000** creating a deficit of Kshs. **2,463,916,927**.

Mr. Speaker sir, the above reductions were meant to ensure the budget stays within the County Fiscal Strategy Paper ceiling while at the same time maintaining realistic revenue and expenditure outlays. The rest of this report would aim at bridging the budget deficit to ensure that we have a balanced budget while taking into account the recommendations of the Sectoral Committees and the public.

POLICY MEASURES

Mr. Speaker sir, the Committee noted various critical issues in the estimates that it would like addressed. In addition to the recommendations already captured in the body of this report, the Committee proposes the following policy measures:-

- i. That an Ad Hoc Committee be formed with the sole mandate of looking at the reasons for revenue loss from parking fees, determine number of parking slots as well as propose policy interventions;
- ii. That the County Treasury must in future ensure that any future budget documents are accompanied with memoranda explaining the figures;
- iii. That so as to ensure the County is in line with Section 12 of the Second Schedule of the PFM Act, 2012 which requires that Counties start implementing programme based budgets in 2014/15, Nairobi City County must put in measures to ensure this provision of the law in fast-tracked;

- iv. That any projects proposed in the Estimates must be pulled out of the County Integrated Development Plan and such projects must be equitably distributed across the County; and
- v. That the Sectoral Committee on Education should come up with a comprehensive policy on the bursary fund. The Office of the Controller of Budget (OCOB) in its review of this budget, noted that scholarships and bursaries is a National Government function. The Budget Committee proposes that in line with the Office of the Controller of Budget (OCOB) observations, the Sectoral Committee should look for ways of better implementing the fund to avoid duplication of activities.

PROPOSED ADJUSTMENTS AND REALLOCATIONS IN THE 2014/15 BUDGET

Mr. Speaker, sir, as has been said the Budget Committee received presentations from Chairs of Sectoral Committees on recommendations and proposed allocations in the 2014/15 Budget in line with its mandate so as to ensure that the County remains on track in delivery. In the areas that are critical for the growth of the County the Committee made numerous recommendations.

Mr. Speaker, sir, the Committee recommends that the expected bank balances for the Ward Development Fund should be carried forward or paid as arrears in the next financial year 2014/15.

REVENUE PROJECTIONS

Mr. Speaker sir, as has been discussed in the earlier part of this report these revised revenue targets were arrived at during discussions between the Budget Committee and the Chief Officers, County Executive Committee Members for the respective sectors, County Executive Committee Member for Finance and the Sectoral Committee Chairs. Mr. Speaker, sir, the remaining part of this report should construed as a Notice of Motion for adoption of the adjustments made in the 2014/15 budget estimates submitted to the Assembly with the aim of making the budget aligned to the aspirations of development.

In this regard, the Committee managed to save additional Kshs. **3,035,918,000** in revenues.

EXPENDITURE CUTS

Proposed Reductions in the Expenditure

Mr. Speaker Sir, the following are proposed reductions in the expenditure:-

- i. That the Budget for Governor's Office be reduced by **Kshs. 135million**;
- ii. That the total allocation for County Assembly be reduced by **Kshs.68.1million**;

That under Education Sector:-

- i. Allocation for Construction and Rehab of ECD Centres be reduced to **Kshs. 200million** creating a saving of Kshs.150 million. The additional amounts can be re-allocated when the level of utilization of the allocated has been ascertained;

- ii. **Kshs.2million** allocated for Renovation for Youth Centre under Onestop Youth Training and Resource Centre be knocked off the budget;

That under the Environment Sector:-

- i. **Kshs.250million** allocated for the purchase of 40 Refuse Truck Vehicles under Environment Sector be scrapped off the budget. The Sector should fast-track the delivery and utilization of the 34 trucks first, allocated in the financial year 2013/14 before any more purchases are allowed;
- ii. That allocation for CAT doxer d8 be reduced by Kshs.10million to **Kshs.40million**. This reduction was informed by the Sectoral Committee which recommended that the amount be reduced and be reallocated;
- iii. That the **Kshs.100million** allocated for Containers for garbage collection in informal settlements be reduced to **Kshs.20million**. The Sector should undertake a feasibility study and ensure that the containers are allocated in markets in areas where they would be optimally utilized.

Mr. Speaker sir, under the Public Health Department:-

- i. Allocation for upgrade of Mutuini Hospital be reduced by **Kshs.25million** to **Kshs.50million**;
- ii. Allocation for upgrade of Pumwani Maternity Hospital be reduced by **Kshs.135million** to **Kshs. 250million**;
- iii. Amounts for upgrade of Mama Lucy Hospital be reduced by **Kshs.50million** to **Kshs.100million**;

That under the Trade and Tourism Sector:-

- i. Allocation for Tourist Information Centre be reduced by **Kshs.10million** to **Kshs.40million**;

The following reductions be effected under the Public Works and Infrastructure Sector:-

- ii. That allocation for Junction Improvement under Traffic Management Systems be scrapped off the budget and **Kshs.30 million** allocated for Consultancy should also be utilised for the junction improvement;
- iii. That the allocation for Consultancy of redesigning of Muthurwa terminus be reduced by **Kshs.10 million** and allocated **Kshs.10 million**;

That the **Kshs.250 million** allocated for New Public Transport Projects be effected as follows:-

- i. That allocation for Construction of Transport Facility in Riruta be reduced by **Kshs.10million to Kshs.15million**;
- ii. That allocation for Construction of Transport Facility at Mathare be reduced by **Kshs.10million to Kshs. 15million**;
- iii. That allocation for Construction of Public Transport Facility at Roysambu on Kamiti Road be reduced by **Kshs.10 million to Kshs.25 million**;
- iv. That allocation for Construction of Public Transport Facility at South C be reduced by **Kshs.15 million to Kshs.15 million**;

That the **Kshs.100 million** for Non-Motorised Transport (NMT) Facility be reduced as follows:-

- i. That the **Kshs.10million** allocated for Construction of NMT facilities along Riverside Drive be scrapped off the budget. The project is currently being done by the development partners;
- ii. That the **Kshs.5million** allocated for Construction of NMT facilities along Ring Road Pumwani be knocked off the budget;

That the **Kshs.530million** allocated for Roads and Drainage be reduced as follows:-

- i. That the allocation for Construction of Sunton-Cheiko Road be reduced by **Kshs.30 million to Kshs.30 million**;
- ii. That the Kshs. 65 million allocated for Rehabilitation of Lumumba Drive be reduced by **Kshs.25 million to Kshs.40 million**;
- iii. That the allocation for First Lane Casanova-Huruma Road(Service Road) be reduced by **Kshs.10 million to Kshs.35 million**;
- iv. That allocation for Rehabilitation of Access Road to Tassia Estate be reduced by **Kshs.15 million to Kshs.45 million**;
- v. That allocation for Construction of Thiong'o Road be reduced by **Kshs.20 million to Kshs.40 million**;
- vi. That allocation for Construction of Baba Dogo-Lucky Summer Road be reduced by **Kshs.15 million to Kshs.45million**;
- vii. That allocation for Rehabilitation of Njiwa Road be reduced by **Kshs. 10 million to Kshs.20 million**;
- viii. That allocation for Construction Muthiora Road be reduced by **Kshs.5million to Kshs.4 million**; and
- ix. That the **Kshs.15 million** allocated for Piped drain along North Airport Road be knocked off the budget.

Expenditure Increments

Mr. Speaker sir, the above cuts are aimed at making resources available for spending in most priority areas. These were informed by the core needs identified by the Sectoral Committees in conjunction with the Budget Committee.

Mr. Speaker sir, the Committee proposes the following as areas where increases should be effected:-

- i. That the development vote for the **County Public Service Board** be increased by **Kshs.30 million to Kshs.50 million**. This would enable the Board set up offices as well a boardroom that they would use for their work;
- ii. That the allocation of **Kshs. 50 million** be set aside under the **County Assembly** budget for gender mainstreaming issues. However, the Committee proposes these amounts must not be spent unless a comprehensive policy framework is brought to the Assembly for approval. In developing this policy, the County Treasury and the Budget Committee must be consulted as required by the law;

That under the recurrent vote of the Education Sector:-

- i. Allocation for bursaries be increased from Kshs.1.5 million **Kshs.2.5 million per ward** or from Kshs. 127.5million to **Kshs. 212.5 million**;

That under the Environment Sector:-

- ii. Allocations for tree planting under Environment and Forestry Sector be increased by **Kshs. 6,570,800 to Kshs.20 million**;
- iii. Allocation for clothing and uniform under the Environment and Forestry Sector be increased from **Kshs. 3,344,000 million to Kshs. 10 million**;
- iv. **Kshs.300,000** be allocated per ward for supporting Youth Solid Waste Management translating to **Kshs.25.5 million** annually. However before this money is utilized a policy must be developed by the Sector, interrogated by the relevant Sectoral Committee and approved by the County Assembly;
- v. Allocation for bursaries be increased from Kshs.1.5 million **Kshs.2.5 million per Ward** or from Kshs. 127.5 million to **Kshs. 212.5 million**;

That under Water Sector:-

- i. That the development allocation for the Water and Sanitation sector be increased by **Kshs.50 million**;

That under the Public Health Department:-

- ii. **Kshs.110 million** be allocated for refrigeration and generators for new vaccines at the nine (9) sub-county stores;
- iii. **Kshs. 20 million** be allocated for equipping of Njiru Health Centre;
- iv. **Kshs.10.5 million** be allocated for rehabilitation of Plainsview Health Centre;
- v. **Kshs.10 million** be allocated for equipping of Kangemi Health Centre;
- vi. **Kshs.15 million** be allocated for rehabilitation of Upendo Health Centre;
- vii. **Kshs.10 million** be allocated for rehabilitation of Makongeni/Kaloleni Health Centre;
- viii. **Kshs. 10 million** be allocated for rehabilitation and equipping of Ziwani dispensary;
- ix. **Kshs.5 million** be allocated for rehabilitation of Lungalunga Health Centre;

That under ICT and E-Government:-

- i. **Kshs.400 million** be factored in the budget for establishment of a Data Centre and rolling out of e-payment under the ICT department;

That under Governor's Office:-

- ii. **Kshs.30 million** be allocated for public participation or civic education;
- iii. **Kshs.30 million** be allocated for legal drafting under the Legal Department;
- iv. That **Kshs.400 million** be allocated for salaries of the yet to be recruited Traffic Marshalls;
(Applause)

That under the Public Works and Infrastructure Sector:-

- i. That allocation for Ward Development projects be raised to **Kshs.20 million per Ward** or a total of **Kshs.1.7 billion**;
- ii. That allocation for Purchase of Motor Vehicles under the Public Works Sector be increased by **Kshs.23 million** in order to purchase two graders;
- iii. That **Kshs.90 million** be allocation for upgrade of Kimondo Road;
- iv. That allocation of **Kshs.400 million** be set aside for development of roads in areas not captured in this budget;

Further the Budget Committee recommends that the County Treasury does rationalize the recurrent vote to ensure the total budget is balanced and also provide:-

- v. **Kshs.1billion** for debt repayments. The amount should be directed towards settling the salary arrears occasioned by the new Collective Bargaining Agreements.

Mr. Speaker Sir, It is therefore my pleasant duty and privilege, on behalf of the Budget & Appropriations Committee to table this report and recommend it to this Assembly for adoption. Mr. Speaker, sir, in conclusion and pursuant to the provisions of Section 131(1) of the Public Finance Management Act

2012 and Standing Order 207(6), the County Budget and Appropriation Committee recommends that; This County Assembly adopts the Report of the Budget and Appropriations Committee on the Budget Estimates for the Nairobi City County Government, and County Assembly tabled in the County Assembly on Tuesday 17th June, 2014.

Thank you, Mr. Speaker, I beg to move and I wish to call upon George to come and second the Motion.

Hon. Speaker: Thank you very much.

Hon. George Ochola: Thank you, Mr. Speaker, sir. First of all I would like to thank the Chairman for Budget for a detailed and very eloquent budget which we have just heard which has just been read by the Chairman.

Mr. Speaker, this year's budget, let us say that it's the best that the most intellectual minds which were amalgamated together would have produced for the betterment of this Nairobi County and indeed make the Nairobi County move forward. Mr. Speaker, sir, in budget making we are guided by laws and we did consider the PFM Act and the CFSP. We also considered the program based budget and also the CIDP. To highlight a few, we categorically looked into areas which need more input so that their function can be realized. We factored in more input for education, more input for youth and more input for development within our Wards. Due to the issue that we cannot ascertain the revenue collection in a better way, we factored in the issue of e-payment so that we can move from analogue to digital system. We have realized just as the Chairman has read, that Members are not fond of reading papers and we factored in the issue of i-pads so that our Members can also go digital. We factored in all the developments in our Wards and even the youth managing the waste in our Wards just as it has been read, we considered that and we wish that the Environment Committee will come up with a policy to empower these youth so that what was allocated for them can be realized.

Mr. Speaker, before I wind up, I want to say that we called all the Committees and we factored in all their opinions and ideas and this is what has orchestrated the good budget which we have just read now. The public participation was considered and was given priority and we met here so that we could polish up areas that were not deemed fit for the common *Mwananchi* or for the electorate. In general, I want to say that this budget is the best and is going to give us the best Nairobi we want and I call upon Hon. Members to accept the adoption of this budget so that we can realize our Nairobi County which we all wish to move forward and we all do our best for the good of the electorate. Thank you very much.

Hon. Speaker: Very well, thank you the Hon. Chairperson for Budget and Appropriation and the Deputy Chair. Hon. Members, I now propose the question.

(Question proposed)

Hon. Speaker: Hon. Ngaruiya.

Hon. Chege Ngaruiya: Thank you, Mr. Speaker. I rise to support this Motion. Mr. Speaker, we as a Committee from day one worked and burned the midnight oil to ensure that we come up with a *Mwananchi's* budget. Allow me to say one or two things. In this year's budget we have even gone a step further to ensure that the Treasury commits itself to whatever we put down with pen on that particular paper because we don't want a situation whereby we have passed figures and these figures are not converted to money. We want a situation whereby if we allocate certain money for a certain department that that particular money in that particular department is taken there and the programs that they want to run, run more effectively. That is why you have heard the Vice Chairman of this particular Committee saying that we will ensure that this particular year we have ensured that we have allocated a lot of money for development.

Mr. Speaker, you realize that in last year's budget we did the same and after doing everything possible, nothing has happened in our Wards. We don't want the same situation to happen again and that is why we have lined up the Treasury to ensure that they commit themselves and that whatever we are going to put or append in this particular year's budget is going to happen. It is now for the Committees to carry out their roles as required by the Standing Orders. Therefore, when you realize that we have factored 260 million for their car loans and mortgages and in the supplementary budget we allocated the same 380 million, it is upon the Members that whatever has been allocated already, which is 240 million--- I would encourage Members to do the same and move with speed so that they can access the 2 million and also for the County Treasury to put aside the 140 million so that it now becomes 380 million so that Members can access it with immediate effect. Therefore the 260 million--- Members can also access the 3 million in July.

Mr. Speaker, In terms of development this County has lagged behind and we have cut the budget for the allocations that were made. I know there are a few Hon. Members who are complaining that some allocations have been cut. We have looked at it and we have ensured equity in this year's budget in all Wards and that is why we have set aside that particular amount of money, the 400 million. That can run in all the other Wards that have not been catered for and everybody will be smiling because there is something that is going to be done in his/her Ward. I urge the Hon. Members to support this budget so that at least we can allow the Treasury to start allocating that particular money. Also, you realize that the 15 million that was allocated we have factored it in to ensure that it has been given space in the Ward Development Fund so that the projects can continue. Mr. Speaker, as I rest my case I believe the Hon. Members will support this so that at least we can see whether whatever we have said will be done and if it is not done this time then let us not support it next time. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Kagiri and then I move on to the other side.

Hon. Member for Pipeline Ward (Mr. Samuel Kagiri): Thank you, Mr. Speaker, for this opportunity. I rise to support the Motion and first of all I want to commend the Budget Committee for the good work they have done to try and actually make sure the budget matches the requirements of the PFM Act. I remember one time when we were in Nakuru I had a chance to attend the meeting where they were meeting the CEC Members and their Chief Officers to explain why they wanted the budget to be funded

according to their proposal. I have noted in the Chairman's report that the budget had a deficit of 2.4 billion and I am impressed to see that they have tried to allocate the amounts to fit the best places to make sure that we have a zero deficit budget.

The PFM Act, as stated by the Chairman in his report, requires that the budget of the County Government starting from the year 2014/2015 be prepared in the program based format rather than the way it used to be prepared in the previous method which was input based. With this program based budget it is very clear which amounts are allocated to what projects and by the time the year is ending, when we are preparing the budget for the next financial year, we will be able to see clearly that we allocated a certain amount for construction of a hospital. By the time the year is ending we'll be able to know whether the amount allocated to the construction of that hospital was clearly used for the purpose of constructing a hospital and if the same department ask for more money to do that we will then be able to enquire how they used the previous amounts that they were allocated in that budget. I am sure this budget is going to reduce the misappropriation of funds for development purposes.

Mr. Speaker, the allocation for development of roads was only 530 million which was too low and seeing that there were a lot of complaints, I am impressed to see the same Budget Committee has put aside 400 million to be allocated for roads. Mr. Speaker, I will state this that the 530 million allocated for roads was not well allocated. Most of us complained very much that our areas were not considered as parts of this City. I believe most of our Members from every part of this City contribute to the income of this County and I hope this amount of 400 million will be well distributed to the areas that were not considered. I state this categorically because in my Constituency we were not given even a single road and we don't even have a single tarmacked road in the whole Constituency.

Mr. Speaker, as I finish I want to comment on one issue concerning the revenues targeted to be collected in this financial year and I want to propose something. Specifically, I want to comment on only one of the departments and that is the Trade and Industrialization Department. They can do a lot of collection of revenue in terms of licenses and permits which have not been paid till today, not because these people don't know they are supposed to pay for the licenses but, in this city, the mode of collection or the mode of ensuring that the money is collected is not a good one. Mr. Speaker, I would recommend that the Trade CEC Member does a study of all the businesses that are in this city and in every Ward and come up with data of how many businesses there are, how many of them have paid for their licenses and how many have not paid for their licenses. This will ensure that we are able to know how much we can collect in terms of licenses, what the capacity is and what percentage we are collecting. We also need to know how we can arrange for the collection of the difference, that is, what we are unable to collect and also agree on the best way we can have this money collected. I am sure this is going to improve our budget and we'll be able to do much more development in our Wards. Otherwise, Mr. Speaker, I support the Motion, thank you.

Hon. Speaker: Hon. Masiga.

Hon. Member for Eastleigh South Ward (Mr. Nelson Masiga): *Shukrani Bwana Spika, kwa kunipa fursa hii kuweza kuchangia katika mjadala huu. Kwanza ningesema ya kwamba aisifiye mvua imemnyea. Hivyo basi naipa heko Kamati hii ambayo iliweza kukaa chini na kuweza kujadiliana na kuunganisha vitengo tofauti tofauti na kutuletea bajeti ambayo inaweza kusema inastahilika. Hivyo basi naona ukwasi katika bajeti hii, ukwasi huu ambao kama wananchi wa jiji la Nairobi wamekuwa wakitamina. Hivyo basi, bajeti hii imeweza kugusia kila Nyanja na kila pande, hivyo basi naiona kwamba ikiwa bajeti hii itaweza kutiliwa maanani, isikue ni mambo ya utwana, basi wananchi watafurahi kwa sababu itakuwa hali ya ungwana. Naweza kuuliza Kamati ambayo imeweza kutekeleza hii, iweze kuwa na muundo msingi wa kuweza kufuatilia mambo haya yote ambayo wameweza kutupa, yaweze kutekelezwa. Wasiwe kamati ambayo itakuwa ya kuleghalegha bali Kamati ya kufanya mambo yaweze kutekelezeka katika yale yote ambayo tumeweza kupitisha. Naunga mswada huu mkono, shukrani, Bwana Spika.*

Hon. Speaker: Thank you very much. The Hon. Manyala.

Hon. Member for Kayole South Ward (Ms. Elizabeth Manyala): Mr. Speaker, sir, I am a very happy person.

(Loud consultations)

Hon. Elizabeth Manyala: Mr. Speaker, protect me from---

Hon. Speaker: Order! Are you under any threat, Hon. Manyala?

Hon. Elizabeth Manyala: Sorry.

Hon. Speaker: Are you under any threat?

Hon. Elizabeth Manyala: Yes, I am under threat. They keep on staring at my legs and I cannot---

(Loud consultations)

Hon. Speaker: Order Members! Order!

Hon. Chief Whip of the Minority (Mr. Hashim Kamau): Come to this side.

Hon. Speaker: Order! Hon. Manyala, go on, you are protected.

Hon. Elizabeth Manyala: Thank you, Mr. Speaker, for protecting me because hyenas wanted to take me from the other side but lo and behold you cannot have it Ooh.

(Laughter)

Hon. Elizabeth Manyala: Thank you, Mr. Speaker sir. I rise to support this Budget. Today I am a very happy person because gender has been factored in this budget. A few minutes ago I stood here rising on a Notice of Motion about the girl child who is suffering especially during her monthly menstruation and I know this will cater for that. At the same time, for women empowerment, it will help the Nairobi women to come up with IGAs (Income Generating Activities) that will empower the women and they will now be seen to be women of purpose and they will stop begging. This will also curb them from doing other activities like prostitution and it will keep them busy. In the devolved Government we are given the docket of childcare and this gender aspect will also go towards childcare and also children's welfare where the four pillars of life which are enshrined in the Children's Act will be realized. So, today we feel that the budget has actually tackled the gender mainstreaming which we've been longing for a long time. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Bishop and then Hon. Elkana.

Hon. Nominated Member Kibra Ward (Mr. William Abuka): Mr. Speaker, I want to follow in the footsteps of the previous Speakers who really lauded the report on the budget reading---

(Loud consultations)

Hon. Speaker: Order Hon. Members! Consult in low tones please.

Hon. William Abuka: ---the budget reading speech by our very able Chairman of Appropriation and Budget Committee and I kept wondering why such a noble person has not found an opportunity to be reading the same in our National Assembly. He seems to be very strategically outdoing the rest but that is for our ears only. Mr. Speaker, I only have two things to say, one of the things that I really want to bring to our attention apart from congratulating and appreciating the input from the Budget Committee is I am tempted to think that this day to us is a very important day. We can see that and we could borrow a leaf from the National Government because that is the spirit of devolution and by extension the National Assembly in that when they are reading their budget their public gallery is filled by people of their choice, those they have invited. I am just wondering why we don't set a day that the Governor, the Chief Officers and all the Executive Members of this County Government can listen to what we are presenting as an Assembly through the able Chairmen of the various Committees.

Mr. Speaker, life is made up of principles, those principles are laws that you cannot change, and they either make you succeed or make you fail. One of the principles that you cannot change in life is that if you cannot honor your own life, nobody will help you to honor it. People can only borrow from you and learn from you on how to honor your life. I think towards next year when we are doing the budget speech, Mr. Speaker if you can allow it, we can really make it a big day where all of us come here and celebrate with the Chairman of the Appropriation Committee. Mr. Speaker, having said that and although I am also celebrating with everybody, I am here as a Member of this County Assembly because I am weak somewhere. Somebody saw it almost thirty years ago and provided me with an environment and facilitated

me to rise from being a newspaper vendor to being a publisher of newspapers and an employer of dozens of people.

I found an environment conducive for success and I think in this budget speech we have really missed an opportunity to resonate and engage with our brothers who are outside there who are like me and who are really waiting to hear from the County Government if they will be given a similar environment, an engagement to stop begging and taking handouts to doing business, these persons with disability. Also, despite the fact that we wrote letters - we even had an admin allocated to us - the persons with disabilities have not been touched at all in this budget.

(Applause)

Hon. Deputy Speaker(Mr. Kennedy Ngondi): Point of Order.

Hon. Speaker: Yes, Point of Order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Mr. Speaker, I believe the Hon. Member here is out to mislead this House because the time to interrogate the budget was three days when His Excellency the Governor read it out and spelt out each and every single project to be carried out. He had a reasonable opportunity to raise his voice. It is now too late for that. Mr. Speaker, thank you very much.

Hon. William Abuka: I continue?

Hon. Speaker: Yes, Hon. Bishop Abuka.

Hon. William Abuka: You will have to seek others opinion, not as your direction.

Hon. Speaker: Order! Hon. Bishop! Order, Order!

Hon. Deputy Speaker: Hon. Speaker, this is a House of rules and procedures. It is not about my opinion it is the Constitution. Mr. Speaker, the Member is wrong, it is not my opinion, thank you.

Hon. Speaker: Very well.

Hon. William Abuka: Mr. Speaker, I really want to thank you for being silent on that because you know---

Hon. Speaker: Order Hon. Dr. Bishop! Order!

Hon. William Abuka: Mr. Speaker, I really want to thank you for giving me this opportunity and to thank the Chairman for the Appropriation and Budget Committee. I really prayed and pleaded, I did everything, I consulted with you, I consulted with the Chairman, I did everything that I could do within my ability to try to bring our thoughts together on how best we can address the issues and the plight of people

with disability. Mr. Speaker, It is wrong to continue giving them handouts, I didn't grow up to be who I am today because of handouts.

(Applause)

Hon. Speaker: Order Hon. Dr. Bishop! Are you talking about the people with disabilities in Nairobi or you are talking about Hon. Dr. Bishop Abuka?

Hon. William Abuka: I am talking about the people with disability in Nairobi and I am saying if I misled---

Hon. Speaker: You are out of order. You are out of order on that, Hon. Dr. Bishop Abuka.

Hon. Leader of Majority(Mr. Elias Otieno): Point of Order, Mr. Speaker.

Hon. Speaker: Point of Order is allowed.

Hon. Leader of Majority: Mr. Speaker, I don't think we want these talks about this budget because these side shows will not take us anywhere. It's either you are opposing it or you are supporting it, so we don't want to know whether you are disabled or what. This is a House of Hon. Members and we are here to support or oppose the budget. Mr. Speaker, just give guidance on that point.

Hon. Speaker: Very well. Hon. Dr. Bishop, please contribute on the tabling of the scrutiny and estimate of revenue expenditure for the Nairobi County.

Hon. William Abuka: Mr. Speaker, I really want to sincerely support the Budget and if I was out of order I want to withdraw that with a lot of humility. I am a very humble person. I would like to encourage that next time our group is also factored in and we are treated like equals. Thank you, Mr. Speaker.

Hon. Speaker: Very well. Hon. Jaffer. Sorry, it was Hon. Elkana then Hon. Jaffer.

Hon. Member for Kwa Rueben Ward(Hon. Elkana Mauti): Thank you, Mr. Speaker, sir. I think this is the best budget that we have ever had in the Nairobi City County, because, one, it has reflected on the children right up to the old people. To start with, I am supporting the budget because it has factored in the promoting of education in our County. Two, we have seen that the budget has catered for the Members of the County Assembly with the car and mortgage loan. Three, the Ward Fund has been raised from 15 million to 20 million which means that if we had 15 million plus 20 million it is now 30 million which we are supposed to be given for our Wards. Also our youth have been catered for, KShs.300,000 per Ward has been allocated for garbage collection. 50 million has been allocated for gender equity and I hope this time the bursary will come out of the 50 million. We have seen the transport network has been allocated KShs. 530 million and my proposal is that in the next financial budget this be increased.

Finally, I have seen that KShs. 2.4 million has been allocated for street lights in every Ward; I think insecurity will be reduced. An Ad Hoc Committee should be constituted to oversee the parking and the market fee collection which should also be reflected because this is where the Nairobi County loses money the most. Mr. Speaker, I agree with what the Bishop has said, in my Ward I have 130 people with disabilities, I have even set aside land for them to build houses, two rooms each and in the next financial year you should factor this in so that I can get more funds to build houses for them. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much, Hon. Elkana. I will now go to Hon. Jaffer and then Hon. Jack *wetu* and then of course the Chairperson of the Welfare of Members, Njoroge Kairu and then Karen.

Hon. Member for Parklands/Highridge(Mr. Jaffer Kassam): Thank you, Mr. Speaker. I stand here to support the budget and I can clearly see the intention of the Nairobi County Assembly's Budget and Appropriation Committee of promoting good governance and development which is what our citizens down need. As you can see, they have been provided with a 62 seater bus for carrying the prisoners to and from city courts which we have been crying for since we became councilors here. I can now see the dream has come true. We can see good governance, we have been given vehicles for security and compliance which I am sure if properly used and actualized will enhance our revenue because there will be proper inspection and proper revenue collection with these machines which we have been allocated money for. Mr. Speaker, sir, it is also very encouraging to note that when we were in Nakuru we did not even know to which department the budget for the Traffic Marshalls would be allocated but our very able Chairperson moved in very fast and we can now see there is KShs 400 million for Traffic Marshalls which will create employment and help the people of Nairobi.

Mr. Speaker, sir, I am also thankful to the Appropriation Committee for considering 30 million for legal drafting as this will do away with draconian bylaws and we will have laws which are in order with our new Constitution. Finally, Mr. Speaker, I wish to again thank the Committee for considering 400 million for ICT because this is the way to go digital and I am sure the e-payment platform will help us in revenue collection and in actualizing and realizing our budget. Thank you, Mr. Speaker, sir, I support the Motion.

Hon. Speaker: Hon. Jack *wetu*.

Hon. Member for Githurai Ward(Mr. Jackson Ngare): Thank you, Mr. Speaker sir. I rise to support this budget, it is a good budget and I would like the Chairman and the members of the Budget Committee to pay attention and listen to me because I will not stand here for long, it will be just for a few minutes. I have seen very fair distribution of the wealth of Nairobians in your budget although I have not seen a major project in Githurai. Anyway, the end of preparing a budget marks the beginning of another one. Hon. Ngaruiya has said that it is very good to make use of the money that has been allocated in the budget so I would urge the Committee not to stop there, the end of this budget marks the beginning of looking at the previous budget.

Mr. Chairperson, in the near future I would like you to stand here and read a statement to this House showing how the previous budget was used, the monies that were used and the monies that were not used. Was the money taken back to the Treasury? Because if it was not returned to the Treasury then we should know where that money is and if it was returned to the Treasury then it means we should have had more money to distribute this time around.

Mr. Chairman and Hon. Speaker, at the end of this process you will start preparing for another budget then the day you stand here next year to read the same statement that you have read, it will mark the beginning of the process of looking at what has been done with this money we are going to pass today. So, Mr. Chairman, Mr. Speaker, sir, thank you so much, may this noble cause continue. Thank you.

Hon. Speaker: Hon. Njoroge Kairu.

Hon. Member for Woodley/Kenyatta/Golf Course(Mr. Njoroge Kairu): Thank you very much, Mr. Speaker. Allow me to support the budget. Mr. Speaker, I am privileged to be a member of the Committee of Budget and the truth of the matter is that we have worked hard to come up with a budget. Mr. Speaker, what I would like to ask Members is this; we have a very good budget but these are just figures of what we intend to collect. Therefore, what I want to ask Members is let us support the revenue collection so what is on paper can be realized. Mr. Speaker, if you look at the budget that we had, 2013/2014, it fell below what we had projected. We were intending to collect around 13 billion, but the money we collected was 9.8 billion therefore, the County could not implement what it had proposed. So Members, if we want to get what we want to get from this budget we have to fully support the revenue collection. If we fail to support the Governor in revenue collection surely we are not going to meet what is here. So please let us work hard with the Governor, we collect revenue so that we support him and achieve what we need to achieve. Thank you.

Hon. Speaker: Hon. Karen and then Hon. Leader of Majority.

Hon. Member for Njiiru(Ms. Karen Githaiga): Thank you, Mr. Speaker, sir. I want to take this opportunity to commend the budget Chairperson and the Committee members for doing such a commendable job. I have noted they have given money so that we will be able to legitimize our tax collection which is very important. As you know, a lot of tax is going into people's pockets instead of it helping the County and Nairobi as a whole. Again, I want to thank you for giving gender some funding and I expect next time it will be more than this because we really have issues that need funding. I want to thank you for giving health centers and the health department money to help the health facilities, but I cannot go without saying that the money for the Health Committee is not enough and I think there is room for more next time. I noticed that there are a lot of problems when it comes to cancer in the Nairobi County. People are dying from cancer because we do not have equipment, like for example the PET scan machine which can scan people for cancer so that they be treated before it gets to the 3rd stage when it cannot be healed.

I have also noticed that we need a lot of money in support of HIV and Aids and many other needs to do with health.

So the next financial year, I beg that you will give more funding to health. Having said that, I also have some input into what Bishop said. It is very crucial for the disabled to be funded; we cannot say that we are a complete Assembly without funding the disabled. Mr. Speaker, about the youth, I have noticed that the money that was given for the youth centers was completely removed. You notice that we have very many youth in this County and we cannot ignore them and although I appreciate the fact that they have been allocated money for waste collection that is not enough. So next time I think we will not forget that. Before I sit down, I also want to say that I have noted with a lot of concern that you have given a lot of money to foreign travels we should improve on that next time. Thank you and I support this budget.

Hon. Speaker: Hon. Leader of the Majority.

Hon. Leader of the Majority(Mr. Elias Otieno): Thank you, Mr. Speaker. I think this is a good time to end this debate. I am supporting the budget but even if we pass the budget today and we do not provide oversight, it is going to be useless to us. This time I think they are not going to take money for projects to pay debts going back about five years because we want development in our Wards. This time we are not going to allow them to take money to pay debts. There are so many things they are paying and we do not even know what they are paying for. So, it is our duty to check every now and then because they are just going to buy something--- We want development in our Wards, so the Chairperson of Budget, go and follow up because you have given the budget for different Wards, just follow up and see if that money is going to work according to what you have read here.

Mr. Speaker, let us not waste a lot of time. I think we should call the Mover to reply because time is not on our side. We are just going to repeat the same things all over again because everybody is going to say they are supporting the budget because it has factored in some things. It is already catered for there, why do you want to repeat it again? Let us close this debate. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much, Hon. Leader of the Majority. I will take only two more, Hon. Thuo and Hon. Onduru and then we close shop.

Hon. Kamau Thuo: Thank you, Hon. Speaker. I rise to strongly support the adoption of this budget on two points. One is for the provision of monies for the Ward Development Fund---

(Consultation between the Speaker)

Hon. Kamau Thuo: Mr. Speaker, I was saying that I want to support the adoption of this budget based on two points. The first one is because they have availed some monies for our Wards, but I must say availing that money is not enough. Having that money in our budget is not enough if there is no following up to see to it that these things have been actualized. Mr. Speaker, another thing is that having a

budget is not enough without having the mechanisms and ways of improving our revenue collection. It is time for this County Government of Nairobi to seal the loopholes where money gets squandered and corruption is given room. Finally, I also think the time has come for us to come up with a Committee for Finance, a Committee that sees to it that what we have estimated and the monies we have appropriated have been put to good use. Thank you.

Hon. Speaker: Hon. Oduru, and then we finish with Hon. Nyangwara.

Hon. Member for Lucky Summer(Mr. Kennedy Oduru): Thank you, Mr. Speaker and members of the Budget Committee headed by their able Chairman. I take this opportunity to contribute towards this budget which I am in support of. It is very, very important the work they have done and we have to support it. First of all there was a question here about graders which was asked a few minutes ago and which we expected an answer. I am happy that it has been captured in the budget and that two graders have been factored in, so you see we have something to smile about. Also this budget being programme based - I am in support of what the Majority Leader has just said - the programme based budget means that whatever is being allocated or budgeted for we will have to follow that. So, I have to smile about that, otherwise, I beg to rest my support there. Thank you very much, Mr. Speaker.

Hon. Speaker: Hon. Nyangwara.

Hon. Member for Viwandani(Mr. Samwel Nyangwara): Thank you, Mr. Speaker. As much as some Members can smile simply because of this particular budget, I hereby stand knowing that I may not see the way forward this particular day for this particular budget. I have heard explanations from the various Members supporting this budget and I really want to register my opposition to this budget.

(Loud consultations)

Hon. Speaker: Order, Hon. Members!

Hon. Samwel Nyangwara: Mr. Speaker, in the current financial year we passed some money for projects in various areas in this County and the Constitution is very clear, that resources must be distributed equitably all over the County. I have got nothing to take to the Viwandani people particularly from the budget that has been read here because there is too much money---

(Loud consultations)

Hon. Samwel Nyangwara: Mr. Speaker, you have to understand that the budget is presented on the floor of this House and it is on the floor of this House that we must discuss it fully. Mr. Speaker, some resources have been put into some areas and other areas have been neglected, that is why we say it is a copy and paste budget, exactly what was given in the last budget is what has been given in this budget and we wonder. That is why we always ask a question, what has happened for the current financial year? The

money we passed for projects, nothing seems to have been done on the ground. Mr. Speaker, we really want to request the Governor that he leave his office and go walk around Nairobi and see what is supposed to be done. Kindly allow me to register my opposition, I know I may not have support as the Majority Leader has actually said and if you look at the entire budget, everything has gone to the red soil areas. The people in Eastlands, and more so in the slums, as you can see the Chairperson scrapped about 100 million that was to be put into the slums for collecting garbage there.

We wonder what is really happening with the Chairman of Budget and Appropriation. In fact if he was to be Minister and he presented such a budget here I would be the first person to move a censure motion to remove him from office. He is lucky that he is just a Member of this County Assembly. It is high time we come up with a Bill here so that the Ministers can be allowed to come to the floor of this House and present a budget. That is when they will be able to present a budget that is equitable for all the people of Nairobi. Mr. Speaker, thank you, I rest my case.

Hon. Member for Dagoretti North(Ms. Petronilla Achieng): Point of Order.

Hon. Speaker: Yes, what is the Point of Order, Hon. Petronilla?

Hon. Petronilla Achieng: Thank you, Mr. Speaker sir. I rise on Point of Order number 41. I want to remind the Member that this is a County Government, just like the National Government. First of all I would like him to respect my Chairperson. Two, we have just said here that there is 400 million which any Member can go and ask for so that it can go to their Wards. We did that because we also realized that some Wards were not factored in. We want Members to get this clearly rather than coming here and trying to talk to please people.

Hon. Speaker: Hon. Members, I now call the Mover of the Motion to reply.

Hon. Michael Ogada: Thank you very much, Mr. Speaker sir. I hope the House will be orderly---

(Commotion)

Hon. Speaker: Order, Hon. Members. I hope there is no rat in the Assembly, I can see you looking under the chairs.

Hon. Michael Ogada: Thank you very much, Mr. Speaker sir. One, I really want to thank the Members of this House for having gone through the budget and the speech and giving positive critique about our report. Another thing is that we need to appreciate the needs of the County and the respective Wards which are not the same and therefore, you cannot expect a uniform distribution of resources. We can only have equitable distribution but not uniform and that is actually why we have money specifically for Ward development. If you are keen on my budget you will realize I have allocated 35 million per Ward this coming financial year because you did not spend the 15 million and we have given you another 20 million.

So you have got 35 million and that is enough for you to do the work. Hon. Nyangwara is very bitter that this is a copy and paste. I am the only person who never does copy paste, where we work we never do that. So, we have given KSh.300,000 per Ward for youth. Besides that we have given 2.4 million per Ward for electricity and in Nyangwara's Ward I have given Lungalunga Dispensary money and therefore, he cannot complain that is not captured, so that is that.

When you go to the slums areas which the Hon. Members are saying are not captured, I have got Kimondo Rd which is in the thick of the slums where we are going to lay a tarmac road. That is in answer to the *Mweshmiwas* who were saying that their constituencies are not taken care of, so it is 90 million we have given to the slums. When they talk about the issue of containers; what my Committee thought was that containers, once they are put in various centers in the County, we have realized that scrap dealers come at night, dismantle them and go with the container. So, it makes no sense for this County to put money in that kind of project. The only thing my Committee could do is to allow enough for our markets, where the containers can be put inside the market which is under guard. Otherwise we cannot give money to waste and that is why we deducted that money, so, every decision we made was quite informed.

Karen raised the issue of knocking out money for a youth center. I knocked it out because it was a double allocation meaning there is money for that project but they double allocated that figure but we discovered it and that is why it was actually knocked out. In Githurai and Embakasi South, we have so many projects there so I think what we have done is quite commendable and therefore I really thank the Members. On disability; we have got 30 million for civic education and then we have got money for gender mainstreaming. Then we have got money allocated for the issues of HIV, the ones Karen was talking about, we have also allocated money for that. The report I gave was just a summarized report but you have got the details in the booklet I gave out. So, thank you very much, Mr. Speaker sir, for giving me this wonderful time and I really thank the Members for giving my Committee wonderful cooperation and we will strive to ensure that this budget is properly implemented. Thank you very much.

Hon. Speaker: Very well, Hon. Michael Ogada, the Chairman for Appropriation Committee. Hon. Members, I now put the question.

(The question is put and agreed to)

Hon. Speaker: Hon. Members, the Assembly is adjourned to Tuesday, 2.30 p.m.

The House rose at 5.00 p.m.