



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Fifth Session

Tuesday 15th March, 2017

The House met at 2.30 p.m.

(Hon Deputy Speaker (Mr. Kennedy Ng'ondi) on the chair)

PRAYERS

Quorum

Hon. Deputy Speaker: Hon. Members, the attention of the Chair has been raised that there is lack of quorum in the House. I so direct the Serjeant-At-Arm under Standing Order no. 31 (2) to ring the bell for 10 minutes.

(Quorum bell is rung for 10 minutes)

Order Members! Be orderly please! Order Members!

COMMUNICATION FROM THE CHAIR

Hon. Members, I wish to make a brief communication regarding the official position of the CAF that we did not get to print the communication in good time. But the official position is that we actually have received the gratuity for Members.

(Applause)

Now the anxiety with the Members of the Nairobi County Assembly is behind us. So, I would complement the efforts of the Members for the efforts you actually made to make sure that this gratuity issue is dealt with in good time so that Members could get their money before they leave the Assembly.

Again, I would like to congratulate the effort made by the Nairobi County Assembly Service Board because they have tirelessly been holding meetings with the Executive which made this possible. Thank you and God bless you.

STATEMENTS

Under statements, we had a request from Elkana Mauti.

REGARDING THE PROCESSING OF BURSARIES

Hon. Member for Kwa Reuben Ward (Mr. Elkana Mauti): Thank you Mr. Speaker. I would like to request a statement. Pursuant to Standing Order no. 41 (2) (c), I wish to request for a statement from the Chairperson of Sectoral Committee on Children, Early Childhood Education and Vocational Training regarding the processing of bursaries. Hon. Speaker, there is a concern that the bursaries for some Wards have taken long to be issued yet the term is halfway. It is alleged that some bursary forms are still in various Executive accounts office and have not been processed. For instance, Mukuru Kwa Reuben bursary forms have been in the Urban and Renewal Housing accounts office for the last 3 weeks.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on;

1. the current status of the bursary forms,
2. the cause of delay in processing the forms,
3. Action that the County Executive is taking to ensure that the bursaries are given in time.

Hon. Deputy Speaker: Thank you. The Chairperson for Children, Early Childhood Education and Vocational Training? Do we have the Chairperson? The Vice Chair? An active member of the Committee? Hon. Obenge, please?

Hon. Member for Lindi Ward (Mr. Fredrick Obenge): Mr. Speaker, on behalf of the Committee, we will give our response within one week's time. Thank you.

Hon. Deputy Speaker: Members, are you in agreement with that? So, we should expect the response by next week on Wednesday.

Hon. Members, the Clerk has refreshed my mind. The whole of next week, Members will be attending a conference in Mombasa from Monday to Friday. So, Hon. Obenge?

Hon. Fred Obenge: Mr. Speaker, we will give a report a week after that. Thank you.

Hon. Deputy Speaker: Okay, the first day when the Assembly resumes. That is the week after next week. Thank you.

Under Standing Order no. 7, Hon. Members, we expect responses for statements requested by Hon. Mauti. And this was forwarded to the Water Committee. Hon. Mauti, do you have the report in with you?

Hon. Elkana Mauti: Yes I have.

Hon. Deputy Speaker: Are you in agreement with the report?

Hon. Elkana Mauti: No.

Hon. Deputy Speaker: Okay. Share it with the House please.

Hon. Elkana Mauti: Thank you Mr. Speaker, I hope we had discussed this last time and we sent the PAC to give us evidence or a report which has evidence of what they were telling us. Up to now I don't have evidence yet so many memos are being referred here, whereby someone can quote a memo which does not exist. Mr. Speaker I had requested them to serve me with the memos. For example, they had said the sector is already preparing to file documents of project priorities received. The sector has further prepared a Cabinet Memo ref. CO (EE) W (2/1/586) of 8th November 2016 which I don't have. How do I believe this memo exists or it is somebody who is joking with us?

Mr. Speaker also we were asking about the tanks, that is the 10,000 tanks which up to now, for example in Mukuru kwa Reuben we had 10 tanks, we have not received any. Even the borehole, Mr. Speaker am worried whether this department is sabotaging my people because I had applied for 10 tanks of 10,000 litres but got nothing. I had applied for borehole but got nothing. So what have I benefited from them? I'd like a very pretty explanation over this because we are being cheated that they will be delivered on Monday, Monday, up to now is Monday.

Hon. Deputy Speaker: Thank you Hon. Member, Hon. Chairperson for Water Committee

Hon. Member for Mugumoini Ward (Mr. Alex Ouda): Mr. Speaker it seems as if the Member is going round, round. We invited the Member to our Committee where we discussed and agreed on all the issues. If the Executive has given us the reference of the Cabinet Memo, the Memo is meant for the Cabinet. The only thing the Member can request is for an answer and the tank the Hon. Member is talking

about, we don't have 10,000 tanks Mr. Speaker. The tanks are supposed to be 10,000 litres and Mr. Speaker if you can allow me to read the questions: a) The procurement plan was approved by the County Executive Committee members, b) The County Executive Committee Member has requested for project priorities from the Hon. Member of the County assembly through the office of the Clerk to the County Assembly, c) The Sectoral Committee is already preparing bid document for project priorities received, d) The Sectoral Committee has further prepared a Cabinet Memo ref CO (EE)W(2/1/586) of 8th November 2016 seeking approval for the capital project.

Mr. Speaker the tanks that the Member is talking about were procured and I gave a comprehensive report that the supplier did supply the half of the quantity that was required and then the supplier had requested to be paid for what he had delivered which the County is now in the process of paying the half that were delivered earlier, then they can deliver the second batch.

For those people who requested the tanks earlier some have been dispatched, I can remember that there are some Wards like Nairobi West they have received theirs; Mugomoini have received theirs, Kwa Reuben they received theirs, and several others. So Mr. Speaker this particular question is overtaken by events because whatever the Member is asking has been done except that tanks have not been fully delivered so that each Member can get whatever they requested, and this was discussed with the Member unless he is just raising questions but he was satisfied with the answer, thank you.

Hon. Deputy Speaker: Hon. Alex [Ouda] the Member is requesting to make a correction on what you have just said. Are you ready to receive the correction?

Hon. Alex Ouda: Yes Mr. Speaker

Hon. Deputy Speaker: You may proceed Hon. Elkana [Mauti]

Hon. Elkana Mauti: Mr. Speaker he has mentioned that Mukuru kwa Reuben has received tanks whereby am complaining that we received no tanks. I would like to know, where did you deliver the tanks to?

Hon. Deputy Speaker: Hon. Chairperson please kindly let it be clear whether Mukuru kwa Reuben received the tanks because it is kind of misleading

Hon. Alex Ouda: Mr. Speaker it is just a matter of confusion because you see there are so many Mukurus - Mukuru kwa Njenga, Mukuru kwa what! Mr. Speaker the one that got the tanks is the one represented by the Deputy Speaker.

(Laughter)

Hon. Deputy Speaker: That is known as Kware Ward [the Ward the Deputy Speaker represents], it does not apply the name Mukuru anywhere!

Hon. Alex Ouda: Sorry Mr. Speaker

Hon. Deputy Speaker: The Member is actually in order to ask for the question on the tanks to Mukuru kwa Reuben. Can you give a commitment Hon. Alex [Ouda] as to when he is going to receive the tanks?

Hon. Alex Ouda: Mr. Speaker I said that half batch were delivered and were given on first come first served. We were waiting for the second batch to be delivered by the supplier. Immediately they are delivered they will be distributed.

Hon. Elkana Mauti: Mr. Speaker I think you have got it clearly; we are worried because the procedure they used- first come first served- and the procurement was done the same. Was procurement done half as the supply? I would like him to clarify whether he procured half tanks, and finally on the boreholes, boreholes in Kwa Reuben, Gatina, Kabiro, Nairobi West, Kangemi, Hospital, Mugomoini awarded to Kewi yet contract agreement was not signed.

Hon. Deputy Speaker: Hon. Elkana was that included in your request

Hon. Elkana Mauti: Yes it was. These are the projects under Water Mr. Speaker. We would like to know what....

Hon. Deputy Speaker: No please.

Hon. Elkana Mauti: It has not been signed.

Hon. Deputy Speaker: Okay. Hon. Ouda. You may proceed.

Hon. Alex Ouda Otieno: Mr. Speaker the three questions;

- (i) The current implementation status of the said projects in the 85 Wards,
- (ii) The cost of delay in the implementation of the projects in different Wards
- (iii) Measures the County Executive has put in place to ensure the realization of these projects in every Ward

Mr. Speaker those are the three questions that the Member had requested and now the Member is bringing the issue of the borehole and as I said earlier, possibly the Member is just asking questions for the sake of asking but--

Hon. Deputy Speaker: Order Hon. Member! Can you withdraw that it is kind of demeaning to an Hon. Member.

Hon. Alex Ouda Otieno: Mr. Speaker I have withdrawn but those are the three questions the Member had requested for. And on those projects Mr. Speaker sir, if a Member took 10,000 litres for the whole amount, the Member was to benefit for about 20 tanks but you cannot get the tanks and then get the

boreholes because the boreholes will consume the whole allocation. The allocation was 3 million which could only take either the tanks or the boreholes but not both. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Elkana kindly please---

Hon. Elkana Mauti: Mr. Speaker, I am worried. We applied for projects and they were approved by the same department. You heard him say that the boreholes, Mr. Speaker we do not want to know whether the 3 million was for this, because we do not have that explanation. We had applied for boreholes-

Hon. Deputy Speaker: Hon. Elkana, the honourable thing you can do to this House kindly forward your concerns now to the Liaison Committee to do the follow up on your behalf.

Hon. Elkana Mauti: Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. We may proceed.

Hon. Member for Eastleigh North Ward (Mr. Osman Adow): Thank you Mr. Speaker. Can the Chairman clarify whether it is 3 million or 4 million? I remember in the last financial year the budget was for 4 million.

Hon. Deputy Speaker: Hon. Adow where are you coming from because I don't understand? We are in Order No. 7 being the statement requested by Hon. Akuk. Hon. Akuk is not in the House. Is the report ready Hon. Alex?

Hon. Alex Ouda Otieno: The report is ready and has been discussed with the Hon. Member and we are in agreement Mr. Speaker. I wish he was around.

Hon. Deputy Speaker: Okay, subject to confirmation. Thank you.

MOTION

THE REPORT OF THE SELECT COMMITTEE ON FINANCE BUDGET AND APPROPRIATION ON THE SUPPLEMENTARY ESTIMATES FOR FINANCIAL YEAR 2016-17 FOR THE NAIROBI CITY COUNTY GOVERNMENT AND THE COUNTY ASSEMBLY

Hon. Member for Embakasi Ward (Mr. Michael Ogada): Thank you Mr. Speaker sir. Mr. Speaker sir, I beg to move the following Motion---

Hon. Deputy Speaker: Hon. Omwenga please can you remain behind a bit? You need to take the business of this House seriously. You may proceed Chairman.

Hon. Michael Ogada: Thank you Mr. Speaker sir. I beg to move the following Motion; that this County Assembly adopts the report of the Select Committee on Finance Budget and Appropriation on the Supplementary estimates for financial year 2016-17 for the Nairobi City County government and the County

Assembly laid on the table of the County Assembly on 28th February 2017. Mr. Speaker sir, in the annual estimates for the financial year 2016-17, the County Assembly had approved a total budget of Ksh.3.455 billion out of which Ksh.23.16 billion was meant for the recurrent expenses while Ksh.11.39 billion for development programmes. Further in the approved annual estimates, the County had planned to utilize Ksh.1.643 billion for Ward Development based projects. This is in addition to the considerable amount of resources earmarked for garbage collection, infrastructural development promoting a healthy society and ensuring working legislative arm of the County government.

Mr. Speaker sir, the total County budget has been revised to Ksh.34.6 billion with the revised recurrent budget being Ksh.23.1 billion while the revised development budget is Ksh.11.6 billion. From the above, there is a downward revision of the recurrent expenses and upward revision of development budget. Mr. Speaker sir, supplementary budgets are used as tools for correcting the challenges and general dynamics that the implementers of the budget encounter in the process of their execution. It is therefore good budgeting practice that the government should not plan for supplementary budgets very early in the budget calendar. In fact, the Finance Committee encourages the County Treasury to reduce the margins of the errors and make budgets that are realistic as possible therefore eliminating the tendency of having supplementary budgets on annual basis.

Mr. Speaker sir, the County Assembly as a watchdog institution has no business more important than continually being vigilant to ensure that the policies and the programmes being pursued by the County are for the greater good of the citizens. Since its inception, the County government has initiated measures aimed at addressing a number of challenges that have limited the County budget execution. There have been measures directed towards expanding the revenue basket, cleaning the debt books, eliminating cartels in the procurement process as well as buying ghost contactors.

Mr. Speaker, the Finance Committee has taken keen interest on all the measures above but has placed greater emphasis on the re-engineering of the County's revenue generation potential. It is self-explanatory that the County's improvement or otherwise on revenue collection is directly proportional to its service delivery function.

Over the past three years the County has implemented electronic methods of payment aimed at bolstering revenue generation as well as solving with finality the mishaps associated with human-money contact. However, the figures presented to the Committee on the quarterly reports still present a gloomy picture with nothing much to celebrate.

The Second Quarter report shows that at the end of December 2016 the County had been able to collect about Ksh. 4.2 billion. This represents a major drop from the amounts collected during similar periods in both financial years 2014-15 and 2015-16. It is worth recording that the County managed to realize Ksh. 4.32 billion and Ksh. 4.997 billion respectively in the first half of the financial years 2014-15 and 2015-16 respectively.

The Finance Committee laments that there has been lethargy towards implementation of the mitigating measures meant to improve revenue collection. The challenges that hamper revenue collection have remained repetitive since 2013 with no considerable effort to change the status quo. In this regard therefore the Committee still believes that revenue figures presented are ambitious and may not be realized unless there is a paradigm shift not only in our planning but also in the execution of the plans.

Mr. Speaker sir, the Committee once again urges the County Treasury and all Sectors that in coming up budgets it is imperative to ensure that we fund all our commitments to the end of the financial year and that we do so within a realistic and achievable budget estimate.

Mr. Speaker sir, as has been stated, supplementary budgets are prepared to provide for scenarios that were unforeseen during the time of making the annual budgets. The provisions of the Regulation 39 of the PFM (County Government) Regulations 2015 have elaborated in great detail how supplementary estimates should be arrived at and how the same should be dispensed with by the County Assembly.

The regulations among others allow Accounting to spend not more than 10% of the approved budgets but the same has to be subject to the concurrence of the County Executive Committee Member responsible for Finance. The Regulation decree that the purpose for which approval is sought for a supplementary budget shall be unforeseen and unavoidable expenditures only. It is further clarified that those expenditures which were known during the time of consideration of annual estimates but could not be accommodated in the estimates shall not be considered unavoidable.

Mr. Speaker sir, for more clarity, the provisions of Section 135 (1) and (2) of the Public Finance Management Act, 2012 empowers a County Government through its Accounting Officers to spend money that has not been appropriated if the amount set aside for any particular purpose under the County Appropriations Act is insufficient or a need has arisen for expenditure for a purpose for which no amount has been appropriated under the Act. Thus, the act requires, must then be followed with a supplementary budget in support of the same. From the foregoing it is clear that supplementary budgets can be used to request for new funds or to ratify funds that have already been spent within the legal parameters. The Committee confirms that the supplementary estimates for the FY 2016-17 have adhered to these primary legal principles.

Mr. Speaker sir, the Finance Committee has been consistent in encouraging Sectors to make the budget process and budget documents comprehensive and easy to understand. In fact the provisions of Regulation 39 (6) state that the request for supplementary budget shall be prepared in a format that facilitates comparison with the original budget and shall contain information necessary to enable a decision on the application to be reached.

This provision is reinforced in our very own Standing Order 215 (2) which requires that the Supplementary Estimates be accompanied by explanations of how the additional expenditure being requested is related to the fiscal responsibility principles and financial objectives. The underpinning law has

left no doubt that Supplementary budgets shall not be prepared in isolation and in complete disregard of the County budgeting and planning framework.

It is the anticipation in law that the supplementary budget shall be linked to the County Fiscal Strategy Paper which sets the overall financial objectives for the County and reasons shall be given for deviation, if any, from the financial objectives. Whereas the Finance Committee lauded the County Treasury for having provided this narrative in the previous financial year, it is noted that the information was lacking in the tabled supplementary estimates for the FY 2016-17.

In addition, Mr. Speaker sir, the Finance Committee notes that supplementary budgets should not form first point of redress whenever sectors identify priority areas that were not provided for in the approved estimates. In fact, the PFM Regulations require that any requests for funding should be accompanied with explanations as to why the supplement required is necessary and why the same could not fit within the voted provision. This provision urges sectors as much as possible to live within the approved estimates and avoid the penchant for additional funds which most of the time are never available.

Mr. Speaker sir, the relevance of regulations as legal instruments cannot be gainsaid under the current constitutional dispensation. The PFM Regulations did well to exhaust and debunk the grey areas that over the last three years had threatened to throw into disarray the County budget processes.

Over time government technocrats had used supplementary estimates as convenient avenues to introduce new programmes and controversial initiatives that would otherwise not see the light of day in the annual estimates. This is based on the insider knowledge that supplementary budgets don't receive much media coverage and civil society scrutiny like the annual estimates. It is based on this background that the provisions of Regulation 39 (8) is explicit that budget allocations for new policy options and service delivery initiatives shall only be considered when introduced in the annual estimates. The Finance Committee continues to alert the County Executive and the Sectoral Committees to remain alive to this changing PFM architecture.

Mr. Speaker sir, all over the world there has been haste to shift from all forms of budgeting to the Program Based Budgeting (PBB). This is meant to ensure that those who request can be able to explain the tail-end impact of those allocations on the general population. It argues that budgetary allocations should only be done for programmes that have measurable outputs which have reasonable timelines and key performance indicators. Budgeting should therefore not be an annual ritual but an activity that is geared towards having an impact by implementing plans and policies of respective governments.

The PFM Regulations have gone ahead to expound on this requirement and state that any supplementary request should contain an analysis of the fiscal impact, if any, of the planned outputs and outcomes of the affected programmes. The Finance Committee regrets to report that this program-based analysis was lacking in this budget therefore giving a big room for guesswork on how the proposed alterations, if approved, would affect the programmes we had undertaken to pursue through the 2016-17

budget. Going forward, the Committee recommends that the County Treasury should at all times provide supplementary budgets which are program based in addition to the itemized budgets.

Mr. Speaker sir, provisions of Standing Order 187 (6) requires that the Finance Committee holds discussions with the Chairpersons of all Sectoral Committees during the consideration of the budget. In this regard, the Finance Committee invited the Chairs of the Sectoral Committees to its meeting where they made their submissions on their Committee's consideration of the revised estimates. The following were some of the recommendations that the Sectoral Committees made to the Finance, Budget and Appropriations Committee:

a) Culture and Community Services

i. That the supplementary budget be approved as presented.

b) Health Services Committee

i. That the proposed allocation of Ksh. 96 million being conditional grant from the National Government for leasing of medical equipment be knocked off the budget.

c) Physical Planning, Lands and Housing Committee

i. That the budget for Finance Committer consider approving the supplementary budgets for the two sectors as follows:

- Urban Renewal and Housing: Recurrent at Ksh. 192.945 million and Development at Kshs. 188 million

- Urban Planning and Lands: - Recurrent at Ksh. 318million and Development at Kshs. 435million

ii. Kshs. 100million be allocated under Urban Planning and Lands Sector for refurbishment of City Hall Annex which houses the Sector offices

d) Early Childhood Education, Children and Vocational Training Committee

i. That the development budget for the Sector be reduced by Ksh. 137.5 million and the amount be allocated to Governor's scholarship programme (bursaries)

e) Agriculture, Environment and Natural Resources Committee

i. That Ksh. 12.64 million be reallocated under recurrent expenditure in Agriculture Sector from Maintenance of of buildings, internet connection, hire of transport equipment, research allowance, other fuels, transport costs to office general supplies, boards and committees, maintenance of equipment, supplies for production and agricultural equipment;

ii. That under the Environment Sector:

- Ksh 9 million be reallocated from late duty allowance to overtime;
- Ksh. 10million be reallocated from telephone services to casual payment.
- f) Transport and Public Works Committee
 - i. That the supplementary estimates be approved as proposed
- g) Justice and Legal Affairs Committee
 - i. That the allocation for the Legal Affairs Sector be increased by Ksh. 500 million to cater for payment of court decrees, fines and legal fees costs;
 - ii. That the functions and funds related to ICT be centralized in the ICT Sector; and
 - iii. That the legal department move with speed and develop a policy on decretal fee payment whose payment will be derived from the primary Sector
- h) Labour and Social Welfare Committee
 - i. That the allocation for Staff Medical Insurance be increased from Ksh. 15 million to Ksh. 865 million;
 - ii. That the allocation for Staff Training be increased by Ksh. 40million to Ksh. 120 million; and
 - iii. That the allocation of Ksh. 50 million for Culture Change Programme and Ksh. 5 million allocation for corruption eradication be knocked off the budget and savings be used to cover the supplementary budget requested for Staff Medical Insurance and Staff Training.
- i) Trade, Tourism and Cooperatives Committee
 - i. That the allocation of Ksh. 60million for Quarry Road Market be knocked off the budget and be allocated for purchase of land in Mugumoini Market;
 - ii. That the allocation of Ksh. 50 million for City Stadium and Mlango Kubwa markets be knocked off the budget and the same be transferred to purchase of land in Mugumoini Market;
 - iii. That Ksh. 10million allocated for Ngara Market be knocked off the budget and the amounts be allocated for Migingo Market and Karen Market at Ksh. 5million each;
 - iv. That the budget for renovation of various markets of Ksh. 9.532million be reduced to Ksh. 4.065 million and the renovation be done in the next financial year;
 - v. That the Ksh. 20 million allocated for rehabilitation of Makina Market be reduced by Ksh. 15million and the amount be allocated for purchase of land in Mugumoini Market and the rehabilitation be undertaken in the next financial year; and

vi. That the Ksh. 20 million allocated for weights and measures be scrapped off the budget and the same be reallocated to setting up leather shades in Hadhara and Kariokor.

RECOMMENDATIONS:

a) Policy Measures

Mr. Speaker sir, in addition and in furtherance of the recommendations already contained in the body of this report, the Finance Committee recommends the following policy measures:

i. The County Treasury shall hence-forth present to this County Assembly supplementary budgets which are program-based. Further to that any Supplementary budgets presented which are not in a program-based format be considered inadmissible;

ii. All Sectors shall not introduce new programmes and projects through supplementary estimates; and

iii. That the legal department move with speed and develop a policy on decretal fee payment whose payment will be derived from the primary Sector.

b) Proposed Adjustments and Reallocations in the 2016-17 Budget

15. Mr. Speaker sir, arising from the recommendations from the Sectoral Committees and deliberations with the County Treasury (County Executive Committee Member for Finance), the Finance, Budget and Appropriations Committee recommends that the following changes be effected on the 2016-17 supplementary budget:-

Budgetary Reductions

i. That under the Public Service Management Sector the following amendments be made in the Sector the allocation for employer contribution to staff pension scheme be reduced by Ksh.300 million.

ii. That under the Public Health Department, the proposed allocation of Ksh. 96 million being conditional grant from the National Government for leasing of medical equipment be knocked off the budget.

iii. That in the County Assembly the allocation for transfer to Mortgage Scheme fund be reduced by Ksh.70 million

Budgetary Increases

iv. That under the Public Service Management Sector the following amendments be made in the Sector;-

- The allocation for Staff Training be increased by Ksh. 40 million to Kshs. 120 million;
 - Ksh.61 million be allocated for gratuity and retirement benefits of the County Executive Committee Members and Chief Officers; and
 - The allocation for Overtime allowance be increased by Ksh.70 million
- v. That under the Environment Sector the allocation for garbage collection be increased by Ksh.285 million.
- vi. That under Finance and Economic Planning Sector the following amendments be effected in the budget: -
- Allocation for General Insurance be increased by 30 million;
 - Review of CIDP be allocated Ksh.15 million;
 - Allowances for CBEF be allocated Ksh.10 million;
 - Budget Process be allocated Ksh.20 million;
 - Allocation for advertisement be increased by Ksh.10 million; and
 - Allocation for Training expenses be increased by Ksh.10 million
 - Allocation for other creditors be increased by Ksh.17.4 million

Mr. Speaker sir, the above increases amounts to Ksh.568.4 million while the reductions amounts to Ksh.370 million, the difference between the proposed increase and proposed decrease of Ksh198.4 million will be funded by surplus cash balances brought forward from FY2015/16 of Ksh.198.4 million.

Budgetary Reallocations

- vii. That Ksh. 12.64 million be reallocated under recurrent expenditure in Agriculture Sector from Maintenance of buildings, internet connection, hire of transport equipment, research allowance, other fuels, transport costs to office general supplies, boards and committees, maintenance of equipment, supplies for production and agricultural equipment;
- viii. That under the Environment Sector:
- Ksh. 9 million be reallocated from late duty allowance to overtime;
 - Ksh. 10 million be reallocated from telephone services to casual payment
- ix. That under Education Sector, the development budget be reallocated to provide Ksh. 138 million for Executive bursary.

- x. That in Trade, Commerce, Tourism and Cooperatives Sector:
- Ksh. 60 Million be reduced from the allocation to Quarry Road Market.
 - Ksh. 50 Million be reduced from the allocation to City Stadium and Mlango Kubwa markets.
 - Ksh.4 Million be reduced from the allocation for renovation of various Markets
 - Ksh. 15 Million be reduced from the allocation to Makina Market.
 - That the above reductions of Ksh.129 Million be allocated for purchase of Mugumoini Market.
- xi. That in the County Assembly Ksh. 21,165,272 be reallocated from sitting allowances and other personnel emoluments to domestic travel for County legislature and other operational expenses within the County Assembly.

Mr. Speaker sir, in conclusion and pursuant to the provisions of Section 135 (2) and (4) of the Public Finance Management Act 2012 and Standing Order 215 the County Budget and Appropriation Committee recommends that:

This County Assembly adopts the Report of the select Committee on Finance Budget and Appropriations on the Supplementary Budget Estimates for the financial year 2016/17 for the Nairobi City County Government, and County Assembly laid on the table of the Assembly on Tuesday 28th February, 2017.

Mr. Speaker sir, I beg to request George Ochola to second this Motion.

Hon. Member for Hospital Ward (Mr. George Ochola): Thank you Mr. Speaker sir, I rise to second the Motion.

Hon. Deputy Speaker: Okay! Hon. George, thank you.

(Question Proposed)

Hon. Deputy Speaker: Hon. Hawa Dafala, she is not in the House. Jacqueline Awino!

Hon. Jacqueline Nyangala (Nominated Member): Thank you Mr. Speaker, I Stand on Order number 30, as you said Mr. Speaker this is a very important Motion and there are very pertinent issues as you directed that we should take the matter of this House seriously. It would be better if you adjourn so that all of us debate this Motion.

As a Member of Trade, I am just wondering if we can see that we have problems with the hawkers and markets and there is so much money that has been reduced on the allocation for most of the markets.

So Mr. Speaker, can we just adjourn until we have a full House, I think this should be debated by half of the Assembly. Thank you.

Hon. Deputy Speaker: Hon. Member George Ochieng!

Hon. George Ochola: Thank you Mr. Speaker for giving me time. This is not a normal budget estimates it is a supplementary and going by what was read it has been prepared to cater for what was unforeseen during the budget process making.

Mr. Speaker what has baffled me so much is one if you go to page number ten, under staff welfare in Kenya nowadays where we have low production it arises when the staff are not well taken care of.

Mr. Speaker and in this scenario, you will realize that we moved and looked deep into and made sure that the staff welfare is seriously considered in and you will see this actually will bring motivation and the production of the workmanship will improve.

Mr. Speaker if you look at the same document again, you will find the Committee did work on the current by revising it downward and concentrating more on development. As I said it is not like other budget estimates it is just what is supposed to be brought to cater for the unseen and I think our main goal as Nairobi City County, is to see that we bring change, or we create change where it has never been Mr. Speaker.

Therefore, Mr. Speaker for us to realize this there is no new project in this document, but just to add where there was unforeseen ones. Therefore, Mr. Speaker to me it is a healthy document and I urge the House to support it. Thank you.

Hon. Deputy Speaker: Hon. Alexina!

Hon. Alexina Moddy (Nominated Member): Thank you Mr. Speaker sir, Mr. Speaker I am looking forward to you attention sir. As much as I have gone through this document before remember it is a very healthy document and it is a document for Nairobians.

Mr. Speaker with all due respect, this is a document laid before the House to the Nairobi representatives and so I therefore ask you to allow for deliberations on the said document by the respective Hon. Members representing the Wards in Nairobi and its people. So that as we move forward and have it given priority to appear first on the Order Paper before Members start walking in, forth and back. I therefore request and echo my sister Nyangala that we postpone this Motion to when we will have a full House before we present and listen to it.

Hon. Deputy Speaker: Hon. Alexina, I rule you out of order because you are making suggestions and you have not given the terms of reference. Thank you.

Hon. Nominated Member (Mr. William Abuka): Thank you Mr. Speaker for giving me this opportunity. I stand here to support this Motion. I also want to agree with my colleagues and also bring to the attention of the Members that there is no day whether in the National Parliament, the Senate and the County Assemblies that we will ever have a full House. It is not any Member's will to do that and so by going by the current political climate in the country today, a lot of us as legislatures are out marketing themselves. This is a very important document laid before the Assembly. The Motion and the supplementary budget is addressing areas where the Government felt the need to review whether upwards or downwards

Mr. Speaker sir, I therefore want to plead with colleagues that going by what we saw in the newspapers yesterday, the National Parliament through its Budget committee is going to pass the National Budget. We will be doing ourselves a great disservice by further delaying this. Last week we underwent embarrassment by procrastinating things that could otherwise be debated on and passed.

I think the heads that are here can quickly go through the document and see the reasons behind the urgency to pass it and let the Executive and the Assembly implement the contents thereof. I therefore stand to support and urge Members, though not the 128, we are the majority and have the brains to help synchronize.

Hon. Deputy Speaker: Hon. Gare

Hon. Member for Nairobi West Ward (Mr. Maurice Gari): Thank you Mr. Speaker. I rise to support this supplementary Budget- 2017. It is the nature of each and every Assembly that whenever we are to go for elections then we must leave behind the Budget for the members of staff of both the Assembly and the Executive. We also have activities that are ongoing that need the supplementary budget for its running. One of my colleagues is a beneficiary of something that we waited for long and has now seen the light of day. I hope that he is a happy man and when it comes to its completion then he will count in all the 127 members of this Assembly.

Mr. Speaker as we pass the Budget, let us make sure that every coin finds its effectiveness. Most times we pass budgets here and there is no progress made and so I urge the Budget Chair and the Executive to make sure that every allocation is used accordingly. Thank you Mr. Speaker.

Hon. Deputy Speaker: Hon. Member who moved the Motion, kindly proceed to reply.

Hon. Micheal Ogada: Thank you very much Mr. Speaker sir. I am glad that nearly all the Members in the House are in support of the document. One thing we need to do is to allay fears to Members that the document was seriously consulted because it was committed to all committee's and matters touching on tourism and trade were also properly discussed. All these issues that we have put in this document came from the respective committees and therefore we are just in support of their recommendations. Otherwise thank you very much for giving me this time.

Hon. Deputy Speaker: Thank you.

(Question put and agreed to)

ADJOURNMENT

Hon. Members, the House stands adjourned to 2:30 p.m. tomorrow. I thank you.

(The House rose at 3:33 p.m.)