



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Second Session

Thursday 29th March, 2018

The House met at 2.30 p.m.

(Hon. Speaker (Ms. Beatrice Elachi) in the Chair)

PRAYER

COMMUNICATION FROM THE CHAIR

Hon. Speaker: Hon. Members, I have the following communication to make.

DIGITAL CONGRESS ACCESS CARDS AND CLOCK-IN DURING PLENARY.

Hon. Members, it has come to the attention of the management of the attendance registers for Members that Hon. Members are either not clocking in or collecting their digital access cards and attending a plenary session. This has a result has hindered the processing of Members' sitting allowance.

Hon. Members, during the plenary sitting held on 27th March 2018, it was noted with a lot of concern the variation between the clocking in of Members and manual register.

Hon. Members, in this regard, I wish to urge you to collect your individual digital congress access card and ensure you clock in when entering the chambers. This will ensure accuracy and efficiency in payment of the Members' sitting allowance.

SPORTS

Hon. Members, I have a communication to make on sports. As you may be aware, the Assembly has invested heavily in the promotion of sports and sports activities as part of its programs over the last 5 years. Some Members of the County Assembly and staff are involved in various sports activities which indolent has placed the Assembly in the country's map through the various trophies we have won in various sports discipline.

Hon. members, there is no doubt that the Assembly appreciates the potential of sports activities to not just promote public good through its formal engagements but also promote unity as we interact with friends and partners from far and wide during sports competition.

Hon. Members, it is therefore imperative that some serious thought be invested in the development of a well-structured sports program for Members of the Assembly and its staff.

Hon. Members, for the County Assembly to remain on top of the Country in the sports disciplines it has excelled, there is need for the County Assembly to allocate the requisite resources for attainment of the same.

Hon. Members, we are currently in the budget making period. You all know the Assembly is expected to consider or is already considering the approval of budget related documents such as the CIDP, the Fiscal Strategy Paper, 2018/2019. Indeed the County Assembly passed the Supplementary Estimates Budget of the year 2017/2018 on Tuesday 27th March 2018.

During the inter-counties athletics competition in Machakos County last year, the County spent over 20 million which was not factored in the budget as it was treated as local travel allowances.

In this regard, I wish to suspend all sports activities in the County Assembly until September 2018 when the Assembly will have prepared a program and a budget for the same. I further direct that all sports captains in the County Assembly to consult with their respective federations in the country and present guidelines, calendars and budgets for the sports activities. This will inform the County Assembly's consideration of a budget line for sports activities during the consideration of the budget estimates to be tabled in April 2018. I wish to assure that the Office of the Speaker remains committed to ensuring sufficient support is given to sports activities in the County for the betterment of not only Members but the County at large. It is so directed. Thank you.

Order Hon. Millicent. You have to go right to the end, you bow and then you sit. You are a senior Member. Bow to the Mace. Thank you.

PAPERS

Hon. Speaher: Chair, Education. The report on the childhood. Hon. Millicent, you were supposed to report on--- is it under Njihia or under education. Kindly lay the paper.

Hon. Millicent Mugadi: Pursuant to Standing Order no. 191 (6), I beg to lay the following paper on the Table of the Assembly today, Thursday 29th March 2018; the report of the Sectoral Committee on children, early childhood education and vocational training on the inspection visit to 5 ECDs; Ziwani Day Nursery School, Tana Day School, Starehe Day Nursery, Kawangware Primary School and Lani School. Thank you.

NOTICES OF MOTION

Hon. Speaker: Chair, Education?

Hon. Millicent Mugadi: Hon. Speaker, I beg to give notice of the following Motion; that this Assembly adopts the report of the Sectoral Committee on children, early childhood education and vocational training on the site inspection to the 5 ECDs of Ziwani Day Nursery School, Tana Day Nursery, Starehe Day Nursery, Kawangware Primary School and Lani School, laid on the Table of the Assembly today Thursday 29th March 2018. Thank you.

STATEMENTS

Hon. Speaker: Hon. Members, before I proceed, I just want to tell all the Chairpersons that I have requested the clerks to ensure that we have a tracker. There is a whole document of statement tracker. You can pick so that you see which statements you have not brought in so that when we come back after recess, we are able to finalize that. Is that okay? Hon. Chairs, are we in agreement with that? So that I don't have to read. You pick the list and check with your committee what is supposed to be done. So, clerks, ensure that we have a copy for the Chairpersons.

Hon. Njihia, you have a statement request. Is he in the House? Hon. Jared Akama, you have a statement?

Hon. Jared Akama: Thank you Madam Speaker. Pursuant to Standing Order 45 (2) (C), I wish to request for a statement from the Chairperson of the Sectoral Committee on Budget and Appropriation regarding the use of revenues in Nairobi County.

Hon. Speaker, Nairobi has been crowned as the local revenue generator with a KSh. 9.62 billion collection in the last financial year. Controller of Budget, through the County government budget implementation and review report noted that in the first 9 months of the year 2015/2016 financial year, Nairobi County came out on top in terms of revenue collection across the country.

Hon. Speaker, in the statement, the Chairperson should inquire into and report on the number of revenue streams and service providers who collect revenue on behalf of Nairobi County. Thank you Madam Speaker.

Hon. Speaker: Chair, Budget?

Hon. Robert Mbatia: Thank you Hon. Speaker. We will give the Hon. Member and the entire House a response within two weeks. Thank you

Hon. Speaker: Hon. Akama, I believe that is okay.

Hon. Jared Akama: Madam Speaker, as we have noted, and in terms of consistency and being real, the two weeks has become a norm and apparently the two weeks have become the two weeks of the Bible where you wait forever. Hon. Speaker, I was here and asked another statement in regard to a disaster and almost three months down the line, the two weeks have not come to pass. I can give it the benefit of doubt because I trust the Chairman of Budget Committee and agree to the two weeks. Thank you Madam Speaker.

Hon. Speaker: Thank you. I know I would vote for him. I believe most of his statements are always replied. Hon. Mark Mugambi you have a statement?

Hon. Mark Mugambi: Thank you Madam Speaker. Pursuant to Standing Order 45 (2) (C), I wish to request for a statement from the Chairperson of the Sectorial Committee on Health Services regarding the rehabilitation of Umoja Health Center and the construction of a perimeter wall around the same facility in Umoja 1 Ward. Hon. Speaker, monies were allocated for the construction of a perimeter wall and the rehabilitation of Umoja Health Center in the fiscal years 2016/2017 and 2017/2018 and to date, nothing has been done in so far as the allocations are concerned. Hon. Speaker, in the statement, the Chairperson should inquire into and report on:

1. Whether the tender for revamping the said facility was awarded and if yes why hasn't the contractor taken up site;
2. What happened to the funds earmarked for the said use; and
3. What plans have been put in place by the County Executive to have the dilapidated health facility renovated and its boundaries secured

Thank you Madam Speaker.

Hon. Speaker: Chair, Health?

Hon. Peter Warutere: Thank you Madam Speaker. I wish to request for 10 days. I will respond adequately to the same.

Hon. Speaker: Hon. Mugambi, are you okay with 10 days? I believe it is because we have just passed the budget but let me hear from you. Chair, I am giving you ten days, not ten working days.

Hon. Mark Mugambi: Thank you again Madam Speaker. I wish to concur with the Health Chairperson since we have just passed the Supplementary Budget on Tuesday. I suppose that he and his Committee shall come up with appropriate answers for this, and hopefully if the money is still there I can be able to see the contractor on site on the 11th days after the response from the chairperson. Thank you. We give them the 10 days.

Hon. Speaker: There are several responses. And before I read those responses, yesterday, I wanted to clarify and finalize the issue of the committees and the Chairpersons. And I want us to use Standing Order no. 171 and especially 171 (2) that says whenever a vacancy occurs in the office of the Chairperson or Vice Chairperson of a Select Committee, the Clerk shall within 7 days of the vacancy arising appoint a place and time for the meeting of the Committee to elect the Chairperson or the Vice Chairperson. And therefore I want to finalize that issue and I direct the Clerk to ensure 7 days from now, by next Tuesday, all the committees that had that issue must ensure they do their elections and finalize. So, I have dispensed the matter of the Transport Committee completely. Hon. Mark, what is it?

Hon. Mark Mugambi: Madam Speaker, I would really want to thank you for settling that confusion. On behalf of the Transport Committee, we are really grateful for that hoping the Clerk will give us the dates as you said because it has been a fight.

Hon. Speaker: The days are very clear, Mark. Seven days. I am following the Standing Orders.

Hon. Mark Mugambi: Thank you Madam Speaker for following the rule of law and at least we believe democracy will prevail in this Assembly. Thank you.

Hon. Speaker: Okay. As I said, when we use the Standing Orders, we dispense with the Standing Orders. So, that is what we have done. I want to request those who have responses of these statements--- is Hon. Patrick in the House? Karani is not in the House. Francis Otieno is not in the House too. I can't see him. Yes Hon Ogeto?

Hon. Moses Ogeto: Thank you Madam Speaker. I stand to be guided if again you will push this. I was given the responsibility by the Chairperson to ensure that this is dispatched from our committee.

Hon. Speaker: For Karani?

Hon. Moses Ogeto: Yes.

Hon. Speaker: So you have the ---

Hon. Moses Ogeto: I have the response.

Hon. Speaker: You have the response on behalf of the Chairman?

Hon. Moses Ogeto: Yes.

Hon. Speaker: You know I dispensed it because I realized that Chairman was not there. Have you discussed with the Member before you dispose it to us?

Hon. Moses Ogeto: Madam Speaker, again you release that Patrick Karani is the Vice Chairperson for Budget and Appropriation Committee. That is why I have this response. Now if he is not there, I stand guided so that he can be advised very well by his Chairperson who is Hon. Mbatia to tell him that at times when he

requests for statements about operations, he should be in a capacity to answer. But I stand guided. If you may allow me because this statement is for the House, not for an individual. If he needs to come I can share with him so that if he gets satisfied it will be okay.

Hon. Speaker: I know the statement is for the House. I just want to ensure I am within the Standing Orders also. So, allow me to---. The Standing Order says that the Member who requests for a statement must be present even if it is within a committee and that is why I am trying to be very obedient to my Standing Orders. So, allow me to say that I thank you for you have the statement but let us ensure that the Member will be in the House and we will dispose it. If he won't be in the House when we come back on the 10th, then I will allow you to do that.

Hon. Moses Ogeto: Thank you Madam Speaker for your guidance. But such Members who request such statements should be in the House. You are the one, Madam Speaker, who ruled that the same statement be tabled such a day in this House. There is no way he can just miss unless he has given a notice that he is sick.

Hon. Speaker: Hon. Mbatia, are you on a Point of Order?

Hon. Robert Mbatia: Yes Madam Speaker. I want to inform the House and the Hon. Member that Hon. Karani got some message to attend to the wife who is ailing and is hospitalized. That is why he is not present in the House at the moment.

Hon. Speaker: Hon. Ogeto.

Hon. Moses Ogeto: That is a very good communication before this House so that we don't find ourselves burning our hands by violating our own Standing Orders. Thank you.

Hon. Speaker: But remember he is one Member who is very committed. Hon. Kimunto, you have something?

Hon. Immapet Kemunto: I got several statements to lay down in this House through our Chair, Hon. Njihia. I don't know if you can guide me through if I can lay them. Should I proceed?

Hon. Speaker: Yes. Do you have the response for Hon. Jared Akama?

Hon. Immapet Kemunto: Yes Madam Speaker.

Hon. Speaker: Proceed. Akama is in the House.

Hon. Immapet Kemunto: Hon. Speaker, On Tuesday 20th March, 2018, Hon. Jared Akama, MCA, rose on the floor of the Assembly pursuant to Standing Order 41 (2) (c) and requested the Chairperson of the Culture and Community Services Committee for a statement regarding decentralization of firefighting services to the ward level.

Madam Speaker, There has been rampant cases of fire disasters in the County especially in the informal settlements.

He further asked the Chairperson to inquire into and report on:

- a) Measures being taken to decentralize fire stations; and
- b) Measures the County Executive has put in place to ensure efficient and effective response to the disasters in the County.

Madam Speaker, the Committee therefore invited the Acting County Secretary for a meeting on Tuesday 26th March, 2018.

Madam Speaker, the Ag. County Secretary responded on the above issues that Hon. Jared Akama had sought.

In this regard, Madam Speaker, I wish to report as follows to the Assembly:

a) Measures being taken to decentralize fire stations; and

He responded that the County Executive has a proposed project to build 2 two fire stations, one at Kangundo road and another one at Waithaka which are underway. The contracts have been issued to the contractors who are waiting for evictions of some encroachers to allow them move to the site soonest possible. Two other stations are to be built by Belgium Government at Dagorreti Training School grounds and the other one at Ruaraka within Kenya Breweries land.

There has not been proper identification of plots at each Ward where fire stations can be developed. The County Assembly through the MCA's can help in identifying the same for Development purposes so as to devolve services to the Ward level. However there were plots that have been allocated for fire stations and are grabbed e.g Karen turned to a PCEA Church, Westlands where Safaricom offices are established.

b) Measures the County Executive has put in place to ensure efficient and effective response to the disasters in the County.

The Acting County Secretary responded that; the County has the capacity to recover the plots and develop them as fire stations. The County has also built the capacity through the National Government and has procured new 21 fire engines, there is an ongoing recruitment taking place currently.

Owing to the expanse of the City, the International Standard stipulated that per every 200,000 population, there should be provision of a fire station. Once the Sector devolves the services to these standards they will improve on response time.

COMMITTEE'S OBSERVATIONS

The Member was satisfied with the responses given to question 1 and 2.

COMMITTEE'S RESOLUTIONS

The Committee resolved to follow up on the following matters:

- (a). The decentralization of fire stations to the 17 sub-counties so as to improve the response on disaster management; and
- (b). The regulations for the Nairobi City County Disaster and Emergency and Management, 2015.

Hon. Speaker, I beg to lay this response. Thank you.

Hon. Speaker: Thank you. Hon. Akama, are you satisfied?

Hon. Jared Akama: First of all Madam Speaker, I want to appreciate the efforts in terms of ensuring that these statements are tabled. I am not satisfied because I am very much surprised that Safaricom has grabbed land which was meant for firefighting stations. The most important thing that I am trying to say is that the spirit of this question was to ensure that we decentralize firefighting mechanisms in this County. I am not interested in the buildings but my major interest is on how we can get the firefighting engines at the Sub-County level. I am also not very much interested with reclaiming the land from Safaricom because it will take us many years---

Hon. Speaker: Hon. Akama, do you know that you are on the floor of a House that can be sued or sue? Are you telling us that Safaricom?

Hon. Jared Akama: Sorry Madam Speaker. She has indicated that but what I am trying to say is that my request was to have the firefighting engines decentralized. Currently, they are centralized and by the time these engines reach our Wards during emergencies, it is usually too late. I think it will be of help if these firefighting engines are decentralized and they should focus their response towards that direction instead of telling us that they are either building or doing other things. My interest is not in building but to have the fire engines at the Wards or at the Sub-County level.

Hon. Speaker: I will also request the Committee that if in the statement you have quoted that Safaricom illegally acquired land then it is a different case. I am worried and request them to relook into the statement clearly as this is a House of records and the public are allowed to check and scrutinize. So can the Chair look at it and ask the CEC what he meant. Hon. Kemunto, do you also have the response for the other statements?

Hon. Immapet Kemunto: I have more responses here with me. One for Hon. Osman Adow. I don't know whether he is in the House?

Hon. Speaker: Yes he is

Hon. Immapet Kemuto: Okay.

Hon. Speaker: Proceed

Hon. Immapet Kemunto: Hon. Speaker, on Wednesday 14th February 2018, Hon. Osman Adow MCA rose on the floor of this House pursuant to Standing Order 42 (2c) and requested the Chairperson of Culture and Community Services Committee for a statement regarding the wrong stationing of liquor establishment contrary to the Nairobi City County Alcoholic Drinks and Control Act 2014. Hon. Speaker, the Act prohibits admission of children in places where alcohol is sold yet many establishments in the County are not complying with the Act. Example is JP Cutting in Langata. He further asked the Chairperson to inquire into and report on:

- a. When the Executive will start enforcing the Act; and
- b. The number of liquor establishments that have been charged with such violations so far.

Madam Speaker, the Committee therefore invited the County Executive Committee Member responsible for Education, Youth, Sports Culture and social services for a meeting on Wednesday 21st March 2018. The County Executive Committee Member responsible for Education, Youth Sports Culture and Social services responded on the above issue that Hon. Osman Adow sought. In this regard Madam Speaker, I wish to report as follows to the Assembly:

When the Executive will start enforcing the Act

He responded that following the enactment of the Nairobi City County Alcoholic Drink control and licensing Act 2014, 17 different licensing committees were created. The Sub-County Licensing Committee comprising of 11 members each were charged with the responsibility of inspecting, approving and issuing of liquor licenses. Implementation of the Act was ongoing however, activities stalled when the contract of the previous licensing committee members expired last year in August 2017. He informed the committee that his Excellency the Governor had appointed new members in February 2018 therefore the activities have been revived.

The number of liquor establishments that have been charged with such violations so far

He responded that having operationalized the Act, enforcements is continuous and prosecutions are done on a daily basis. Under aged children are not allowed in bars and continuous enforcement is done to ensure children are not seen in bars. The breakdown report on enforcement begun on 22nd February 2018 - 20th March 2018 totaling to Ksh. 8,366,500 collected as court fines/ penalties which belong to the judiciary and not the County.

Committee's observations

Hon. Osman Adow was satisfied with the response given on question number one. The Committee resolved to follow up on the response for question two.

Hon. Speaker, I beg to lay the response. Thank you.

Hon. Speaker: Hon. Osman Adow

Hon. Osman Adow: Madam Speaker, the response was much less satisfactory and I gave up. The people who came to the meeting from the Executive were either incompetent or had no clue about what we were talking about. It is either that they do not want to enforce the law or totally do not understand what this is all about. I asked them specific questions especially in regards to places children go to play like the Lunar Park and as we all now schools are about to be closed and in the same places alcohol is being sold. This is against the law. They should either get rid of the children or get rid of the alcohol. It is as simple as that. I will leave it at that because I think that those people's understanding capacity is low and will not follow up. Thank you

Hon. Speaker: What is it Hon. Ogeto Kllimani?

Hon. Moses Ogeto: Madam Speaker, there is no way you can allow a very anguish and non-parliamentary language to be used in this Assembly. Hon. Adow has used a very bad word that I do not wish to repeat Madam Speaker. Let him withdraw for the respect of this House.

Hon. Osman Adow: Withdraw what exactly?

Hon. Speaker: What is it Hon. Ogeto?

Hon. Moses Ogeto: Madam Speaker, there is no way Hon. Adow can say that members of the Executive have low understanding. In short he is saying that they are fools and this is an abuse.

Hon. Speaker: In parliamentary language if he said that they are fools I would have noted but he was very smart to use the words they have low knowledge.

Hon. Moses Ogeto: Madam Speaker that is not god for this House.

Hon. Speaker: It would be a parliamentary language if he used the word fool. I refuse fools but will go with the one on low knowledge.

Hon. Moses Ogeto: Madam Speaker that is not ----

Hon. Speaker: That is a parliamentary language by the way. Had he used the word fools then I would have asked him to withdraw. There is nothing out of order there. Hon. Mberia, are you on a Point of Order? Hon. Kemunto, have you heard what Hon. Osman has said? I want to understand that he is satisfied.

Hon. Immapet Kemunto: Actually Madam Speaker---

Hon. Speaker: We need to hear from you.

Hon. Immapet Kemunto: Madam Speaker, Hon. Osman Adow was invited to the Committee and when we wrote back, he got included in the response. He said he is satisfied with the response that we brought to the House. I don't know why he feels that the people from the Executive are not up to standard by saying that their minds are not working well? I beg for him to withdraw that statement because he was there.

Hon. Speaker: Order Hon. Kemunto. He never said that their minds are not working well. Let us not now use the wrong language.

Hon. Immapet Kemunto: Madam Speaker.

Hon. Speaker: Yes Hon. Millicent Ziwani

Hon. Millicent Mugadi: Madam Speaker, I think Hon. Adow should clarify so that people can stop getting confused. Personally I understood him to mean that the Executive do not understand what they were asked and he dint call them names. Please give Adow a chance to use a simpler term because as you know, English came with something else.

Hon. Speaker: A ship?

Hon. Millicent Mugadi: Yes.

Hon. Speaker: Hon. Osman, I know you have lived in Toronto Canada.

Hon. Osman Adow: Madam Speaker, I attended the meeting and I commend the Committee for doing a good job. I am not saying that they did not do a good job because they asked the right questions but you can tell the way someone is answering a question that they haven't done enforcement at all.

Hon. Speaker: Proceed.

Hon. Osman Adow: If they had said that they want to---

Hon. Speaker: You have just told us two words.

Hon. Osman Adow: I was hoping they'd tell us that this is what they searched for and found and it would have satisfactory. But when they say that they have commenced enforcement, when did they start and where? How was it done? They were not ready to answer those questions and that is what I am saying.

Hon. Speaker: Hon. Osman, the purpose of you going to the Committee was to get satisfied. You have brought it to the floor and I want to rule on it. It is very important that when a Member is with the Executive at a Committee level and is not satisfied, it is important for you to say that you are not satisfied so that they go back and bring another response. But when you come to the floor of the House and you were in that Committee when they were there it becomes difficult for me to help you because you had an opportunity at that time and it will take you about two weeks before seeing them. Next time when you have such an

opportunity kindly deal with it at the Committee level and if you are not satisfied then tell the Chair. I have not finalized on that issues.

Hon. Osman Adow: Thank you. I am so guided.

Hon. Speaker: Hon. Waithera had a statement. Chair Health, do you want to proceed with that?

Hon. Peter Warutere: Yes Madam Speaker. While at it, with your indulgence Hon. Njehia also had a statement and he requested that Hon. Mwangi from Mowlem hold brief for him as I go through his statement. I stand guided Madam Speaker.

Hon. Speaker: I agree with you.

Hon. Peter Warutere: Thank you.

Hon. Speaker: My only worry is, is he holding brief in understanding the statement on your response or?

Hon. Peter Warutere: In understanding the statement.

Hon. Speaker: No. Does Benson remember the statement itself? I will guide you Chair to read the statement of the person who is in the House. Hon. Benson, do you have the statement and have you understood it enough to hold brief for the other?

Hon. Benson Mwangi: Madam Speaker, I have been trying to press my mic but unfortunately I don't get a chance to speak. About the statement, I dint write it as it was a personal one which I communicated to the Chair and I believe that he is responding to it right now. It was regarding the types of service Mama Lucy offer. Why is the Chair shaking his head?

Hon. Speaker: I wish you would have said that you can't hold brief for another person because you have not read it. Chair, proceed with Waithers's statement.

Hon. Peter Warutere: I stand guided Madam Speaker. This is a response to a statement that was requested for by Hon. Waithera Chege, MCA South B. On 20th February 2018 Hon. Waithera Chege rose on the floor of the Assembly pursuant to Standing Order 45 (2) (3,c) and requested the Chairperson of the Sectorial Committee on Health Services and Water and Sanitation for a statement regarding the status of water supply in health facilities within Nairobi South Ward. In the statement, the Member requested that the Chairperson should inquire into and report on:

1. Measures the County Executive has put in place to ensure that the said facilities are optimally staffed;
2. Measures put in place to address the perennial water shortage within the facilities;
3. Plans to have the dilapidated facility renovated;

4. Plans to ensure that the maternity wing at the health centre is properly equipped; and
5. Measures put in place to ensure that the said health centres have sufficient medical supplies.

Madam Speaker, the Committee wrote to the County Executive Committee Member responsible for Public Works, Roads and Transport on 22nd March 2018 inviting him to a meeting of the Committee on 27th March 2018. The purpose of the meeting was to enable the CEC Member to furnish the Committee with the response to the statement requested by the said Member. In this regard Madam Speaker, I wish to report to the Assembly as follows;

On staffing of the health center

The Committee was informed that the staffing of the said health facility was under consideration and the sector was undertaking staff redistribution according to the workload in all the health facilities. Similarly, the sector has also factored employment of more health workers in 2018/2019 budget to take care of the said shortfall.

On measures to address the perennial water shortage

Madam Speaker, the Committee was informed that the water shortage within health center's has been a long standing issue and the sector is in liaison with Nairobi Water were working on modalities to ensure that all facilities have adequate water supply.

On plans to have the dilapidated facilities renovated

Madam Speaker, the Committee was informed that through the private-public partnership engagement, the sector will endeavor to have the dilapidated health facilities within Nairobi South Ward renovated to standards.

On plans to put in place and ensure that the maternity wing at the health centre is properly equipped

Madam Speaker, the Committee was informed that the sector has set a supplementary budget for renovation of health facilities and at the same time through the Private Public Partnership engagement, many facilities have been renovated among others. Among those that have benefitted being Kayole 1, Kayole 2, Baba Dogo Health Centre through UNICEF.

Measures to ensure that the health facilities have sufficient medical supplies

Madam Speaker, the Committee was informed that a budget of about Ksh. 109 million was approved for procurement of drugs and will ensure that all facilities are well stocked with medical supplies.

Lastly Madam Speaker, Hon. Waithera Chege was called and was satisfied with the response given by the CEC Member and therefore a copy of this detailed response has been given to her and further a copy is hereby attached to this report. I beg to lay this statement. Thank you.

Hon. Speaker: Thank you Chair. Hon. Waithera.

Hon. Waithera Chege: Thank you Madam Speaker and thank you to the Chair, Health Committee. It's true I am satisfied with the statement. However, I have one request that the Committee should make a visit to the said three health centres so that they can have the actual view and status of the health centres. We also agreed that they are going to take up the issue of renovation very seriously and so on the same note, may I take this opportunity to thank Nairobi Water for giving us three tanks as a temporary measure to be used by the health centre as we wait for the permanent water connection within the health centres. Therefore I wish to thank the two Committees. Thank you.

Hon. Speaker: Thank you Chair. Do you want to say something?

Hon. Peter Warutere: I stand guided because on the issue at hand we addressed but the issue on visiting the site we will address as a Committee as requested by the Hon. Member. Otherwise these are efforts of a working Committee. Thank you Madam Speaker.

Hon. Speaker: Hon. Mark, is there something that you wish to say?

Hon. Mark Mugambi: Thank you Madam Speaker. I have with me a few responses from the Transport Committee and so I wanted your guidance since the Deputy Speaker told me that you had discussed and came to a conclusion that the responses shall be given next week once the Committee has had its Chairpersons election. I stand guided.

Hon. Speaker: Hon. Mark, you will be guided. Kindly take your seat. I request that you hold onto the statements until next week Tuesday after you have done the elections and whoever is going to be the Chair will come and respond to everything.

Hon. Mark Mugambi: Thank you for the clarification. I wanted the information since I wouldn't want any Member who had requested for a statement from the Transport Committee to sit here waiting for the response or get out without getting a response. Thank you very much Madam Speaker.

Hon. Speaker: Thank you acting Chair. I know that many are waiting for the responses like Hon. Themendu and Hon. David Mberia who has walked out. It will be done after we come back. Do you still have an issue Mark?

Hon. Mark Mugambi: Yes Madam Speaker. It has just crossed my mind that these responses have nothing to do with our election because had the Chairperson nor the Vice Chair been around---

Hon. Speaker: You have been the acting Chairperson. Isn't it?

Hon. Mark Mugambi: Yes. Kindly listen to me Madam Speaker.

Hon. Speaker: Okay!

Hon. Mark Mugambi: If the Chairperson and the Vice Chair of the Committee were not around then we would have delegated to another Member.

Hon. Speaker: To another member, yes.

Hon. Mark Mugambi: To respond to the Members available for the statements. I therefore think with your indulgence---

Hon. Speaker: Do you have Hon. Themendu's response?

Hon. Mark Mugambi: I have a response for Hon. Jayendra Malde who is in the House. I also have one for Hon. Jeremiah Themendu and for Hon David Mbithi---

Hon. Speaker: Who has walked out? I have decided to make you hold acting Chair because I used the Standing Orders to rule and it will be wrong for me to go back and overrule my ruling. It is in the *Hansard* that the Transport Committee is to do an election. I am trying to be tidy so that this does not become cumbersome and I appreciate the work you have been doing as the acting Chair. So let us hold till we come back from recess. I want to plead with Jayendra and Hon. Themendu to allow you share with them the document to read so that it can be tabled on Tuesday when things have been done according to the Standing Orders. Remember Mark---

Hon. Mark Mugambi: Yes Madam Speaker.

Hon. Speaker: When the Speaker is speaking, it is good to have your seat.

Hon. Mark Mugambi: Okay. Sorry Madam Speaker.

(Hon. Member takes a seat)

Hon. Speaker: Remember you are the same Member who asked about this using the Standing Orders. Let us respect the regulations. Are you satisfied with why I did that?

Hon. Mark Mugambi: Not yet Madam Speaker. The little knowledge that I have in this Assembly is that---

Hon. Speaker: Hon. Mark, do not tell me that you want to start arguing with the Chair?

Hon. Mark Mugambi: No. I just want---

Hon. Speaker: I have given a clarification humbly without using strong words, respecting that you are the acting Chair. I have ruled and will not overrule what I have done. I request you to let us do that after

the elections and whoever will be elected as the Chair will give the response. I ask you to share the response with the Members in the House so that they can go through it.

Hon. Mark Mugambi: Thank you Madam Speaker

Hon. Speaker: Okay Member! Members I want to request you two things since there are two Motions which we are supposed to do, one is the Procedural Motion in the Order Paper and the other one is a Motion on Report. Since the Procedural Motion does not have a question to put, we shall go with the report first because I have to put the question and the procedural Motion will be the last. So Chair you can proceed and move with that, but before that the Clerk should do the necessary. I am giving guidance so that we can come to an understanding.

MOTION

THE COUNTY INTEGRATED DEVELOPMENT PLAN 2018-2022 AND THE ANNUAL DEVELOPMENT PLAN FOR THE FY 2018-19.

Hon. Robert Mbatia: Thank you Madam Speaker, I beg to move that, this County Assembly adopts the Report of the Select Committee on Finance, Budget and Appropriations on the County Integrated Development Plan 2018-2022 and the Annual Development Plan for the FY 2018-19.”

Madam Speaker, this is a voluminous document containing over 400 pages but I will highlight on a few of the issues. The provisions of Article 201 of the Constitution read together with the requirements of the Public Finance Management Act 2012 and our own Standing Orders have outlined various stages and processes that are integral to the County budget process. In this annual agenda the budgets process which begins on 30th August each year is preceded with fiscal planning followed by budget formulation and approval which culminates in budget implementation and monitoring. The post matters related to budgeting revolve around fiscal review and auditing which aims to determine the extent of application or misapplication of the resources at the hands of the various accounting officers.

Madam Speaker, Whereas governments are set up to fill the void that would otherwise exist if the citizens were left to manage their affairs, they do not enjoy the infinity of resources to undertake all the activities that the people may desire. Fiscal planning therefore is a stage during which the Government considers and decides on the range of development priorities, projects and programmes that it intends to pursue over the lifespan of the County Government. These are undertaken within the available resource limits and with adequate consultation with the citizenry that the development activities would affect.

The provisions of Section 104 of the County Governments Act 2012 decree that ‘a County Government shall plan for the County and no public funds shall be appropriated outside a planning framework developed by the County Executive and approved by the County Assembly’. The quoted provisions bring a few issues to light; one fundamental issue is that planning as has been greatly canvassed is the infant step

of the County budget process. The provision also removes any doubt on whose responsibility it is to prepare County plans and the role of the County Assembly in the planning process.

Madam Speaker, There is an elaborate legal architecture on the role and place of the CIDP in the Annual Budget calendar. The CIDP is a document that ensures prudent use of public resources by ensuring that the County has consistent and predictable improvements by bringing together the many development agents into one roundtable for a focused mission.

The provisions of Section 125 of the Public Finance Management (PFM) Act, 2012 records that, the budget process in any financial year shall consist of integrated development planning process which shall include both long term and medium-term planning. Further the provisions of Section 126 (3) of the same Act is explicit that not later than 1st September of each year the County Executive Committee Member for planning shall submit the development plan to the County Assembly for its approval.

The formulators of the law were able to discern that early approval of the CIDP would have a positive effect on all the subsequent budget processes without incurring any major hitches or delays. In fact the provisions of Section 107 of the County Governments (CGA) Act, 2012 provides that the plan would be able to guide, harmonize and facilitate development within the County.


The Finance Committee wishes to remind the County Treasury that there is need to ensure that all actors in the budget process comply with the timelines provided in law with regard to submission and approval of various budget documents. This CIDP and ADP have been presented to this Assembly way into the budget process that it was meant to inform thereby providing little guidance to other documents that directly draw their life from their existence especially the County Fiscal Strategy Paper and the Budget Estimates.

The Finance Committee is not oblivious to the fact that the second generation CIDP was prepared at a time when Counties were struggling to manage their transition from the First County Governments to the Second County Governments. It is also not lost to the Committee that preparation of the plan may have been a huge task that did not only require methodological thinking but also comprehensive understanding of the dynamics of Nairobi City.

Madam Speaker, in reviewing the document the Committee noted that by and large the CIDP and the ADP had met the statutory threshold spelt out in both the County Governments Act and the Public Finance Management Act 2012. The CIDP and the ADP have provided a persuading literature on how the County is responding to crosscutting financial and economic issues by enumerating a number of problems that the County is currently grappling with and how it aims to address them going forward. Issues like traffic management, environmental degradation, high youth unemployment and solid waste management are major hurdles towards the realization of a world class City capable of comparison with other first lane capitals.

Whereas the Committee was taken aback by some of the proposals provided, it embraced the positive thinking that the document developed on addressing the policy thrusts that aim to define the Second County Government of Nairobi City County. It is worth appreciating that some of the challenges we face as

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Nairobi City County require more than just resource allocation. The County faces the risk of having too many write-ups on how to address the challenges if the County Government does not undertake to provide workable roadmap to solve the problems we face.

The Committee is of the view that issues like environmental pollution require first and foremost attitude turnaround from all of us and cooperation from all quarters. The Committee appreciates that the Plans have detailed how to address problems like low revenue collection, high debt levels and low technical capacity but it notes that unless the same is accompanied with commensurate action the same may remain only but an abstract theoretical essay.

Madam Speaker, on the revenue performance, the Committee was concerned that the positive externalities associated with e-payment were not felt outside the financial year 2014-15. Throughout the five years, most revenue streams shied away from their targets with majority of them recording average returns.

Madam Speaker, E-payment methods were meant to revitalize revenue collection by reducing human-money contact, expanding revenue inflows and introducing efficiency in revenue collection. However, the e-payment methods have introduced unnecessary lags in revenue generation, made revenue collection very expensive affair and ensured the County is powerless in its own function. The Committee notes that contracts on e-payment should be negotiated in a way that ensures that agents of e-payment don't wield all the revenue control buttons but also ensure that agency fees are rational and subject to ordinary budgeting.

The Committee is convinced that the challenges related to employment of technology in revenue collection need to be addressed with finality, the song of updating the valuation roll needs to come to an end, measures to clean up the Account Receivables need to be revamped and issues of waivers need to be done in strict compliance with the provisions of Section 156 of the PFM Act 2012 and the Nairobi City County Tax Waivers Administration Act 2013. To anchor the various revenue streams in specific legislations, the Committee urges the County Treasury to formulate the legislative proposals and submit the same to the County Assembly for approval.

Madam Speaker, the pinnacle of the Constitution of Kenya 2010 is the critical role that the public plays in the determination of how resources are mobilized and how the same are utilized. To satisfy these legal requirements and ensure that the County Plans have received input from the entire County, the County Assembly through the Sectoral Committees undertook public hearings across the 17 Sub- Counties between Monday 5th and Thursday 6th March 2018. Further the Finance, Budget and Appropriations Committee held the final public consultations with organized groups at Charter Hall on 12th March 2018. In these hearings the County Assembly was able to interact with about 4,000 residents of Nairobi City who submitted views which the Committee has considered and included in this report.

Madam Speaker, the contemporary challenges facing the Sub-Sector on Public Service Management are indicated as among others the huge wage bill, slow absorption of performance management systems, wrong placement, aging workforce, high corruption and weak institutional framework.

The Finance Committee during its deliberations on these Plans noted with concern that the County has over the previous five years decried the existing wage bill as deterrent to optimal service delivery but has not made much effort to develop and forward for approval tangible policies on how to ensure that the cost of maintaining the payroll is sustainable.

Indeed, the Committee wondered why none of the seven Sub-Sector objectives identified in the Plan have attempted to address the wage bill. In summary the Finance Committee appreciates that whereas some of the technicalities related to the devolved staff will be addressed at the national level this Sector must come up with Nairobi County specific solutions to the very peculiar scenarios that we face.

Madam Speaker, as is the case in a number of other Sectors, the Finance Committee during the consideration of the Sector Plans pointed out that a number of activities under the Sectors do not have the budget estimates assigned thereby making it unclear how they would be implemented. For example, initiatives like voluntary early retirement, staff welfare programs, public participation and development of corruption policy are good and should be fully funded and operationalized. The Committee continues to urge all Sectors that there is need to ensure that once programmes are approved there is follow-up to ensure they are implemented without fail.

Madam Speaker, the basic ingredient for the growth of this City is its planning and most importantly how much care has been put in place to ensure a balanced physical arrangement. It is based on the need to take control of our physical space that the Physical Planning, Lands and Housing Sector has outlined most of its projects in the CIDP as mainly baseline studies aimed at collecting as much information as possible about the County.

Madam Speaker, Once again the Finance, Budget and Appropriations Committee while receiving dissemination on the CIDP 2018-2022 and the ADP for the FY 2018-19 from the County Treasury and the reports of the Sectoral Committee was at pains to quantify the overall contribution of the Agriculture Sector towards the shared vision of this County Government. The Committee decries the lackluster performance of the Sector towards rolling out of urban agriculture.

During the review of the plan, the Committee was reminded of how there are very few City residents who even know that the sector exists leave alone understanding what it does. In this regard therefore, the Budget Committee pleads with the Sectoral Committee on Agriculture in this Assembly to undertake an in-depth review of the operations for the sector with an aim of compiling a report on the effects of its work. In this review the Finance Committee has advised the Sector not only to ensure that the programmes contained in the CIDP and the ADP are implemented but also to confirm that there has been equity and equality in such implementation.

Madam Speaker, the Finance Committee was taken aback that at a time when there has been elaborate essay on the need for austerity measures; the Devolution Sector intends to undertake public awareness forums under various sub-programmes at a total cost of Ksh.601million. The Committee reiterates

that all Sectors should be encouraged to limit any intended recruitments to the needful in order to ensure that the County continues to deliver services but at a very homely payroll budget.

COMMITTEE'S RECOMMENDATIONS

Madam Speaker, in summary and pursuant to the provisions of Section 126 (3) of the PFM Act, 2012 and Standing Order 219 the Committee recommends that this Assembly resolves as follows:

(a) POLICY AND CROSS-CUTTING RECOMMENDATIONS

- (i) That all activities in the CIDP should have their cost estimates assigned;
- (ii) That the County Government to carry out audit of the operations in the procurement and Finance departments with a view of finding out areas where delays occur and streamlining them. This effort will go a long way in expediting preparation of Bills of Quantities, tendering and payment to contractors which will translate in increased absorption capacity in the Sector hence development and realization of intended outcomes in the CIDP and CADP;
- (iii) That the County Integrated Development Plan and the Annual Development Plans must in future be submitted to this Assembly for approval in a timely manner;
- (iv) That the Transport Sector to work closely with KPLC in order to identify areas that the Company has not programmes to provide street lighting with a view of providing the same within the ambit of the projected resources;
- (v) That the County to expedite the process of taking over and commissioning of the various bus termini in order to promptly realize the original objective of City decongestion;
- (vi) That the Transport Sector to allocate resources for completion of projects that need minimal resources to implement once in one Financial Year to avert issues of delays in realizing potentially quick outcomes;
- (vii) That the County to be clear on the role of respective Counties in NaMATA in terms of planning and implementation. Further, the Sector should work with the Authority in the planning process so that they can integrate or undertake singly where necessary;
- (viii) That the Transport Sector, having allocated resources for development of regulatory instruments (policies and laws) for transport management in the County, should expedite the same in order to realize proper management of the affairs of the Sector; and
- (ix) That in the annual estimates, the County Treasury shall indicate the exact locations of all the projects contained in the Plans.

(b) AMENDMENTS TO THE COUNTY INTEGRATED DEVELOPMENT PLAN 2018-2022 AND THE ANNUAL DEVELOPMENT PLAN FOR THE FY 2018-19

ENVIRONMENT, WATER, ENERGY AND NATURAL RESOURCES SECTOR

- (i) That under the programme on Environmental Management and Protection in the CIDP, the allocation for procurement of noise meters be reduced by Ksh.2million and the amounts be allocated to the environmental education and public sensitization to improve the public's perception towards environmental management. The activity be included in the ADP for the FY 2018-19;
- (ii) That the procurement of the noise meters be done in the FYs 2018-19 and 2019-2020 as proposed in the CIDP and the same be done with the remaining balance of Ksh.6.5 million;
- (iii) That under the programme on Environment Management and Protection the cost of procurement of additional sweeping contracts be increased by Ksh.120 for the FY 2018-19 and the targets for the CIDP and the ADP be amended accordingly to reflect that change;
- (iv) That the procurement of two pressure vehicle washing machines at a cost of Ksh.10million be included in the CIDP and be undertaken in the FY 2018-19 as indicated in the ADP;
- (v) That under the programme on Environment Management and Protection the allocation of Ksh.200million for establishment of Material Recovery Facilities (MRF) in the FY 2018-19 be deleted and the project spread in five FYs as indicated in the CIDP;
- (vi) That the budget for the Water and Sanitation Sub-Sector be increased and each ward be allocated Ksh.5million for Water and Sewer development projects;
- (vii) That the CIDP be amended by including the stalled and new projects for the Sector as Annexed in the report;
- (viii) That in the ADP for the FY 2018-19 of the Energy Sector, under the project of installation of Solar panels & LED lighting allocation of 20million be reduced to 10million; and
- (ix) That in the CIDP 2018 -2022 of the Energy Sector under the project of installation of Solar panels & LED lighting, allocate an increase of 10million to the provided 10million to sum up to 20 million as tabulated below

Item	Current	Recommended
ADP	20 M	10 M

CIDP	10 M	20 M
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PUBLIC WORKS, TRANSPORT AND INFRASTRUCTURE SECTOR

- (i) In the ADP, programme Public Works, Sub- programme, electrical Engineering services, project on installation of public lights at Mountain View: there is a double allocation for the same project in the same area. That one of the projects be replaced with tarmacking a road in the City;
- (ii) In the CIDP, the programme, Public Works, Sub-programme building works the sector targets outlined in the CIDP be included in the ADP;
- (iii) That the name for the Sector, the programmes to be undertaken and the related sub-programmes be in the CIDP and CADP be edited in order to ensure consistency, tracking and monitoring;
- (iv) That the Sector to re-work the priority areas in the ADP in view of eliminating repetitions, in areas where a project has been allocated more than once, the Sector to reallocate to other areas in need of the same kind of project; and
- (v) That in the annual estimates, the sector to prioritize rolled over projects from the previous years before allocating resources to new projects.

EDUCATION, YOUTH AFFAIRS, CHILDREN, SPORTS, CULTURE AND SOCIAL SERVICES

- (i) That the programmes captured for the Sector under the Culture and Social Services in the ADP for the FY 2018/19 be included in the CIDP 2018-2022 to align the two documents and the same be implemented in Year 1 in line with the targets set in the ADP;
- (ii) That under the programme on Rescue and Rehabilitation of Children/Promotion of Children Services the allocation be increased from Ksh.500 Million to Ksh.700 million to allow the completion of recurrent projects like Ruai Rehabilitation Center and Joseph Kangethe ground and the additional projects be rolled out in the FY 2019-20;
- (iii) That the objectives, programmes, sector allocations, outputs and outcomes in the ADP be aligned to the CIDP;
- (iv) That the programme activity of constructing perimeter walls around 3 ECDEs should be envisioned in the CIDP at Mihango playground, Mararui, St Bakhita, St. Michaels Primary school;

- (v) That the programme activity on school feeding programme on the entire ECD children as envisioned in the ADP for the FY 2018-19 be captured in the CIDP and undertaken annually;
- (vi) The County Treasury should rid the document of all learning institutions that have established ECDE centers.

DEVOLUTION, PUBLIC SERVICE AND ADMINISTRATION SECTOR

- (i) That all the activities related to renovation of offices and purchase of vehicles be consolidated and undertaken under the Administration Department;
- (ii) That the CIDP be amended by introducing the programme on General Administration which is approximated to cost Ksh.65million in the ADP. The programme targets be undertaken in Year 1;
- (iii) That the CIDP be amended by including the programmes and priorities for the Inspectorate and the Legal Affairs Departments;
- (iv) That the activities related to setting up of Sub-County offices be consolidated and undertaken under the Sub- County Administration;
- (v) That the Public Service Management Sub-Sector develops a comprehensive Voluntary Early Retirement policy to ensure that the issues related to the aging workforce are addressed within the confines of the law;

Hon. Speaker: Chair!

Hon. Robert Mbatia: Yes!

Hon. Speaker: Know your time is up and I have given you more than 5 minutes on top of your time required and I want you to finalize so that you can bring in the seconder.

Hon. Robert Mbatia(cont)...Thank you, Madam Speaker. We have some recommendations on Urban Planning, Lands, Housing and Urban renewal. We also have some recommendations of the Health sector, we have some recommendations on the Trade, Commerce, Tourism and Cooperative sector. We also have detailed recommendations on Agriculture, Livestock, Fisheries, Forestry and Natural Resources sector and we have our submissions from the public on the CIDP. Madam Speaker, let me just highlight a few as I wind up.

Hon. Speaker: Who is your seconder?

Hon. Robert Mbatia: The Chair, Agriculture.

Hon. Speaker: He does not have those highlights? If you can highlight when he is seconding?

Hon. Robert Mbatia: Let me just finalize, Madam Speaker, thank you for that. Madam Speaker, that the public views annexed to this report be included in the CIDP as annexures. That the input of the Members of this House be included as annexures in this report. That the CIDP be amended under the various sectors to include the development programmes and priorities for the following sectors/sub-sectors annexed to this report namely:

1. That the County Public Service Board;
2. the County Assembly Service Board; and
3. The Liquor and Licensing Board.

Madam Speaker, in conclusion and pursuant to provisions of Section 126(3) of the Public Finance Management Act 2012 and Standing Order 219, the County Budget and Appropriation Committee recommends that this County Assembly adopts this report on the finance, budget and appropriation of the County Integrated Development Plan 2018/2022 and the Annual Development Plan for the financial year 2018/2019. Madam Speaker, I want to thank you and I beg Hon. Komu to second me. Thank you, Madam Speaker.

Hon. Speaker: Hon. Komu.

Hon. Joseph Komu: Thank you, Madam Speaker. I rise to second these documents, the CIDP and the ADP largely because it has gone through the legal process. Hon. Members of this House and the public at large have been involved in public participation and so I really do not have to say much because the Chair for Finance has already made an elaborate presentation. I beg to second.

Hon. Speaker: Okay, I propose the question.

(The question is proposed)

Hon. Joseph Komu: Madam Speaker, I know this is a very detailed document. I wish for the Mover to reply because I am seeing that Members are ready for their Easter, it is Good Friday. Therefore, I am requesting the Mover to reply so that we can proceed to Motion number 9.

Hon. Speaker: Hon. Member, this is a very, very important document and I will give you a few because I can see on the screen that I have a few, as much as I agree with you. Hon. Emily, I have given you the mic.

Hon. Emily Oduor: Thank you, Madam Speaker. I stand to support this Motion. Hon. Members, if you have time to read this paper you will appreciate the work that has been put in to it and how much it has covered for our City. I would also like to bring to your attention Members, that in the next CIDP I would recommend that you liaise with your Wards and you attend the public participation. I attended a few public participations and one thing came up very clearly, that some of the things they had suggested during the public participation were not captured when we went to do our rounds with them.

I know that quite a number of you also came complaining that their view or the views of their people were not captured here, but this can be stopped if we only had time to attend these functions and also to read documents in time so that we can actually have documents that include your views. I think we have gone through a lot of problems as Members of this Committee where people come up with their recommendations that were not included here at the last minute. So, Members, I am appealing to you that we have tried the best that we can as a Committee, we have done a very good job and I urge you to support this Motion as we proceed for Easter.

As the Hon. Member said, people are in the mood for Easter but let us go knowing that we have done a very good job and we have passed this Paper. Thank you, Madam Speaker.

Hon. Speaker: Thank you. Hon. Majority Whip.

Hon. Chege Mwaure: Thank you, Madam Speaker. I had not intended to do a lot of contribution but when my counterpart on the other end said that we were in the mood of Easter I thought that he was grossly out of order. Madam Speaker, it is because he was the first person to speak on the issue and we cannot stifle debate as such but I know that he is standing guided. Madam Speaker, moving forward it is also important for my colleagues to also understand that CIDP comes just once in the lifetime of a 5 year term and it would be in order for you to critically look into it because it captures the broad aspects of the developmental work that the County Government will be doing within your areas.

Therefore, Madam Speaker, it is important that you put a lot of thought into it so that your developmental programme is aligned within it because unlike the annual budget there will be no fights about a supplementary CIDP. So, it is important for my colleagues to be able to look at it and realign their thinking in terms of the areas within it. Finally, Madam Speaker, as I support, this is a very crucial month, between now and the end of April in terms of the budgetary calendar and of course the good Chair of Budget and his team will be very busy bringing documents. It is just that I thought that the officers you lead in terms of the secretariat should be equipped not to embarrass my Chair to read a 44 page document but to have something that is called an executive summary that can capture all those things in a page or two.

I do not think there is anything wrong with our Committee but maybe there are a few mishaps with the secretariat that you lead. Madam Speaker, with your indulgence I would hope that because this is a very

critical month we will be having so many documents to pass that they will be equipped to be able to condense the good information within a page or two so that the Chairperson can be able to highlight points in passing without having to go through it in detail. Having said that, Madam Speaker, I beg to support. Thank you.

Hon. Speaker: Thank you, Hon. Chege. I believe what you are saying is that the clerks should ensure that we have the full report as it is but also recommendations and therefore you are able to go through your recommendations but the report has to be full so that they also do not bring us a summary report and we be questioned whether our report is really authenticated or we have doctored it. Hon. Osman.

Hon. Osman Adow: Thank you, Madam Speaker. I also do support the Motion. As my Whip has said, I also want to comment on the same. I think the Chairperson was supposed to introduce the Motion and leave the rest for debate, not to read the whole report.

Hon. Speaker: Hon. Member, I thought you were speaking on the report. It does not matter how you represent it, you are also a Chair, you will come with a report here and you will find yourself in a lot of problems. I think it is because it is a huge document and they have really tried summarizing but since it is a document that is taking this County for 5 years, so I agree with the Chair.

Hon. Osman Adow: Thank you. I do support the Motion, especially that we did a very comprehensive public participation on the Assembly side where all the views, not only of the Members of the Assembly but the public was taken into account and I think that will serve us for the next 5 years well. On that basis I support the Motion. Thank you.

Hon. Speaker: Thank you. Hon. Themendu.

Hon. Jeremiah Themendu: Thank you, Madam Speaker. I wish to support the Motion. First, I thank the Chairperson and the whole Committee of Finance for giving us what we were waiting for. Now we are going to benefit, particularly those who were elected, our people are going to laugh all the way to the development agenda that we promised them. So, I think we will now be happy and also our people are going to be happy because the CIDP and ADP are the most important policies that we have at this time. Thank you, Madam Speaker, I beg to support.

Hon. Speaker: Lastly, Hon. Herman.

Hon. Herman Azangu: Thank you, Madam Speaker, I stand to support the Motion. Though when we were going round in the Wards, there was a problem with the residents because most of them do not know what public participation is. I recommend that in future we need to carry out public participation awareness in the slums, in the Wards so that they can know what it is all about. We also had many questions from the people in the Wards and the problem which they said they faced is that they have already proposed many projects but the implementation is really a problem. They said that if we take their views we should

implement them and if we do not implement them we will not come back to them later about their views. So, I request the Members to support this Motion and I also support it. Thank you, Madam Speaker.

Hon. Robert Mbatia: Thank you, Madam Speaker. As I rise to reply I would just like to highlight briefly. One is to thank the Office of the Speaker as much as people have concerns about the volume of my presentation, it is worth noting that this is a five year document and also the other one is a 12 month document. Actually your secretariat, our Fiscal Analysts, did a very good job in summarizing it to about a 10 page summary and that is the best that could have been done at that point. Also, Madam Speaker, according to law, we must mention and it must be captured on the *Hansard* the items and what we plan to do.

As you said, we cannot just bring a summarized document because some things can be left out and some can be fixed in due course. Madam Speaker, as I thank your office I also want to thank the Hon. Members who undertook to go out there and do the public participation, this is the first time that we went to the Sub-Counties, we always did one meeting. This time we did 18 meetings in a record 4 days, Madam Speaker, so that is commendable. I want to thank the Hon. Members, the attendance was good from the Members and even at those various Wards and going forward we also recommend that, we facilitate more and even go to the deep villages in those areas. Madam Speaker, as this is a planning document, there is a saying in Kiswahili, *hiyo yote ni tisa, kumi ni kazi*.

So, Madam Speaker, it is now that we go and work and as we do that because we now have the roadmap, the most important thing is funds, revenue and a Member, Hon. Akama just raised an issue about the revenue and it is a concern to the general House. I am not anticipating his answer but it is a concern at this point that we are not meeting the target as anticipated. So, I would urge us and all the Nairobians and I will also quote the Kiswahili saying, *kaisari apewe iliyo yake*, so that if there is a tax that is due let it be paid. If there is a fee and charge that is due, let it be paid and also the Executive should also enforce on revenue collection and enhance the other measures that need to be put up so that we can effectively undertake this road that we have already drawn.

Madam Speaker, I also want to thank you, you also attended some of our forums, the dissemination seminar and we want to thank you for that. I also want to be the first to wish you a blessed Easter and also the Hon. Members in this House. Thank you and I beg to reply.

Hon. Speaker: Thank you, Chair. As a commitment we shall ensure that public participation is taken very seriously, for the next 5 years we will follow this document and even ensure as an Assembly we do more public participation out there. I put the question.

(The question is put and agreed to)

PROCEDURAL MOTION

Hon. Speaker: Majority Whip.

Hon. Chege Mwaura: Thank you, Madam Speaker. I rise on a procedural Motion that pursuant to the provisions of Standing Order 29(1) that this Assembly adjourns until Tuesday 10th April, 2018 in accordance with the calendar of the County Assembly. Madam Speaker, allow me to first of all say that the few days or week that the calendar has given us is not only just a spiritual holiday because Easter is over the weekend but it is also important that this is a very critical holiday not only personally but also nationally and even globally. Madam Speaker, for those who profess the Christian faith we believe that our good Lord died, rose again and shall come back for us. Madam Speaker, this is very different from Christmas because it makes us Christians on that event that happened many years ago on a Good Friday.

So, this chance that we have been given for a week is to ensure that the bulk of the Christians in the country have a chance to re-analyze themselves and reflect on why we are Christians because it is not about Christmas it is really about the Easter that we became Christians. Madam Speaker, within that week we will also get a chance to reflect and re-energize because the calendar that we do follow is very busy. Many years when I was not a legislator I really thought that these guys really have a lot of free time but this is not the case since we are always graced with the needy up there. It is good that they understand that we have very short and packed schedules that we have to endeavor to meet and at the end of the day. We are not only legislators, we are also representatives and we are also the House that does oversight and we cannot be in the House all the time.

Sometimes you are allowed to go to your Wards and re-analyze and also look at the big document that we have been given on the CIDP and ADP to read so that when you come back you are sharper, you know exactly what areas of concern that you want to push for your Wards. Madam Speaker, we will be back again after one week to continue with the crucial budgetary calendar that I was alluding to, to my good Chair. There is a reason why the Chair – with a light touch – is called Mr. Good. Yes, we call him Mr. Good because it is very hard for him to offend people but it is also good for him to understand that there is a saying in English that says “brevity is the soul of wits” and I know he understand what I mean. So, in brevity his route is expounded more.

Madam Speaker, as I conclude I would also wish that the Members understand that the small breaks are also a good time to catch up and network with your friends and constituents and your colleagues in the Assembly so that we continue building a House that is cohesive, a House that understands what we need to do and a House which will be able to engage and debate very critically. So, Madam Speaker, as I sit down I

would also wish for my good counterpart to second without necessarily calling me to reply immediately. Thank you, Madam Speaker.

Hon. Moses Ogeto: Thank you, Madam Speaker. You know this colleague does not know that this Motion has only 5 minutes and he is taking too much time. I don't know if there are times that he goes through these papers. It is good, Madam Speaker, for such Members to go through such a paper. Madam Speaker, I stand here to second this Motion. Madam Speaker, it is good I said that Members have the emotions for Easter, I know that one Hon. Adow will join us as Christians, we will give you at least something for Easter.

Madam Speaker, your good office should ensure that when they go for Easter, give them a very good package so that they can be celebrating with their constituents. Madam Speaker, they are going to meet their constituents and the constituents I know especially those who are very many especially the one who comes from Sarangombe, they will ask him for Easter so Madam Speaker, you shall ensure that the package is very good for them to take to their constituents for Easter. Madam Speaker...

Hon. Speaker: Hon. Ogeto, Order! I have never known that Parliament has packages for Easter so can you try and clarify what types of packages are you talking about so that the Fourth Estate does not also understand it in a different way.

Hon. Moses Ogeto: You know, I know that you are a very rich Speaker and it does not necessarily mean that it must come from the Assembly but I know you are my constituent and you live in Lavington. Madam Speaker, you know in Lavington you must share with some people around, that is what I mean, Madam Speaker.

Hon. Speaker: Okay, I understand.

Hon. Moses Ogeto: So I think that one you have considered very seriously because our Members must just get that package from you as an individual and not from the Assembly. So, Madam Speaker, as we go for this let us ensure that our Chair has clarified well that the CIDP members should get this copy so that any changes that may come in before the budget is read. The Chair for Finance, Hon. Mbatia should ensure that there is equalization of the developments in those budgets. Madam Speaker that is why I was rushing to tell my colleague so that he can now expand that in the future such Motions should not be brought when people are breaking for Easter. This Motion should be brought when Members are active in this Assembly. So, Madam Speaker, because I have seen that there is a light coming, I beg to second.

Hon. Speaker: I propose the question.

(The question is proposed)

Hon. Speaker: Hon. Warutere.

Hon. Peter Warutere: Thank you, Madam Speaker for giving me this opportunity to add a word on what is happening. I rise to second the Motion and owing to certain calendar issues that are before us I am made to understand that the Executive will be meeting with some Chairpersons. House Business Committee will also be going to internalize on various issues that are before this House. As we go forward, I want to thank the Budget Committee for a job well done and I am sure that a majority of Members are now catching up with the expectations of this very House. I call upon them to up the game so that at least in future we are able to now capture the mood of this House, get our task well, do them well and add value to what is happening.

Therefore, in the light of the aforesaid, Madam Speaker, I also want to wish all the Hon. Members a nice Easter as they share with other fellow Christians they must also have time to soul search on what they have been doing. I hope that when we come back after 10 days the Members will have an opportunity to work on the development agenda and help the Executive to fix Nairobi. Nairobi has been ailing for a very long time and we have a quick fix to ensure that at least we get it right and also give value to what Nairobians have been doing in terms of what they have been contributing to this great City. It is in that regard, Madam Speaker, I also wish to support the Motion.

Hon. Speaker: Thank you for clarifying that we are supporting and seconding. Hon. Members I want to wish you a blessed Easter. I hope you will visit the different children's homes that are within your jurisdictions, but more importantly as *Mweshimiwa* Warutere said, soul search yourself and you will understand what meaning you have within East Africa. We hope that you will also enjoy with your family during this Easter time. With that, the Hon. Chairmen to pick the papers so that on 10th we are able to reply and respond to the remaining statements that are there. Hon. Members, we have come to the end and this House adjourns to the 10th Tuesday, 2018 at 2.30 p.m

(The House Adjourned at 5.00 p.m.)