



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Fifth Session

SPECIAL SITTING

Friday 16th April 2021

The House met at 11.30 a.m.

[Hon. Speaker (Mr. Benson Mutura) in the Chair]

PRAYERS

QUORUM

Hon. Speaker: Clerk, confirm if we have quorum?

Hon. Members, in our communication we stated that we will be doing a strictly virtual sitting. It is only the leadership and the Chair Budget who should be here. Clerk, proceed.

(The Clerk-at-The-Table confirmed there was quorum)

COMMUNICATION FROM THE CHAIR

Hon. Speaker: Hon. Members, I have the following communication to make; I take this opportunity to welcome you to this special sitting of the assembly and thank you for heeding the call of duty during these difficult times of Covid 19 pandemic. I urge you to continue with the strict observance of the government guidance even as you take your leadership roles in your respective Wards. I also want to wish you well, all those who are infected or affect with this disease.

Hon. Members, you may recall that on 6th April 2021, this Hon. House resolved to adjourn in line with the Presidential address that directed the Speakers of the county assemblies in the zone to suspend sittings due to the ranging pandemic. However, Hon. Members, Our standing Orders provide for mechanisms of

business continuity in special moments like this. For avoidance of doubt, Standing Order No. 30 states as follows:

Clause 1: Whenever during a session of the county assembly stands adjourned, whether or not a day has been appointed for the next meeting, the Speaker may, on the request of The Leader of Majority of the party or the Leader of the Minority party appoint a day for special sitting of the county assembly.

Clause 4: Whenever a county assembly meets for a special sitting under paragraph 1, the Speaker shall specify the business to be transacted on that day or days appointed and the business so specified shall be the only business before the county assembly during the special sitting. Following which the county assembly shall stand adjourned until the day appointed in the county assembly calendar.

Hon. Members, indeed my office is in receipt of a request for a special sitting dated 15th April 2021 from the Leader of the Majority party, the main business to be considered is; the report of the Select Committee on County Finance Budget and Appropriation of the Nairobi County Fiscal Strategy paper for the financial year 2021-2022.

Hon. Members, although the said directive of the President came when the counties and indeed the country is in the middle of the budget cycle whose events are legally time limited, the call for a special sitting speaks of the import of this cycle and to the very life of the county, its citizens and the public servants.

In accordance with the Gazette Notice No. 3613, I have this morning approved this business to be transacted accordingly. Hon. Members, I thank you. Next Order!

PAPERS

Hon. Robert Mbatia: Thank you Mr. Speaker. Pursuant to Standing Order No. 221 (4), I beg to lay the following Paper on the table of this Assembly today Friday 16th April 2021; the 31st report of the Select Committee on County Finance, Budget and Appropriation on the Nairobi City County Fiscal Strategy Paper and the Debts Management Strategy Paper for the financial year 2021-2022 over the medium term. I beg to lay.

(The Paper was laid on the Table of the Assembly)

Hon. Speaker: Thank you, next order!

NOTICE OF MOTION

Hon. Robert Mbatia: Thank you Mr. Speaker. I wish to give notice of the following Motion; that, this Assembly adopts the 31st report of the Select Committee on County Finance, Budget and Appropriation on the Nairobi City County Fiscal Strategy Paper and the Debts Management Strategy Paper for the financial year 2021-2022 over the medium term laid on the table of the Assembly today Friday 16th April 2021. Thank you, Mr. Speaker.

Hon. Speaker: Thank you, next order!

(Point of order)

Hon. Speaker: What is the point of order?

Hon. Peter Imwatok: Hon. Speaker, I rise on a Point of Order No. 56 (h) which is on the privileges of a Member. First of all, let me say thank you for convening this Assembly sitting on a matter of importance to the county.

Hon. Speaker, I also attach Standing Order No. 80 on privilege and personal statements. I feel that you have done a great job so far. But the issue of budget in every county is a concerted effort and not a one-man-show because it is affecting five million Nairobians, affects both the opposition and government side. It is in the public domain that in this House we championed the interests of Nairobians based on budget, management and administration of public affairs.

Hon. Speaker, as the Minority Whip of the largest party in East and Central Africa, despite being a minority in this House, it is inappropriate and uncouth for the Leader of the Minority to be given a document of such magnitude that is going to affect the lives of 4.5 million Kenyans while I am seated. It is paramount for us to understand---

Hon. Speaker: Hon. Member, you had risen on a point of order but now you are debating.

Hon. Peter Imwatok: I am building my case Hon. Speaker.

(Hon. Abdi Hassan rose on a point of order)

Hon. Peter Imwatok: I am on a point of order.

Hon. Speaker: He is on a point of order. Let him finish and then I give you a chance.

(Hon. Abdi Hassan spoke off record)

Hon. Speaker: Majority Leader, let me give the guidance. Since he is on a point of order, I will give you a chance. Hon. Member, you rose on a point of order and so you are not supposed to debate.

Hon. Peter Imwatok: It is my privilege as a Member of Makongeni Ward and also as a Whip of ODM Party to be given an opportunity to express myself on issues that I think are affecting Nairobians, it is not a privilege Hon. Speaker.

Hon. Speaker: Hon. Member, the report has been tabled and you will have to wait; maybe those concerns have been captured by the committee. You are pre-empting the debate.

Hon. Peter Imwatok: I am raising issues on behalf of the party as a Whip, it is allowed. I am saying, it is inappropriate for us as an opposition and our privileges by being in this House to be ambushed on a very important document like this.

Hon. Speaker, there are issues you have raised touching on budget lines. We have raised the issue that this able House has approved budget every year. For instance, we are still boggling on whether the SMEs were given money or not.

Hon. Speaker: Hon. Member, you stand guided that whatever you are raising is pertinent but we will come to that when the report is being debated. It is better you bring those concerns when it will be debated.

Hon. Abdi Hassan: Mr. Speaker sir, If I am hearing right what the Minority Whip is saying, that the he needs to be consulted on budget. I don't understand what he means because the Budget Committee has 25 Members of which 12 comes from ODM party.

Mr. Speaker sir, it is within the mandate of Budget Committee to consult all the sectoral committees, Executive and NMS. I think that is the reason why the CFSP is in this House. There is no provision under the law saying that Budget Committee should consult the Minority Whip or the Minority Leader, there is no such law.

Hon. Speaker: What is it? Are you on a point of order?

Hon. Moses Ogeto: Hon. Speaker, thank you so much. I am on a Point of Order No. 56 (h). With due respect, it is good that the document has arrived two minutes ago before this House. I am requesting as a Member for Kilimani Ward that this document has not been circulated in our portals.

Secondly Hon. Speaker---

Hon. Speaker: Hon. Member, this report has just been laid. We will have to reach to the point where we can open the debate. You should bring those points while we will be debating.

Hon. Moses Ogeto: Hon. Speaker, my privileges are being violated as a Member of Kilimani Ward because a special sitting describes what is in the Order Paper. In the messages circulated before this sitting, I have not seen an Order Paper. I am trying to say how my rights have been violated because we don't have an Order Paper so that we can know what is to be discussed.

Hon. Speaker: Hon. Member, let me rule like this; you are out of order because the order you are quoting, we are not yet to the point of debating. Next order Clerk!

(Hon. Imwatok spoke off the record)

Hon. Speaker: Hon. Members, let get to the next stage and then you can bring all those issues. Clerk, circulate the Order Paper to the Members and then we move to the next order. You now have the Order Papers, so Clerk, proceed. We are on Order No. 8, mover proceed.

MOTION

ADOPTION OF THE COUNTY FISCAL STRATEGY PAPER AND DEBT MANAGEMENT STRATEGY PAPER FOR FINANCIAL YEAR 2020-2021

Hon. Robert Mbatia: Thank you Mr. Speaker. I beg to move that this assembly adapts the 31st report of the Select Committee on the County Fiscal Strategy Paper and the Debts Management Strategy Paper, for the financial year 2021-2022.

Mr. Speaker Sir, the budget making process for the FY 2021-22 has been undertaken on the backdrop of very unique circumstances mostly controlled by the global threat to human life and natural existence occasioned by the corona virus pandemic. The pandemic has shifted the pendulum on allocation of resources, operational activities and greatly altered the timelines for realization of basic milestones. The consideration of these papers has not been spared by the pandemic either.

Mr. Speaker Sir, the provisions of Section 117 (1) of the Public Finance Management (PFM) Act 2012 requires that the County Treasury submits to County Assembly the County Fiscal Strategy Paper (CFSP) approved by the County Executive Committee by the 28th day of February in each year. This CFSP is a policy document which provides the broad objectives and policy directions that would be taken into consideration in the preparation of the budget for the coming financial year and over the medium term. Furthermore, the Paper includes the financial outlook with respect to county government revenues, expenditures and borrowing for the coming financial year and over the medium term. On Debt Management Strategy Paper (DMSP), the provisions of Section 123 (1) of the Act requires the County Treasury submits to the County Assembly a statement setting out the debt management strategy of the county government over the medium term with regard to its actual liability and potential liability in respect of loans and its plans for dealing with those liabilities on or before the 28th February in each year. The debt management strategy

should incorporate information on the total stock of debt as at the date of the statement, the sources of loans made to the county government, the principal risks associated with those loans, the assumptions underlying the debt management strategy as well as an analysis of the sustainability of the amount of debt, both actual and potential. Therefore, Mr. Speaker Sir, the County Executive Committee Member for Finance was guided by the above provisions of the underpinning law in submitting the CFSP and the DMSP to the County Assembly.

Mr. Speaker Sir, as has been alluded to, the budget process for the FY 2021-22 came off the blocks amidst the global fight against the Covid-19 pandemic that has continued to threaten human life and economies worldwide. The effect of the pandemic has meant---

Hon. Speaker: Order! Leader of Minority, you know you are not supposed to be crisscrossing the assembly just like that?

Hon. Robert Mbatia: Thank you Mr. Speaker. I was threatened but he was giving me an important message.

Hon. Speaker: Proceed.

Hon. Robert Mbatia: Okay, thank you. Mr. Speaker, that this is the second successive year in the budget making process where the Committee was not able to hold physical meetings to receive public submissions on the document or physically engage with Sectoral Committees on their proposals aimed at determining the overall county objectives, priorities and ceilings. Further, Mr. Speaker Sir, the CFSP and DMSP have been considered at a time of implementation of the Deed of Transfer of functions that transferred four critical functional areas of the County Government to the National Government. As opposed to the previous financial year where there were no clear guidelines on the implementation of the Deed of Transfer of Functions, the budgeting aspects have since been clarified through the County Allocation of Revenue Act, 2020 and the Framework for Financing of Transferred Functions by the National Treasury. The consideration and determination on the Papers have been done in light of the above factors.

Mr. Speaker Sir, debt and debt management are important fiscal issues that confront governments across the globe and timely discovery on how to address them determines the longevity and realism of revenue mobilization and expenditure pathways for the holders of public power. The drafters of the Constitution of Kenya (2010) were alive to the likely risks associated with debt especially for young governments and hence elaborate provisions in the PFM Act, 2012 on how to acquire, guarantee and repay any form of deficit financing. The underpinning law requires that debt should be accumulated for a capital adventure, must be approved by the County Assembly, repaid within a framework that does not crowd out service delivery and must be backstopped by the National Treasury.

Mr. Speaker Sir, the first County Government of Nairobi City who took responsibility for both assets and the financial obligations of the defunct Nairobi City council inherited a debt estimated at about Kshs.36.3 billion. This debt however ballooned between 2013 and 2017 to Kshs.56.516 billion. The past debt management strategy papers attributed the growth on non-remittance of statutory deductions, non-payment of suppliers and legal creditors and related penalties. The tabled DMSP shows that the County debt as at 31st December 2020 stood at Kshs. 76.9 billion consisting of Kshs. 55.1billion verified and Kshs. 21.8billion

non-verified debts. These figures represent an increase by over Kshs. 400 million over the past one calendar year compared to an increase by Kshs. 6.5 billion during a similar period in 2019. The County Treasury submitted during the consideration of these papers that the minimal growth in county debt figures over the past calendar year was due to prompt remittance of statutory deductions thereby forestalling the huge interest figures associated with any late submissions. Overly, the Committee still believes there is nothing much to be proud of since the county debt has steadily been rising to over Ksh.40 billion since the inception of County Governments and this casts doubt on the fiscal consolidation strategies that have been floated in the past few years to flatten the debt curve.

Mr. Speaker Sir, the County Government wishes to enjoy positive externalities associated with Kenya Revenue Authority taking over the revenue collection function thereby relying on their authority to issue demand notes for settlement of pending obligations. The County Government would also be keen to revamp the debt collection unit, timely issuance of demand notices and continue grant of waivers for land rates as a way of improving compliance as anticipated in the provisions of Section 159 of the PFM Act, 2012.

Mr. Speaker Sir, the overall County budget for the FY 2021-22 is projected to be Kshs. 37.075 billion comprising of Kshs. 25.97 billion for recurrent and Kshs. 11.1 billion for development expenditures. The budget represents a decrease by about Kshs. 629 million from the amounts contained in the budget for the FY 2020-21. Out of this allocation the County anticipates spending Kshs. 3.23 billion on the County Assembly operations, Kshs. 13.915 billion were earmarked for the functions that were retained by the County whereas Kshs. 19.93 billion were allocated to the programmes under the transferred functions to the National Government (NMS).

Mr. Speaker Sir, the Sectoral Committee Chairpersons presented the Sectoral Committee reports as required by the Standing Orders, to the Finance, Budget and Appropriations Committee. Overly, from the reports submitted, the Sectors through the Sectoral Committee Chairpersons requested for funds in excess of Kshs. 41 billion being an increase by over Kshs. 4 billion from the tabled budget ceilings. The increase indeed is meant to cater for essential needs by various sectors but that notwithstanding, the Committee having considered the resources available would be recommending that some of the priorities be shelved and accommodated in the subsequent financial year (s) when additional resources become available.

Mr. Speaker Sir, the Nairobi Metropolitan Services in their submissions, both written and oral, pointed out the robust measures that they shall employ to ensure optimal absorption of the development budget, achievement of the revenue targets for the transferred functions and service delivery objectives. The NMS indeed called on the County Assembly to ensure compliance with the Deed of Transfer of Functions while also emphasizing that collaboration and understanding is critical for efficient working of both levels of government. The Committee shall hence be proposing amendments on the budget for the transferred functions to comply with the provisions of law. The amounts for conditional grants are proposed to be consolidated and submitted for approval together with the budget estimates for the coming financial year.

Mr. Speaker, the NMS has proposed to have robust initiatives on private-public partnership on the following programmes; terminals, markets, storied parking and other initiatives like housing, water and hospitals. They are also very eager to implement the voluntary early retirement programmes and to push for

the revival of the ongoing contracts (WDF, WDP and the capital projects. They have also initiated a request that we make consideration of some funds for the valuation court operations.

Mr. Speaker we recommend the following as the Budget committee;

Policy Measures

- ✓ That the Sectoral policy measures, priorities and programmes contained in Part V of this report (Submissions from Sectoral Committees) be approved and implemented as recommended by the respective Sectoral Committees
- ✓ That the projects proposed by the Sectoral Committees as contained in Part V of this report and Schedule III form the basis of the budget estimates for the FY 2021-22 in line with the expenditure ceilings contained in Schedule II of this report
- ✓ That in line (b) the Nairobi City County Government and the Nairobi Metropolitan Services implements and finalizes the previously budgeted for projects before initiating any new ones; and
- ✓ That projects implementation be done in line with approved County plans as aligned to the Kenyan Vision 2030, Medium Term Plans, Budget Policy Statement and the Big Four Agenda.

On Revenue Projections

- ✓ That the revenue raising measures to be implemented in the FY 2021-22 be discussed and modalities of operation be agreed upon between the Nairobi City County Government and Kenya Revenue Authority in line with the Deeds of Transfer of Functions
- ✓ That in addition to the requirements of the Public Finance Management Act 2012, the revenue raising measures be undertaken within the framework of approved County legislations. i.e. Nairobi City County Revenue Act 2015, Nairobi City County Revenue Administration Act 2019 and Nairobi City County Trade Licensing Act 2019
- ✓ That the revenue targets be approved as contained in Schedule I; and
- ✓ That all the Conditional Grants be declared and approved in the budget estimates for the FY 2021-22

On Revenue and Expenditure Ceilings- That the revenue and expenditure ceilings on schedules I and II attached to this report forms the basis for the FY 2021-22 budget.

Medium Term Debt Management Strategy- That the Assembly approves the debt management strategies underpinning the 2021 CFSP and the budget estimates for the FY 2021-22.

Mr. Speaker, on the issue of implementing of projects, we urge the procurement department to initiate the procurement process in the first quarter in the next financial year 2021/2022. Mr. Speaker Sir, in conclusion and pursuant to the provisions of Section 117 (6), Section 123 of the Public Finance Management Act 2012 and Standing Order 221 (7) the Select Committee on County Finance, Budget and Appropriations recommends that this County Assembly adopts the Nairobi City County Fiscal Strategy Paper for the FY 2021-22 and the Nairobi City County Debt Management Strategy Paper for the FY 2021-22. With that Mr. Speaker, I beg to request the Hon. Ogada Minority Leader and Deputy Chair to second me. Thank you, Mr. Speaker.

Hon. Speaker: Seconder

Hon. Micheal Ogada: Thank you Mr. Speaker sir. I am happy because of the great presentation made by my chair of the document before us. He has explained what the committee went through with the deliberations. You realize Mr. Speaker that there are times when the Budget committee held up to three

meetings in one day. That shows the commitment and we are happy that we will be able to beat the deadlines and pass the necessary documents on time.

Therefore Mr. Speaker as I second, I have a few things to add. We have a budget which is currently running and I have shared with the Members and leaders of this House that we have a problem when it comes to implementation, both at the county level and the NMS. Our main business as Members of the County Assembly is oversight and raise issues that are necessary and pertinent so that people do not get to think that it is our tradition to pass documents here.

I wish to appreciate the Assembly team led by the Clerk of the Assembly on its budget implementation. As at now they are at 90% and there is not much complaints. I was talking to the procurement head from the Executive and they told us that he has written more than five memos to every sector heads to forward all their development programme requests and nobody has responded. They are being reminded of their responsibilities and they do not even bother to respond. This is very perturbing. Do they want these projects in the first place? We only have two months to the end of the financial year yet there are programmes whose requests have not been made, and the procurement process has not yet started. So those are some of the serious concerns that as a leader of the opposition I have to raise and I urge all the Members to come together and put pressure on the implementers of these projects.

Mr. Speaker, two days ago I addressed the press on the state of the County as the opposition and raised two main issues. Money allocated to a tune of Ksh 1.3 billion which was to pay the small scale traders. Mr. Speaker you remember that as an Assembly we sat on this matter because these are business people and our brothers and sisters. They cannot wait to receive payment for four years, therefore as an Assembly, the only thing that we can do is to make sure that the people charged with making these payments do the needful. We have all tired and nothing has happened. This is a concern that I raised as a leader of the opposition and I repeat today that once we have given an allocation, then the prudent thing for the Executive to do is to honor and respect the resolutions of the Assembly. If they do not do that then we will be doing a disservice to the members of the public who are weak and cannot defend themselves.

My second concern that caught the attention of the Majority Leader who asked why there was need to all the press. I say this, as a leader I have people who look up to me to make things clear. I also represent a ward. We did a budget for the Ward development fund and expected projects to kick off. We were then told that there were a few issues with the engineers, for the last six months. This is a serious concern because to date no one has come to the ground to do anything. Mheshimiwa Oyugi even told me that he realized that I was reluctant on the matter because I was planning on vying for a higher seat hence my disinterest in matters MCAs.

I say that the implementation of the ward development fund projects should be a priority to the NMS. They must realize that that is what we depend and rely on. For how long should we wait? When I raised this I was told that I was fighting them. Nobody is fighting anybody. I do not need anything personal. This is all about development. Can they send engineers to the ground tomorrow or even next week? We just need these projects implemented and if they do not do that then we will demand for it.

That is why the PIC, PAC and Implementation committees are in the opposition. We need to put people on toes so that they can work. That is what my party and I were raising and we will continue to do so until it

is sorted. We do not want this House to become a talk show and nothing is ongoing. I also wanted to raise a serious concern with the Majority party.

As the Minority leader, I take instructions from my party and there are things that I am instructed to do and also those not to and this is what the press conference was about. Then I see a junior Member of the House walking around collecting signatures for the Minority Leader, a position given to me by the ODM leader and Jubilee in the Country. I raise this as a concern because it has a bearing. I do not deserve to be a deputy to a chairman of a committee and since I am in the chair, I have talked to my counterpart Guyo to see how to work around this. The collection of signatures by the junior Member is an abuse to the leadership and not me. I do not get any allowances for what I do. It is disrespectful to the President and the party leader. That is not in order and I wanted to raise it so that we do not find ourselves in unnecessary things that do not add value to us. I had to raise this as the leader of the opposition so that it does not affect the smooth running of this County assembly.

I do not like a person who disrespects the President of the Country and the Prime Minister. It does not make any sense. When you look at the National Assembly, they have seat for Members of the Jubilee and none of the Chairmen have been removed by picking signatures for them. They have an understanding and we need to show the National leadership that we have some form of respect to the decisions and instructions given to us. It is not necessary for a leader of the opposition to fight with a junior officer. My Members were in my office today asking how we can deal with it and I told them that I was going to raise it on the floor of the House. Otherwise, thank you and I second this Motion.

Hon. Speaker: Thank you

(Question proposed)

Hon. Peter Imwatok: Hon. Speaker, I rise as the Chair of Budget is looking at me with a very keen eye to support this report based on a few principles. If we are all clear on timelines, then this might be the last Budget we are preparing as an Assembly. This is because next year a month like this, I may be unable to meet Hon. Chege Waithera and Hon. Gathundo as they will both be busy on the ground

Hon. Speaker: Hon. Member, who is Gathundo?

Hon. Peter Imwatok: Sorry, for those who came in the second Assembly! In 2013 when we were being sworn in, my Board Member had a very big mark on his forehead and Mheshimiwa Millicent Mugadi gave him the name Gathundo until it became viral and decided to remove it to save his identity. And our Board Member does not take offence.

Hon. Speaker as I was saying, this is the last budget we are preparing, but also it depends on us. Indeed, we have now done four budgets. Hon. Speaker, is there anything we can take home on the four budgets? Let me speak on behalf of the people of Makongeni, Kaloleni, Mbotela, and Speaker you have been my Member of Parliament (MP), you're still a resident in our constituency, if today I am asked by Makongeni people what I have achieved on my second term?

Hon. Speaker, I served with you, you built schools, roads, at the same time there was support from the county government, when you did one I also did a small one. Hon. Speaker, I can tell you for free that for the last three years, now the fourth year, Makongeni has not gotten anything in terms of county

governance. When NMS came in March this year, at least they came and put some boreholes in my ward, but there is no sign of any construction in my ward.

In fact, my constituents asked me a simple question, 'Imwatok, why did you fight Sonko so much, we thought he would get out and Makongeni people would get development'. Hon. Speaker, up to date, I just see on Facebook, referrals[hospital] being opened in Mutuini, in Mathare, etc, but the Makongeni clinic, after we had refurbished during Kidero's government, with Kshs 13.5 million, putting chairs and cabros and transferring a nurse to treat the people of Makongeni, for the last four years has never been achieved. That is why Hon. Speaker I am a bitter man, approving budgets that do not add value to the people of Makongeni. I hope this one- Hon. Mbatia - will help the people of Makongeni. Because Hon. Speaker as my Leader has raised, there are issues, and it is very unfortunate that when we raise issues most of the time we are labeled as 'you're not given money', 'you are not paid that's why you are raising issues'. We have a salary, courtesy of your office and the Clerk's, why have I not raised issues about the Deputy Clerk? And about you, the Speaker? Because I get my salary on time!

Hon. Speaker, we have raised issues as we listen to every Kenyan, I am so disappointed. Three days ago, our Leader addressed a press conference on pertinent issues. Number one, this CFSP we are approving has almost the same budget lines, and the Chair can bear me witness, because the implementation process of the previous budget has never even reached 70%. But the question is: are people benefiting from the budgets we are passing? No.

We raised the issue of insurance for the staff for the example, and you've said, I was the first person who took AAR to court, and both the Majority and Minority Leaders know this. And we said AAR does not give insurance to our staffs, there is a second tire called Bliss GVS, a company that has been banned even in other countries, including Nigeria and Comoros from performing its services. The same company, even our own Police Service, refused and cancelled the contract they had signed with them. That the legitimate expectation of every client of any institution is value for money, we raised that issue, but the funny thing, there are brokers in this town, and we have given them seven days, we will never miss to mention their names on the media, they end up buying the media, changing around that the opposition MCA's are fighting the Deputy Governor and the Director General for removing AAR money to NHIF.

We are the proponents of taking insurance money to NHIF, and we've always said that. In this CFSP paper, the allocation is the same. I might not say that the share is allocated to AAR, but I am saying, based on the allocation, we are looking forward that AAR in this final budget that we are making, through Bliss GVS, through Ja Shan, they will never get an inch of a shilling from this budget. These are the issues the Leader raised.

Number two, Hon. Speaker, we raised the issue of independent institutions and one of the independent institutions is the County Public Service Board, it isn't necessary in the CFSP paper, It is allocated public money, and we said as per the law, they must be independent of institution and systems. We raised an issue, this is a House of privileges, and we said, this is something in the public domain; an independent institution of such magnitude is not given its independence.

For example, I want it to go on HANSARD today, the Service Board did an interview, that I was not part of and neither were the Minority Leader, Majority Leader and Chair of Budget Committee. The Board

certified their five gentlemen, who were supposed to be promoted from one level to the other. Hon. Speaker, it is unfortunate that one gentleman who performed well in the interview, without our presence, is now roaming the corridors that he's been refused to take charge of an office because he's a Luo. Hon. Speaker, that is what our leader raised and we say this, what's the issue?

On HANSARD, the Chair of the Board told us, a few Members from this County Assembly, led by Komu, who is not present here, called him to a hotel and told him that H.E The President, which is a very big lie, has instructed him to instruct the Service Board Chair that Omondi should not take the position. Hon. Speaker, the President we know, H.E. Uhuru Muigai Kenyatta, the big brother in the handshake, cannot call [Hon]Komu in any imagination, even an iota, he cannot. Hon. Speaker, after we did our survey; we are opposition and opposition works on intelligence and investigation. After doing our investigations, guess what, it will make you laugh, people in this Assembly have decided to save their girlfriends, shamba boys upcountry and house maids in their houses as 'His Excellency'. It is only a shamba boy who wakes up in the morning to call you and brief you at mid-day whether a goat has given birth, in the evening they also brief you.

But Hon. Speaker, I believe H.E the President of the Republic of Kenya has Governors, Ministers, Permanent Secretaries, Ambassadors and Leaders of Parties. I wonder where the President of the Republic of Kenya can find such importance in this one MCA that he can call him from 6.20 a.m, by 8.10 a.m. he calls him again, including [Hon] Komu. It is surprising [Hon]Guyo that [Hon]Komu can now have the audacity to call people and say that the President has called me to give instructions to the Service Board. Hon. Speaker, these are the issues we raised---

Hon. Speaker: Point of order ...what is the point of order?

Hon. Abdi Hassan: I want to dissuade my colleague and my friend from mentioning the name of His Excellency every time now and then. We should not be debating and using the name of H.E the President in this chamber, Mr. Speaker Sir. You should not allow that. Let my good friend Hon. Imwatok stick to his points and leave His Excellency out of these things. Even the other time when they were doing the press conference they were saying this, and I'm 100% sure [Hon]Komu has never said that. It is not good to use the privileges of this House to try and spin things which are not right Mr. Speaker Sir. I kindly urge my brother to dissuade from that line. Thank you.

Hon. Speaker: That is in order. Whip, desist from making allegations which you cannot be able to substantiate. Kindly stick to the main agenda.

Hon. Peter Imwatok: Hon. Speaker, I am sticking to our main agenda and if you listen to my speech keenly, I have not intimated in a way that H.E my President has done so. What we are saying Hon. Speaker, if you go to the Executive today, from the CFO for Finance, CEC for Finance to the County Secretary, to the Governor herself, she's under threat by people who purport to have instructions which are not there. I have just said the former Governor, let me give an example Hon. Speaker, the former Governor had a young man who could speak as Nurdin Hajji, who could speak as Kinoti, who could speak all languages in this country, 'Kipindire'.

Hon. Speaker it is creeping back. The County Governor cannot make a decision, she's under threat, I am sure maybe you are safe, but am also sure Hon. Speaker, even you, you might not be 100% safe. If you allow such a trend, when I mention my colleague in this Chamber, I am ready to substantiate, who was

told, where and how. Let's leave it at that, but we are saying as the Majority Leader says, it's true, we don't mention our beloved President because we want to mention, we are just saying let not, you remember the guy who conned people in the name of the President? Hon. Speaker, they are also in this County Assembly and this County Government. We don't want somebody to con again somebody outside using the President's name, mimicking him on phone records. So Hon. Speaker that is what our Leader said, that indeed the county is dripping back because people are sending tricks which are not there.

Number three Hon. Speaker, we raised an issue of SME's. I am privileged to serve three Speakers now, No, five Speakers. I served the first Speaker of this County Assembly Alex Ole Magelo, I served the second Speaker, Beatrice Elachi, I served the third Speaker, Chege Mwaura, I served the fourth Speaker Beatrice Elachi, I served the fifth Speaker Kamangu, and I have served the sixth Speaker Benson Kangara Mutura.

Speaker, it was a privilege for us in the corner to move a Motion as opposition of impeachment against a Governor of a capital city, based on issues that we believed were not in tandem with the management of the county. And our Leaders from the Jubilee side led by Majority Leader, a prominent activist of our century, Waithera, agreed with us, and we voted 88 votes. But after that Hon. Speaker, it's a privilege again that I have served three Governors. One, Evans Kidero, it's in the anal of history, no one can change that. Two, Mike Mbuvi Sonko, three, Benson Kangara Mutura as a Governor of the capital city, and four and now, the acting Governor Ann Kananu. But am privileged when Benson Kangara Mutura was acting Governor, you gave instructions, and those instructions were delayed from last year September when I, Peter Anyule Imwatok personally, with the Director General Major Mbadi, Beatrice Elachi, walked into Okuru Yatan's office, after His Excellency the President of the Republic of Kenya gave directives that Kshs 1.3 billion shillings should be released to Nairobi County to pay small scale traders to cushion these people who are suffering, who had never received a pay of Kshs 20,000, the highest was Kshs 8,000 - the lowest, to Kshs 5million. Hon. Speaker, Sonko became adamant and refused to release files.

When you came to office as the Governor, you ordered the release of all files to NMS, all. Afterwards, you were not forced to leave the seat, you read a statement voluntarily and said 'I hereby relinquish and resume my duties as a Speaker', after putting the county on the map again. We had a function here Hon. Speaker, the tons of files were brought, you were there. You committed as the Speaker of the County Government of Nairobi that traders now can smile in the next three weeks.

Speaker, a smile of three weeks has taken more than now four months. One of the traders called Palexis came to my office, he gave his house of Kshs 60 million to a bank, the bank now is auctioning his house because of Kshs 16 million. Speaker, I was called by a lady called Wambui yesterday, she said she has gone back to a rental house in Umoja and she used to live in Nyayo, because the house has gone, because of Kshs 2.3 million. I was called by Aggy Ndonji whose daughter needs to go for an operation in India, she cannot afford, and our Leader raised these issues and said please county government, please NMS, H.E the President was magnanimous enough to the county government of Nairobi and gave us Kshs 1.3 billion as a start up to pay pending bills, Hon. Speaker.

Today as we are talking, since you left office, I can confess and I can give evidence to substantiate, we've spent more than Kshs 2 billion from the county government paying big men and women but these

young people who went to supply pencils to our nursery schools, these old mamas who came to supply tonners for preparing these vouchers have never been paid three years down the line. Hon. Speaker, this is what this gentleman raised. Did you travel? He was alone there. Did you travel or not? He was alone on that door. He was alone, [Hon]Guyo, I was not there, did you travel or not? I was not there, [Hon]Guyo was not there, [Hon]Mbatia was not there, did you travel? He was alone. Now he's saying the President gave Kshs 1.3 billion, then why have you not paid these people? No, we can't operate that way in this county. Let's have time for everything.

There's time to be a leader, there's a time to be a father, and there's a time to be a mother. Hon. Speaker those are the issues and we are saying, we've given the county government and NMS seven days, and I'm happy yesterday, Leader I didn't brief you on this, I was called by the CEC for Finance and he said they have already released to NMS Kshs 2.8 billion. Board Member, they've released Kshs 2.8 billion shillings, and I asked a simple question 'is that inclusive of Ksh 1.3 billion for pending bills?' and he said 'yes'. Majority Leader, unless it becomes another circus, but as far as am concerned, Allan Igambi yesterday confessed and said they have released Kshs 2.8 billion to NMS including Kshs 1.3 billion to pay the pending bills. We are waiting the next seven days if it's possible or not. We'll ask the President, because he's the one who directed; the Presidency directed this Hon. Speaker, and this is what the gentleman was saying.

Hon. Speaker, in this CFSP paper, I am sure the Chair for Budget - a very known man who was my Chair for Public Accounts Committee (PAC) - in this CFSP paper, there's still allocation for pending bills, [Hon]Guyo, right? It must be; because we are owed. But Speaker, why should we allocate more budgetary allocations when implementation is zero? It is not attainable. When we say this, we are told No, you'll be called. To do what? You want to be called? To do what?

This morning I have written to Controller of Budget (COB), I have written to the Governor, including you Speaker, that no money should be released in this county, I'll go to court if these SME's are not going to be paid, whether garbage collector, whether lawyers, they should not be paid before. The only money I will request the COB director to release is salaries, I'll request or we move to court on behalf of two thousand SME's to get an order that these people are suffering. In this CFSP paper there is still allocation for these people.

In fact, the Chair for Budget you are aware Kshs 1.3 billion is a drop in the ocean, it is not enough to pay what you are owed. That's why we are saying as you do budget, Chair, this is the legacy you will leave behind, Majority Leader, this is the legacy you'll have to leave behind, [Hon]Ogada, this is the legacy you have to leave behind. At least out of Kshs 6 billion owed to SME's, at least in the next budget that comes before us, we want to see at least Kshs 4 billion. Because Hon. Speaker, Majority Leader you know, [Hon]Mbatia you know, we allocate billions of money to some sectors, absorption rate is 30%. Why do you keep money there and there are people suffering? Why do you pay one person Kshs 150 million when the trickling effect is zero? Why not pay Kshs 150million to pay to 15 people, the trickle effect will be felt in the economy of the county. Hon. Speaker it's only this county where the big man syndrome is the order of the day, but that small person countless.

We support the government of the day, led by Ann Kananu, and we say this, for avoidance of doubt, that Kananu's government is not a Jubilee government, it is not and shall never be a Jubilee government. It

is a government created by us, a concerted effort of this House, and [Hon]Guyo can attest to that. Despite Ann Kananu being a Member of Jubilee, but it is a creation of this House, based on what we were hearing from the public, what was going on in the county. So anyone who mistakenly says that Ann Kananu belongs to Jubilee, you are wrong. It belongs to the county government of Nairobi, it belongs to all of us, ODM and Jubilee, she belongs to this government of this House. Hon. Speaker, this county has to run and I keep on saying the slogan, some of us we died long time ago, maybe only we are waiting, because we will not keep quiet, this CFSP paper, Chair for Budget, you've done a good job and your committee, but we'll also not allow a junior Member of the County Assembly---

(Loud consultations)

(Point of order)

Hon. Abdi Hassan: I think the Minority Whip has already exhausted his time...

Hon. Peter Imwatok: Chair just two minutes, May I beg for two minutes Speaker?

Hon. Speaker: Clerk, I think there is a laxity on the part of the Clerk.

Hon. Peter Imwatok: Just two minutes Speaker.

Hon. Speaker: Okay, wind up.

Hon. Peter Imwatok: I wind up for two minutes. I hope the Majority Leader is not one of those who have saved people of different names under His Excellency

Hon. Speaker, I wind up by saying, some of us, as I have always said in this House, I was a toilet cleaner. I was a watchman with Kenya Railways, and you know Speaker is my MP, and I became a hawker in Eastleigh. I moved to town and started a business, I went back to the people of Makongeni and I have been elected twice. I have seen it all. We will speak as it is, that this government must work on aspirations that some of us spent sleepless nights in hotels and apartments to make sure the bad governance is out and new governments in and nothing can stop us from speaking. The Government has seven days to make sure what the President expressed himself on, on SME's is implemented. I beg to support and ask Chair to be keen on the budget lines now.

Hon. Speaker: Thank you Hon. Thuo.

Hon. Charles Thuo: Thank you Hon. Speaker, I stand to support my Chairman of Budget and congratulate the House and leadership, because of this very important action that they have taken. As my Minority Whip says, it is most likely the last Budget we are going to implement and the next one is going to be done for the Executive Government.

Hon. Speaker, the budget is the key document for the running of any Government. It is dependent on the Budget for the Government to perform its roles and as a Member of the Board I would like to speak about the Assembly aspect of the Board.

Hon. Speaker, you are aware that the Assembly is in the middle of CFSP and in the CFSP it is the hope of the Jubilee side of this Government and of a Party and direction from the party that this budget is going to be used to cure some very long running discontent and some disapproval that some members of staff have felt in this Assembly.

Hon. Speaker, we have been in this Assembly for seven years we have seen the politics that have happened in this Assembly and we know that the previous Clerk Mr. Ngwere had divided this Assembly into

two as far as Members of staff are concerned and we have captured that in the budget. I want to assure the Members and to remind you that we must make sure that in this budget we do the right thing as the board and the Assembly.

We want make sure that all the staff that had been left out in promotion over the years are given the right promotions and people who deserve through the academic qualifications get their rightful positions. We are lucky, Hon. Speaker, that we have you and Mr. Gichana as people who are new and people who are apolitical and am sure you have not yet became partisan in the politics of this Assembly.

Hon. Speaker, it is the time now that you make sure that the members of staff for purposes of posterity going forward so that we leave Mr. Gichana with an Assembly that is not divided. Everybody gets what they deserve in term of promotions.

Hon. Speaker, I cannot sit down without mentioning the issue of WDF. It is not possible for these Members to go back to their wards if they do not have WDF. It is good to be mercy it is not going to be nice and I am happy that the people concerned have said they are going to be paid but we also cannot continue fighting in the public.

We are leaders and we can always talk in the boardroom and when the time comes to fight we will fight with dignity and pride knowing that we tried but failed and people did not implement. However, the issue of WDF it is the issue that concern all Members and I appreciate all people who have actually taken up the initiative - the Minority and Majority leader to fight about the WDF. Members should appreciate that a lot.

As we make the final, Budget Hon. Speaker and we go to an election, it is not going to be possible to face our electorate if NMS does not involve Members in the project they are doing in their wards. They are doing a good job and we all appreciate but if they come to my Ward let them tell me because it does not cost them anything as NMS it is not a political party and General Badi is not interested in politics and he does not intend to vie. People working under General Badi must be told and it must be very clear that if you are going to implement projects in our wards the budget that we are passing here it is the budget they are going to use to implement projects.

If they are going to implement these projects, it is only fair that they involve the Members of this Assembly in the implementation, launching and anything else that involve the doing of projects as far as this budget is concern. This is because if we are part of this the notion out their when someone see a road or a borehole that has been named NMS people will claim and the Members of the County Assembly will have nothing to do with it, as they will be saying that *Hii ni maneno ya NMS na* president which is not right because it us who give them the budget and we have fought very big battle in this Assembly trying to take that money from Sonko to NMS. We fought a very big battle it almost got physical and I was a casualty for that. It is not then right for people out there to try to insinuate that the work NMS does has nothing to do with MCAs or Assembly, which is not right. MNS is facilitated through this Assembly and we give them the budget, we do oversight and it is our role to see what they are doing and we must be involved. Thank you, Mr. Speaker.

Hon. Moses Ogeto: Thank you Hon. Speaker, first and foremost thank you Leader of Majority for convening this special sitting today. Hon. Speaker first and foremost I want to congratulate the Members of Budget Committee for ensuring that they have brought a Debt Strategy Paper.

Hon. Speaker, as I was going through the documents I was trying to say that we need this document during the time for debate and we were able to align few things, which are here Hon. Speaker.

Hon. Speaker if you see a Public Service Management I can see there is an allocation of budget of Kshs 1.7 billion. I would wish also the same strategy paper should defend those who have also died in the line of duty.

Hon. Speaker you will find most members of staff, it is very a shaming that 29 staff died during the time when the insurance AAR had suspended their services in this County and that is what the leader of the opposition was trying to say. Therefore, you will find that after these 29 Members of staff have died the insurance should give a package of Kshs.150,000. Since the former Governor resumed the office I have done some research and some clarification that there is a token that is supposed to be given to the bereaved families that is equivalent to Kshs.150, 000.

For the last one year, those files are at the Chief Finance Officer and that is where the chairman of Budget as much as you are giving a very good document for managing the CFCP and managing the debt in this County there are also files which are held at the Chief Finance Officer purposely because I do not know if they want the bereaved to give also 10%; we do not understand.

Hon. Speaker, that is a right to them because this allocation that we are doing today it will not make any sense that today the Public Service Management is been allocated Kshs1.7 billion then the bereaved have not been given their money. We had also to go to the allocation that was done and the culture and I had to share with my friend Hon. Majiwa the Deputy Speaker, why is it only done only on Jubilee wards because I have seen Kariobangi North, Riruta, and for the Chairman of Budget.

Hon. Speaker, this House has 85 Wards even if you could have chosen one from ODM side at least one in allocation of this funds, because this is being done now and you will not change it unless they will be an amendment to this CFCP and their will be no amendment to CFCP if we pass it today.

Therefore, Hon. Speaker, with due respect in allocation of this monies we are asking the chair to be fair to every ward. This is because whatever he is trying to do is set up liquor licenses and are these three wards the only ones which have drunkards and they do not want to build rehabilitation centers in the 85 wards?

Hon. Speaker, also what has interested me is also the WDF, which every Member of this House is talking about it. This is a baby, which we started when the Leader of the Majority was then the Leader of Minority when we brought WDF in this Assembly. Hon. Speaker, during the regime of former Governor Evans Kidero this thing was working, today it is not working and we do not know what the problem is. Hon. Speaker for the last two years, when NMS came in the contractors who went on site in the year 2018 to date have not been paid neither they started the project and stopped and this one is in all the ward, Hon. Speaker.

Therefore, Hon. Speaker, as we pass this Ksh 1.4 billion for WDF we just need some implementation of even two thirds. If they do not want like the ward for Kilimani they can implement in other wards where the Leader of Majority comes from from and Leader of Minority and at least a third of Members of this Assembly; that is what we want.

Hon. Speaker, I believe these shillings will also ensure it will safe guard this Assembly for you to be able to run this assembly. This because you have realized that the shillings, which have been set here for

this financial year of 2021/2022 it will be very difficult to change them in between, and I believe also the Senate will consider these shillings of Kshs 37.01 billion budget that the Nairobi County is granted.

Hon. Speaker, as I sit am requesting the Chairperson of Budget and Appropriation and your leadership to ensure that there is equity in whatever is happening in Ward Development Fund in this budget. With those few remarks, I beg to support.

(Point of order)

Hon. Robert Mbatia: It is very fair that I respond on the accusation by the Hon. Member about the rehabilitation centers. The rehabilitation centers is very clear and are in Kariobangi North, Jericho Health Center and Riruta, I have none in my ward. Jericho is in Harambee Ward and Mr. Speaker you have been a Member of Parliament in Makadara; Jericho has never been in my Ward. Therefore, it is good not to insinuate accusing finger, which is not right at all. Thank you Mr. Speaker sir.

Hon. Peter Imwatok: Hon. Speaker, I also happen to come from Eastland and I want to be clarity whether the chair is admitting that we are full of drunkards as the Member said, and that is why this rehabilitation centers are concentrated in Eastland side. Is the chairperson accepting that we are drunkard on the other side?

Hon. Speaker: I think the chair, when he will be making the reply, he will put his sentiments. I believe Hon. Nyengaresi you are done. I think the chair has taken notes when replying he will be able to capture your answer on what you really require.

Hon. Jeremiah Themendu: Thank you Hon. Speaker, I first want to thank the committee on Budget for the good work that they have done and I would like to support and adopt the strategic paper 2021/2022 and also support the budget that has been put there, that Kshs 7.5 billion which is interesting. I would like to say that those Members that were elected, they are aware that we rely on Sectoral Committees that are working on Assembly. Also I note that we have rules and procedures in the Assembly and the issue that has been brought by any sectoral Committee must be accepted by any Member, particularly those elected. They should know that for three good years we have done nothing. Particularly in my ward Kayole Central there is nothing concerning projects from County of Nairobi and I was elected by those people not to come and watch other wards being developed and mine is laying there without anything been done.

Therefore, Hon. Speaker, I would like to urge you because lately you have been following WDF at the NMS side and I should thank NMS because they have done a good job as some wards have appreciated what they have done. Even our City Centre is beautiful, but inside our wards for now, I know they have given some projects and advertised some I think we shall see something. Hon. Speaker, you should look at WDF and see if it is possible we can return it, back soon before the end of this financial year ending in June yet we are having only two months. If it is possible we can return the project to WDF to the CEO concerning the same.

Hon. Speaker, I also want to urge some Hon. Members who feel that they are aggrieved to respect each and every Member. We are only remaining with only one year and others like three months and we start campaigning.

Therefore, Hon. Speaker, I am urging all Hon. Members to respect each other if they have any contrary opinion they should bring it with soberness. Hon. Speaker, I support the strategy paper 2021/2022 and with that few remarks I beg to support thank you.

Hon. Speaker: Thank you Leader of Majority.

Hon. Abdi Hassan: Thank you Mr. Speaker sir, I want to take this opportunity to thank the Budget and Appropriation committee Members for doing a wonderful job. I know they have not slept; CFSP took a lot of their time and they have come up with a document which will see Nairobi progressing in the near future.

Mr. Speaker sir, I have heard many issues, which have been raised by my colleagues here, the Minority leader and Minority whip and I do not know where Minority Whip has gone. First, I would like to talk about the issue of His Excellency the President of the Republic of Kenya. It has become a tendency of some of the Members of the opposition when they want to attack people they use the name of His Excellency.

Mr. Speaker sir, His Excellency speaks to some of us and there is no doubt about it he is out party leader and he is our President and we take instruction from him. The issue about which has been raised here by Hon. Imwatok is a pure lie and I want the HANSARD to capture that and I can bet Hon. Komu has never said that he has been called by the president and I know it is a pure lie.

Hon. Imwatok wanted to justify what he wanted to justify and I want to urge my counterpart here, to ask his fellow Members not to use the name of His Excellency in this House again. We have never used the name of the Right Hon. Prime Minister. We know what they are saying, what they both speak, what they say about him, but we have never brought up that name because of the respect we have for that former Prime Minister of this Country. We want these Members to stop invoking the name of His Excellency the President of the Republic of Kenya.

Mr. Speaker sir, the issue about NMS is that they are doing wonderful job if you have eyes you can see the transformation which the NMS they have done. You cannot expect in a year's time NMS to do everything which since the inception of this city in 1964 has not been done. We had a county government from 2013 to 2017; we know what that county Government has achieved. Mr. Speaker sir, it has achieved zero. What NMS has achieved in a year the previous County Government did not match what NMS has done for a year and it is good to give due where it deserves.

Mr. Speaker sir, we do not want people to intimidate and blackmail the Government, as it cannot work under blackmail or intimidation from opposition. We wanted to work as brothers and sisters in this House, Mr. Speaker sir, but when intimidation seems to be the order of the day, then we will part way and leave opposition to do its work and the Majority side to do its work. However, we still have room to sit down and iron out issues which is between us Mr. Speaker sir.

Mr. Speaker sir, on the matter of the County Government, which Anne Kananu is in charge Mr. Speaker, we support the leadership of Governor Anne Kananu and we will continue supporting her as Members of Jubilee and Anne Kananu is a Member of Jubilee and in fact she is a Governor of Jubilee.

Mr. Speaker sir, that said and done she is a governor of this city that includes Members of the opposition. We do not want Members writing letter left and right trying to intimidate the officer to do work in a certain way.

Mr. Speaker sir, I heard someone talking about 10% and I do not want to go on record on what some people are doing in this House. Concerning AAR as a majority party, we are asking the County Government to move from AAR to NHIF because it is a milking cash cow for some people in this House. For the one who are speaking loud and we know and everyone knows. On that note, the Majority side will bring a Motion to ask this House to come up with an ad hoc committee to investigate how AAR was given the job. Do we have value for the money? What kind of covers are they giving to the staff of this City and recommending to the County Executive that it should cut insurance from AAR and give it to NHIF where I know members of staff will get a superior cover?

(Hon. Moses Ogeto rose on a point of information)

Hon. Speaker: Do you want to be informed?

Hon. Abdi Hassan: No, I am not interested in it.

Hon. Speaker: Okay. I decline.

(Hon. Moses Ogeto spoke off the record)

Hon. Abdi Hassan: I am on my feet. The Standing Orders are clear, when I am on my feet, the Deputy Whip cannot stand and try to cut me short. People should respect the Standing Orders.

Concerning the Ward Development Fund (WDF), as much as I agree with my brother here that WDF needs to be implemented, we should do it in a manner that should not cause conflict between ourselves and the implementing agent.

Mr. Speaker, as a leader we could have just walked to KICC and see the General and the people who are supposed to be implementing those projects instead of calling a press conference and bash people left, right and center, but say we are working together. In the spirit of handshake, we should not bash one another on cameras. People can sit, go to the NMS and ask why some projects are not implemented. What are the reasons? The difference between us and them can be ironed out by sitting down and not on a press conference. We are in handshake and all of us are in government. Minority Leader is saying here he was opposition leader and doing his work.

Hon. Speaker: Majority Leader, stick to the report.

Hon. Abdi Hassan: It is the same thing, Mr. Speaker. I am not out of the debate. On the issue of WDF, I know how urgent it is. We can look for the General when he is back in office. I know there are some officers there who are the ones doing these projects. So, we should not bash the NMS as a whole. We should go and sit with the General and know what the problems are so that we can sort out amicably.

Lastly, there is something I wanted to say when Hon. Imwatoke was here, but now that he is not in.

(Hon. Member spoke off the record)

I am just replying on what he was talking. I have to do that. With those many remarks, I beg to support the Motion and ask my colleagues to support it and urge Members that if you want projects to be implemented in your ward, make sure that you go to those committees to push for your project. Don't expect leaders to push for your projects, even the leaders have their wards. Every Member sits on a sectoral committee; you need to use that opportunity to make sure that you push for projects which will benefit your people. Thank you. I beg to support.

(Point of information)

Hon. Moses Ogeto: I want to inform the Majority Leader--- Sorry; I want to inform the House.

(Hon. Abdi Hassan spoke off the record)

Hon. Speaker: Order! I am in charge. Hold your horse.

Hon. Moses Ogeto: Hon. Speaker, it is in our Standing Orders that we should not give misleading information before this House. He is trying to bring a situation where there is an audit report which was conducted in the financial year 2020/2021 which showed the AAR had issues. Because of the quagmire in the government where he was leading, he was part of the people who wanted to remove the Chair of Public Accounts Committee when he was conducting these investigations---

Hon. Speaker: Order, Member!

(Hon. Abdi Hassan spoke off the record)

Hon. Speaker: Order, Majority Leader! I gave him the opportunity. I will now make a ruling. Hon. Member, stand guided that we should be operating this thing under the law. If you have an issue on any entity, you are at liberty to bring a substantive Motion so that it can be debated. So, I rule you out of order, Hon. Ogeto. Since there is no any other Member who wants to contribute, may I call the mover to reply.

(Hon. Abdi Hassan spoke off the record)

I have ruled him out of order, so, the ICT people know what is supposed to be done.

Hon. Robert Mbatia: Thank you, Mr. Speaker. I want to really appreciate for this session and the all the Members. In the same breadth, Mheshimiwa Nyangaresi was trying to put the record straight, he should have withdrawn his statement that my ward was benefiting from a rehabilitation center. I am a Member of Kariobangi South Ward and not Harambee Ward.

Mr. Speaker, having said that, I want to respond first to what had been raised by Hon. Imwatok about why him being a Member and I also being a Member of Eastlands, the rehabilitation centers are in Eastlands. I want to clearly state that they are well distributed. One is in Riruta, another is in Jericho and the other one is in Kariobangi to serve the other side of the City. These centers have been in existence. It is something that they are just improving. These are all social halls and have been improved them so that they can put street families. Now, they are moving on to put them as rehabilitation centers.

Mr. Speaker, I also want to appreciate your office. We first sought extension to determine this CFSP and the Debt Strategy Management Paper. Statutorily, this is a document that is tabled on the 28th and it must have been dispensed off in this Assembly by 15th of March. We sought leave of this Assembly and you gave us. We really want to appreciate.

I also appreciate the members of the public who under these circumstances still made presentations when we asked for their input in this. At least the members of the Executive managed to do the physical public participation in the 17 sub counties. But we as an Assembly had a difficulty because by then the pandemic third wave had risen and there were restrictions that had been put by His Excellency the President. Even after that, we did receive several memoranda from organized groups, from individuals. We have put that into consideration.

Mr. Speaker, I also want to thank all my 25 Hon. Members for working tirelessly. I do remember a month ago a date like this, we held three sessions with different groups to determine the matters in this document. That is how the Members are committed. By the end of that meeting, I want to report that six of

my Members fell sick and were COVID 19 positive. Some were hospitalized, I being one of them. After that meeting is when we all felt sick. We sacrificed our lives to have these documents here. I want to pray and ask this Assembly to continue praying for those that are still unwell and others are recuperating at home. I want to appreciate them for what they have done. We wish them quick recovery.

Mr. Speaker, I also want to respond on the issue of the pending bills. Yesterday, we met the Treasury and the NMS. It is confirmed that the Kshs.1.3 billion, and Hon. Imwatoke talked about it, has now been released to the NMS for payment. It was released the other day. It is not from the CRF; this was coming from the Treasury. The Treasury has cleared the Kshs.1.3 billion bills, so those small bills that have been awaiting will be paid. They promised that they will be paid as from yesterday. So, I know the process is being started and it is being cleared. It is unfortunate when one institution commits and spends but the other is to pay. Obviously, there must be some delay because of the verifying of the bills. That is what has been the problem. We have been having meetings on this. There were so many irregularities and gaps that Treasury could not release the money until that was cured.

I want to urge, and because the members of the fourth estate are here, I want to apologize to the contractors that put their money and have been waiting for so many years and assure them that now we have been promised that the rollout of the payment of the pending bills is starting and should have started.

Mr. Speaker, in the same document, this current CFSP, there has been money set aside for the settlement of the other pending bills because they are amounting to so much. I know the NMS has promised to put aside almost Kshs.2 billion to settle the pending bills on their side. We have even allocated about Kshs. 1.6 billion to Finance and Economic Sector to settle the pending bills. This is the coming financial year. This current financial year that we are still in the fourth quarter, I anticipate that we shall be doing a second supplementary budget and obviously we shall set aside some funds to continue to settle the pending bills. That would allow the contractors to go back to site. Some are not on site because of nonpayment of the certificates they have raised. So, I want to assure the Members here and even those that are online that the pending bills are a priority. We have insisted and we shall continue as a budget committee to pursue as we do our oversight mandate to make sure that pending bills have been settled, more so before the end of this current financial year.

Mr. Speaker, the elephant in the room is the WDF. This current financial year, no Member has managed to have their projects started. That is the anxiety that has been in this Assembly. The disgruntled Members are complaining and that is genuine. Under these circumstances, people would understand. I would request that we still domicile the funds under the NMS. I would request the Members of this Hon House that we domicile the WDF under the NMS. With that, we are proposing and we are in the process of opening a general purpose account for the funds for this financial year on development projects. In that general purpose account, funds will be withdrawn from the CRF in to the general purpose account on WDF. That will reinvent even if any Member will not manage to do their projects within this current financial year, those funds will be still domiciled and ready to be spend in that particular ward. Then the next financial year which now we are preparing the CFSP, and we anticipate having about Kshs.17 million allocations per each ward, will still do the same within the first quarter. So, the plans of the Budget Committee, the County Treasury and the NMS

is that by the end of this calendar year, we will have at least Kshs.32 million per ward in the general purpose account. We propose that after the pending bills payment, that should be the second charge.

Mr. Speaker, let the Members be assured that their discussions are underway and the WDF is something that even I as the Member of Kariobangi South Ward is pursuing because I need that money. We might lose this current financial year if we do what we always do. Those that are unpaid, because we have set aside funds for the pending bills, we request and dictate that even the WDF projects that have been complete be paid with the pending bills funds that will have been set aside.

Mr. Speaker, I also want to commend the NMS, as my leader as said. Nairobi County Government took over from the Nairobi City Council. The City Council existed even before we were born. Having an institution like County to run seamlessly, and we cannot say that the Nairobi County has been running seamlessly, it has not been easy but most of the issues have been tackled over the years, when the NMS came into being 13 months ago, you cannot expect it to what it has done. As much as we say it is the National Government plus the County Government and it is funded, the speed they have been doing is commendable. We must understand the teething problems especially on matters of procurement and even implementation of the projects. I want to report this that in our meeting, they have earmarked 400kms of tarmac in Nairobi. That spreads to all of our wards. Those are projects that are being undertaken in this current financial year and some will be undertaken in the next financial year.

Mr. Speaker, we want to support them as every other Member has said. They have now realized the teething and the bureaucracies that have been there. Some have been bottlenecks because of the operations. Having to pull members of staff from county and others from government, this would obviously bring some confusion before operations start. So, they are now ready to move, we need to support them. They have promised that they need a meeting. I have met their budget officers and the Deputy Director General and the Director General and none has said that they will not be oversighted by this Assembly. From where we are coming from, we knew that the previous establishment was not supportive of the NMS. But now they are ready to work with the current Executive. They said that every Chair of a sectoral committee of the transferred function is allowed to summon any of the members of the NMS, except the Director General. So, they are willing and ready and we should reach out.

I want to remind your office that we need a Liaison office of your staff members and of the NMS staff and let it not be a Liaison Committee. In that office, we will be able to communicate to get feedback and even to make follow-ups in that office, whether it is domiciled here or at the KICC. That is something that should have been done.

I also want to thank the budget office which has worked overnight to have this document in place. I want to appreciate the office. I urge that your office facilitates those officers. Sometimes I contact them and we do virtual meetings even late into the night. Sometimes they hire cabs to go home because one or two must be in the office.

Having said that, I want appreciate and urge all the Members to support the adoption of this report. Thank you. I reply.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon Members, there being no any other business, the House stands adjourned.
The House rose at 1.15 p.m.