



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Fifth Session

#### SPECIAL SITTING

Thursday 20<sup>th</sup> May 2021

The House met at 2.30 p.m.

*[Hon. Temporary Deputy Speaker (Mr John Kamangu) in the Chair]*

PRAYERS

QUORUM

**Hon. Temporary Deputy Speaker:** Clerk, confirm if we have the quorum.

*(Clerk-at-the Table confirmed there was quorum)*

We have the quorum. Clerk, proceed.

#### COMMUNICATION FROM THE CHAIR

##### SPECIAL SITTING

**Hon. Temporary Deputy Speaker:** Hon. Members, I have the following Communication to Make:

Hon Members, may I take this opportunity to welcome you all to today's sitting, which has been convened at the time when the Assembly is on recess. I sincerely thank you for honouring the invitation despite the short notice.

Hon. Members, pursuant to Standing Order 30, I received a letter dated 19<sup>th</sup> May 2021 from the Leader of Majority Party, requesting that I convene a special sitting today, 20<sup>th</sup> May 2021, commencing at 2:30 p.m. Accordingly, having reviewed the business proposed in the request and determination its urgency, I agreed to the said request and convened the sitting.

Consequently, today's special sitting was published in the Kenya Gazette dated 20<sup>th</sup> May 2021 under the Gazette Notice No 4706, for the following purposes:

1. Consideration of the Nairobi City County Supplementary Budget Estimates II for the financial year 2020/2021.
2. Consideration of the Nairobi City County Draft Valuation Role

---

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

3. Tabling and consideration of the the report of the Select Committee on Ward Development Fund on the vetting of the nominees for appointment to the Nairobi City County Wards Development Fund Management Committee.

Thank you.

Hon. Okumu, do you have anything to say?

**Hon. Nicholas Okumu:** Thank you, Mr. Speaker. I have a communication to make on the resolution of the NASA Coalition Party Caucus on the removal of the Minority Whip.

Mr. Speaker, the NASA Coalition Minority Party at the County Assembly held a party caucus on 5<sup>th</sup> May 2021, during which it was resolved that the Minority Whip, Hon. Peter Anyule Imwato be removed from the office and replaced forthwith---

**Hon. Temporary Deputy Speaker:** Just hold on, Hon. Okumu.

*(Point of Order)*

**Hon. Moses Ogeto:** Hon. Speaker, I am on a point of Order on Motion of Privilege. The Order Paper is very clear; communication is only done by the Speaker. There is nowhere in the parliamentary practice all over the world that a communication comes from a Member. With due respect, Hon. Speaker, guide this Assembly. It is very clear that Communication from the Chair only comes from the Speaker. Unless you have delegated duties, let us know.

**Hon. Abdi Hassan:** It is very interesting, Mr. Speaker, to hear my good friend, the Deputy Minority Whip saying that the Speaker is breaching the Standing Orders of this County Assembly. I want to remind the Member that a few months ago, a precedent was set by the then Speaker of this County Assembly, Madam Beatrice Elachi, when a communication was read on behalf of Jubilee Party by Hon. June Ndegwa. I did not see the Deputy Minority Whip rising to say that it was breaking the rules of this House. Thank you, Mr. Speaker.

**Hon. Moses Ogeto:** Hon. Speaker, these are atrocities which can happen in this Assembly which we don't recognize. Communication from the Chair is only for you, Hon. Speaker. If today a Member can stand and do a communication without following Standing Orders, it is better we proceed with that. Let us follow precedencies which have been made in this Assembly against Standing Order 1. If that is the precedent, Hon. Speaker, you want to delegate duties for a Member to do a communication, I believe always what happens in this Assembly, even if it is a communication which is made by this Assembly--- When the Leader of Majority was reinstated to the position, it was done by then the Speaker, and it was you. It was not done by Hon. June Ndegwa. If there is a communication, commit yourself and do that communication so that we can set a precedence in this House. Whatever you are going to do is irregular and against the Standing Orders.

#### CHANGES IN THE LEADERSHIP OF THE MINORITY PARTY

**Hon. Temporary Deputy Speaker:** Thank you, Deputy Minority Leader. I thought it was something different. The Office of the Speaker has received some changes in the Minority Party, that is NASA.

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

Hon. Members, the Office of the Speaker is in receipt of a letter from the Minority Party in the House, in line with Standing Order No.21 of the Nairobi City County Assembly. The letter regards the communication

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

of changes in the leadership of the Minority Party, pursuant to Standing Order No.21. The letter is in respect of the Office of the Minority Whip.

Hon. Members, before I convey the contents of the letter, some context is necessary. The removal of the Whip of the Minority Party is not detailed under Standing Order No.21. The Standing Orders and the relevant laws only speaks of the designated leadership of the parties. However, a practice has emerged in the House by which the House has handled similar matters before. I will refer the various communications from the Chair on this matter, but more specifically Communication from the Chair dated Tuesday 11<sup>th</sup> June 2020, in which the Hon. Beatrice K Elachi provided a ruling regarding the process and procedure of removal of leadership, including of Whips and requirements thereto.

In effect, the then Speaker guided that the process for the removal of the Majority or Minority Leaders could be applied to removal of Whips with necessary notification.

Hon. Members, by the direction, changes from the Jubilee Majority Party Caucus were effected forthwith, and a letter from the Party designating various leaders was rejected on the basis of the Secretary General being a stranger in the House in terms of the Standing Order 21. By this direction and specifically the Majority Whip, the Hon. Waithera Chege, MCA, was replaced by Hon. June Ndegwa, MCA, on a basis of the letter from the new duly elected Whip, minutes of the proceedings, and the signatures of those present in the said meeting, constituting a quorum as required by Standing Orders 21.

Hon. Members, while this practice has since not been confined, it is nonetheless a practice of the House and therefore appropriate in circumstances.

Accordingly, Hon. Members, Standing Order No.21 (7), with notification and above directions, demands that a Member designated as a Whip, may be removed by the party or coalition of parties that designated him or her by two thirds of the votes of all the Members of the largest party or coalition of parties in the County Assembly.

Further, under Standing Order No.21 (8), the Whip of the second largest party or coalition of parties in the County Assembly, shall forthwith upon a decision being made under the Standing Order communicate to the Speaker in writing, a decision together with the minutes of meeting of which the decision was made.

Hon. Members, the Office of the Speaker is indeed in receipt of minutes and attendance list in compliance with provisions of Standing Order No. 21 (7) and (8), accompanying the said letter.

I therefore wish to communicate that the Minority Party has made the following changes to their leadership:

1. The Hon. Peter Imwato, MCA, be removed from the Office of the Minority Whip
2. The Hon. Nicholas Okumu, MCA, be duly elected as the Minority Whip

*(Applause)*

Hon. Members, the duly elected as the Minority Whip has also requested the Chair to allow the Party time to consult with its officials on their designations of some party whip for the Minority Party.

*(Applause)*

Hon. Members, as directed by Hon. Elachi in the quoted ruling on the affairs of the party, it is not prerogative of the House and the Speaker to bind to those affairs, whether duly elected or who is interim. In

fact, it is settled as far as House is concerned. The removal complies with the rules and practice of the House as such as it is. It is so directed.

According to the changes, I hereby communicate and effect today 20<sup>th</sup> May 2021.

*(Applause)*

Accordingly, Hon. Members, the Assembly is duly notified of these changes. Thank you.

Clerk, proceed.

## PAPERS

**Hon. Abdi Hassan:** Thank you, Mr. Speaker Sir. Pursuant to Standing Order No.191, I beg to lay the following Paper on the Table of the Assembly today, Thursday 20<sup>th</sup> May 2021:

The Report of the Select Committee on County Finance, Budget and Appropriations on its consideration of the Nairobi City County Executive and the Nairobi County Assembly Service Board Supplementary Estimates II for the financial year 2020/2021.

Thank you, Mr. Speaker.

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

**Hon. Abdi Hassan:** Thank you, Mr. Speaker Sir. Pursuant to Article 185 (4) of the Constitution of Kenya, I beg to lay the following Paper on the Table of the Assembly today, Thursday 20<sup>th</sup> May 2021:

The Nairobi City County Draft Valuation Role 2019

Thank you, Mr. Speaker.

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

**Hon. Patricia Mutheu:** Thank you, Mr. Speaker, it is good to have you back.

Pursuant to Section 9 (1) of the Public Appointments of County Assemblies Approval Act, 2017, and Standing Order 191 (6), I beg to lay the following Paper on the Table of the Assembly today, Thursday 20<sup>th</sup> May 2021:

The Report of the Select Committee on Ward Development Fund on the Vetting of the nominees for appointment to the Nairobi City County Wards Development Fund Management Committee.

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

**Hon. Joseph Komu:** Hon. Speaker, I have the following Papers that have emanated from Bunge la Mwananchi.

**Hon. Temporary Deputy Speaker:** I commit to Justice and Legal Affairs Committee for further investigations.

*(Point of Order)*

**Hon. Moses Ogeto:** Hon. Speaker, I believe Bunge la mwananchi tables petitions. Hon. Komu wouldn't have tabled as Papers. The way I am seeing the way precedencies are being set now is very

ridiculous. Papers are being laid instead of Petitions but you have accepted it, Mr. Speaker. It is going against Standing Order No.1 where the Constitution of the Republic must be protected.

**Hon. Temporary Deputy Speaker:** Order! I gave it back to Justice and Legal Affairs Committee to see whether it is valid or not.

**Hon. Abdi Hassan:** Mr. Speaker, the Member should know the Speaker has the discretion under Standing Order No 1. You jumped Petitions to Papers and then you came back to Petitions. The Member has no mandate----

**Hon. Temporary Deputy Speaker:** I have committed to Justice and Legal Affairs Committee.

**Hon. Moses Ogeto:** It is Petition not a Paper!

*(Loud consultations)*

**Hon. Temporary Deputy Speaker:** Order! Clerk, proceed.

### NOTICE OF MOTION

#### ADOPTION OF THE REPORT ON THE VETTING OF NOMINEES TO THE COUNTY WARD DEVELOPMENT FUND MANAGEMENT COMMITTEE

**Hon. Patricia Mutheu:** Hon. Speaker, I beg to give notice of the following Motion:

THAT, this Assembly approves the Report of the Select Committee On Ward Development Fund on the Vetting of the following nominees for appointment to the Nairobi City County Wards Development Fund Management Committee, laid on the Table of the Assembly today, Thursday 20<sup>th</sup> May 2021:

1. Mr. Nuh Muhamed Ibrahim – Member
2. Mr. Wilfred Kimani – Member
3. Ms. Beatrice Karwitha Kiragu – Member
4. Mr. Evans Sindiga Ogwaka – Member

#### ADOPTION OF THE REPORT ON THE SUPPLEMENTARY ESTIMATES II FOR THE FINANCIAL YEAR 2020/2021

**Hon. Robert Mbatia:** Hon. Speaker, I beg to give notice of the following Motion:

THAT, this Assembly adopts the Report of the Select Committee on County Finance, Budget and Appropriations on its consideration of the Nairobi City County Executive and the Nairobi County Assembly Service Board Supplementary Estimates II for the financial year 2020/2021.

#### RENAMING OF ROAD IN THE CITY

**Hon. Peter Warutere:** Hon. Speaker, I beg to give notice of the following Motion:

THAT, aware that the County has a history of conferring honours and cognition of its most outstanding citizens for the service, acts or deeds which promote the public good; noting that the naming has been historically been done by both the National Government and the county government or town councils, which now lie under county governments; cognizant that these honours and cognition has extended to not just Members and titles, but also the renaming of roads and other public facilities after our heroes and heroines and other variant Kenyans; observing that Mr. Francis Atwoli, EBS, MBS, has greatly impacted the development of the trade union movement in Kenya, having begun its service at trade union in 1986, and

has over the last 54 years of his life as a public servant, championed the rights of workers and social justice against many odds; grateful that in his position of responsibility, including his global experience, he has represented Kenya effectively and championed the rights of all, which service has greatly improved the conditions of workers across the world, for instance, having served in various capacities to mention a few: as Chairman of East African Trade Union Confederation based in Arusha, Tanzania; Executive Board Member, now serving vice president of the International Trade Unions Confederation (ITUC), based in Brussels, Belgium; president of Trade Unions Confederation of East Africa, based in Khartoum, Sudan; president of the Pan African Labour Movement, the Organization of African Trade Unity, amongst many others that probably take a day to name; recognizing that in cognition of his decades in service, the state awarded Mr. Francis Atwoli with both Elder of Burning Spear (EBS) and Moran of Burning Spear (MBS) awards in cognition of its service role in championing of social justice; now therefore, this Assembly resolves that the Nairobi City County Government rename Dik Dik Road in Kileleshwa, Nairobi City County, to Francis Atwoli Road in cognition of Mr. Francis Atwoli's service contribution to the prosperity and wellbeing of workers in Kenya and abroad and for his championing of social justice issues over the last period extending to 54 years of his continuous public service.

I beg to lay.

### MOTION

ADOPTION OF THE REPORT ON THE SUPPLEMENTARY ESTIMATES II FOR THE FINANCIAL YEAR 2020/2021

**Hon. Robert Mbatia:** Hon. Speaker, I beg THAT, this Assembly adopts the Report of the Select Committee on County Finance, Budget and Appropriations on its consideration of the Nairobi City County Executive and the Nairobi County Assembly Service Board Supplementary Estimates II for the financial year 2020/2021.

*(Hon. Moses Ogeto spoke off the record)*

I anticipate his questions. I know there is a report but there has been a delay in the printing of the report.

*(Point of Order)*

**Hon. Moses Ogeto:** Hon. Speaker, I am on a point of Order under Standing Order 22 where budget estimates are tabled before this Assembly. Since the estimates of the supplementary budget were published, I have never seen the estimates.

Standing Order No.222 is very clear that when such estimates are being tabled in the floor of the House, they should first be tabled before the Chairs' Committee so that they can be scrutinized.

Hon. Speaker this House is receiving the estimates and I don't know when they were tabled. I am requesting to know when it was tabled because according to Standing Order No. 222, the estimates should be tabled before this House and then be committed to the Committee of Chairpersons.

*(Hon. Abdi Hassan spoke of the record)*

**Hon. Moses Ogeto:** Hon Speaker, I want to inform the Leader of Majority that Standing Order No. 222 is very clear and precise when you read all of it; on how estimates are presented in this assembly.

**Hon. Abdi Hassan:** Mr. Speaker sir, let me read Standing Order No. 222 (1). It says; *The Member of the County Executive Committee responsible for Finance and the Accounting Officer of the County Assembly Service Board shall not later than 30<sup>th</sup> April respectively submit to the County Assembly budget estimates and related documents specified in law for the County Government and County Assembly*’.

Where is this Standing Order? Hon. Speaker he is misusing Standing Orders here.

*(Point of Information)*

**Hon. Robert Mbatia:** Let me shed light on this. Mr. Speaker we were on a long recess and the practice under the Standing Orders is that when documents are brought when we are on recess, they are committed to the relevant committee by the Speaker, then on the sitting day they are communicated.

I want to inform Members present and those who are on online that the estimates for the Supplementary Budget Two were brought on 17<sup>th</sup> of this month and today is 20<sup>th</sup> and committed to us. We have deliberated on them and in my report I will give the rationale why it was not necessary to proceed even to the sectoral. It is not a must that it should be submitted to the sectoral, Mr. Speaker.

**Hon. Temporary Deputy Speaker:** I can also confirm what you are saying. Proceed.

**Hon. Robert Mbatia:** Thank you Mr. Speaker.

**Hon. Temporary Deputy Speaker:** I can confirm that it was received on 17<sup>th</sup> May and committed to the Budget Committee.

**Hon. Robert Mbatia:** Mr. Speaker I thought that Hon. Ogeto was raising the issue of lacking the report and that was caused by a technical problem in the assembly. But on this other practice Mr. Speaker, I believe we are in order as the Standing Orders dictates.

In the approved first supplementary estimates for the financial year 2020-2021, this county assembly authorized expenditure of a total budget of Kshs 37.88 billion. In the approved budget, the County Government had purposed to prioritize funding of the transferred functions by allocating adequate resources for garbage collection, continue rolling out the Ward Development Fund projects, implement the various critical programmes under the public works sector, settle part of the pending bills for statutory creditors among other issues across various sectors. The supplementary estimates submitted has retained the total budget at Kshs 37.88 billion with the revenue figures balancing to the proposed expenditure areas.

Mr. Speaker, the second supplementary estimates have been submitted to provide basis for payment of pending bills and debts obligations that were audited by the office of the Auditor General. The Committee as indeed the county assembly has been a strong crusader of the need for the county government that the latter brother – that is; the Nairobi Metropolitan Services, to prioritize settlements of pending bills as a way of ensuring that the county’s credit score is bolstered while also guaranteeing that those who do business with the county do not live to regret the decision.

The commitment and the desire to settle pending bills is in line with H.E Excellency the President directive that counties should set aside enough resources for settling of pending bills which are devoid of audit queries. This supplementary budget therefore, aims to provide resources to the tune of Kshs.12 billion for settling of part of the recurrent pending bills and amount owed to development contractors.

Further, and in line with the advisory from the Controller of Budget, and with concurrence with the Commission on Revenue Allocation, there is proposed increase in the recurrent budget for the County

Assembly in the tune of Kshs.149 million being amount not spent from the financial year 2019-2020. The amounts have been accommodated through re-allocation and reduction in the development budget for the board by kshs.50 million.

In general, Mr. Speaker, to make resources available for these payments anticipated in this supplementary budget, re-allocations have been done across various votes in line with provisions of Sections 135 and 154 of the PFM Act 2012. Mr. Speaker, the Finance, Budget and Appropriations Committee has reviewed the supplementary estimate's together with the submissions of the County Executive Committee Member for Finance and wishes to associate itself with the good intentions of the adjustments which is to improve the face of the county by ensuring that those who undertake to work for the county are compensated for their jobs and those that do business with the county, are also paid for the work done.

This bolsters the credit worthiness of this great county of Nairobi. The Committee therefore request that this House approves the Second Supplementary Estimates for the financial year 2020-2021 to enable the utilization of the funds before the end of this financial year which is on 30<sup>th</sup> June 2021.

Having said that Hon. Speaker, I beg to move this Motion and request Hon. Ogada who I anticipate that he is online to second me.

**Hon. Temporary Deputy Speaker:** Hon. Ogada on Zoom? Hon. Mbatia who else can second you?

**Hon. Robert Mbatia:** Hon. Speaker, is Hon. Karani online? Mr. Speaker, the Majority Leader is harassing me.

**Hon. Temporary Deputy Speaker:** Where are your Members, Hon. Chair Budget?

**Hon. Robert Mbatia:** I have the pressure of having so many Members Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Do we have any Member in the House?

**Hon. Robert Mbatia:** I have many of them. I want to request Hon. Kennedy Oyugi 'Tatua' to second me. Thank you.

**Hon. Temporary Deputy Speaker:** Do we Hon. Tatua around?

**Hon. Kennedy Oyugi:** Yes.

**Hon. Temporary Deputy Speaker:** Is Tatua your name or nickname?

**Hon. Kennedy Oyugi:** Indeed, it is my name.

**Hon. Temporary Deputy Speaker:** Is it in your ID?

**Hon. Kennedy Oyugi:** Mr. Speaker, that is my official name. I was baptized in 2017.

**Hon. Temporary Deputy Speaker:** Thank you for noting. Proceed.

**Hon. Kennedy Oyugi:** Thank you for this opportunity Mr. Speaker, I second.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Mbatia.

*(Question proposed)*

**Hon. Temporary Deputy Speaker:** Anybody who want to contribute?

**Hon. Moses Ogeto:** Hon. Speaker I want to be on record that I stand here to oppose this Motion on principles. One, you realize that the budget that we passed for 2020-2021 has allocated the Nairobi Metropolitan Services Kshs.26 billion. In the supplementary budget, it has been allocated Kshs.23 billion and you know the wonderful job that it is doing.



Hon. Speaker, looking at the estimates which have been presented before the House, it is kind of a skewed presentation. It is a one-page document which we are not able to scrutinize and know which estimates have been bundled to which category of this business. Since I joined this assembly in 2013 I have never seen a budget estimate of one page. This is why I am opposing this budget in principle that what the President brought to this county i.e. the Nairobi Metropolitan Services because we are able see in Wards that roads are being done day and night and even in the CBD.

Hon. Speaker, with those few remarks, denying NMS Kshs. 3 billion is unreasonable for the development of this city. I beg to oppose this Motion.

**Hon. Temporary Deputy Speaker:** Thank you Minority Whip. Hon. Warutere Muriithi, could you please request. Hon. Mutheu, I thought you are Patricia and not Peter. Hon. Peter Warutere proceed!

**Hon. Patricia Mutheu:** His microphone is not working. I think the gods have heard my prayers.

**Hon. Temporary Deputy Speaker:** Just sit and adjust. Hon. Muriithi, get yourself ready you have all the time.

**Hon. Patricia Mutheu:** Mr. Speaker, I think you are being gender insensitive.

**Hon. Temporary Deputy Speaker:** Hon. Mutheu, please sit down. I have not given you a chance. Can you organize how Hon. Warutere will get a microphone?

**Hon. Peter Warutere:** Thank you Hon. Speaker. Allow me to rise in support of this very good document. Allow me also to remind Hon. Whip – he has left when I wanted to address his fears – that budgetary making is a process. We all know that a good budget does not have to be a ten-page document for it to pass the test of time. I have gone through the document and confirmed that indeed we have a good document.

The Nairobi Metropolitan Services is doing well and we can confirm that roads are being done in our Wards and in the CBD and they are being done well. We have challenges on what is available for usage in terms of taxes and so then we must align the budget as such. I don't think that it is in bad faith that we have to relook at particular departments more than they could use at a particular time. The realignment should not be used to say that probably the departments are not doing well. When Kshs.26 billion which had been allocated to the NMS was way above in terms of the collections available and therefore realignment must be done as such.

Allow me Mr. Speaker to say why I am excited while supporting this document. I have seen the establishment of Ward Development Fund which will spur growth in our Wards. I know for sure that having the committee in place many things which had not been achieved within the last three years will be done in a record time. Allow me also to mention the issue of pending bills will benefit both micro and macro suppliers and this will in turn have a multiplying effect for our economy. It will ensure that the businesses that were down will be given a new impetus and the contractors that were out of business will be able to take the many projects that are coming up from both the NMS and the WDF for that matter.

With those few remarks, this is a good document which is very balanced. The best we can do one year to next general election is to make sure that we avail the necessary finance so things can be done. Hon. Speaker, I rise in support of this document. *Asante*.

**Hon. Patricia Mutheu:** Hon. Speaker, I rise to support the document. It is one of the best documents I have seen so far since I joined this assembly. For the first time the Nairobi contractors are going to benefit from their sweat. I also want to correct my fellow Member of County Assembly for Kilimani, that just because the document is in one page, is not a reason to refute it. Things are changing and we are respecting global warming and I suggest in future if we can do away with papers and go digital.

Next time the Chair Budget consider women to second your Motion for inclusivity and respect of the two third gender rule. I rise to support.

**Hon. Nicholas Okumu:** Thank you Mr. Speaker. It will be very wrong for me not to take this opportunity even as I support this Motion to thank my colleagues, my party and all the Members of this House for having faith in me. I want to assure them that mine will be a consultative approach to make sure that the issues that Nairobians want to be attended to, are.

Having said that, allow me to support this Motion. Mr. Speaker we know very well that there are a lot of developments happening in our Wards and contractors were unable to finish their work because of the pending payments. Therefore, this budget will help us pay our contractors so that whatever developments that the NMS is doing will be possible so that Nairobians can benefit.

As the new Interim Whip, I want to appreciate everyone and I thank you. I beg to support, thank you Mr. Speaker.

**Hon. Leah Supuko:** Thank you Mr. Speaker sir. It is good being here after a very long time. First, I want to congratulate our new Whip. It is good to have some changes; a change is as good as a rest. I want to support this Motion because it contains a lot of good things especially for the NHIF monies for the Executive which has not being updated and the pending bills for contractors out there.

I was a bit worried when our Whip was opposing everything. It is not a must for a document to have a 100 pages for it to be good; what matters is the content even for two lines in a page. Mr. Speaker sir, I beg to support.

**Hon. Temporary Deputy Speaker:** I can't see you. Hon. Kanario, can you move to the next seat?

**Hon. Doris Kanario:** Thank you Hon. Speaker for the opportunity. First, I want to congratulate Hon. Nicholas Okumu on his new position in this assembly. He is a level headed young man who I know is going to change things in this assembly and we believe in him. We look forward to working with you Hon. Nicholas Okumu.

Hon. Speaker, I rise to support this budget and remind the Deputy Minority Whip that we need quality and not quantity. The Budget Committee has sat and deliberated on this and has come with a very good budget, I have gone through it. It caters for the very essential needs in this county and so I rise to support this Motion. Thank you.

**Hon. Jeremiah Themendu:** Thank you Hon. Speaker for catching my eye, I rise to support this Motion. I want to congratulate Hon. Nicholas, kudos my neighbor. I support the Motion on supplementary estimates and I cannot see the reason why somebody should object the same. We are remaining with only one month to end our financial year 2020-2021.

I remember there are contractors who did Ward Development Fund projects in our Wards in 2018 and they have not been paid up to now. According to the estimates read by the Chair we have money to pay

the pending bills. The Ward Development Fund will continue and within the one month we can do something good to our people.

Some contractors have even committed suicide because they had borrowed money to do the projects from the banks and their properties have been auctioned.

Hon. Speaker, I want to thank the committee for doing a commendable job and no one within the County Assembly can object to it. I urge the Executive and the NMS to move with speed and make sure that before the end of this financial year, all projects have commenced. Hon. Speaker, I beg to support the Motion and urge Hon Members to support the Motion because it is not the end of the world. Thank you

**Hon. Temporary Deputy Speaker:** Thank you Hon. Themendu. Hon. Mary Omwami

**Hon. Mary Ariviza:** Can you hear me?

**Hon. Temporary Deputy Speaker:** Yes

**Hon. Mary Ariviza:** Mr. Speaker sir, can you hear me?

**Hon. Temporary Deputy Speaker:** I can hear you

**Hon. Mary Ariviza:** Thank you Mr. Speaker sir for this great opportunity to contribute. I am however shocked about what has transpired. This is because I never attended any meeting of the NASA coalition to remove my Minority Whip. I want it to go on HANSARD that I never received any communication that there was a meeting by NASA and I never attended any meeting that is why I am shocked by what has happened today.

On the budget discussion, I wish to say that I support it in totality except for these corrections. I have not heard any monies set to help people living with disabilities governing council to actualize it in Nairobi. It is important to have that so that the people living with disabilities can have their work done. Also, as my Minority Whip has said, let us give the NMS maximum support so that they can continue with the good work.

I am in the Transport committee and today Engineer Ochieng came to talk to us on all the programmes that they have done from roads, construction to repair of various buildings in the city. They have done a really good work. Therefore, I feel like if we remove their budget by Kshs 3 billion then they may not be able to conclude their work. So as I support this Motion, I want that the persons with disabilities budget be increased by Kshs.20 million or more so that the committee can start functioning.

Kisumu city have a database on persons living with disabilities so that they are able to help them set up small businesses. Here, we do not have such because there is no desk for them to come register so that we have their contacts and know how to help them. I have been able to visit a number of self-help groups like the one in Umoja that is helping under 35 aged persons living with disabilities.

Today at our meeting, we were given an update on World Development Projects that have started and are in the awarding stages. Thank you Mr. Speaker sir, I really appreciate

**Hon. Temporary Deputy Speaker:** Thank you Hon. Mwami. Hon. Osman Ibrahim

**Hon. Osman Adow:** Thank you Mr. Speaker. I rise to support the Motion. On deliberation on the same, we found that the money is best utilized because of the one-month timeline that we have. This timeline can only be utilized in certain areas and put in others so that it can fit within the budget. To tie it to projects that will take more than a year is not viable right now and that is why we found it best to have it utilized right now instead of returning it to the exchequer.

People should not read this as an NMS versus the County Government issue. We are all doing the same thing and want the same at the end. Therefore, I wish to say that nothing is being taken away from NMS. It is just a timeline issue and that is why we find it suitable to transfer it to pay pending bills which will also enhance the development of areas that have stalled and on that basis, I support the Motion.

I would also wish to congratulate the newly elect---

**Hon. Temporary Deputy Speaker:** Are you done Hon. Osman?

**Hon. Osman Adow:** I am through with my submission Mr. speaker

**Hon. Temporary Deputy Speaker:** Thank you. Hon. Mutheu, did you support the budget?

**Hon. Patricia Mutheu:** Definitely. I said that it is the best document I have seen since joining the Assembly. It has captured all the expectations of Members and help unlock the financial crisis that our contractors are going through. It is one document with very beautiful resolutions and that is why I support it 100%.

For once it has incorporated WDF and with that I am lost for words. I support it and know that this is what Nairobianians have been waiting for. I would also wish to correct the Hon Members who feel aggrieved because certain areas have had their budget reduced and moved to others that we all want what is best for Nairobi and would never do anything to jeopardize the glory of Nairobi. Hon. Speaker, I rise to support.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Mutheu. Hon. Warutere, have I heard you today? I can see your hand raised up

**Hon. Peter Warutere:** Hon. Speaker, allow me to use my Majority leader's microphone. I believe that the decisions made today are for the people of Nairobi. We had both sides of the divide sitting down to agree on that many issues that are before us.

I want to thank my good friend and leader of Kilimani for learning the ropes well. I was his best man during his wedding and I can see that he is ready to eat the humble pie and toe the line. Jubilee is awake and we want to fix the many wrongs that have been there. I also rose to congratulate the new whip from the ODM side. I understand that 36 Members decided on the fate of their whip and that being the case, we can only agree to what others agree to in their Kamukunji.

I wish to inform the House that while at the university, I read about case law. This is a precedence that has been set before by other courts or the House and are always diligently followed to the latter. Therefore, as they say in Kiswahili, 'ukiona mwenzako ananyolewa, tia kichwa chako maji manake hujui siku yako itafika' *Inaonekana siku za kunyolewa zinafika* and the best that we can do as an Assembly is to follow the precedence and agree with the law. I am glad that things are now moving and that Nairobi is shining.

Mr. Speaker, allow me to congratulate Majority leader and a few Members who found themselves in the Mizani awards on the great things that they have done within their wards and leadership positions. Nairobi got three positions and that tells you that things are moving in the right direction.

I wish to also congratulate myself for receiving an award and the Majority leader for a job well done. I want to reiterate that we only have one year to the elections and politics is about perceptions and what we do on the grounds. Nowadays when you walk around you get to hear stories of the green city. How I wish that when history is written, it will capture that the Second Assembly was able to work and ensure that wanjiku walk on walkways, have good roads and have amenities like water. With those many remarks Mr. Speaker,

I wish to say that this document is here to fix the many wrongs and gaps that have occurred and that we fix it in the coming days. It is a good document that has been supported by everyone. Thank you Hon. Speaker for giving me the opportunity to contribute on the happenings of today.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Warutere. The mover

**Hon. Robert Mbatia:** Thank you Mr. Speaker. I wish to thank the entire Assembly for their support of the second supplementary budget and before I continue, I wish to respond to the questions lingering with the Members.

*Mheshimiwa* Ogeto inquired on the reallocation of money and I believe that with this information, he will change his mind and support the vote. Mr. Speaker, the wisdom behind the supplementary budget II was that we have a lot of pending bills totaling to over Kshs 70 billion and from the exchequer there were monies lying unused and if by the end of the financial year we would not have spent them then it would be very difficult making a follow up on it.

Therefore, that was the reason behind the supplementary budget II. I want to applaud the Nairobi Metropolitan Services for the work they are doing which is very obvious and thank them for bringing order in Nairobi. Mr. Speaker, we have lots of unpaid money to suppliers, contractors and the retirees. NMS thought of sweeping all monies that could not be spent during this financial year to reallocate the money to the retiree's benefits. They also dedicated some monies to pay the troublesome bill of KRA and renegotiate remittances of Lapfund and Laptrust and pay something.

Mr. Speaker, we have also experienced power blackouts in City hall because of the pending bills of KPLC and they want to clear that bill in totality. We also have the KEMSA bill that has accumulated to Kshs 374 million that is to be paid in full. We have contractors and suppliers under the four transferred functions that had raised certificates and invoices to be paid before the transfer of functions to Nairobi Metropolitan services. NMS in their wisdom thought that the audited bills that fall under transferred functions be paid because there are projects that are not on-going because contractors have deserted site because of no payment.

Mr. Speaker, we have always said that there was a marriage between NMS and the Nairobi City County. I do not know who the wife is because I believe that Nairobi County Government was the father who married Nairobi metropolitan Services who have been very kind to adopt all the liabilities that this family had. Therefore, all pending authorized bills under the transferred functions or those done before the transfer in March last year will be paid by the NMS in this reallocation. Therefore, I wish to inform *Mheshimiwa* Ogeto that in this reallocation we are not denying NMS money. We are not realigning the budget to do the most important bills at this current time of the financial year.

Let it go on record that this budget has come to realign and offset us so that Nairobi can be credit free. So many people do not want to do business with Nairobi because of non-payment. I believe that with this action by the Nairobi Metropolitan Services, Nairobi will be credit free and people will come do business with it and the retirees will go home with their packages. Having said that Mr. Speaker, I believe that we can ably roll out the early voluntary. It has not been forthcoming because staff were afraid that in the event that they retire, they will go home without any packages but having cleared this then we will bring in fresh blood and oversee projects.

We also want to assure members that there has been a reallocation of Ksh.336 million under WDF of the previous bills. Therefore, every pending bill on WDF will be offset from these monies.

Mr. Speaker. I want also to indicate, and Chair Health is here, that KEMSA, as I mentioned it, KEMSA has been a problem in giving us drugs just because we had an unpaid bill with them. So having paid all that is due to KEMSA, means that drugs will now be supplied to all our facilities.

So Mr. Speaker, this is a well thought supplementary budget and having said we had a pending bill by this Assembly of almost Kshs.149 million, there were suppliers and contractors who had given this Assembly services and we could not pay them because we never had those monies. With this budget we will be able to pay those pending bills, some of which are even the Members' allowances, Mr. Speaker. Some Members, staff and those that give services to Nairobi have not been paid. So, Mr. Speaker, I want to request the Members to support this report by the Budget and Appropriations Committee as we support the second supplementary budget.

Having said that, Mr. Speaker, I want also to thank your office for the support that you have given our committee this time since this document was brought to us. I want to thank also the Clerk who has worked tirelessly under very difficult conditions to whip his troops to support and to facilitate my committee to be able to have this document in place.

Finally, I want to thank the Members of the Finance, Budget and Appropriations Committee who willingly worked overnight to have this document here, led by the Budget Office. So, Mr. Speaker, I want to thank you, I want to thank all Members for supporting this document and I request that we pass this supplementary budget and allow the implementation of all that has been said and done here to enable both the County Government and County Assembly and the Nairobi Metropolitan Services to meet all its bills and commitments before the 30<sup>th</sup> of June 2021. Mr. Speaker I beg to support.

**Hon. Temporary Deputy Speaker:** Thank you, Chair Budget.

*(Question put and agreed to)*

## MOTION

### ADOPTION OF THE REPORT ON THE VETTING OF NOMINEES TO THE COUNTY WARD DEVELOPMENT FUND MANAGEMENT COMMITTEE

**Hon. Temporary Deputy Speaker:** Chairperson WDF, Hon. Mutheu Patricia.

**Hon. Patricia Mutheu:** Thank you, Mr. Speaker Sir. I would like to congratulate Hon. Nicholas Okumu for his new appointment. It's always good to pump new blood.

Hon. Speaker I beg to move that this Assembly adopts the report of Select Committee on Ward Development Committee on adoption of the vetting of nominees to the Nairobi City County Ward Development Fund Management Committee.

Hon. Speaker, the Fund had over the years faced a number of legal and administrative hurdles over a number of instances. The County has grappled to meet the requirements of the said Act with a view of operationalizing it in order to achieve full implementation of the projects planned within this financial provision.

Since 2016, the fund did not perform well because the County Ward Development Fund Management Committee was not fully constituted. Among other members of the said committee, the four persons as

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

stipulated under section 5 clause 2(d) were missing. Hon. Speaker, section 5(2)(d) the Act provides that the County Management Committee shall consist of four persons qualified in matters relating to the Finance, Accounting, Engineering, Economics, Community Development or Law. Competitively and transparently, the recruitment and appointment by the County Executive Member in accordance with sub-section 4, taking into account gender balance.

*(Point of order)*

**Hon. Temporary Deputy Speaker:** Yes, Majority Leader, what is the point of order?

**Hon. Abdi Hassan:** Mr. Speaker Sir, the Standing Order 31.

**Hon. Temporary Deputy Speaker:** I cannot hear you, you are not audible. Proceed Majority Leader.

**Hon. Abdi Hassan:** Mr. Speaker Sir, I am standing under Standing Order 31 to move a procedural Motion to extend the sitting hours of this Assembly until we finish the business in the Order Paper and the supplementary Order Paper Mr. Speaker Sir. And I will urge the new Acting Minority Whip to second me. Thank you.

**Hon. Temporary Deputy Speaker:** We have the acting, proceed.

**Hon. Nicholas Okumu:** Thank you Mr. Speaker. As the Interim Whip, indeed we still have more business that we need to execute, therefore I beg to second. Thank you Mr. Speaker.

**Hon. Temporary Deputy Speaker:** Thank you very much. We have agreed that we have other business to transact, so we extend the House till we finish the matters that are on the table. Thank you very much. Are we all in agreement? Is there anybody else with a different opinion? The ayes have it. Proceed Hon. Mutheu.

**Hon. Patricia Mutheu:** Thank you very much. And thanks to our Majority Leader, he's always been effective. I almost lost count of my time.

So, Hon. Speaker, pursuant to section 5(4) of the Act, the names and curriculum vitae of the persons competitively and transparently nominated members of the County Management Committee, pursuant to paragraph (d) of sub-section 2, shall be submitted to the County Assembly for approval before appointments are made.

Hon. Speaker, pursuant to Section 5(4) of the Ward Development Fund Act, 2014, the County Executive Committee Member responsible for Finance and Economic Planning forwarded to the Clerk of the Nairobi City County Assembly the names of the following nominees for vetting by the select committee on Ward Development Fund and consideration for approval by the County Assembly for appointment as Members of the County Ward Development Fund Management Committee as follows: -

- |                                 |                   |
|---------------------------------|-------------------|
| 1. Mr. Wilfred Karani           | ID. No. 29870592  |
| 2. Mr. Nuh Muhamed Ibrahim      | ID. No. 22250245  |
| 3. Ms. Beatrice Karwitha Kiragu | ID. No. 22179739  |
| 4. Mr. Evans Sindiga Ogwaka     | ID. No. 112043316 |

The Committee observed that: -

1. The four nominees satisfied the requirements of Chapter Six of the Constitution of Kenya on Leadership and Integrity which is a requirement under section 35(3)(c) of the County Governments Act, 2012;

2. The nominees meet the requirements of the provisions of Section 35(2) of the County Governments Act, 2012;
3. The nominees satisfactorily met the requisite academic and professional qualifications;

The Committee is aware of the provisions of section 5(3) of the Nairobi City County Ward Development Fund Act, 2014 in that the Member of the County Executive Committee shall appoint the Chairperson of the County Management Committee from amongst the four persons appointed in accordance with paragraph (d) of sub-section 2.

The Committee recommendations

Pursuant to Section 45 Clause 1(a) and (b) of the County Government Act 2012, Section 9 of the Public Appointments, County Assembly Approval Act 2017 and Standing Order No 203 Clause 6 sub-section (f) of the Nairobi City County Assembly Standing Orders, the Committee recommends that this Assembly approves the following four nominees for appointment by the County Executive Committee Member responsible for Finance and Economic Planning as Members of the Nairobi City County Wards Development Fund Committee as follows:-

1. Mr. Nuh Muhamed Ibrahimim - Member
2. Mr. Wilfred Karani - Member
3. Ms. Beatrice Karwitha Kiragu - Member
4. Mr. Evans Sindiga Ogwaka - Member

Hon. Speaker, I beg to move this Motion and request Hon. Oyugi to second me.

**Hon. Kennedy Oyugi:** Thank you Mr. Speaker. Indeed ... *(Loud consultations)*

**Hon. Temporary Deputy Speaker:** I give you five minutes.

**Hon. Kennedy Oyugi:** No, I don't need. Less than a minute will be enough. Mr. Speaker, I beg to second.

**Hon. Temporary Deputy Speaker:** Hon. Oyugi, I have not been in this House for quite some time, so it's important that when I give five minutes, make use of the five minutes because you are an Elected Member and you know now we have moved to a new membership of the WDF. As an Elected Member I think you have something you can say other than just supporting it. Please let me give you five minutes.

*(Laughter)*

**Hon. Kennedy Oyugi:** I don't know, Mr. Speaker, what you want to hear from me. However, I was in the panel that vetted these Kenyans and indeed as the Chair has correctly put it, they are Kenyans who are very much qualified for this position. And in order to expedite the work of WDF in various wards, I think the House has got no option other than to adopt this report so as to effect the program and the progress of WDF. So Mr. Speaker, with those few remarks, I beg to second.

**Hon. Temporary Deputy Speaker:** You have taken three minutes. Okay.

*(Question proposed)*

**Hon. Temporary Deputy Speaker:** Hon. Members, please contribute and especially to the Elected Members it's important. Now you have the new team, what do you expect from them. Let me give this chance to Hon. Mbugua Kabiro.



**Hon. Mbugua Kabiro:** Thank you very much Mr. Speaker Sir. I am delighted to support this Motion by the Hon. Mutheu Patricia. It is something that I think the committee has looked at, and I was present during the time of vetting and I would approve that the said nominees be approved so that they can be able to start on their work. I support the Motion Speaker.

**Hon. Antony Kiragu:** Hon. Speaker, I would like to support that report and say that I will wait for them to act also. I hope that we will be able to recover the lost time because the WDF Act was passed for the first time during the last Assembly. We have not been able to operationalize it and I hope that has been the missing link.

I hope that we will be able to move with speed and especially recover the 2021/2022 financial year WDF projects and it will also be made possible that the contractors whose money has been lying at the county, who have not been paid for a long time, will be able to be paid and they will be able to recover their losses because they are really suffering and we have been hearing a lot of stories. At least now we have a secretariat that is supposed to do the footwork, the walking and everything that is required to make sure that the fund continues. Congratulations to chair Mutheu and her team and I hope that we have been able to finally crack the problem that has plagued this Act. Thank you very much.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Kiragu. I have Hon. Lumallah. It's your chance now. Hon. Mellab are you there?

**Hon. Rose Ogonda:** Thank you Mr. Speaker. It is not Mellab, it is Hon Rose. My phone is off, so I am using Hon. Mellab's phone. Can you hear me?

**Hon. Temporary Deputy Speaker:** Who are you by the way? Why are you using her phone?

**Hon. Rose Ogonda:** My phone is off and that is why am using Mellab's phone.

**Hon. Temporary Deputy Speaker:** What's your name? I can't place that voice.

*(Hon. Rose Ogonda confirmed it was her)*

Proceed, Rose Ogonda.

**Hon. Rose Ogonda:** I just want to support the Motion because now am happy. When we walked along the corridors back and forth, we have seen light at the end of the day. And I support the move so that the contractors can be paid and the Members can start working immediately so that the Ward Development Fund in our wards can continue and the past pending bills can be paid. I support the Motion.

**Hon. Temporary Deputy Speaker:** Thank you, Hon. Rose for using Mellab's phone. Hon. Mugambi 'Ronaldo' Mark?

**Hon. Mark Mugambi:** Thank you very much Hon. Speaker. Mr. Speaker, I would like also to support the said Motion. As you are aware Mr. Speaker, personally in Umoja 1 Ward, I have a lot of pending projects due to non-payment and I would like to laud Hon. Mutheu and all the WDF Committee for the good work, I wish it came much earlier, but at the time that it has come, I think we can salvage something despite the limited number of days left.

I think we can salvage something and at least hide the failures we have shown to our voters for the last four years. If we can at least push for the payment of all the unpaid pending projects, at least it could save most of the 85 elected leaders within Nairobi County some embarrassment.

Also, let me laud the Deputy Governor for agreeing to initiate the same, and the Majority Leader in making sure that all wards will now have all the non-paid projects paid. Also, let me thank the Chairman Budget for bringing up the supplementary budget. As you are aware we could not have paid despite having the committee in place without the supplementary budget. So, to Hon. Mbatia and team, much respect to you guys. Let's use the remaining few weeks before the next financial year to pay. And I would like to request the Majority Leader to push the Executive, especially the finance department so that we do not have any delays. You know they may come up with a few excuses here and there, but let us push them as a team and make sure that Nairobian are served diligently. Mr. Speaker, I would also like to commend the work that the Deputy Governor is doing within Nairobi. Thank you very much, I support.

**Hon. Temporary Deputy Speaker:** Thank you Hon. Mugambi Mark Ronaldo. Hon. Mwangi Macharia Benson.

**Hon. Benson Mwangi:** Thank you, Mr. Speaker. You know I am surprised that you have caught my eye after like two hours of requesting.

**Hon. Temporary Deputy Speaker:** You have the opportunity now, say whatever you wanted to say. I have given you ten minutes.

*(Laughter)*

**Hon. Benson Mwangi:** I'll say the way Hon. Oyugi had said, I don't need ten minutes, I only need five.

I rise in support of the Motion because it is a step towards the direction of fully realizing the WDF Act. Remember, under the Act, we still have the Ward Committee that the previous Assembly vetted their members but when the time came for them to start working, they were told that the WDF is unconstitutional.

So by vetting and employing these employees, they will never come back and tell us that this thing is unconstitutional again. And with the incoming of the BBI, it will be fully constituted in our constitution. The other thing is that I would like to congratulate my brother Hon. Okumu, you know you are the Minority Whip but in Nairobi you are the Whip of the whole of Nairobian. So and I quote '*kalia kiti sawasawa*'.

To the Budget Committee, I am surprised that a senior Member can say that the budget was incomplete, that he can oppose a budget that has been prepared by a committee that is being led by a person of 15 years' experience in this House. I was shocked and surprised that he can oppose that. So, thank you the WDF committee Chairlady, the Budget Committee Chairman for the good work, well done. And to the leadership of the House, thank you for bringing stability in this House. So Hon. Speaker, as I summarize, I wanted to be on record, please be switching on your phone. Thank you.

*(Laughter and loud consultations)*

**Hon. Temporary Deputy Speaker:** Thank you Hon. Benson Mwangi. We have Hon. Matara.

**Hon. Silas Matara:** Thank you, Hon. Speaker. I hope am audible enough. First of all, I would like to thank the Chair through her leadership and my colleagues in the WDP committee for the work that we did and it is only my prayer that now that we have done our part, NMS is going to transfer funds to that account with immediate effect and the respective contractors can be facilitated to complete the works that are ongoing.

And for those contractors who had fears that if they get to do the works they are not going to be paid, then I think now Nairobi is going to move forward and the respective projects for the respective Members of

this House are going to be executed in a timely manner before the end of the financial year although we will have secured the funds.

So, thank you to the Members and the leaders for this House, for having facilitated and having pushed the Committee and also having created a leeway for us to perform better. Thank Hon. Speaker.

**Hon. Jeremiah Themendu:** Thank you, Mr. Speaker, and let me rise and support the report I first congratulate the chairman and the committee for the good work. We have been waiting and quarrelling a lot for the same and now we have seen that we have a way out. Hon Speaker I would like to urge the nominees that I support because they met the requirement and they qualified that they should move with speed with their CEO to make sure that the projects are being done before the end of June because the financial year is going to end on June or early July.

Hon. Speaker, I would like to thank the leadership of the House lead by the Majority Leader Hon. Abdi Hassan and also the Chair of Budget because they have done wonders to make sure everything is going smoothly and now we are okay as we are going to sleep well believing that Nairobians are going to be happy again because all the projects are going to be installed and nothing is happening on our grounds. In the time of rains, the roads were flooded because the drainages were not being dug and it is being done by the Ward Development Fund. Hon Speaker, with those few remarks I beg to support thank you.

**Hon. Robert Mbatia:** Hon. Speaker, I just want to say that my fears have just been confirmed that you are ignoring me because as just *Mheshimiwa* Benson indicated I want to move from this place to another place so that you can catch my eye. Having said that my speaker, I rise to support the report by the WDF committee for a wonderful work done by the chair, Hon. Muthee. I want to say two things, first is that this is a move that will activate what the Budget and Appropriation committee has been doing is in making the regulations, passing bills and giving instruction to the finance sector, that is the County Treasury, that they should open a general-purpose account to reference the WDF.

Hon. Speaker, it would not have been possible had it not been activated through this Act by WDF Committee. Now moving forward at least I have seen a requisition of Kshs 1.3 billion for the current financial year to go straight the same general purpose account and as we are in the process of reallocation and passing the Appropriation Bill there will be another Kshs 336 million of the previous bills under WDF that the money will be sent to this account.

Hon. Speaker, having this committee in place is the key to having all that and having to realize all the dreams of this honorable House.

Hon. Speaker, having said that my second comment would be on the selection of these four persons. I know none of them but following the report of this committee which I know, it is ably lead by Hon. Mutheu, I can see gender balance, youth representation, and tribal balance in the composition of this membership. This gives a face of the people of Nairobi and I probably never had the privilege to look at their resumes but I believe these people were selected as the best amongst those who had applied and shortlisted.

I believe also that their credential speaks for themselves and Mr. Speaker what I would say and request these persons because I believe the House is in support of them and there will be no fees by tomorrow, I would tell them this that they are in office just because there were bottlenecks in the operationalizing of the WDF and its operation. They have come to unlock let us not forward documents and

payments to them and take long as they have been taking as they should come and solve that hitches that has been ailing the WDF operation since the first and second Assembly. Hon. Speaker, having said that I support thank you.

**Hon. Patricia Mutheu:** I would like to thank this honorable House Mr. Speaker, indeed it has been a long journey and trust me this is a historical move for Nairobians. I would like to thank my Committee together with the clerks who worked tirelessly to make this procedure bear fruits. I would also want to thank the Budget Committee for their special consideration of allocating an extra Kshs 356 million to pay our pending bills and also making sure that whatever we have requested is on its way to the banks because we need to effect the requisition as soon as possible otherwise whatever we have done here it will just be a piece of paper.

I have nothing much but to thank each Hon. Member who put a lot of effort in these corridors and everyone was frustrated and it was not a good feeling at some point we felt like WDF committee was just a select committee that was not supposed to be there and do anything but at the end of the day, we have seen the light at the end of the tunnel. So *nigependa kuwa shukuru sana Members wangu wote...*

**Hon. Temporary Deputy Speaker:** Hon. Mutheu you know the rules of this House!

**Hon. Patricia Mutheu:** You know I am so happy

**Hon. Temporary Deputy Speaker:** You could have started in Kiswahili but you started in English and you know the rules

**Hon. Patricia Mutheu:** For the sake of Hon. Husni I have to balance it.

**Hon. Temporary Deputy Speaker:** Could you please conclude?

**Hon. Patricia Mutheu:** Alright I conclude. Thank you, Mr. Speaker.

*(Question put and agreed to)*

**Hon. Temporary Deputy Speaker:** Before we came to the point of order we had requested for extension of time and now we have the agenda. Clerk proceeds.

### PROCEDURAL MOTION

**Hon. Abdi Hassan:** Thank you, Mr. Speaker Sir, that notwithstanding the provisions of Standing Order 127 this assembly resolves to reduce the publication period of Nairobi City Supplementary Bill 2021 Assembly bill No. 2 of 2021 from 7 days to 1 day. Mr. Speaker sir, I would like Hon Kennedy Oyugi to second the Motion thank you.

**Hon. Kennedy Oyugi:** Thank you Mr. Speaker I do second.

*(Question put and agreed to)*

### BILL

#### *First Reading*

THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION BILL 2021 ASSEMBLY BILL NO. 2 OF 2021

(An act of Nairobi City County Assembly to authorize the issue of some of money out of the County Revenue Fund and its application towards the service of the year ending on 30<sup>th</sup> June, 2021 and to

appropriate that sum and a sum voted on account by Nairobi City Assembly for certain public service and purposes).

**Hon. Robert Mbatia:** Thank you, Hon. Speaker, earlier this afternoon the House anonymously passed the supplementary budget II and paved the way for the passing of the Bill.

Mr. Speaker, as I had earlier initially indicated I beg you protect me from Hon. Mutheu who has peacefully prosecuted her Motion. I kindly request that she be asked to move from this seat.

**Hon. Temporary Deputy Speaker:** You are fully protected please proceed.

**Hon. Robert Mbatia:** She is still seated here!

*(Laughter)*

**Hon. Temporary Deputy Speaker:** Majority Leader, are you complaining?

**Hon. Abdi Hassan:** I am not complaining.

**Hon. Temporary Deputy Speaker:** Okay precede, Hon. Mbatia.

**Hon. Robert Mbatia:** Mr. Speaker, I did not know once we got the Chief Justice being a lady our rights would be infringed to this level, Mr. Speaker, but I respect the Chair. Mr. Speaker this Appropriation Bill, Mr. Speaker, has been prepared under very strict and tough conditions that they are only going to settle pending bills and audited bills of contractors and suppliers. Having said that I do not want to belabor much because this is a Bill that the report had already been prosecuted earlier, I beg Hon. Komu to support me.

*(Question proposed that the Bill be read a Second Time)*

*(Question put and agreed to)*

*Second Reading*

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

## COMMITTEE OF THE WHOLE ASSEMBLY

*(Hon. Temporary Deputy Speaker left the Chair)*

### IN THE COMMITTEE

*[Hon. Chairperson (Mr. John Kamangu) took the Chair]*

#### SUPPLEMENTARY APPROPRIATION BILL 2021

**Hon. Chairperson:** We are now in the Committee of the Whole Assembly to consider the Nairobi City County Supplemented Appropriation Bill 2021 (Assembly Bill no.2 of 2021).

*Clause 2*

*(Question, that Clauses 2 be part of the Bill)*

*(Question put and agreed to)*

*Clause 3*

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

**Hon. Chairperson:** Anyone who wants to debate?

*(Question, that Clauses 3 be part of the Bill)*

*(Question put and agreed to)*

*First Schedule*

*(Question proposed that the First Schedule be part of the Bill)*

*(Question that First Schedule be part of the Bill)*

*(Question put and agreed to)*

*Title*

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

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

*(Question put and agreed to)*

*Clause 1*

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

**Hon. Chairperson:** Anyone who wants to debate?

*(Question, that Clauses 1 be part of the Bill)*

*(Question put and agreed to)*

**Hon. Robert Mbatia:** Thank you chair I beg to move that the committee do report to the Assembly its consideration of the Nairobi City County Supplementary Appropriation bill 2021 been Bill no.2 of 2021 and its approval there off without amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[Hon. Temporary Deputy Speaker (Hon. John Kamangu) in the Chair]*

### **REPORT AND THIRD READING**

**Hon. Abdi Hassan:** Thank you, Mr. Speaker Sir, I beg to report that the Committee of the Whole House has considered the Nairobi City County Supplementary Appropriation Bill 2021 (Bill No.1 of 2021) and its approval there off without amendments.

**Hon. Robert Mbatia:** Hon. Speaker, I beg to move that the Assembly do agree with the committee in the same report.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Robert Mbatia:** Thank you, Mr. Speaker. I beg to move that the Nairobi supplementary Appropriation bill 2021 (Bill No. 2 of 2021) be now read a Third Time.

*(Question proposed)*

*(Question put and agreed to)*

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

**ADJOURNMENT**

**Hon. Temporary Deputy Speaker:** Hon. Members, thank you very much for your attention. There being no other business, the House is adjourned to until further notice. Thank you and God bless you all.

***The House rose at 5.50 p.m.***