



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Fifth Session

Tuesday 29th June 2021

The House met at 9.30 a.m.

[Hon. Temporary Deputy Speaker (Ms. Immapet Kemunto) in the Chair]

PRAYERS

QUORUM

Hon. Temporary Deputy Speaker: Clerk, can you confirm if we have a quorum?

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

NOTICES OF MOTION

(Hon. Patrick Musili unable to read the Notice of Motion due to technical hitches on Zoom network)

PROCEDURAL MOTION

REDUCTION OF PUBLICATION PERIOD OF NAIROBI CITY COUNTY APPROPRIATION BILL 2021 (ASSEMBLY BILL NO. 9 OF 2021)

Hon. Peter Wanyoike: Thank you Madam Speaker, I beg to move the procedural Motion that, notwithstanding the provisions of Standing Order 127, this Assembly resolves to reduce the publication period of the Nairobi City County Appropriation Bill 2021 (Assembly Bill No.9 of 2021) from seven (7) days to two (2) days. Thank you Madam Speaker.

BILL

First Reading

THE NAIROBI CITY COUNTY APPROPRIATION BILL, 2021 (ASSEMBLY BILL NO.9 OF 2021)

(Order for First Reading read accordingly)

BILL

Second Reading

THE NAIROBI CITY COUNTY APPROPRIATION BILL, 2021 (ASSEMBLY BILL NO.9 OF 2021)

Hon. Robert Mbatia: Thank you Madam Speaker, I beg to move that the Nairobi City County Appropriation Bill of 2021 be read a Second Time.

Madam Speaker, on Thursday 24 June 2021 this County Assembly considered adopted the report of the Select Committee on County Finance Budget and Appropriation on the Budget Estimate for the Nairobi City County Government, the Nairobi Metropolitan Services and the County Assembly. The Most logical step Madam Speaker after that adoption was the preparation of the Appropriation Bill for approval by this House.

Madam Speaker, let me remind the Hon. Members and this Assembly that the approved budget had granted authority for allocation of Kshs.18 million per Ward for WDF projects, granted Kshs.4.5 million per ward for the bursary scheme and set motion for the rollout for both voluntary early retirement program and the car loan and mortgage scheme for the County Executive.

On the continued implementation of the Deed of Transfer of functions, the approved budget allocated Kshs.20.1 billion excluding Ward Development Fund out of which Kshs.400 million had been year earmarked for rehabilitation of the existing health facilities with some addition Kshs.100 million meant for bringing the requirement of the Nairobi City County Community Health Services Act of 2019.

Madam Speaker, for the person with disabilities were also not left unattended as at Kshs.25 million was allocated for mainstreaming of their specific and unique issues in the County Service Charter.

Madam Speaker to fund the legislative arm of the County Government, the County Assembly approved resources framework had adequate resources to facilitate Members of the County Assembly, in relation to the expansive tripartite mandates in their approved budget.

The allocation for domestic travel for Members of the County Assembly had been increased by Kshs.62 million, compared to the figures approved in the annual estimate for the current financial year; Kshs.1.5 billion allocated for acquisition for office space for Members and staff and Kshs.61.9 million set aside for settlement of Members gratuity benefit with the allocation of salaries increased by Kshs.17 million, to grantee equitable promotion for all eligible staff within the County Assembly organization structure.

Hon. Speaker, in general, the approved budgets shall guarantee timely payment of salaries, efficient operations of the County executive and adequate facilitation for the County Assembly to perform its functions. Being the second last to be approved by the Second Assembly Hon. Speaker, it's immediate and efficient rollout shall either cement or demolish the intergeneration legacy of this County Government.

Madam Speaker, this Appropriation Bill, therefore, aims to prove legal bases for utilization of the funds approved by the County Assembly. The Budget Committee has scrutinized the submitted Bill and confirmed that it is consistent with the figures approved in the annual estimate reports. The recommendations have been incorporated as resolved by this Assembly.

Further, the Bill has been drafted with adjustments that will ensure the actual figures paid out as compensation to employees within the County Government are in consonance with the data of officers in various positions.

Madam Speaker, I wish to ask the Hon. Members to support this Bill and give the county the go ahead to utilize the funds in the coming financial year 2021-2022 for initiation of development projects and other lines of expenditures outlined herein before the end of the coming financial year.

As I finish, I beg to move and request Hon. Wanyoike the Deputy Majority Leader to second me. Thank you, Madam Speaker.

Hon. Peter Wanyoike: Thank you Madam Speaker. I rise to second this Appropriation Bill. As the Chairman has highlighted there are so many good things in this budget which will help our county to move to the next level. There is an additional of Kshs. 1 million per Ward for the bursary. Let me take this opportunity to thank the Budget Committee for the good work. I beg to second.

(Question proposed)

Hon. Jeremiah Themendu: Hon. Speaker, I think we cannot transact any business without passing the Appropriation Bill. First, I would like to congratulate the Chairman of Budget Committee and the Members for doing a good job. I think we are on time although our time is limited, but I hope the implementation of the same shall be done. The procurement side, whatever they are supposed to be doing, should do it.

Hon. Speaker, on the Ward Development Fund, there is laxity in making sure that the money has been deposited in our accounts. I hope the concerned authority or committee shall do its job and make sure that the money has been deposited. There are also roads that are pending which is the work of the NMS.

They are doing a good job but there are some roads which have not been done. I hope Eng. Ochieng is going to intervene and make sure that the roads are completed on time.

Thank you Hon. Speaker, I beg to support.

Hon. Mbugua Kabiro: Thank you very much Madam Speaker. I would like also to commend the Budget Committee led by Hon. Robert Mbatia for the good work. I really support this Appropriation Bill and I have seen that they increased the budget for the committee that I represent. I would like to thank you personally, Hon. Robert Mbatia together with the secretariat and all the Members of the Budget Committee.

We requested for Kshs 9.2 billion and you gave us a substantial amount which will be used to take care ICRMS which has been lagging behind. ICRMS is a system that will help in collection of revenue and helping in other things within the county.

I would also like to thank you because I also sit in the Education Committee and I have seen a quite substantial amount of bursary allocation being added which is a good thing. This will go a long way in assisting the Hon. Members to help the needy students within their Wards.

I would also like to thank you for the amount you have allocated to the different sectors. It is a good thing when you have a Committee of Budget that can disregard everything but only regard the interests of the common mwananchi or the Nairobiian and make sure that the budget helps the common mwananchi, the mama mboga as opposed to helping the big wigs.

I have seen that big chunks of money have been allocated to the various sectors including the youth. I am aware that the Youth Advisory Board petitioned the Budget Committee to include the programmes that have already been passed in the assembly that are youth related. This has been done, they have allocated the youth a substantial amount.

I also sit in the Implementation Committee, I would want to say that we will be watching over the implementation of this budget and for once let us have a proper percentage when it comes to the expenditures and the implementation of the budget.

Having said that, I would like to thank you most sincerely, Madam Speaker, and thank the Hon. Robert Mbatia together with the leadership of the House and all the Members of the Budget Committee. I support this Appropriation Bill. Thank you.

Hon. Temporary Deputy Speaker: Thank you Hon. Mbugua. Hon. Rose Ogonda Kula.

Hon. Rose Ogonda: Thank you Madam Speaker. I stand to support the Budget Committee, the work which they have done is good and I support the Chair and the entire Committee for working tirelessly because of our Wards. I have two observations on the Budget Committee and that is why I have said I must support them fully.

They have seen that it is good to add the Ward Development Fund another Kshs.1 million so that we can carry on with our Ward activities. Again, they have added bursary for the common 'Mwananchi' at our Wards. So, I really congratulate them so much, the only remaining thing is the for the Implementation Committee to sit down and oversee what is going on.

In Ward Development Fund (WDF), I know the Chair and Deputy plus the Chair of Chairs are hearing us, it has taken a long time. I just wish to support *Mheshimiwa* Themendu because since the money is there, we just want the WDF money to be put in the account so that we can execute our mandate through our kitty. The Committee Members who were vetted for the account are already there.

We want to know when they are going to deposit money in the account; Implementation [committee] must follow with Chair of Chairs to ensure our money is in our kitty, so that we can move on and those who worked tirelessly who were not paid be paid and our Ward Development Fund to continue after this.

I support Themendu, and Engineer Ochieng should work very hard and quickly because implementation is there, but the valuation of national projects which we were given by NMS is overdue now, yet in October and the rains will be there. Our roads are pathetic, we need the support of Ochieng; please work diligently and faster so that we can start development in our Wards. Thank you Madam Speaker, I rise to support.

Hon. Temporary Deputy Speaker: Thank you Rose. Hon. Wambui James.

Hon. James Mwangi: Thank you Madam Speaker. I would also like to commend the Budget Committee and the Chair for the good work they have done for the Nairobians. It is a perfect thing and I have seen that with the move that has been done, we are going to improve the livelihood of Nairobians very soon. With that, Madam Speaker, I would like to support the Motion.

Hon. Temporary Deputy Speaker: Thank you. Hon. Omung'ala Stazo.

Hon. Stazo Omung'ala: Thank you Madam Speaker, as I support the Motion, I would like to throw the ball at the Implementation unit of the County Government, that the same vigor and strength that the Budget Committee has kept in bringing this Motion up and planning for all these things, we should see the same vigor with the implementation side of the government.

It is a bitter pill to swallow that every time we give out a very good and elaborate analysis of how to spend the county funds, then the implementers let us down. So I think the leadership of the Assembly should take up the matter with the implementation side of this system. Thank you. I beg to support.

Hon. Temporary Deputy Speaker: Hon. June Ndegwa.

Hon. June Ndegwa: Thank you Madam Speaker, I rise to support.

Hon. Temporary Deputy Speaker: Mover.

Hon. Robert Mbatia: Thank you Madam Speaker. I want to really appreciate the Hon. Members for unanimously supporting the reading a second time of the Nairobi City County Appropriation Bill 2021. Having

said that, I want to really appreciate your office for the support you have continued to give to this Honorable Committee, Hon. Members, the facilitation and all that.

Madam Speaker, I want also to appreciate our Budget Office, led by Eric Otieno and team, who have worked tirelessly to allow us get this document in place in good time. In addition, I want to appreciate the Members of the Executive for what they have continued to do at this planning stage. I also want to appreciate whatever that the Nairobi Metropolitan Services have been able to do.

I want to echo the Hon. Members' sentiments, especially Hon. Stazo Omung'ala, Hon. James Wamboi, and Hon. Rose Kula. This is only planning and it has been done exemplary well by this Assembly. But the part that is now most key is implementation, that is rolling of the projects. This will put spirit to the paperwork that we have been working tirelessly to prepare. Last week as we were passing the estimates report, we clearly asked the Executive to start rolling out the projects in good time. We remind them that the procurement process must be done in the first quarter. I want to indicate that even at this end of financial year, procurement is still busy procuring. If we get our work in order, we can be able to avoid the pending bills and roll over projects.

Madam Speaker, another very key issue that needs to be noted is the funding. This is Kshs39.6 billion budget, the highest in any county in East and Central Africa. It is not an easy task to raise Kshs.39.6 billion, with half of it being on source revenue. I want to make a call to everyone, both the collectors and even the payers that it is a tough time, but let Caesar be given what is Caesar's. Let the fees and charges be paid and let the County also give the services that are due after the payment of services so that we can be able to achieve all what we have planned.

Madam Speaker, it is still worth mentioning because this is a great achievement to have Kshs.18 million WDF per ward, Kshs.4 million per ward revolving fund, Kshs.4.5 million bursary fund, to be able to offset the major pending bills that have been bedeviling this County, and to roll out the voluntary early retirement. These are the highlights that the Executive need to see that we are hand in hand with them. We shall put them to task to make sure that this is rolled out.

Madam Speaker, I also want to appreciate the NMS for their very fast way they are implementing the projects they have earmarked to undertake. Nairobi is changing and everyone is seeing.

I also thank your office and leadership of this Assembly for cooling the political temperatures in this Nairobi. It is evident that when we have cool political temperatures, then a lot of work can be done. I don't want to belabor more than that but appreciate and thank you.

I reply that this Appropriation Bill be read a second time. Thank you, Madam Speaker.

Hon. Temporary Deputy Speaker: Round of applause to Hon. Chair and the entire Budget Committee, especially on the retirees. I think now all the former staff of the County will get paid. Thank you for that.

(Applause)

(Question put and agreed to)

(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*(Order for the Committee read)**[Hon. Temporary Deputy Speaker (Ms. Immapet Kemunto) left the Chair]*

IN THE COMMITTEE

[Hon. Chairperson (Ms. June Ndegwa) took the Chair]

THE NAIROBI CITY COUNTY APPROPRIATION BILL, 2021 (ASSEMBLY BILL NO.9 OF 2021)

Hon. Chairperson: Hon. Members, we are now in the committee of the whole Assembly to consider the Nairobi City County Appropriations Bill, 2021; Assembly Bill number 9 of 2021. We will start the Bill from Clause 2. Clerk proceed

Clause 2

Hon. Chairperson: Hon. Members, I propose that Clause 2 be part of the Bill. You can now debate
(Question that Clause 2 be part of the Bill, put and agreed to)

Clause 3

Hon. Chairperson: Hon. Members, I propose that Clause 3 be part of the Bill. Debate
(Question that Clause 3 be part of the Bill, put and agreed to)

Schedule

Hon. Chairperson: Hon. Members, I propose that the Schedule be part of the Bill. Debate
(Question that Schedule be part of the Bill, put and agreed to)

Title

Hon. Chairperson: Hon. Members, I propose that the Title be part of the Bill. Debate
(Question that Title be part of the Bill, put and agreed to)

Clause 1

Hon. Chairperson: Hon. Members, I propose that Clause 1 be part of the Bill. Debate

Hon. Robert Mbatia: Chair, I propose that Clause 1 be part of the Bill.

(Question that Clause 1 be part of the Bill, put and agreed to)

Hon. Chairperson: Mover.

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 Appropriation Bill No.9 of 2021 and its approval thereof without any amendments.

*(The House resumed)**[Hon. Temporary Deputy Speaker (Ms. Immapet Kemunto) in the Chair]***REPORT AND THIRD READING**

Hon. June Ndegwa: Hon. Speaker, I beg to report that the Committee of the whole Assembly has considered the National City County Appropriations Bill, 2021; Assembly Bill number 9 of 2021 and has approved the same without any other amendments.

(Question proposed)

Hon. Temporary Deputy Speaker: Members? Yes Hon. Okumu

Hon. Nicholas Okumu: Thank you Madam Speaker. I wish to contribute at a later time as I have just walked in and I do not have my card with me. Sergeant, can I have my card?

Hon. Temporary Deputy Speaker: Mover

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

(Question put and agreed to)

Hon. Temporary Deputy Speaker: Mover

Hon. Robert Mbatia: Thank you Madam Speaker. I beg to move that the Nairobi City County Appropriations Bill of 2021; Assembly Bill number 9 be read a Third Time

(Question that the Bill be read a Third Time, proposed)

Hon. Temporary Deputy Speaker: Members? Any Member from zoom? Yes Hon. Kabiro

Hon. Kabiro Mbugua: Thank you very much Madam Speaker. I second. I third. I fifth, I tenth that it should be read a Third Time.

Hon. Temporary Deputy Speaker: Order Hon. Member!

Hon. Kabiro Mbugua: I wish to support the Motion and thank Hon. Robert Mbatia and the House for making sure that we have a budget to expend in this financial year

Hon. Temporary Deputy Speaker: Mover? Sorry, any other Member?

(Question put and agreed to)

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

ADJOURNMENT

Hon. Temporary Deputy Speaker: There being no other business, the Assembly stands adjourned to 2:30 p.m. in the afternoon. The House Business committee will meet after this.

The House rose at 10:45 am