



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Second Session

Wednesday 26th April 2023

The House met at 2.30 p.m.

[The Speaker (Hon. Kennedy Ng'ondi) in the Chair]

PRAYER

Hon. Speaker: Hon. Members, you may be seated.

COMMUNICATION FROM THE CHAIR

CONDUCT OF MEMBERS OF COUNTY ASSEMBLY

Hon. Speaker: Hon. Members, as you are aware, I made a commitment to communicate in regards to the concern raised by the leadership about the hitches in realizing the quorum in the plenary. I wish to revisit the Speaker's Rules on the conduct of the Members of the County Assembly. This does not necessarily mean we want to reprimand Members but we want to bring to their attention and remind them even though they are aware.

Dress Code

I would like to address you on the dress code under the Speaker's Rules. Hon. Members, the county assemblies are established by Article 185 of the Constitution and entrusted with onerous responsibilities that are summed up by the quadruple roles of legislation, oversight, representation and oversight and budget making that we are expected to discharge with the seriousness they deserve. This is because we hold these duties in trust for the people we represent, the Nairobi residents.

(Several Members stood at the bar)

Hon. Members, you may proceed and take your seats.

(Several Members walked into the Chamber)

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Serjeant-at-Arms, I expect you to play your role. When the Speaker is giving a communication, no Member is allowed to leave the plenary. Hon. Member, please proceed. Thank you, Hon. Majority Leader. Serjeant-at-Arms, you are supposed to hold members at the back door not within the Chambers. We hold these duties in trust for the people that we represent, i.e. Nairobi residents.

In addition, Hon. Members, the Leadership and Integrity Act, 2012 as read together with the County Assemblies Powers and Privileges Act, 2017 and the Assembly Standing Orders require of us to uphold certain attributes that set us apart from those we represent and conduct ourselves in accordance with certain codes.

Hon. Members, the conduct of business in this Assembly is largely governed by the Constitution and statutes. However, to a large extent, we apply the provisions of our Standing Orders and the Speaker's Rules as the guide to the seamless conduct of business just like any other legislature.

Hon. Members, it has come to my attention that Members of this Assembly continuously conduct themselves in contrast to the provisions of the Standing Orders, more so on dress code and general conduct during Plenary Sittings. May I draw the attention of this Assembly on the provisions of Rule No. 02 of the Speaker's Rules on dress code that defines appropriate dress code for Members of County Assembly and staff of the County Assembly attire. Specifically, the Rule requires Members to be dressed as follows:

- 1) For male Members - Long trouser, long sleeved shirt, tie, jacket and closed polished shoes; and
- 2) For lady Members - Skirt of reasonable length (knee length or below knees), blouse, jacket, trouser suits, decent shoes, Muslim lady Members may wear a purdah (popularly known as buibui) or hijab and African wear.

Hon. Members, the lady Members are not allowed to get to the plenary with shorts, blouses that exposes their arms. I urge you to observe the foregoing and not to abuse the dignity of this Assembly with the general trends in fashion market outside the realm of the precincts of the Assembly.

Hon. Members, Kindly note that the Speaker bears the responsibility of enforcement of the code of conduct of Members that include etiquette and dress code, hence, going forward, the Chair will be keen on compliance with the dress code as spelt out in the Speaker's Rules, especially during the period that the House is in Session i.e. Tuesdays, Wednesdays and Thursdays. This extends to committee sittings where Members find their way into the sittings while wearing jeans trousers and casual wear.

Hon. Members, kindly note that the Speaker is not limited by the Rules to the extent of actions to ensure compliance with the codes. Indeed, Rule 059 gives the Speaker latitude to issue circulars to Members and staff alike reminding them of compliance and application of the various codes of etiquette, dignity and contemporary good conduct as well as the sanctions that accompany violations.

Now therefore, Hon. Members, I call upon you to familiarize with these Rules and the provisions of the various codes of conduct and always observe them.

Absenteeism from Plenary and Committee Sittings

Hon. Members, it has come to my attention that Plenary on several occasions has failed to raise quorum to conduct important business as scheduled by the Assembly Business Committee on the Order Papers due to absenteeism of the Members. In addition, Members fail to attend Committee meetings to assist the Committee to properly dispense off business before them.

Hon. Members, may I draw your attention to the provisions of Standing Order 252 (1) that provides that and I quote:

“If, during any Session, a Member is absent from eight sittings of the County Assembly without permission, in writing from the Speaker, the Speaker shall report the matter to the County Assembly and the matter shall stand referred to the Committee of Privileges for hearing and determination.”

Further, Standing Order 183 (1) provides that, and I quote:

“If a member fails to attend four consecutive sittings of a Committee without the written permission of the Chairperson of the Committee, or the permission of the Speaker if the member is the Chairperson, the Chairperson or the Speaker, as the case may be shall notify the Committee of the failure.”

Hon. Members, kindly note that there are specified consequences under the said Standing Orders.

Hon. Members, the lack of specific cases of absenteeism notwithstanding, the continued lack of quorum during Plenary Sittings point to possible cases. I therefore call upon the Select Committee on Powers and Privileges to investigate the matter of absenteeism in the Plenary and Committee Sittings and report back to the Assembly.

Further, I call upon the Chairpersons in respective Committees to enforce the provisions of Standing Order 183 going forward. All the Chairpersons and the vice-chairs of committees' to be present at every plenary sitting in the assembly. The Chairperson of the Select Committee on Liaison is hereby directed to guide the Chairpersons of Committees on proper enforcement of the foregoing provisions and table the committee reports as required by the Standing Orders.

Hon. Members, you are so guided. I thank you, Hon. Members.

PAPER

REPORT ON INDUCTION WORKSHOP OF COMMITTEE ON CHILDREN, EARLY CHILDHOOD AND VOCATIONAL TRAINING

Hon. Speaker: Chairperson of Education.

Hon. Perpetua Mponjiwa: Thank you, Hon. Speaker. Pursuant to Standing Order No. 196, I beg to lay the following Paper on the Table of this Assembly, today, Wednesday 26th April 2023:

The Report of the Sectoral Committee on Children, Early Childhood Education and Vocational Training on the Second Induction Workshop held from 27th to 30th April 2023 at Maxland Hotel, Kiambu. I beg to lay.

(The Paper was laid on the Table)

STATEMENTS

BUSINESS APPEARING BEFORE THE ASSEMBLY FOR THE WEEK

Hon. Speaker: Hon. Emily.

Hon. Emily Oduor: Thank you, Hon. Speaker. Pursuant to Standing Order No. 47 (2) (a), on behalf of the Assembly Business Committee, I rise to give the following Statements regarding the business appearing before the Assembly for the week beginning Wednesday 26th April 2023.

Hon. Speaker, the Assembly Business Committee met on Tuesday 25th April 2023 to allocate business for the week for consideration by the Assembly. In that regard, Hon. Speaker, allow me to brief the Assembly as follows:

1. That, today Wednesday 26th April 2023 under Order No. 8 and 9, we will consider the underlined business items respectively;
 - a) Adaption of the report of the Select Committee on County Finance, Budget and Appropriation on the County Integrated Development Plan (CIDP) 2023-2027 and the County Annual Development Plan for the financial year 2023-2024 that was laid on the Table of the Assembly on Tuesday 25th April 2023. Hon. Members, these documents are very important, especially the CIDP, which is going to lay the foundation for this Assembly for the next five years. I urge Members especially the elected Members to look at this very carefully because this is where your projects are. ADP is for the projects that we are going to carry out in the FY 2023-24.
 - b) Adaption of the 7th Report of the County Finance, Budget and Appropriation on Nairobi City County Fiscal Strategy Paper (CFSP) and the Debt Management Strategy Paper for the financial year 2023-24 and over the medium term, laid on the table of the Assembly on Tuesday 25th April 2023. This is what gives us a ceiling of what the County has allocated for the year, is also very important.
2. Further, on Thursday 27th April 2023, under Order No. 8, the Assembly shall consider the Motion by the Deputy Speaker, Hon. Paul Kados, urging the Executive to;
 - (a) Identify, automate and clearly mark all loading zones within the city and submit a comprehensive report on the identified loading zones to this Assembly within 60 days of the adaption of this Motion;
 - (b) Repossess all the loading zones with outstanding balances until the balances are cleared by concerned parties/beneficiaries;
 - (c) Develop a legal framework either in form of a legislative proposal on the duration on allocation and management of loading zones and submit the same to this Assembly for approval within 60 days of the adaption of the Motion; and
 - (d) Suspend any allocation or renewal of allocated loading zones until the aforementioned legal work is enacted or operationalized.

You all know what are loading zones. Most of them block us in the parking but they are also a source of revenue to this County. However, they have been misused, as mentioned in the upcoming Motion. I hope Members will support the Motion so that we can get revenue and also create order in our city.

Lastly, Hon. Speaker, on Tuesday 2nd May 2023, the Assembly will be considering the Motion of Sospeter Mumbi, urging the County Executive to develop a program to identify and train youth in every ward on repairing and maintenance of public street lights within the County as a way of improving security and achieving a 24-hour economy in the County. This Motion talks not only of security but also employment for the youth if its enacted.

Hon. Speaker, the Assembly Business Committee urges this Assembly to familiarize with the aforementioned Motions and prepare accordingly for the debate, through the help of our Research Department. Details of the Motions can be obtained from the Notice Paper the last page.

Hon. Speaker the Assembly Business Committee shall be informing this Assembly every Wednesday through the designee during the Statement Hour. Finally, the Assembly Business Committee will again meet on Tuesday 2nd May at the rise of the Assembly to allot business for the subsequent week.

Hon. Speaker, I now wish to lay the Statement on the Table of this Assembly. Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Hon. Jeremiah Themendu, kindly put on your mic.

REQUEST FOR STATEMENT REGARDING PERENNIAL WATER RATIONING IN THE COUNTY ESPECIALLY IN
KAYOLE CENTRAL WARD

Hon. Jeremiah Themendu: Thank you, Hon. Speaker. Pursuant to Standing Order No. 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the perennial water challenges and rationing in the County by the Nairobi City Water and Sewerage Company Limited, especially in Kayole Central Ward.

Hon. Speaker, recent years have experienced inadequate supply of water across the County, which has forced the Nairobi City Water and Sewerage Company Limited to ration the distribution of this important commodity.

The residents of Kayole Central Ward are undergoing undue suffering due to inadequate water supply. This is despite the Nairobi City Water and Sewerage Company developing a schedule of water rationing across the county. In addition, most water pipes in the area are blocked and leaking making it more difficult for the residents to access the limited water available. Furthermore, some of the estates in the ward have connected water pipes but they are living without running water.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on:

- i. Reasons for not supplying adequate water to the residents of Kayole Central Ward;
- ii. Measures that the Nairobi City Water and Sewerage Company is taking to ensure residents of Kayole Central Ward have access to clean water and adequate quantities;
- iii. Measures that the Nairobi City Water and Sewerage Company is taking to ensure that all estates in Kayole Central Ward have functioning water pipes; and
- iv. Measures that the County Executive is taking to ensure that the blocked and leaking water pipes are unblocked, repaired and provide timelines for the same.

I have another statement, Hon. Speaker.

Hon. Speaker: We need to give the Chair of the Committee time to give an undertaking.

Hon. Redson Onyango: We are kindly requesting the Hon. Member to give us two weeks after recess.

Hon. Jeremiah Themendu: I am okay with that since they have to call those concerned.

Hon. Speaker: You may proceed with the other Statement.

REQUEST FOR STATEMENT REGARDING ENCROACHMENT OF ROAD RESERVES
AND SCHOOL FIELDS BY PRIVATE DEVELOPERS IN THE COUNTY ESPECIALLY KAYOLE CENTRAL

Hon. Jeremiah Themendu: Thank you, Hon. Speaker. Pursuant to Standing Order No. 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Planning and Housing regarding the encroachment of road reserves and school fields by private developers in the County, especially in Kayole Central Ward.

Hon. Speaker, recent years have experienced increased encroachment on public land especially road reserves and public school fields by private developers in the County.

The residents of Kayole Central Ward are undergoing undue suffering due to encroachment of road reserves and school fields by private developers who have erected fences along Diwopa Road near Bondeni Primary School and Kayole South Secondary School making it dangerous for pupils while going to and from school as they may be knocked down by vehicles.

In addition, Bondeni Primary School field has been encroached by private developers and this has denied pupils a place for co- curriculum activities.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on:

- i. Approval for construction of fences on road reserves along Diwopa Road;
- ii. Whether Diwopa Road has been converted from being a public road to a private road;
- iii. Beacons that demarcate the public schools, lands and the private developers;
- iv. Acquisition of Bondeni Primary School field by the private developer; and
- v. Measures that the County Executive is taking to deter private developers from interfering and encroaching public roads and school fields in the County.

Hon. Speaker, for the second statement that I have requested, this is not the first time that I am requesting, I had requested the same in the Second Assembly. But the behavior of the Chairperson at that time was not good and since now we have another Chairperson, I hope I will get a response.

In the last Assembly, if a Member asked a question, they could go and try to solicit money or in short they were being compromised. We did not even go for a site visit. Nairobians need protection especially in my area because we did a lot of work as Members to come to this Assembly. Hon. Speaker, I hope something will be done in this Third Assembly. Thank you.

(A Member raised a point of Order)

Hon. Speaker: You cannot raise a point of Order when a Member is requesting for a Statement. The Chairperson of Planning, Housing and Urban Development?

Hon. Alvin Palapala: Thank you, Hon. Speaker. Mheshimiwa Jeremiah, in this Third Assembly, we have Hon. Members who are up to the task and are not ready to go and solicit money from your Statement. Since we have other matters before the Committee and we are breaking for recess, I beg for three weeks.

Hon. Speaker: Mheshimiwa Themendu, you are okay with that?

Hon. Jeremiah Themendu: Yes, Hon. Speaker.

Hon. Speaker: Okay, thank you. Hon. Perpetua.

REQUEST FOR STATEMENT REGARDING MUSHROOMING OF LIQUOR KIOSKS WITHIN
THE LOWER PARTS OF THE CENTRAL BUSINESS DISTRICT

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Hon. Perpetua Mponjiwa: Thank you, Hon. Speaker. Pursuant to Standing Order 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Culture and Community Services regarding mushrooming---

Hon. Speaker: Hon. Petit, please may you be seated. You are comfortably isolated in the corner, at least you--- *(Laughter)* Thank you, Hon. Member. That is normally the attitude of the kids who normally come last in class. I hope you are not one.

(Laughter)

(Hon. Paul Ndung'u raised a point of Order)

Hon. Speaker: It is overtaken by events. You are out of order because the matter has already been settled and addressed by the Chair of Planning. Please, you may confront the Member outside the Chamber. Hon. Perpetua, please proceed.

Hon. Perpetua Mponjiwa: Thank you, Hon. Speaker. This is in regards to mushrooming of liquor kiosks within the County, especially in the lower parts of the Central Business District (CBD).

Hon. Speaker, recent months have witnessed the increased establishment of unlicensed liquor kiosks in various parts of the County, especially in the lower part of the CBD such as Latema Road, selling cheaper liquor to people, especially youth and street children at night.

Hon. Speaker, the existence of such unlicensed liquor kiosks within the County poses a security threat to the residents and pedestrians in the lower part of the CBD.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on:

- i. Approval of the establishment of liquor kiosks within the County, especially in the lower parts of the CBD;
- ii. Whether such liquor kiosks are licensed to operate at the time of operation; and
- iii. Measures the County Executive is taking to control/stop the mushrooming of liquor kiosks within the County, especially in the lower parts of the CBD.

Thank you, Hon. Speaker.

Hon. Speaker: The Chairperson of Culture and Community Services.

Hon. Clarence Munga: Thank you, Mr. Speaker. Given three weeks, I will be able to come up with a conclusive answer to the Member.

Hon. Speaker: Are you talking three weeks after the recess or from today?

Hon. Clarence Munga: After the recess, that will be two weeks.

Hon. Speaker: Mheshimiwa Perpetua, are you in concurrence?

Hon. Perpetua Mponjiwa: Yes, I am.

Hon. Speaker: Thank you.

Point of Order

Hon. Speaker: Allowed. Kindly press the mic.

Hon. Kennedy Oyugi: Thank you, Mr. Speaker. A few weeks ago---

Hon. Speaker: Can you quote the Standing Order, Hon. Member. As a senior Member, it should go in record and HANSARD that---

Hon. Kennedy Oyugi: Mr. Speaker, it is about the Statement that I sought a few weeks ago and I have not gotten the response.

Hon. Speaker: That is a matter of concern. Point of Order is when you want to intervene.

Hon. Kennedy Oyugi: I did not have any other way of---

Hon. Speaker: Your request was directed to which committee?

Hon. Kennedy Oyugi: Mr. Speaker, I wanted to know the reason why there is an increase of markets in the County but the revenue collection is dwindling. You directed it to the Trade Committee. Of late, I have understood there were changes. There is a concern between Trade and Finance. So, I do not know---

Hon. Speaker: Thank you, Hon. Member.

Hon. Kennedy Oyugi: Yes, I need to get the response.

Hon. Speaker: If I may refresh a bit of your mind, in my earlier communication I indicated that the chairpersons of various committees to make available all the pending reports before we go for recess. So, hopefully, your concern will be captured.

Hon. Kennedy Oyugi: Thank you, Mr. Speaker, but on this one, I would like to seek your indulgence to be precise and give a directive on the relevant committee. Is it Trade or Finance?

Hon. Speaker: Okay, we will make a communication tomorrow in regard to the same. Let's consult with the two committees so that we don't overstep the mandate of the other committee.

Hon. Kennedy Oyugi: Thank you, Sir.

MOTION

ADOPTION OF THE REPORT ON THE CIDP 2023-2027 AND THE CADP FOR THE YEAR 2023/2024

Hon. Speaker: Chairperson, Budget and Appropriations.

Hon. Wilfred Odalo: Thank you. I will use this mic to avoid any disconnection. I also request for your protection so that switching off and on of microphones in the plenary is controlled.

Members, I have two issues to bring forth; one, money is never enough, and two, our report is basically the recommendations of the sectoral committees. If chairs are here, your recommendations and also the public participation is not about any direction from any quarter.

Hon. Speaker, I beg to move:

THAT, this Assembly adopts the 6th Report of the Select Committee on County Finance, Budget, and Appropriations on the County Integrated Development Plan 2023-2027 and the County Annual Development Plan for the year 2023/2024. That is to say, whatever I will be reading will cover from June to 2027, until the next government.

Mr. Speaker, it is for good reason that the drafters of our laws put emphasis on planning as being the panacea for the budget making process in any given financial year. This is based on the understanding that all stands and falls at the planning stage as far as the budget cycle is concerned.

Hon. Speaker, while scrutinizing the plans, the Committee observed that they have complied with the minimum statutory requirements as espoused in the County Governments Act and the Public Finance Management Act 2012.

The current regime has proposed three aspirations: 1. "A City of Order", 2. "A City of Dignity," 3. "A City of Hope," and 4. Opportunities for All," which have provided for measures that, if implemented, will address the challenges we face.

Mr. Speaker, because this is a long-term project, allow me to highlight some of the major activities that the County intends to pursue over the next five financial years:

Under the Finance and Economic Planning Sector:

The County Assembly will appreciate that without adequate revenue mobilization, all we aspire to do will just remain wishful thinking. It is based on this understanding that the Committee has approved for adequate funding for revenue related activities, including the setting up of the Nairobi County Revenue Authority, which would enhance the measures that the administration has already put in place for revenue growth.

In addition, the Committee has supported initiatives towards rolling out of the new valuation roll, data census to determine the number of businesses in the city while reorganizing the County's human resources to be the game changer in revenue mobilization.

Under Environment, Water, and Sanitation Subsector:

Mr. Speaker, Sir, during the public engagements, as I had indicated earlier on the CIDP and the ADP in the various sub-counties, the public decried the garbage menace as any tick of a timely bomb that requires urgent attention. It is for this reason that the Green Nairobi Sector, and specifically the Environment, Water, and Sanitation Subsector, has been allocated to the tune of Kshs.67billion in the coming five financial years.

The sector also intends to earmark resources for the control of air pollution, noise pollution, and other sources of pollution, the implementation of specific policies on natural resources and environmental conservation, county parks and recreational facilities, electricity and gas reticulation, and energy regulation, as well as the implementation of climate change programs.

Under Built Environment Sector:

Mr. Speaker, to make the County a city of order, dignity, hope, and opportunities for all then the role of the Built Environment sector cannot be ignored. In order to take charge of our physical space, the Committee has approved that over the next five financial years, the Built Environment Sector will undertake various activities ranging from land registration, development of estates and the regularization of buildings.

The provision of affordable and decent housing, Mr. Speaker Sir, is at the heart of this administration, and the County Assembly shall continue to support measures aimed at improving the living conditions of our people. I happen to come from Mathare, where he also comes from, so we have to improve the living standards of our people. The construction of 1500 modern kiosks, the installation of Jua Kali parks, and common user facilities across the 85 is going to improve the conditions of business and the status of the county in general.

Under the Talent, Skills Development and Care Sector:

The Committee has approved for continued construction of ECDE centers, construction of social halls, sports complexes, and stadia, among others. The CIDP has in this regard contained the projects construction of 4 new VTCs at Kshs. 660 million for the construction of eight perimeter walls at Kshs 98 million, issue bursaries targeting 107,000 pupils at Kshs. 3.837 billion; equip VTCs at Kshs. 800 million; spend

Kshs. 75 million on stopping violent extremism, and establish digital hubs at Kshs. 205 million, identify youths, and recruit them to the digital space at Kshs. 880 million, increase youth accessing opportunities to markets at Kshs. 650 million, construct 19 stadiums at Kshs. 7.05 billion, and construct 15 social halls at Kshs 1.1 billion. These measures, Mr. Speaker, Sir, will engage the youth in productive activities, thereby contributing to the reduction of crime within the city.

Under Business and Hustler Opportunities Sector:

Hon. Speaker, the Business and Hustler Opportunities Sector in the CIDP has purposed to undertake the construction of common user facilities for leather, textile, furniture, wood, etc. at Kshs. 2.5 billion, the construction and equipping of incubation centers at Kshs. 5 billion, the carrying out of censuses for statistical data at Kshs. 200 million, and the construction and rehabilitation of markets at Kshs. 12 billion. The proposals by the sector fit within our pledges of improving the business environment for our people while also attracting investments in the capital.

Under Mobility and Works:

Mr. Speaker, Sir, the Committee confirms that the Sector has included priority areas in our wards that, if implemented, would revitalize our wards for the better. The plans have allocations for the installation of streetlights and the establishment of an asphalt plant that would guarantee that, in the long run, the County can undertake its works at a cheap cost and within the shortest time possible.

Under Health, Wellness, and Nutrition Sector

Mr. Speaker Sir, the effects of the school feeding program on the retention of pupils in schools are quite evident, and it is for this reason that the Committee has supported the initiatives of the program as being implemented by the Health, Wellness, and Nutrition Sector. The Committee has approved an initial allocation for the program of Kshs. 2.16 billion in the coming financial year, with resources also set aside for the general improvement of health facilities across the county. In the allocations, as a committee, we have ensured that each ward by the end of this CIDP shall have a functioning and well equipped health facility.

On ward development programs:

As Members are aware, the allocations per ward have been about Kshs. 17 million. Through the foresight of the Budget Committee, the allocation is expected to rise from Kshs. 23 million per ward in the coming financial year to Kshs. 35 million by FY 2027–28.

Based on the above, Hon. Speaker, having reviewed the submitted County Integrated Development Plan 2023–27 and the Annual Development Plan 2023–24, the Committee recommends that:

1. That the policy and cross-cutting recommendations contained in the tabled report be approved.
2. That the sector-specific amendments and interventions to the County Integrated Development Plan and the Annual Development Plan be approved as contained in the tabled report.

Hon. Speaker, in conclusion and pursuant to the provisions of Section 126 (3) of the Public Finance Management Act, 2012 and Standing Order 225, the County Finance, Budget, and Appropriations Committee recommends that; This Assembly adopt the 6th Report of the Select Committee on County Finance, Budget,

and Appropriations on the County Integrated Development Plan 2023–27 and the Annual Development Plan 2023–24.

Hon. Speaker, I beg to call on my leader, Hon. Mark Mugambi, to second the Motion. Thank you.

(Applause)

Hon. Mark Mugambi: Thank you, Hon. Speaker. I beg to second.

(Question proposed)

Hon. Speaker: Hon. Members.

Hon. Antony Karanja: Thank you, Hon. Speaker for this opportunity. I am standing here today to support this Motion and budget. I wanted the Chairman of Budget to make sure that the Ward Development Fund goes to Kshs. 50 million but he has done his mathematics, and I believe in his wisdom and the committee. We have settled at a final figure of Kshs.35 million in the coming years. I believe that is okay. In the Assembly, one of our mandates is to pass a budget and that is what we have been called to do now. I want to believe that we are on the right track. I beg to support.

Hon. Speaker: Hon. Matara.

Hon. Silas Matara: Thank you, Hon. Speaker for this opportunity. I would like to appreciate and extend gratitude to the Chair, Budget and his team for this well-balanced report that they prepared. I would also like to thank his team for burning the midnight oil to ensure that we get a document that we can speak to. In my sector, I have seen they have captured the needs that we can be able to deliver to Nairobians. With those few remarks, I beg to support. Thank you.

Hon. Emily Oduor: Thank you, Hon. Speaker, I stand to support this Motion. As a Member of the same committee, I think we tried the best we could with the little resources we had. We might have some differences here and there; sectors were proposing more but you can only give what you have.

Hon. Speaker: Order! You are not here to defend the report of the Committee as a Member of the Committee.

Hon. Emily Oduor: So, I cannot support?

Hon. Speaker: Please, confine yourself to the Motion. proceed.

Hon. Emily Oduor: Hon. Speaker, I do not know how to put this because I wanted to talk about the social halls that have been included. Personally, I have seen these social halls in a terrible state, especially during the public participation. If that is part of being a Member, it can be expunged. However, I saw that they are in such bad state that when you sit there trying listening to these people during public participation, their cry was always, "When are we going to have these social halls repaired?" or "When are we going to have new social halls?" I am happy the Committee managed to allocate money so that these social halls can be repaired.

Secondly is about the incubators. Hon. Speaker, if you follow the news, you will see a lot of deaths of newborns because of lack of incubators, especially in our County hospitals. Most of these County hospitals don't have incubators. When a mother gives birth at night and the child needs to be taken to the incubator, they don't have ambulances. They have to run to Kenyatta and by the time they get there, the baby is dead.

So, some of the things that we put here, we pick them from mwananchi. Therefore, this is a mwananchi's document. We heard their cry, and that's why most of the things that we have included are from the public participation. I think most of the things have been said, especially WDF. But with these two points, I beg to support/ Thank you Hon. Speaker.

Hon. Speaker: Hon. Kago, your microphone is on.

Hon. Samuel Kago: Thank you, Mr. Speaker, I rise to support this Motion and request the House to adopt this Motion as it is. As we have seen, it is a Nairobi document, from early childhood to our pupils in school, outside school and sports. Being a member of the Budget Committee, we received a lot of requests to be factored in the budget. However, there is a problem of revenue. I request and beseech Members of this House to go back to their ward residents and beseech them and pay revenue. Once we have revenue, we will be able to have a big budget and factor in each and every request of the Member of this House.

Without much a doing, Mr. Speaker, I request Members in this House to adopt this Motion. Thank you, Mr. Speaker.

Hon. Speaker: The Hon *Naibu wa Spika*.

Hon. Paul Kados: Thank you, Hon. Speaker, I stand here to support this Motion. First of all, I congratulate the Committee of Budget and Appropriations under the chairmanship Hon. Odalo for the good work they have done to look into very many sectors in this budget.

Hon. Speaker, the garbage collection is a menace in this County. I can see they have touched on all areas. On Ward Development Fund, they have captured everything. If you look at also look at health, everything is captured there. This a five-year document, and since we came, this is the first budget we are discussing today. I would ask all Members to anonymously pass this so that the Governor can have time to work for Nairobians.

Without much ado, I would like you to call for the Hon. Member who brought this Motion to reply.

Hon. Speaker: Hon. Members, I have several requests. Hon. Suleiman Maleya, please.

Hon. Suleiman Maleya: Thank you, Mr. Speaker for giving this opportunity. I rise in support of this Motion. Being one of the new Members in this House, I feel this is a document that we all own. I had never participated in the bringing of any CIDP, but it gave me the opportunity and it enabled me to raise some issues and concerns of my people.

Secondly, I support our good Chairman. I didn't know he had a lot of wisdom. I have believed that the longer one stays in this House, the more wisdom he gathers. This has been necessitated by him giving additional money for the Ward Development Fund, raising it from Kshs.17 million to Kshs.23 million. Thank you, *Bwana* Chairman. Without wasting time, I beg to support the Motion. Thank you.

Hon. Speaker: Hon. Petit. Your microphone is on.

Hon. Paul Ndung'u: Thank you, Mr. Speaker for giving me this opportunity. I rise to support this Motion. But I want to thank the Chair of Culture taking care of people of Gikomba Community because the he factored in a fire station in my area. Being a Member of the Budget Committee, I am not defending the budget, I am just applauding the Members of the Budget Committee and our Chair who has done a very wonderful job. (*Applause*). Thank you, Mr. Speaker.

Hon. Members: Mover!

Hon. Speaker: The House is in agreement that we call the mover to reply?

Hon. Members: Yes!

Hon. Speaker: Is that the feeling of the House?

Hon. Members: Yes!

Hon. Speaker: For that reason, the Members have placed a request, you will forgive me. It is the resolution of the House that the mover replies.

Hon. Wilfred Odalo: Thank you, Mr. Speaker. As I move, I also want to take this opportunity to thank my Members, they have been very supportive.

(Applause)

Let me also take the opportunity to thank the secretariat; Eric, Alphonse and Manyi and the team. For this thing to happen, they had to burn the midnight oil. Mr. Speaker, I beg to reply.

Hon. Speaker. Hon. Members, you will now allow me to put the Question.

(Question put and agreed to)

(Applause)

MOTION

ADOPTION OF REPORT ON THE NAIROBI CITY CFSP AND DEBT MANAGEMENT STRATEGY PAPER FOR THE YEAR 2023/2024 AND OVER THE MEDIUM TERM

Hon. Wilfred Odalo: Thank you, Mr. Speaker. You will realize that we have completed the issue of CIDP that covers the five years' plan. Now, I beg to move:

THAT, this Assembly adopts the 7th Report of the Select Committee on County Finance, Budget and Appropriations on the Nairobi City County Fiscal Strategy Paper and Debt Management Strategy Paper for the year 2023/2024 and over the medium term.

Mr. Speaker, before the County Assembly are two documents; one, which we have just done with it is the CIDP. Now, we have the CFSP and the Debt Management Strategy Paper (DMSP) before us.

The documents are related in the sense that, whereas the CSFP is supposed to set budget ceiling for the sectors, it also determines the source of financing for the budget, which may also include debt and loans. So, the DMSP is the policy document which outlines the status of our debt, repayment plans and any borrowing prospects.

(Hon. Kago and the Majority Leader walked out of the Chamber)

Mr. Speaker, kindly protect me from my Member who is moving out, Hon. Kago and the Majority Leader, who is also my Member.

(The Members returned to their seats)

Hon. Speaker: You are protected.

Hon. Wilfred Odalo: Thank you. The Paper indicates that our debt figures stands at about Kshs. 100 billion, majority of them being amounts owed to statutory bodies and various suppliers of goods and services.

The Committee has scrutinized the debt figures, the strategies proposed for their settlement and insisted on the department responsible for debt management that the County Government cannot continue shifting targets on the issue of resettlement of pending financial obligations. 3.

Mr. Speaker Sir, in line with the underlying theme for the CFSP 2023 “County Economic Recovery for Inclusive Growth” the CFSP indicates that the County intends to put more effort on ensuring that it recovers from the post pandemic negative economic outlook, global downward recession escalated by the tension in Russia and Ukraine as well as the overall shrinking economic growth globally.

The Paper also appreciates that the County is coming out of a general election which is normally characterized by slow economic mobility and restrained movement of goods and services. The Committee has reviewed the submitted CFSP and made recommendations that if implemented would make the County a City of order, hope, dignity and opportunities for all.

Recommendations

Mr. Speaker Sir, the Budget Committee has taken deliberate steps in this CFSP to ensure that all Sectors in the County Government are facilitated to deliver their mandate in line with the aspirations of the Manifesto of our Governor, Johnson Sakaja.

As you will notice in the recommendations Section of the tabled report, the allocations and adjustments have been made in Sectors that would have the highest level of impact to our people. On the policy issues the Committee notes that there is need for the Sectors to finalize the projects that were approved by the previous regimes.

Our wards are filled with incomplete projects some of which were rolled out in the FY 2014-15, like in Hon. Oyugi’s place, there is a stalled project from 2014-2015. It is for this reason that both in the CIDP report and in this report we have insisted that the County Executive through the various Sectors should prioritize implementation and completion of previously budgeted for projects before rolling out new ones. We expect though that the projects for the current financial year would be rolled out fully so that there is no project or the accompanying pending bill to be carried forward to the next financial year.

Further, Mr. Speaker Sir, as was resolved during the previous deliberations the County Executive has a role to ensure that we implement the Emergency Fund within a framework anticipated by the PFM Act, 2012. We urge the competent departments on Disaster Management, Ward Development Fund and Office of the County Attorney to urgently review the WDF, 2014, Disaster Act, 2015 and Emergency Regulations to take into account the recommendation herein to make the laws we pass responsive to the County needs. In this regard, the Committee has allocated Kshs. 100 million for disasters, which will come in handy to alleviate the suffering of our people in the case of any calamities, especially in slum areas.

On the budget reduction, the committee has reduced – I know the Chairman of Legal will not be happy, but money is never enough. The Committee has reduced the allocation for Office of the County Attorney to give the Committee on legal pending bills to finalize its report and submit it for implementation. There is something missing, but no problem, but I know we have reduced your pending bill of Legal from

Kshs.900 million to Kshs.700 million. We expect that by the time we approve the annual budget the same would have been finalized and the allocation for pending legal fees and other pending bills shall be enhanced.

The reductions in the budget as contained in the tabled report have been done to ensure that the County Sectors are allocated resources that they can be able to absorb. You realize that the last time we were tabling the Supplementary, there was serial absorption in the Legal Department. So, the Chair, do something about it.

In the Ward Development Fund, the Committee has agreed with elected Members of the County Assembly that the amounts of money that has always been aside for WDF is not enough. So the Committee has increased the WDF allocation from Kshs. 17million to Kshs. 23 million per ward per year. Elected MCAs should expect more activity in their wards post this approval. We have instructed the Sector to ensure that the WDF projects for the coming financial year are advertised in time even as they ensure the projects for the current financial year are finalized and paid for. We have the Chair. He has stepped out, kindly take the recommendation of the Committee seriously, if approved by this House.

The Education Committee presented a report to the Committee indicating the areas that they wish to construct the ECDE centers Vocational Training centers in addition to social halls that were recommended by the Committee on Culture. In this report the Committee has approved for construction of two classrooms in more than 60 different wards, construction of 25 ECDEs and construction of 4 Vocational Training centers. The budget for the Education Sector has been proposed for upward review by Kshs. 150million. This in addition to the about Kshs.800million that the Committee has approved as the annual allocation for bursaries.

Members can attest that the cost of repair of County vehicles have consumed enormous resources yet we have a garage that needs minimal repair to serve the County. The Committee has allocated Kshs.10million for repair of the Central Garage where all County's vehicles shall be repaired and in cases where further attention is required the Central Garage shall be expected to recommend the same before committing county vehicles to private garages.

Mr. Speaker Sir, the Budget Committee appreciates the role of our women Leaders. The elected and nominated Members of the County Assembly have a critical role to play towards the growth of this great County. To support the good work of the County Assembly Women Caucus the Committee has allocated them an additional Kshs. 40 million bringing their total budget for the next financial year to Kshs. 70 million.

(Applause)

The Members who participated in the recently concluded Battle of Choirs held at the KICC, can appreciate that such activities have great impact on motivating our youth, integrating them in society and reducing the level of idleness related crime within the City. To continue these good initiatives like the Nairobi Festival, the Committee has enhanced the allocation for City Culture, Arts and Tourism by Kshs. 80million.

As we continue to appreciate the work that the Nairobi Metropolitan Services did in expanding the health infrastructure within the City, the issues of personnel still remain. Most of our dispensaries lack the required medical personnel to deliver on the critical task of universal health coverage. The Committee has in this regard allocated an additional Kshs. 70million for recruitment of additional medical staff.

Mr. Speaker Sir, as we stated in the CIDP report the Committee reminded the County Assembly that unless we all converge our efforts to mobilize resources, the very good initiatives in the budget may not be realized. The Committee has through this budget put its money where its mouth is by allocating an additional Kshs. 50 million for revenue mobilization. We hope that with a total allocation of Kshs. 500million for revenue mobilization, the County would be able to realize her revenue potential of Kshs. 20billion in the coming financial year. You remember the Governor indicated that we will have revenue mobilizers within the wards. So, this money will cater for that.

Lastly Mr. Speaker Sir, The Ward Biashara Fund is meant to provide the youths and business people running SMEs in our wards with start-up capital to make a living. The Committee has allocated an initial seed capital of Kshs. 100million to support the youth access the affordable credit.

In conclusion and pursuant to provisions of Section 117 (6) and Section 123 of Public Finance Management Act, 2012, and Standing Order No. 227 (7), the County Finance, Budget and Appropriations Committee recommends that; This assembly adopts the 7th Report of the Select Committee on County Finance, Budget and Appropriations on the Nairobi City County Fiscal Strategy Paper and Debt Management Strategy Paper for the year 2023/2024 and over the medium term.

Thank you, Hon. Speaker. I beg to call my deputy, Hon. Emily Oduor to second the Motion.

(Applause)

Hon. Emily Oduor: Thank you, Hon. Speaker, I stand to second. Members, you can see the great job done by the Committee and additions done especially on very sensitive areas that are going to help the County. Especially the women, this is a big win for you.

(Applause)

There are so many budgets that have passed through this Assembly, none of them has considered women. Therefore, we must congratulate the Chair and Members of the Budget Committee for considering women.

For the sectors that received their addition, I think we have Agriculture. Hon. Speaker, Agriculture is one of the committees that has been considered as "a punishment committee". But through the leadership of this Assembly, this time round the Members of Agriculture including me, all have the leadership in that sector. The idea is to improve the agriculture sector, and the Budget Committee has helped us do that by adding us another Kshs.20 million.

With those many additions and subtractions, Hon. Speaker, I beg to second. Thank you.

(Applause)

(Question Proposed)

Hon. Speaker: Hon. Members, plenary.

Hon. Emmy Isalambo: Thank you, Hon. Speaker. I rise to support the Motion. Being the Vice Chair of Agriculture and Acting Chair, I think that this is a very good move now that we have been added Kshs. 20

million. The sector has been understaffed and most are going for retirement soon. With that money, I believe that we are going to do well.

Following the maiden speech by His Excellency the Governor, Hon. Sakaja and the addition of funds in the sector, we are going to be number one. We do a lot of urban farming in the city, I am sure most of you are not aware. We have awards and such and I believe that it is a big plus. I appreciate the Chair of Budget and its Members. Thank you so much.

Hon. Speaker: Hon. Macharia Kevin

Hon. Mark Mugambi: Hon. Speaker, I was trying to figure out who Hon. Macharia Kevin is until it dawned on me that I am Kevin Macharia. Allow me to congratulate the Chairman Budget, Dr. Odalo for this good document. As an elected leader, I say that this is the first time we are getting an increase in the WDF allocation. Over the last five years, we were served with excuses. Kshs.17 million is a drop in the ocean in terms of development. We are all aware that KURA has estimated a kilometer of road to cost at least Kshs. 60 million. It is my hope that in the next allocation, we shall be anticipating to meet that target through the leadership of the Chairman of Budget.

Chairman, you have tried but you realize that the Kshs.23 million will only be able to do about 300 metres of a new road according to the KURA standards. However, this is a good step in the right direction. It is my hope that in the next budget, we will realize our target of Kshs.60 million. This is the only equalization fund across the 85 wards because the capital projects cannot reach all the 85 wards in one financial year, but the WDF indeed does justice across all the wards. It is my prayer that the WDF Committee through their Chair and Vice, move with speed to make sure that these projects are done in good time because now the ball is in their court.

I would also wish to thank the Committee for adding money to the education sector. The Chairlady has worked tirelessly to make sure that most wards get extra classrooms. With that, I say congratulations. There is hope for the tiny kids in Umoja 1 Ward who will no longer be confined in hundreds of numbers in a small room but instead get a decent learning environment. We all know that ECDs is where we get our first knowledge, therefore, it needs a dignified environment so that we can have great leaders of the future. With those few remarks, I beg to strongly support this report.

Hon. Speaker: Madam Commissioner.

Mheshimiwa Catherine Okoth: Asante sana, Bwana Spika kwa kunipatia nafasi hii kubwa kuunga mkono huu mjadala ambayo imesimamiwa na Bwana Odalo na wafuasi wake. Sisi kama wamama tumefurahi. Kwa miaka ishirini katika hii nyumba, sijawahi ona yale ambayo nimeona leo. Ninamrudishia Daktari Odalo na wafuasi wake asante kwa niaba ya wamama pesa. Pia, nawarudishia wanahabari walioketi hapo juu asante. Bwana awabariki. Nimesimamama *kusupport* mkono huu mjadala. Asante.

(Makofi)

Hon. Speaker: Hon. Commissioner, we do not have supporters of the Chair of Budget. We have a Budget Committee. Kindly substantiate.

Mheshimiwa Catherine Okoth: Sisi kama wanakamati, tunaiunga mkono. Asanteni.

(Makofi)

Point of Order

Hon. Speaker: Hon. Petit, please

Hon. Paul Ndung'u: Can the Member tell us the word 'support' in Kiswahili

Hon. Speaker: Mixing two languages is not allowed, Hon. Catherine.

Mheshimiwa Catherine Okoth: Nimeiunga mkono ama nimesapoti.

Mheshimiwa Spika: Ahsante sana. Mheshimiwa Nasra.

Hon. Nasra Nanda: Thank you, Mr. Speaker Sir. I am happy to see that you are well post-accident that happened. Our prayers have always been with you and it is really good to see you in action.

On today's matter, and with respect to the report of the Chairperson of Budget, I rise to support the said report and congratulate Bwana Odalo on the excellent contributions through this budget. I would also want to highlight and congratulate the Chairperson of Education for the efforts that she has taken to ensure that education is a priority.

I also want to congratulate the women of this Assembly and the men who have stood with us as women to ensure that we are both thriving in activities relating to women in this Assembly. However, I would like to point out a slight concern as the Chairperson of Delegated County Legislation, in one particular aspect under this report.

The concern I have is that I did not see a budget allocated for publication. I stand to be guided if I am incorrect. My concern around this is that, in past assemblies we did not include a budget for publication. That remains to hurt us as an Assembly and a County because it allowed the Executive have a gap in how they implement projects. Money is given to sectors but there is no accountability on how they handle the monies and how the sectors are regulated. This will come back to us. That is the only qualifying comment that I have, but all in all, thank you for your efforts. I support the same.

Hon. Speaker: Thank you. Hon. Joyce

Hon. Joyce Kamau: Thank you, Mr. Speaker. I want to support this report and congratulate the Budget Committee for the tremendous work that they have done in bringing this report, especially on the recommendations on reducing and adding monies to more meaningful sectors such as WDF, which has been a mountain in the House for the past years.

We also acknowledge the increment in the education sector. I wish to congratulate the Chairlady for pushing for it. Women in this House are competent and should be considered for more opportunities in the House. As a women leader, I want to thank the Committee for the money they gave to the gender sector. It is a miracle that it has never happened. We have noticed that the leaders of this County have good plans for women in Nairobi.

Lastly, I would like to remind all of us that this report is in line with the Kenya Kwanza manifesto and the vision of our President, His Excellency William Ruto. I support it.

(Applause)

Hon. Speaker: Thank you, Mheshimiwa Joyce. Mheshimiwa Kidenda

Hon. Lily Kidenda: Thank you, Hon. Speaker. I want to confess upfront that most of the things that I felt were necessary to say have been said. Allow me to confine myself in congratulating the Chair and the

Committee of Budget for this excellent report. I would like to also congratulate the ladies in that Committee because even as the report was being read, I could hear their voices as they recommended the needs of the women.

Finally, I would like to congratulate my Chair of Education. I know that the feeding program is domicile in the health and wellness sector, but can it be articulated that the ECDs will benefit in equal measure from the feeding program. Thank you, Hon. Speaker. I would like to propose that the mover be called to respond.

Hon. Speaker: Members are still making requests, meaning that they are eager to contribute

Hon. Lily Kidenda: Thank you, Hon. Speaker. I stand guided

Hon. Speaker: Hon. Themendu.

Hon. Jeremiah Themendu: Thank you, Hon. Speaker for this chance. I want to congratulate the Chair and the Committee for the good work done. I support the Motion because of the Cancer Centre established in Mama Lucy Centre via the Health Committee. I also support it because of the Ward Development Fund. With Kshs. 23 million, we shall be able to do more in our wards.

Hon. Speaker, I have noticed the Kshs. 1.4B allocated for health infrastructures. I have three hospitals in my wards which I believe will be constructed and I am happy for that. My worry is the implementation of the same projects because of our history, I know that the Chair knows that. With those few remarks, I support the Motion.

Hon. Speaker: Hon. Clarence.

Hon. Clarence Munga: Thank you, Mr. Speaker for this opportunity. Allow me on behalf of the Members of Culture and Community Services to extend our gratitude and appreciation to the Budget and Appropriations Committee for considering a number of issues that we had raised in the CIDP, ADP and the Fiscal Strategy Paper.

Allow me to appreciate what the Budget and Appropriations Committee have done in considering the activities of Culture and Arts by allocating it Kshs. 1million to disaster management, an increment of Kshs. 100 million, ensuring allocation for social halls and sporting activities and stadiums are well maintained.

Hon. Speaker, in totality I would like to commend this Committee for their seriousness. I appreciate that they captured the aspects that we raised. Therefore, I take this opportunity to congratulate the Chair

Hon. Speaker: Thank you, Hon. Member. Your congratulations are in order. Hon. Redson then Hon. Akama.

Hon. Redson Onyango: Thank you very much, Hon. Speaker. I stand to support this Motion for two reasons; the Ward Development Fund has gone up from Kshs. 17million to Kshs. 23 million. and also for the first time, we will have projects done in all the 85 wards, unlike the last regime. I support. Thank you.

Hon. Speaker: Hon. Akama.

Hon. Jared Ondieki: Thank you, Hon. Speaker for giving me this opportunity. This is a very important Motion, that is why I rise to support it. Allow me to say that all the sectors have benefited from this. Also, in every process, there must be a casualty, and that is my sector. I am a patient man because I believe that on earth my day will also come. Hence, I will be patiently waiting to see that my sector is one day considered.

Having said that, Mr. Speaker, let me point on the issue of women empowerment and make Hon. Samora know that I subscribe to the ideals of Thomas Sankara. This Budget has empowered women and I could not fail to commend on that. I also want to appreciate the Chair and the Committee Budget for having found it in their heart to support this cause of WDF. Continue with that spirit. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Kame, your microphone is on. Did you press it by mistake? I call upon the mover to reply.

Hon. Wilfred Odalo: Thank you, Mr. Speaker. I take this opportunity to thank the entire House for the patience they have given this entire process. One of the Members has raised an issue that if not challenged will not augur well. Our work is to handle issues of Nairobi County and we have nothing to do with the manifesto of Mr. Ruto. Let it be very clear. Our work as Nairobi County is to handle the manifesto of one, Governor Sakaja. Having said that, I beg to reply.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: Hon. Members, the Assembly stands adjourned to tomorrow, Thursday 27th April 2023 at 2:30 p.m.

The House rose at 4:30 p.m.