



**COUNTY GOVERNMENT OF NAIROBI CITY**

**SECOND ASSEMBLY – (FOURTH SESSION)**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, NOVEMBER 3, 2020 AT 2.30 P.M.**

1. The Assembly assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer

**QUORUM OF THE ASSEMBLY**

The Speaker having confirmed that there was quorum at the commencement of the Assembly called the Assembly to order.

**3. COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication: -

**GUIDANCE ON CONSIDERATION OF THE GOVERNOR'S  
MEMORANDUM ON THE NAIROBI CITY COUNTY APPROPRIATIONS  
BILL, 2020**

“Honourable Members, I have the following communication to make.

Hon. Members, as you may recall, during the morning sitting I conveyed to the House the Message on the memorandum of H.E the Governor on the Nairobi City County Appropriations Bill, 2020. This was further to the circulation of the electronic version of the same to all Members of the Assembly having been on Short Recess.

Hon. Members, while I recognize the import of the Bill to the life of this County, and more specifically to the service delivery to the citizens, this House is bound and guided by the provisions of the relevant statutes and Standing Orders in processing of specific business that comes before this House.

Hon. Members, our own case is the Nairobi City County Appropriations Bill, 2020 upon which the Assembly Select Committee on County Finance,

Budget and Appropriations has deliberated, compiled and Tabled a report. This is in anticipation for the Committee of the Whole Assembly for consideration of the same pursuant to Standing Order this afternoon.

Hon. Members, it is therefore my responsibility to remind and guide the House on the provisions of the relevant statutes and Standing Orders to enable Members make decisions from a more informed position, especially on such a matter that relates to numerical thresholds with relevant consequential provision. Particularly, Standing Order 145 that relates to Assenting to Bills provides as the follows and I quote:

*“(1) The Speaker shall, within fourteen days, forward a Bill passed by the County Assembly to the Governor.*

*(2) The Governor shall within fourteen days after receipt of a Bill –*

*(a) assent to the Bill; or*

*(b) refer the bill back to the County Assembly with a memorandum outlining reasons for the referral.*

*(3) If the Governor refers a Bill back to the County Assembly, the County Assembly may, following the appropriate procedures under this section –*

*(a) amend the Bill taking into account the issues raised by the governor;*

*or*

*(b) pass the Bill without amendment.”*

Additionally, Hon. Members, the Assembly Standing Orders provides for the following actions to be taken whenever either of the situations in Standing Order 145(3) above are presented to the Assembly:

— Standing Order 145(4) provides that *“If the County Assembly amends the Bill taking into consideration the issues raised by the Governor, the Speaker shall within fourteen days submit the Bill to the Governor for assent”*

— Standing Order 145 (5) provides that *“If the County Assembly passes the Bill a second time, without amendment, or with amendments which do not accommodate the Governor’s concerns by a vote supported by two-thirds of members of the County Assembly, the Speaker shall within seven days re-submit the Bill to the Governor and the Governor shall within seven days assent to the Bill”*

Therefore, Hon. Members, I urge you put the foregoing into consideration as the House proceeds with the consideration of the H.E the Governor's Memorandum on the Nairobi City County Appropriations Bill, 2020.

It is so guided and I thank you Hon. Members”.

**4. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(C)**

The following Statement was requested:

- a) Hon. Geoffrey Majiwa, MCA will request for a statement from the Chairperson of the Sectoral Committee on Labour and Social Welfare regarding the final statements disbursement and management of Lap Trust for the County employees. **(Response due 2 weeks)**

**5. COMMITTEE OF THE WHOLE ASSEMBLY**

Order for Committee of the Whole Assembly read;

**IN THE COMMITTEE**

(Hon. John Kamangu, MCA - in the chair)

**Governor's reservations on The Nairobi City County Appropriations Bill, 2020 (Assembly Bill no. 6 of 2020)**

**Governor's General Reservation**

**THAT**, the budget be amended as follows -

*THAT, the budget be rationalized to ensure that the budget is balanced to our projected revenues of Kshs 31,631,632,618.*

*(The Leader of Majority Party)*

Question of the amendment proposed;

Question put and defeated.

**Results of electronic voting:**

Total Votes Cast: 105

Affirmative: 17

Negation : 88

**Vote 5328**

**Governor's recommendation**

**THAT**, Vote 5328 be amended as follows -

**THAT**, vote 5328: Nairobi Metropolitan Services be deleted in its entirety.

*(The Leader of Majority Party)*

Question of the amendment proposed;

Question put and defeated.

**Results of electronic voting:**

Total votes cast: 104

Affirmative: 12

Negation : 92

**Vote 5315; 5317;5323 and 5324**

**Governor's recommendation**

**THAT**, Vote 5315;5317;5323 and 5324 be amended as follows -

**THAT**, votes 5315 – Health, 5316 – Urban Planning and Lands, 5317 – Public Works, Transport & Infrastructure, 5323 – Environment, Water, Energy & Natural Resources, 5324 – Urban Renewal & Housing be each with two Programmes namely:

a. Programme 1: General Administration & Support Services.

b. Program 2: Transferred Services.

*(The Leader of Majority Party)*

Question of the amendment proposed;

Question put and defeated.

**Results of electronic voting:**

Total votes cast: 105

Affirmative: 17

Negation : 88

**Vote R5312**

**Governor's recommendation**

**THAT**, Vote R5312 be amended as follows

**THAT**, the Inspectorate budget allocated to Nairobi Metropolitan Services be deleted and the funds be allocated under vote R5312: Programme 0724005310: Security and safety Management and the amount determined for transfer to appropriate under sub-item 2640499 Other Current Transfers and 2640599 Other Capital Grants and Recurrent and Capital expenditure respectively.

*(The Leader of Majority Party)*

Question of the amendment proposed;

Question put and defeated.

**Results of electronic voting:**

Total votes cast: 104

Affirmative: 12

Negation : 92

**Items referred in Item NO. 7**

**Governor's recommendation**

**THAT**, the items referred to in item NO.7 be amended as follows

**THAT**, *in rationalizing the budget, the Items Referred in Item No 7 be restored as earlier proposed.*

*(The Leader of Majority Party)*

Question of the amendment proposed;

Question put and defeated.

**Results of electronic voting:**

Total votes cast1: 105

Affirmative: 17

Negation : 88

**ASSEMBLY RESUMED**

**Governor's reservations on The Nairobi City County Appropriations Bill, 2020**

The consideration of the Governor's reservations on the Nairobi City County Appropriations Bill, 2020 and the rejection of the same without amendments reported.

Motion made and Question proposed: -

**THAT**, the Assembly do agree with the Committee of the Whole Assembly in the said report.

*(The Chairperson, Select Committee on County Finance, Budget and Appropriations)*

Debate ensued;

Question put; and **agreed to**

And the time being Fifty-Five Minutes Past Four O'clock, the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

6. ASSEMBLY ROSE - \_\_\_\_\_ at Fifty-Five Minutes Past Four O'clock.

MEMORANDUM

The Speaker will take the Chair on  
Thursday, November 5<sup>th</sup>, 2020  
at 2.30 p.m.

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