



COUNTY GOVERNMENT OF NAIROBI CITY

FIRST ASSEMBLY – (SECOND SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MARCH 11, 2014

1. The House assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **MESSAGE FROM H.E. THE GOVERNOR**

The Speaker conveyed the following Message from the Governor –

✓ **Request For Approval By The County Assembly Of A Loan Facility Pursuant To Article 212(b) Of The Constitution**

Hon. Members, there is a message from His Excellency the Governor,

“Honourable Members,

Standing Order No. 39 (1) relating to Messages from the Governor provides:-

“The Speaker shall read to the County Assembly any message from the Governor delivered to the Speaker for communication to the County Assembly.”

In this regard, Hon. Members, I wish to convey the following Message from His Excellency the Governor.

The Message whose subject is **“REQUEST FOR APPROVAL BY THE COUNTY ASSEMBLY OF A LOAN FACILITY PURSUANT TO ARTICLE 212 (B) OF THE CONSTITUTION”** was submitted by way of a letter dated 26th February, 2014 addressed to the office of the Hon. Speaker for submission to the Assembly, and I quote -

“Hon. Members the defunct Nairobi City Council debt portfolio as at 30th October 2009 was approximately Ksh 30 billion. It is out of this that the Council

felt that there was a need to clean up the balance sheet. The defunct Council in March 2011 secured a facility of Ksh 5 billion from Equity Bank Limited.

This facility is currently in arrears of Ksh 978,169,952.53 as the expected scheduled payments for 2013 were not remitted because of our financial strain. Attempts to get the Bank to review the interest rates charged to the County and increase of the tenor have not been agreed to by the Bank, which insists that the County needs to settle the arrears first before the loan can be renegotiated.

Hon. Members, the Nairobi City County Government considered various options from different banks and in view of these options KCB was found to be the most appropriate lender as it is the cheapest.

The County Executive Committee at its meeting of the 20th February, 2014 resolved to:

- Assign the loan facility to KCB on long term basis at the offered rates and increase the facility to Ksh 4 billion, by requesting them for an increase of Ksh 700 million for purposes of financing our working capital requirements.*
- Allow KCB to collect revenues on our behalf at City Hall and their branches within the County. KCB shall in turn allow Nairobi City County Government customers to use their electronic payment solution platforms, thus enhancing our revenue collection efficiency and integrity.*
- Initiate negotiation proceedings with Equity Bank Limited to terminate the loan with them and have KCB take over the facility.*
- Submit recommendations to the County Assembly for approval and thereafter notify the National Treasury of the same, for the National Government to guarantee in accordance with Article 212 (b) of the Constitution.”*

That is very important for you, Members, for your consumptions.

Hon. Members I now direct that the Committee on Budget and Appropriation to scrutinize the letter and come up with a report within the next fourteen days.

Thank you.”

to register your dissatisfaction with the committee, that is Budget and Appropriation Committee or you can as well swear an affidavit if you have something against Mr. Jimmy Kiamba other than doing it in this petty and cheap way of doing things. Thank you Hon. Members.

4. PAPER LAID

The following Papers were laid on the Table:

- a) The Sixth Report of the Sectoral Committee on Water and Sanitation Committee site visit to Mwiki Ward;
- b) The Report of the Sectoral Committee on Culture and Community Services, on consideration of the Nairobi City County Betting, Lotteries and Gaming Bill, 2014;
- c) The Report of the Sectoral Committee on Culture and Community Services on consideration of the Nairobi City County Alcoholic drinks Control and licensing Bill 2014.

5. NOTICE OF MOTION -

THAT, this Assembly adopts the Sixth report of the County Assembly Sectoral Committee on Water and Sanitation on the site inspection visit to Mwiki Ward laid on the Table of the Assembly today, Wednesday 11th March, 2014.

(Chairperson, Sectoral Committee on Water and Sanitation)

6. NOTICE OF MOTION - (Hon. Jaffer Kassam)

THAT, aware that there exist a Commonwealth Parliamentary Association (CPA) which is an Association of Parliaments of the Commonwealth Countries World Wide; further aware that the CPA recruits New Assemblies which are components to enact provincial and territory legislation; noting that the Association provide its members opportunity to participate in wide and expanding range of activities and programmes and that the Members are also entitled to exchange of knowledge and information and practices and procedures in the other Parliaments and Legislatures, as well as other benefits including sending delegates to Annual Conferences, upon payment of membership subscription; this Assembly resolves to apply for membership in the Commonwealth Parliamentary Association as follows:

- a) The Membership be effective immediately upon approval of the application by the General Assembly of the Commonwealth Parliamentary Association;

- b) The Hon. Assembly agrees to abide by the provisions of the Constitution of the Commonwealth Parliamentary Association;
- c) The required Membership fee be paid to the Common Wealth Parliamentary Association and
- d) This resolution be communicated to Secretariat of the Commonwealth Parliamentary Association immediately following its passage.

7. STATEMENTS PURSUANT TO STANDING ORDER 41(2)(c)

The following Member sought a statement –

- ✓ Statement by the Hon. Martin Waweru Gichuhi from the Chairperson of the Sectoral Committee on Water and Sanitation regarding the lack of water in Cieko, Kasarani Ward.

8. ADJOURNMENT ON A MATTER OF DEFINITE AND URGENT COUNTY IMPORTANCE - (Hon. Stephen Kamau Thuo)

Motion made and question proposed -

THAT, aware that the Nairobi City County Assembly passed the Ward Development Fund Act on 28th January, 2014 and it was assented to on 3rd February, 2014; further aware that the Development of the County continues to lag behind due to lack of vital structures to necessitate the implementation of the Act; deeply, concerned that the Ward Development Fund Committee is yet to be constituted almost two months after its enactment; this House adjourns pursuant to Standing.

Debate arising

Question put and agreed to

9. ASSEMBLY ROSE - at twenty two minutes past Four O'clock.

MEMORANDUM

The Speaker will take the Chair on
Wednesday, March 12, 2014 at 2.30p.m