



**COUNTY GOVERNMENT OF NAIROBI CITY**

**FIRST ASSEMBLY – FORTH SESSION**

**NAIROBI CITY COUNTY ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, MARCH 23, 2016**

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

**QUORUM OF THE ASSEMBLY**

There being no Quorum at the commencement of the sitting the Speaker ordered the bell to be rung for ten

And there being a Quorum after the ten minutes, the Speaker called the Assembly to order.

**3. COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following communication:-

“On Tuesday 22<sup>nd</sup> March 2016, the Chair of the Budget and Appropriations Committee rose on the floor of the Assembly pursuant to the Standing Order and requested the Chair for extension of time for the Sectoral Committees and the Budget Committee to consider the CFSP and report on the same to the County Assembly.

Hon. Members, on the 26<sup>th</sup> of February 2016, the County Treasury submitted to the Office of the Clerk the County Fiscal Strategy Paper. This was done in line with the provisions of Section 117 of the Public Finance Management (PFM) Act, 2012 and Standing Orders 206 (1). However, arising from the misunderstanding on the alterations of the budget for the County

Assembly Service Board, the submitted Paper was returned to the County Treasury for clarification. The issues having been explained, the Paper was laid on the County Assembly on 8<sup>th</sup> March 2016.

However, Hon. Members, as the Committees were getting down to start the scrutiny of the all-important budget document, the Assembly realized that the County Treasury was reluctant to honor its obligations of ensuring that the County Assembly is adequately facilitated financially to perform its Constitutional functions. In this regard, I delivered a Communication on 16<sup>th</sup> March 2016 suspending consideration of all business originating from the County Treasury starting with the County Fiscal Strategy Paper for the FY 2016-17. Hon. Members, I wish to confirm that since we have not received a firm commitment from the County Executive Committee Member for Finance on his intention to resolve the current impasse, the said suspension remain in force.

Hon. Members, the provisions of Section 117 (7) of the PFM Act, 2012 and Standing Order 206 (7) require that the County Assembly must consider and adopt the County Fiscal Strategy Paper with or without amendments. The PFM Regulations 2015 have explicitly set the timeline for approval of the document at 15<sup>th</sup> March of each year, a timeline that the Assembly was not able to comply with due to the aforementioned reasons.

In this regard therefore, I direct as follows.

As has been mentioned, the earlier Communication suspending deliberations on the CFSP still remains in force. However, Hon. Members, we hope that the cash flow challenges will be resolved speedily to enable us get back to budget approval. With this expectation in mind and considering that the Assembly will be proceeding on recess on the 1<sup>st</sup> April 2016, I wish to direct that the Budget and Appropriations Committee prepares and tables its report in this Assembly on the 19<sup>th</sup> April 2016.

It is so directed.

Thank you.”

**4. PETITION**

Pursuant to Standing Order 195, the Hon. Leah Mumu presented a Petition by residents of Jericho Lumumba regarding illegal change of ownership of house No. Ad15/5633.

**5. PAPERS LAID:-**

The following paper was laid on the table of the Assembly:-

Report of the select Committee of Public Investment on the report of the Auditor-General on the financial statement of Nairobi City Water and Sewerage Company Limited for the year ended 30<sup>th</sup> June 2014.

*(Chairperson, Select Committee on Public Investment)*

**6. NOTICE OF MOTION – (Chairperson, Public Investment Committee)**

**THAT**, this Assembly adopts THE REPORT OF THE SELECT COMMITTEE OF PUBLIC INVESTMENT ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENT OF NAIROBI CITY WATER AND SEWERAGE COMPANY LIMITED FOR THE YEAR ENDED 30TH JUNE 2014, laid on the Table of the Assembly on Wednesday, 23<sup>rd</sup> March 2016.

**7. NOTICE OF MOTION – (Hon. Ngaruiya Chege, MCA)**

**THAT**, aware that Section 28 (1) of the Public Private Partnership Act, 2013 provides that a contracting authority that intends to finance, operate, equip or maintain an infrastructure facility or provide a service may enter into a project agreement with any qualified private party for the financing, construction, operation, equipping or maintenance of the infrastructure or development facility; further aware that the Nairobi City County Government has invested heavily on installing high mast lights to improve security in the County; concerned that most of the installed high mast lights have been vandalized, leaving many parts of the County in darkness for a long period of time due to poor and/or slow repair and maintenance of the public/street lights; acknowledging that the County has plans to light the entire City and turn it into a 24 hour economy, this Assembly urges the County Executive to privatize the repair and maintenance of public/street lights within the County as a way of improving security and achieving a 24 hour economy in the County.

**8. STATEMENT PURSUANT TO STANDING ORDER 41(2)(C)**

The following responses to statements were given;-

- i. Hon. Leah Matee on behalf of the Chairperson of the Sectoral Committee on Planning and Housing gave a response to statement requested by Hon. Jacqueline Nyangala regarding cordoning off and destruction of pavement usually used by public along an office building that has been completed along Riverside Drive by Estelle Construction.
- ii. Hon. Emmaculate Musya on behalf of the Chairperson of the Sectoral Committee on Trade, Tourism and Cooperatives gave a response to statement requested by Hon. Kenneth Irungu regarding Quarry Road Dumping Market dumping site in Pumwani Ward.

**9. MOTION – ADOPTION OF THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL OPERATIONS OF NAIROBI CITY COUNTY ASSEMBLY FOR THE PERIOD 1 JULY 2013 TO 30 JUNE, 2014.**

**Motion made and Question proposed;**

**THAT**, the Assembly adopts THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON CONSIDERATION OF THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL OPERATIONS OF NAIROBI CITY COUNTY ASSEMBLY FOR THE PERIOD 1 JULY 2013 TO 30 JUNE, 2014 laid on the Table of the Assembly on Tuesday 24th November, 2015

**(Chairperson, Public Accounts Committee)**

*(Debate interrupted on Tuesday 22<sup>nd</sup> March, 2016 resumed)*

*Debate Arising;*

*Mover replied;*

*Question put and **Agreed to.***

**10. MOTION – ADOPTION OF THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY FOR THE SIXTEEN (16) MONTHS PERIOD ENDED 30TH JUNE, 2014.**

**Motion made and Question proposed;**

**THAT**, the Assembly adopts THE REPORT OF THE SELECT COMMITTEE ON PUBLIC ACCOUNTS ON THE REPORT OF THE AUDITOR-GENERAL ON THE FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY FOR THE SIXTEEN (16) MONTHS PERIOD ENDED 30TH JUNE, 2014, laid on the Table of the Assembly on Wednesday 28th October, 2015.

*(Chairperson, Public Accounts Committee)*

*Debate Arising;*  
*Mover replied;*  
*Question put and **Agreed to.***

There being no other business and the time being thirty minutes past four o'clock, the Speaker adjourned the Assembly without question put pursuant to the Standing Orders.

**11. ASSEMBLY ROSE** - at thirty minutes past four O'clock.

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**MEMORANDUM**

The Speaker will take the Chair on  
Thursday, 24<sup>th</sup> March, 2016 at 2.30 p.m.

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