



COUNTY GOVERNMENT OF NAIROBI CITY

THIRD ASSEMBLY – (THIRD SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 20, 2024 AT 2.30PM

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 a Quorum at the commencement of the Assembly called the Assembly to order.

3. PETITION: -

The following petition was issued: -

- i. THE PETITION BY KANGEMI WARD RESIDENTS ON STOPPAGE OF PUBLIC LAND ENCROACHMENT BY A PRIVATE DEVELOPER AT KANGEMI MARKET.**

(Hon. Kennedy Ngondi, MCA – Hon. Speaker)

4. PAPER LAID: -

The following papers were laid on the Table of the Assembly;

- i. THE REPORT OF THE OFFICE OF THE CONTROLLER OF BUDGET ON FIRST QUARTER COUNTY GOVERNMENTS BUDGET IMPLEMENTATION REVIEW FOR FY 2023/2024.**

(Hon. Peter Imwatok, MCA – Leader of Majority Party)

ii. **THE REPORT OF THE OFFICE OF THE CONTROLLER OF BUDGET ON ANNUAL COUNTY GOVERNMENTS BUDGET IMPLEMENTATION REVIEW FOR FY 2022/2023**

(Hon. Peter Imwatok, MCA – Leader of Majority)

iii. **THE REPORT OF THE SECTORAL COMMITTEE ON LANDS, PLANNING AND HOUSING ON PETITION BY RESIDENTS OF UMOJA 1 AND TENA ESTATE ON GRABBING OF PUBLIC LAND BLOCK 891/889 IN UMOJA 1 AND TENA AREA IN NAIROBI CITY COUNTY.**

(Hon. Peter Imwatok, MCA – Leader of Majority)

5. NOTICE OF MOTION – PROVISION OF FREE CLEAN WATER IN HOTELS AND RESTAURANTS AND OTHER PUBLIC AREARS.

THAT, aware that Article 43 (1) of the Constitution of Kenya 2010 provides for the right of every person to access clean and safe water in adequate quantities; **further aware** that paragraph 11 (b) of Part Two of the Fourth Schedule to the Constitution provides for County public works and services including water and sanitation services as a function of the County Government; **cognizant** that the County has various public areas that were designed to provide free clean drinking water to residents within the County; **concerned** that such designated areas stalled and are no longer in operation the word “Nairobi” which comes from the Maasai phrase ‘Enkare Nyrobi’, which translates to “cool water”; **further concerned** that most hotels and restaurants do not provide free clean, drinking water to their customers; **acknowledging** that County water and sanitation services includes county-specific water and sanitation asset development, asset management and related water supply and sanitation service provision for the realization of the human right to water and reasonable sanitation standards in the County, this Assembly urges the County Executive:-

1. Rehabilitate the existing stalled public points designed to provide free and clean drinking water to the residents of Nairobi City County; and
2. Develop regulations compelling hotels and restaurants across the County to provide free and clean drinking water to clients at their premises.

(Hon. Sospeter Mumbi, MCA)

6. NOTICE OF MOTION –REGULATION OF BOREHOLE WATER VENDORS

THAT, aware that Article 43 (1) of the Constitution of Kenya 2010 provides for the right of every person to access clean and safe water in adequate quantities; **further aware** that paragraph 11 (b) of Part Two of the Fourth Schedule to the Constitution provides for County public works and services including water and sanitation services as a function of the County Government; **Cognizant** that Nairobi City County Government regulates the operations of the Nairobi City Water & Sewerage Company Limited in provision of clean and accessible water to its residents; **concerned** that the water supplied by the Nairobi City Water and Sewerage Company Limited is not sufficient to serve the ever growing demand by the Nairobi residents; **further concerned** that there are private borehole water vendors that supply water to the City residents without any clear legal framework for their operations; **disturbed** that majority of borehole water vendors sell untreated water from illegal boreholes in some estates which is a health hazard thus exposing residents to several diseases such as typhoid and cholera, this Assembly resolves THAT:-

1. The County Executive Committee Member in charge of Water & Sanitation through the relevant authority commence the process of registration of all borehole water vendors in Nairobi City County and forward a detailed database for each Ward to this Assembly within sixty (60) days from the date of adoption of this Motion; and
2. The County Executive Committee Member in charge of Water & Sanitation develops a policy to guide the operationalization of borehole water vendors within Nairobi City County.

(Hon. Hellen Okello, MCA)

7. STATEMENTS PURSUANT TO STANDING ORDER 45(2)(c)

The following Statements were requested: -

- i. The Hon. Redson Otieno, MCA requested for a Statement from the Chairperson of the Sectoral Committee on Trader regarding the decreasing revenue collected from the markets within the County: (Response due in 7 days)
- ii. Hon. Redson Otieno requested for a Statement from the Chairperson of the Select Committee on Ward Development Fund regarding the status of the pending payments to all contractors who have who have completed their projects across the City, particularly Ngei Ward; : (Response due in 2 weeks – 5th March 2024)

- iii. Hon. Redson Otieno requested for a Statement from the Chairperson of the Sectoral Committee on floors for buildings planning regarding the approval of number of floors for building in Nairobi City County. (Response due in 2 weeks – 5th March 2024)
- iv. The Hon. Oscar Lore requested for a Statement from the Chairperson of the Sectoral Committee on Culture and Community Services regarding the amount of revenue collected by the liquor Board since the current County Government administration was swom in; . (Response due in 2 weeks – 5th March 2024)
- v. The Hon. Oscar Lore,MCA requested for a Statement from the Sectoral Committee on Culture and Community Services regarding the amount allocated to the recent fire tragedy in Embakasi East Sub-County, (Response due in 2 weeks – 5th March 2024)
- vi. Hon. Nicholas Okwacho,MCA requested for a Statement from the Chairperson of the Sectoral Committee on Labour and Social Welfare regarding the number of employees working in the County Executive in acting capacity and those on secondment (Response due in 2 weeks – 5th March 2024)

And the time being forty-three minutes Past Three O'clock the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

8. ASSEMBLY ROSE - _____ at Forty-three minutes past three O'clock.

MEMORANDUM

The Speaker will take the Chair on
Wednesday, February 21st, 2024 at 2.30 p.m