AGENDA - COUNCIL MEETING - TUESDAY - MAY 9, 2023 - 1:30 P. M. COUNCIL CHAMBER - SECOND FLOOR - CITY HALL 901 BAGBY - HOUSTON, TEXAS

with notes of action taken

MOTIONS 2023-0291 to 2023-0314 ORDINANCES – 2023-0312 to 2023-0334 RESOLUTION – 2023-0013 2023-0290-1

1:30 P. M. - PRESENTATIONS

2:00 P.M. - INVOCATION AND PLEDGE OF ALLEGIANCE - Council Member Robinson

ROLL CALL AND ADOPT MINUTES OF PREVIOUS MEETING

2:00 P.M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

NOTE: If a translator is required, please advise when reserving time to speak

Motion 2023-0291 – Procedural motion Motion 2023-0292 – Procedural motion

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 10, 2023 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE CITY SECRETARY PRIOR TO COMMENCEMENT

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 42

MISCELLANEOUS - NUMBERS 1 through 5

1. Motion 2023-0293

REQUEST from Mayor for confirmation of the appointment of **DONNA MCINTOSH** to Position Five of the **BOARD OF DIRECTORS OF REINVESTMENT ZONE MUMBER FIVE, CITY OF HOUSTON, TEXAS (MEMORIAL-HEIGHTS ZONE)**, for a term to expire December 31, 2024

MISCELLANEOUS - continued

2. Motion 2023-0294

REQUEST from Mayor for confirmation of the appointment of **DONNA MCINTOSH** to Position Five of the **BOARD OF DIRECTORS OF THE MEMORIAL-HEIGHTS REDEVELOPMENT AUTHORITY**, for a term to expire December 31, 2024

3. Motion 2023-0295

REQUEST from Mayor for confirmation of the reappointment of the **JEFFREY NIELSEN** to Position Two of the **REINVESTMENT ZONE NUMBER TEN**, **CITY OF HOUSTON**, **TEXAS (LAKE HOUSTON ZONE) BOARD OF DIRECTORS**, for a term to expire December 31, 2024, and as Chair for a term ending December 31, 2023

4. Motion 2023-0296

REQUEST from Mayor for confirmation of the reappointment of the **JEFFREY NIELSEN** to Position Two of the **LAKE HOUSTON REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 31, 2024, and as Chair for a term ending December 31, 2023

5. Motion 2023-0297

REQUEST from Mayor for confirmation of the appointment of the following individuals to the **BOARD OF DIRECTORS OF TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-FOUR (GREATER HOUSTON ZONE):**

Position Seven - YARMON KENNEDY, for a term to expire 12/31/2023
Position Eight - SHERIFAT LAWAL PRICE, for a term to expire 12/31/2023
Position Nine - HARRIET RAMONA CRAYTON, for a term to expire 12/31/2024
Position Ten - OLGA LLAMAS RODRIGUEZ, for a term to expire 12/31/2023

Position Eleven - CHRISTINE S. WILLIE, for a term to expire 12/31/2024

ACCEPT WORK - NUMBERS 6 through 9

6. Motion 2023-0298

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$17,680,312.12 and acceptance of work on contract with **BOYER**, **INC** for Chelford City Diversion Package No. 1 - 7.04% under the original contract amount and under the 5% contingency amount **DISTRICT F - THOMAS**

7. Motion 2023-0307

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$3,404,991.35 and acceptance of work on contract with **ALSAY**, **INCORPORATED** for Ground Water Well Rehabilitation at Various Sites - 0.95% over the revised contract amount and under the 5% contingency amount - **DISTRICTS A - PECK**; **B - JACKSON**; **C - KAMIN**; **E - MARTIN**; **F - THOMAS**; **J - POLLARD** and **K - CASTEX-TATUM**

8. Motion 2023-0308

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$6,888,483.88 and acceptance of work on contract with **ANGEL BROTHERS ENTERPRISES, INC** for FY2019 Roadway Rehabilitation Overlay Package #1 - 1.59% under the original contract amount **DISTRICTS B - JACKSON; F - THOMAS; G - HUFFMAN; H - CISNEROS and K - CASTEX-TATUM**

ACCEPT WORK - continued

9. Motion 2023-0299

RECOMMENDATION from Director Houston Public Works for approval of final contract amount of \$2,687,256.33 and acceptance of work on contract with **PORTLAND UTILITIES CONSTRUCTION COMPANY, LLC** for Wastewater Collection System Rehabilitation and Renewal - 2.68% under the original contract amount - **DISTRICTS B - JACKSON; D - EVANS-SHABAZZ; E - MARTIN; F - THOMAS; G - HUFFMAN; I - GALLEGOS; J - POLLARD and K - CASTEX-TATUM**

PROPERTY - NUMBER 10

10. Motion 2023-0300

RECOMMENDATION from City Attorney, to deposit the amount of the Award of Special Commissioners into the Registry of the Court to pay all Costs of Court in connection with eminent domain proceeding styled City of Houston v. **TEXAS PETROLEUM GROUP LLC**, et al., Cause No. 1191626 for Greens Road Paving & Drainage Improvements Project, Parcel AY21-031 - **DISTRICT B - JACKSON**

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 19

11. Motion 2023-0301

ADVANCED RESCUE SYSTEMS for sole source purchase of Fire and Rescue Equipment for the Houston Fire Department - \$309,980.00 - Equipment Acquisition Consolidated Fund

12. Motion 2023-0302

WESTSIDE CHEVROLET, INC - \$2,488,739.10; CLASSIC CHEVROLET CENTRAL - \$2,488,739.10; JSUPER INVESTMENTS LLC dba MEINEKE CAR CARE CENTER - \$829,579.70 for GM Car and Truck OEM Replacement Parts and Repair Services for the Fleet Management Department - 3 Years with 2 one-year options - Fleet Management Fund

13. Motion 2023-0303

HOUSTON FREIGHTLINER, INC dba HOUSTON FREIGHTLINER & WESTERN STAR for Freightliner Cab and Chassis Replacement Parts and Repair Services for the Fleet Management Department 3 Years with 2 one-year options - \$4,830,679.41 - Fleet Management Fund

14. Motion 2023-0309

FERGUSON WATERWORKS - \$2,906,503.55 and **COBURN SUPPLY COMPANY, IN** - \$2,601,041.50 for Plastic Meter Boxes and Covers for Houston Public Work - 3 Years with 2 one-year options Enterprise Fund

15. Motion 2023-0304

H.M.T. SERVICES CORPORATION for Purchase of an Air Compressor Pump for Houston Public Works \$6,590.00 - Enterprise Fund

16. Motion 2023-0305

ABACUS QUALITY SYSTEM SERVICES, INC for Purchase of Flanged Fittings for Houston Public Works - \$14,610.00 - Enterprise Fund

PURCHASING AND TABULATION OF BIDS - continued

17. Motion 2023-0306

CONSOLIDATED TRAFFIC CONTROLS, INC for Purchase of Traffic Control Equipment through the Interlocal Agreement with the Houston-Galveston Area Council for Houston Public Works - \$9,600.00 Special Revenue Fund

18. Motion 2023-0310

PATRICIA TECH SUPPLY AND SERVICE for Purchase of Asphalt Cleaner for Houston Public Works \$22,961.44 - Special Revenue Fund

19. Motion 2023-0311

REACH GRAB & GO DEBRIS REMOVAL CO. for Emergency Illegal Dumping Services for the Solid Waste Management Department - \$845,598.00 - General Fund

ORDINANCES - NUMBERS 20 through 42

20. Not Received - Not Considered

ORDINANCE approving and authorizing amendment to Loan Agreement between City of Houston and **TXZNH**, **LLC** that provides Hurricane Harvey Community Block Grant Disaster Recovery Funds to amend Scope of Work of the Loan Agreement and certain related documents - **DISTRICT B - JACKSON**

21. Ordinance 2023-0312

ORDINANCE approving and authorizing fourth amendment to contract between City of Houston and **SEARCH HOMELESS SERVICES** to extend term of contract for Homeless Services Program that will include Mobile Outreach/Welcome Center and Housing Case Management Services, to be funded with Texas Homeless Housing and Services Program Funds, Community Development Block Grant Funds and previously appropriated Tax Increment Reinvestment Zone Funds - \$1,020,000.00 - **DISTRICT I - GALLEGOS**

22. Ordinance 2023-0313

ORDINANCE approving and authorizing Subrecipient Agreement between City of Houston and CATHOLIC CHARITIES OF THE ARCHDIOCESE OF GALVESTON-HOUSTON, to provide Housing Opportunities for Persons With AIDS Funds to provide Tenant-Based Rental Assistance, Short-Term Rent, Mortgage, and Utility Assistance, Permanent Housing Placement Services, and Supportive Services to low-income households living with HIV/AIDS - \$1,843,657.00 Grant Fund - DISTRICT C - KAMIN

23. Ordinance 2023-0314

ORDINANCE approving and authorizing Subrecipient Agreement between City of Houston and A CARING SAFE PLACE, INC, to provide Housing Opportunities for Persons With AIDS Funds for administration and operation of a permanent Supportive Housing Community Residence and a Transitional Housing Community Residence along with Supportive Services - \$1,049,048.20 – Grant Fund - DISTRICT B - JACKSON

24. Council Member Knox tagged

ORDINANCE approving and authorizing first amendment to agreement between City of Houston and CUSTOMER SERVICE EXPERTS, INC dba CXE, INC for Mystery Shopping Services for the Airport System (Approved by Ordinance No. 2018-0405) - <u>DISTRICTS B - JACKSON and I - GALLEGOS</u>

ORDINANCES - continued

25. Ordinance 2023-0315

ORDINANCE authorizing the creation and execution of Form International Facilities Agreements by and between City of Houston and Various Terminal D Airlines at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JACKSON**

26. Pulled - Not Considered

ORDINANCE amending Ordinance No. 2022-750, Passed on September 28, 2022, to increase the maximum contract amount for Professional Services Agreement between **AKIN GUMP STRAUSS HAUER & FELD LLP** and City of Houston to provide Legal Services related to United States Department of Justice Investigation - \$400,000.00 - Property & Casualty Fund

27. Council Members Pollard and Kubosh tagged

ORDINANCE amending Ordinance No. 2022-0304 (Passed on April 20, 2022) to increase the maximum contract amount for Professional Services Contract between City of Houston and **OLSON & OLSON LLP** - \$395,000.00 - Property & Casualty Fund

28. Ordinance 2023-0316

ORDINANCE appropriating \$212,000.00 out of Public Library Consolidated Construction Fund; approving and authorizing Purchase and Sale Agreement between **RAUL RIVERA** and **ANGELA RIVERA**, Sellers, and City of Houston, Texas, Purchaser, for acquisition of approximately 8,250 square feet of land, being Lots 3-5 of Block 35, 8,625 square feet of land, being Lots 3-5 of Block 33, 20,125 square feet of land, being Lots 8-14 of Block 33, and 23,000 square feet of land, being Lots 17-24 of Block 33, out of Washington Heights Subdivision, located in City of Houston, Harris County, Texas 77088, for use by the Houston Public Library - **DISTRICT A - PECK**

29. Ordinance 2023-0317

ORDINANCE appropriating \$106,000.00 out of Public Library Consolidated Construction Fund; approving and authorizing Purchase and Sale Agreement between **MARIA G. DELEON**, Seller, and City of Houston, Texas, Purchaser, for acquisition of approximately 22,000 square feet of land, being Lots 5-12 of Block 34 and 8,250 square feet of land, being Lots 1-3 of Block 34, out of Washington Heights Subdivision, located in City of Houston, Harris County, Texas 77088, for use by the Houston Public Library - **DISTRICT A - PECK**

30. Ordinance 2023-0318

ORDINANCE appropriating \$1,206,663.20 out of Police Consolidated Construction Fund to rent a temporary chiller and to replace the existing chillers at Westside Command Station

31. Ordinance 2023-0328

ORDINANCE approving and authorizing agreement between City of Houston and **DRC EMERGENCY SERVICES**, **LLC** to provide Dredging of Sand/Sediment Services for the Mayor's Office of Disaster Recovery – 3 Years with 2 one-year options - \$29,000,000.00 - Grant Fund

32. Ordinance 2023-0329

ORDINANCE approving and awarding Subrecipient Agreement between City of Houston and the MID-AMERICA ARTS ALLIANCE to receive and distribute Arts and Cultural Stabilization Grant Funds to Houston Arts and Cultural Organizations for the Mayor's Office of Cultural Affairs, providing a maximum contract amount - Through December 2024 with 4 one-year options - \$5,000,000.00 - ARPA Recovery Fund

ORDINANCES - continued

33. Ordinance 2023-0319

ORDINANCE establishing the 800 block of Ridge Street, north and south sides, within the City of Houston, Texas, as a Special Minimum Lot Size Block pursuant to Chapter 42 of the Code of Ordinances Houston, Texas - **DISTRICT H - CISNEROS**

34. Ordinance 2023-0320

ORDINANCE establishing the west side of the 2700 block of Julian Street, within the City of Houston, Texas, as a Special Minimum Lot Size Block pursuant to Chapter 42 of the Code of Ordinances Houston, Texas - **DISTRICT H - CISNEROS**

35. Ordinance 2023-0321

ORDINANCE amending Ordinance Number 2019-0734 to include the acquisition of twenty-six parcels for the 54-Inch Water Line Along Galveston Road Project (from HCFCD Channel No. B-104-05-00 to CLCWA Pump Station No. 3) and further finding and determining public convenience and necessity for the acquisition of such parcels by gift, dedication, purchase and if necessary, the use of eminent domain **DISTRICT E - MARTIN**

36. Ordinance 2023-0322

ORDINANCE amending Ordinance Number 2022-0861 to include the acquisition of nine additional parcels for the North Corridor Consolidation Package 3 - Flow Diversion (36-inch) (from Imperial Valley WWTP to Northgate Regional Lift Station) Project and further finding and determining public convenience and necessity for the acquisition of such parcels by gift, dedication, purchase and if necessary, the use of eminent domain - **DISTRICT B - JACKSON**

37. Ordinance 2023-0323

ORDINANCE amending Ordinance No. 2020-0946 to increase the maximum contract amount; approving and authorizing first amendment to Interlocal Agreement between City of Houston and **HARRIS COUNTY, TEXAS** for the High-Resolution Street-Level Imagery Services with Light Detection and Ranging and Data Extraction Services (Approved by Ordinance 2020-0946) - \$775,000.00 Enterprise Fund

38. Council Member Knox tagged

ORDINANCE appropriating \$78,750.00 out of Dedicated Drainage and Street Renewal Capital Fund - Drainage Charge as an additional appropriation to Construction Management and Inspection Services Contract between City of Houston and **AVILES ENGINEERING CORPORATION** for DR15 SWAT 4A Northside/Northline Drainage and Paving Improvements (as approved by Ordinance No. 2017-0127); providing funding for CIP Cost Recovery relating to construction of facilities financed by the Dedicated Drainage and Street Renewal Capital Fund - Drainage Charge - **DISTRICT H - CISNEROS**

39. Ordinance 2023-0324

ORDINANCE appropriating \$5,066,044.20 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Professional Engineering Services Contract between City of Houston and LOCKWOOD, ANDREWS & NEWNAM, INC for Miscellaneous Large Diameter Water Line Improvements Package 3; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - <u>DISTRICTS B-JACKSON; E-MARTIN; G-HUFFMAN; H-CISNEROS; I-GALLEGOS and K-CASTEX-TATUM</u>

ORDINANCES - continued

40. Ordinance 2023-0325

ORDINANCE appropriating \$2,779,754.25 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing Professional Engineering Services Contract between City of Houston and **ARCADIS U.S., INC** for Lift Station Rehabilitation and Reconstruction Design Consent Decree Construction Manager At Risk (CMAR) – Emnora #2, Bretshire #1, Red Gully, Cherry Oak, Annunciation & Shadow Lakes Lift Stations; providing funding for CIP Cost Recovery financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - PECK; B - JACKSON and F - THOMAS**

41. Ordinance 2023-0326

ORDINANCE appropriating \$1,198,292.55 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between City of Houston and **PARSONS WATER & INFRASTRUCTURE, INC** for Force Main Rehabilitation and Reconstruction for Old Katy and Cook Road Lift Stations; providing funding for CIP Cost Recovery relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS F - THOMAS and G - HUFFMAN**

42. Ordinance 2023-0327

ORDINANCE \$9,838,670.89 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing a new Advance Funding Agreement between City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for the relocation of Sanitary Sewer Facilities and Lift Stations along BU 90U; repealing Ordinance No. 2023-0296 (Passed Council on April 26, 2023) - **DISTRICTS B - JACKSON and I - GALLEGOS**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

MATTERS HELD - NUMBERS 43 through 51

43. **Motion 2023-0312 – Adopt**

MOTION by Council Member Castex-Tatum/Seconded by Council Member Robinson to adopt recommendation from Director Houston Public Works for approval of final contract amount of \$3,034,897.28 and acceptance of work on contract with **SPECIALIZED MAINTENANCE SERVICES, INC** for Sewer Stoppage Cleaning and Television Inspection IV (WW5100-04) - 1.43% under the original contract amount - **TAGGED BY COUNCIL MEMBERS POLLARD AND KUBOSH** This was Item 9 on Agenda of May 3, 2023

44. Motion 2023-0313 – Adopt

RECOMMENDATION from the Chief Procurement Officer to **AMEND MOTION #2018-0616**, **passed 11/28/2018**, **TO INCREASE** spending authority from \$28,132,253.94 to \$28,707,389.69 to **SIEMENS INDUSTRY**, **INC** for Water Meters and Water Meter Replacement Parts for Houston Public Works - \$575,135,75 - Enterprise Fund

TAGGED BY COUNCIL MEMBER KUBOSH

This was Item 11 on Agenda of May 3, 2023

MATTERS HELD - continued

45. **Motion 2023-0314 – Adopt**

MOTION by Council Member Castex-Tatum/Seconded by Council Member Robinson to adopt recommendation from the Chief Procurement Officer on award to MIDDLETON & BROWN, LLC for approval of Spending Authority for Emergency Waterline Inspection Services for Houston Public Works - \$1,647,000.00 - Enterprise Fund - TAGGED BY COUNCIL MEMBER KUBOSH This was Item 14 on Agenda of May 3, 2023

46. Resolution 2023-0013

RESOLUTION approving and authorizing nomination of **ATILAR PHARMA CORPORATION**, located at 16416 Northchase Drive, Houston, Texas, to the Texas Economic Development Bank established by the Texas Economic Development and Tourism Office within the Office of the Governor for designation as an Enterprise Project - **DISTRICT B – JACKSON** -

TAGGED BY COUNCIL MEMBER JACKSON

This was Item 19 on Agenda of May 3, 2023

47. Ordinance 2023-0330

ORDINANCE amending Ordinance No. 2022-503 (Passed on June 22, 2022) to increase the maximum contract amount for contract between City of Houston and **MPACT STRATEGIC CONSULTING, LLC** for Staff Augmentation for Contract Compliance Monitoring Services for Construction Contracts for the Office of Business Opportunity - \$338,400.00 - General Fund

TAGGED BY COUNCIL MEMBER KUBOSH

This was Item 26 on Agenda of May 3, 2023

48. Ordinance 2023-0331

ORDINANCE amending Ordinance No. 2022-504 (Passed on June 22, 2022) to increase the maximum contract amount for contract between City of Houston and **HILLDAY PUBLIC RELATIONS** for Staff Augmentation for Contract Compliance Monitoring Services for Non-Construction Projects for the Office of Business Opportunity - \$452,808.00 - General Fund

TAGGED BY COUNCIL MEMBER KUBOSH

This was Item 27 on Agenda of May 3, 2023

49. Ordinance 2023-0332 - Adopt

ORDINANCE awarding contract to **TIKON GROUP INC** for Concrete and Asphalt Restoration; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to testing services relating to construction financed by the Water & Sewer System Operating Fund - **TAGGED BY COUNCIL MEMBER KUBOSH**

This was Item 30 on Agenda of May 3, 2023

50. **Ordinance 2023-0333 – Adopt**

ORDINANCE appropriating \$2,107,698.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES**, **INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for CIP Cost Recovery and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-123) - **TAGGED BY COUNCIL MEMBER KUBOSH** This was Item 31 on Agenda of May 3, 2023

MATTERS HELD - continued

51. Ordinance 2023-0334 - Adopt

ORDINANCE appropriating \$2,737,627.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **SPECIALIZED MAINTENANCE SERVICES**, **INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required Contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for CIP Cost Recovery and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund (4277-125) - **TAGGED BY COUNCIL MEMBER KUBOSH**

This was Item 32 on Agenda of May 3, 2023

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Evans-Shabazz first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

5/9/2023 - Mayor Turner out of the City on City business
Mayor Pro Tem Martin presiding

5/10/2023 - Mayor Turner out of the City on City business Council Member Jackson absent due to being ill Mayor Pro Tem Martin presiding