

(d) All employees and contract security personnel of the city are authorized for and on behalf of the city to notify any person who fails to comply with any regulation promulgated under this section to depart from city premises.

(e) Any person who enters or remains on a city premises in violation of the regulations promulgated under this section after written notice not to enter or verbal notice to depart as provided in this section shall be subject to prosecution under section 30.05 of the Texas Penal Code for criminal trespass in addition to prosecution for any other crime that he may have committed by his conduct.

(Ord. No. 95-1200, § 3, 11-15-95)

**Secs. 2-416—2-430. Reserved.**

### **ARTICLE XIII. BUILDING SERVICES DEPARTMENT\***

#### **Sec. 2-431. Department created.**

There is hereby created the building services department of the city.

(Ord. No. 99-378, § 5, 4-21-99)

#### **Sec. 2-432. Office of the director.**

There is hereby created the office of director of the building services department.

(Ord. No. 99-378, § 5, 4-21-99)

#### **Sec. 2-433. Professional services.**

(a) To the extent that any of the duties and responsibilities assigned to the department are of a nature requiring that they be performed by or under the oversight of a person who holds a registration or license as an engineer, architect, electrician, plumber, stationary engineer or other profession or trade, the director shall ensure that the services are performed in compliance with applicable registration and licensing laws and by or under the supervision of a person who holds the required registration or license.

\*Editor's note—See editor's note to Art. XIV.

Note—This article shall take effect July 1, 1999.

(b) Nothing in this section shall be construed to require that the director hold any particular registration or license, and the director may employ persons who hold the required registration or license to perform and oversee the functions for which a registration or license is required.

(Ord. No. 99-378, § 5, 4-21-99)

#### **Sec. 2-434. Functions.**

The department shall:

- (1) Be responsible for construction and remodeling of city buildings, including management and provision of in-house and contract services for design of projects, construction bidding, construction contract management, construction-related testing services and construction-related environmental services;
- (2) Perform facilities management services including review of requirements for space in city buildings, negotiations of city building space leases, whether the city is the lessor or the lessee, assignment of space in city buildings, development of office size and furnishing standards, management of furnishings installations and office moves and related services whether performed directly by the department or by contractors;
- (3) Manage and oversee energy programs for city buildings;
- (4) Manage the purchasing of natural gas, electricity, heated and chilled water and related utilities for use by the city;
- (5) Provide on-site building maintenance and operations services for buildings assigned to the department for that purpose, including janitorial, cleaning, building systems maintenance, minor repairs, carpentry and construction work and security operation and maintenance; and
- (6) Render assistance to other city departments upon request for buildings that may not be under the direct management of the department on issues relating to building management.

The foregoing duties and functions shall not extend to aviation department properties, unless so requested by the aviation department. (Ord. No. 99-378, § 5, 4-21-99)

**Sec. 2-435. Coordination.**

The director shall coordinate the work of the department with the directors of the finance and administration department, public works and engineering department and other departments that have concurrent functions, and the various directors shall develop operating guidelines as necessary to ensure coordination of work and delivery of services.

(Ord. No. 99-378, § 5, 4-21-99)

**Sec. 2-436. Advisory committee.**

The director and the mayor may establish an advisory committee of not less than five persons who perform building management services or have related responsibilities in the private sector. The committee shall advise the director on issues within the responsibility of the department for the purpose of ensuring that the department has the guidance necessary to provide services of the highest quality and ensuring that the director and the mayor remain aware of evolving issues with respect to building management.

(Ord. No. 99-378, § 5, 4-21-99)

**Sec. 2-437. Transfer of duties.**

To the extent that any other reference in this Code or in any other ordinance of the city or any reference in any city contract or other document devolves duties upon the finance and administration department or the public works and engineering department or the directors or employees of those departments that have been reassigned to the building services department or director thereof under this article, then the reference shall be construed to mean the building services department or the director and employees thereof, as applicable.

(Ord. No. 99-378, § 5, 4-21-99)

**Secs. 2-438—2-450. Reserved.**

**ARTICLE XIV. NON-DISCRIMINATION IN CITY EMPLOYMENT, CITY SERVICES AND CONTRACTING PRACTICES**

**Sec. 2-451. Definitions.**

As used in this article, the following words and terms shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

*City employment and employment opportunities* shall include city job application procedures, recruitment, referrals for employment, selection and hiring, placements, compensation, promotions, demotions, transfers, layoffs, recalls, training, educational opportunities, and all forms of discipline, including indefinite suspensions/terminations.

*Discriminate, discriminates, discrimination* shall mean to distinguish, differentiate, separate, or segregate, to either the advantage or disadvantage of any person, on the basis of race, color, national origin, marital status, religion, age, gender, sexual orientation and gender identity, disability, military service, except as required by federal or state law or court order.

*Sexual orientation and gender identity* shall mean having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. Sexual orientation and gender identity does not include pedophilia, exhibitionism, voyeurism, or any unlawful conduct. (Ord. No. 01-699, § 2, 7-25-01)

**Sec. 2-452. Prohibition against discrimination in employment.**

It is the policy of the city that the city will not discriminate in city employment and employment opportunities.

(Ord. No. 01-699, § 2, 7-25-01)