

City of Houston, Texas, Ordinance No. 2024- 880

AN ORDINANCE AMENDING SECTION 2-277 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO THE QUALIFICATIONS OF THE DIRECTOR OF THE HOUSTON PUBLIC WORKS DEPARTMENT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

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WHEREAS, Article VIII, Chapter 2 of the City of Houston Code of Ordinances ("the City Code") memorializes the establishment of a department of the City known as Houston Public Works; and

WHEREAS, Houston Public Works is responsible for the construction, maintenance, and operation of the City's public infrastructure, including but not limited to the operation and maintenance of the City's streets and drainage, production and distribution of water, collection and treatment of wastewater, and permitting and regulation of public and private construction; and

WHEREAS, Section 2-277 of the City Code states in part, the director of Houston Public Works shall be a professional engineer, registered as such in Texas; and

WHEREAS, there is no state law requirement that a director of a public works and engineering department must be a licensed engineer; and

WHEREAS, establishing broader, more comprehensive job qualifications:

- (1) Attracts candidates with varied skill sets and diverse backgrounds, which brings new perspectives that help organizations adapt to changing needs and challenges while fostering problem-solving and innovation;
- (2) Allows for a wider range of applicants, increasing the likelihood of finding the best candidate for the position;
- (3) Fosters collaboration and knowledge sharing among employees, improving overall team dynamics; and
- (4) Exemplifies that valuing diverse qualifications can lead to innovative approaches to leadership and service delivery, and allow organizations to retain skilled individuals who might otherwise seek opportunities elsewhere;

WHEREAS, broadening the job qualifications for a key leadership position in critical infrastructure and service delivery departments can strengthen the effectiveness and responsiveness of government entities; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as a part of this Ordinance.

Section 2. That Section 2-277 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

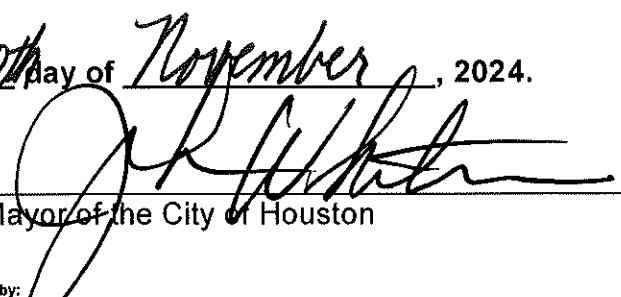
- "(a) There is hereby created the office of Director of Houston Public Works. The director shall be the executive officer of the department and shall be appointed by the mayor and confirmed by city council. The director shall either:
 - (1) Be a professional engineer, registered as such in Texas;
 - (2) Have at least five years of full-time experience in an executive position in public service administration or business administration with accountability for management of complex business or service line performance and growth; or
 - (3) Have an equivalent combination of training, education, and experience sufficient to provide leadership and perform the duties of the office.
- (b) The director shall have all the powers and shall exercise all the duties conferred upon the department stated in section 2-278 of this Code, except that if the director is not a professional engineer registered as such in Texas, any duties that devolve upon the director that are required to be performed by a professional engineer shall be performed by the city engineer."

Section 3. That the City Attorney is hereby authorized to direct the publisher of the Code of Ordinances, Houston, Texas, (the "Code") to make such nonsubstantive changes to the Code as are necessary to conform to the provisions adopted in this Ordinance, and also to make such changes to the provisions adopted in this Ordinance to conform them to the provisions and conventions of the published Code.

Section 4. That, if any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 5. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor.

PASSED AND ADOPTED this 20th day of November, 2024.



Mayor of the City of Houston

DocuSigned by:



Rashad Gambrell

Prepared by Legal Dept. _____

RVG/kro 11/18/2024

Requested by Arturo G. Michel, City Attorney

L.D. File No.LD-GC-0000000444

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Senior Assistant City Attorney

Meeting 11/20/2024

Aye	No	
✓		Mayor Whitmire
....	Council Members
✓		Peck
✓		Jackson
Absent on personal business		Kamin
✓		Evans-Shabazz
✓		Flickinger
Absent		Thomas
✓		Huffman
Out of City on City Business		Castillo
Out of City on City Business		Martinez
✓		Pollard
✓		Castex-Tatum
✓		Ramirez
✓		Davis
✓		Carter
✓		Plummer
✓		Alcorn
Caption	Adopted	

Captions Published in DAILY COURT REVIEW

Date: 11/26/2024