

ORDINANCE NO. 13,584

An Ordinance entitled, " AN ORDINANCE amending the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance No. 11,721, passed September 23, 1991, and amended by Ordinance No. 12,026, passed August 2, 1993, by amending Sections 2-32, and 2-34, repealing Section 2-32.03, and by adding and enacting thereto new Sections 2-126.04, 2-126.05, and 2-126.06, all relating to the human resources department",

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance No. 11,721, passed September 23, 1991, and amended by Ordinance No. 12,026, passed August 2, 1993, be and is hereby amended by amending Sections 2-32, and 2-34, repealing Section 2-32.03, and by adding and enacting thereto new Sections 2-126.04, 2-126.05, and 2-126.06, all relating to the human resources department, as follows:

SEC. 2-32. POWERS AND DUTIES OF CITY MANAGER.

(a) The city manager shall be the administrative head of the municipal government and shall have and exercise all the powers and perform all the duties prescribed by chapter 372 of the Code of Iowa except as otherwise provided by ordinance, resolution, or motion of the city council. Except as otherwise provided in this code or by state law, the city manager shall have the power and duty to provide for the issuance and revocation of such licenses and permits as are authorized by law or ordinance. The manager shall supervise and administer the offices of economic development and public affairs. (b) The city manager may, in his or her discretion, execute right of entry and access agreements for and on behalf of the city, granting access to specified city property to persons, firms, corporations, or other governmental entities for purposes of conducting surveys, soil testing, or the like, in support of public or private projects, provided that such agreements shall be subject to review and approval by the Legal Department. Access to city property for purposes of conducting environmental assessment or remediation activities shall be granted pursuant to the requirements of Chapter 23, subchapter 4A of this City Code. The city manager shall develop a schedule of reasonable charges for the grant of access to city property, provided that such charges shall be waived when such access is sought by a governmental entity, or by a contractor or consultant engaged in work on behalf of a governmental entity.

(c) The city manager may, in his or her discretion, execute right of entry and access agreements for and on behalf of the city, to secure access to private property or property owned by other governmental entities by city personnel or city contractors or consultants for the performance of required activities thereon in support of city projects or operations, provided that the compensation paid by the city for such access does not exceed \$1,000.00, and provided that such agreements shall be subject to review and approval by the Legal Department.

(d) The city manager may, in his or her discretion, execute temporary easements for construction and demolition and temporary backslope and property adjustment easements, for and on behalf of the city, to secure access to private property or property owned by other governmental entities by city personnel or city contractors as needed in support of the construction, repair, or replacement of public improvements, provided that the compensation paid by the city for each such temporary easement does not exceed \$1,000.00 and provided that such temporary easements shall be subject to review and approval by the Legal Department.

2-32.03. REPEALED BY ORD. NO. 13,---

2-34. ORGANIZATION OF CITY DEPARTMENTS AND OFFICES.

The administrative services and functions of the city, under the city manager, are hereby organized into 12 separate departments as follows:

(1) **Department of aviation.** The department of aviation shall be under the supervision of the director of aviation.

(2) **Department of city engineering.** The department of city engineering shall be under the supervision of the city engineer.

(3) **Department of community development.** The department of community development shall be under the direction of the planning director.

(4) **Department of finance.** The department of finance shall be under the supervision of the director of finance.

(5) **Fire department.** The fire department shall be under the supervision of the fire chief.

(6) **Department of community services.** The department of community services shall be under the supervision of the director of community services.

(7) **Park and recreation department.** The park and recreation department shall be under the supervision of the park and recreation director.

(8) **Police department.** The police department shall be under the supervision of the chief of police.

(9) **Department of public works.** The department of public works shall be under the supervision of the director of public works.

(10) **Department of housing services.** The department of housing services shall be under the supervision of the director of housing services.

(11) **Information Technology Department.** The information technology department shall be under the supervision of the Information Technology Director.

(12) **Human Resources Department.** The Human Resources Department shall be under the supervision of the Human Resources Director.

ARTICLE VI-B. HUMAN RESOURCES DEPARTMENT

2-126.04. SUPERVISION BY HUMAN RESOURCES DIRECTOR.

The human resources director shall supervise the human resources department.

2-126.05. APPOINTMENT OF HUMAN RESOURCES DIRECTOR.

The city manager shall appoint the human resources director.

2-126.06. DUTIES OF HUMAN RESOURCES DIRECTOR.

The human resources director shall supervise the human resources department which shall be responsible for the following:

- (1) The administration of the personnel system subject to personnel rules approved and adopted by the city council, and subject to applicable city ordinances.
- (2) The making of all appointments to city service in accordance with personnel rules then in effect, unless such power is specifically assigned by law to another appointing authority.
- (3) The preparation, and periodic review and revision, of personnel rules and regulations for presentation to the city council for adoption, covering titles, classifications, working hours, leaves of absence, transfers and promotions, cause for discharge and suspension, sexual harassment and such other subjects as may be necessary or advisable to carry out the intent and purpose of the city personnel system.
- (4) The negotiation and administration of labor-management contracts within the purview of the State Public Employment Relations Act.
- (5) The recruitment of applicants for non-civil service positions.
- (6) The processing of all municipal employment appointments, status changes and other personnel actions and maintenance of personnel records.
- (7) The coordination of employee training programs.
- (8) The administration of the employee health clinic.
- (9) The administration of the affirmative action program.

Sec. 2. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

FORM APPROVED:

Carol J. Moser

Assistant City Attorney