

ORDINANCE NO. 13500

AN ORDINANCE to amend the Municipal Code of Des Moines, 1991, adopted by Ordinance No. 11,651, passed April 15, 1991, and amended by Ordinance No. 12,059, passed October 25, 1993, and amended by Ordinance No. 13,423, passed February 3, 1997, by repealing Section 2-32 thereof and enacting a new Section 2-32, all relating to the powers and duties of the city manager.

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. 12,059, passed October 25, 1993, and amended by Ordinance No. 13,423, passed February 3, 1997, be and is hereby amended by repealing Section 2-32 thereof and enacting a new Section 2-32, all relating to the powers and duties of the city manager, as follows:

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, public affairs, and personnel. The manager shall be the designated bargaining representative of the city to engage in collective bargaining negotiations.

(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.

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

FORM APPROVED:

Terrence L. Timmins
City Solicitor

[[Council Members](#) | [Leave a Message](#) | [Meeting Agendas/Info](#) | [Recent Ordinances](#)]
[[Board/Commission List](#) | [Meeting Schedule](#) | [Request to Speak](#) | [Election/Voter Reg](#)]