

ORDINANCE NO. 6690

AN ORDINANCE TO AMEND CHAPTER 1.09 "CHIEF EXECUTIVE OFFICER" OF THE MUNICIPAL CODE OF COUNCIL BLUFFS BY RENAMING CHAPTER 1.09 TO "CITY ADMINISTRATION AND ORGANIZATION," RENAMING SECTIONS 1.09.010 AND 1.09.020 WITHIN CHAPTER 1.09, RELOCATING WITHOUT AMENDING OR ALTERING THE SUBSTANTIVE LANGUAGE OF SECTIONS 1.09.010 AND 1.09.020 TO SECTION 1.09.030(A), AND EXPANDING CHAPTER 1.09 BY ADDING NEW SECTIONS TO BETTER DELINEATE THE ADMINISTRATIVE ORGANIZATION OF THE CITY.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1.

That Chapter 1.09 "Chief Executive Officer" of the Municipal Code of Council Bluffs is hereby amended by renaming Chapter 1.09 to "City Administration and Organization," renaming Sections 1.09.010 and 1.09.020 within Chapter 1.09, relocating without amending or altering the substantive language of Sections 1.09.010 and 1.09.020 to Section 1.09.030(A), and expanding Chapter 1.09 by adding new sections to better delineate the administrative organization of the City, to read as follows:

**CHAPTER 1.09
CITY ADMINISTRATION AND ORGANIZATION**

Sections: 1.09.010 – Purpose
 1.09.020 – Conflict with Other Provisions
 1.09.030 – Executive Administrative Structure
 1.09.040 – Administrative Departments

1.09.010 – Purpose

The provisions of this chapter are intended to establish the general framework and authorization for the administration and organization of the city's administrative departments.

1.09.020 – Conflict with Other Provisions

A. In the event of any conflict between a general provision in this chapter and a specific provision contained elsewhere in the Council Bluffs Municipal Code, the specific provision shall control and prevail.

B. In the event of any conflict between a general provision in this chapter and a specific provision contained in a public-safety union contract, the specific provision in the union contract shall control and prevail.

C. In the event of any conflict between a general provision in this chapter and a specific directive contained in a resolution of the City Council, the City Council's resolution shall control and prevail.

1.09.030 – Executive Administrative Structure

A. Chief Executive Officer

1. The chief executive officer of the City of Council Bluffs shall be the mayor.
2. For any applicable contracts, resolutions, or ordinances which reference a city manager:
 - a. The mayor shall be deemed to be the city manager when the city interprets all contracts to which the city is a party in which the city manager is named as an operative officer for the city;
 - b. All resolutions which place a duty, a responsibility, or an authority in the city manager shall be interpreted to place that same duty, responsibility, or authority in the mayor or his/her designee; and
 - c. All of the provisions of this code which place a duty, a responsibility, or an authority in the city manager shall be interpreted to place that same duty, responsibility, or authority in the mayor or his/her designee.

B. Administrative Departments – [Reserved]

C. Department Heads – [Reserved]

D. Divisions – [Reserved]

1.09.040 – Administrative Departments

A. Building Department

1. The City of Council Bluffs hereby authorizes the creation and operation of the Building Department.
2. The head of the Building Department shall be the Chief Building Official.

3. The Building Department is generally responsible for the oversight, implementation, and enforcement of the City's building, construction, and housing laws, rules, and regulations.

B. City Attorney's Office – [Reserved]

C. City Clerk's Office – [Reserved]

D. Community Development

1. The City of Council Bluffs hereby authorizes the creation and operation of the Community Development Department.
2. The head of the Community Development Department shall be the Director of Community Development.
3. Duties – [Reserved]

E. Finance Department

1. The City of Council Bluffs hereby authorizes the creation and operation of the Finance Department.
2. The head of the Finance Department shall be the Director of Finance.
3. Duties – [Reserved]

F. Fire Department

1. The City of Council Bluffs hereby authorizes the creation and operation of the Fire Department.
2. The head of the Fire Department shall be the Fire Chief.
3. Duties – [Reserved]

G. Human Resources Department

1. The City of Council Bluffs hereby authorizes the creation and operation of the Human Resources Department.
2. The head of the Human Resources Department shall be the Director of Human Resources.
3. Duties – [Reserved]

H. Information Technology Department

1. The City of Council Bluffs hereby authorizes the creation and operation of the Information Technology Department.
2. The head of the Information Technology Department shall be the Chief Information Officer.
3. Duties – [Reserved]

I. Parks and Recreation Department

1. The City of Council Bluffs hereby authorizes the creation and operation of the Parks and Recreation Department.
2. The head of the Parks and Recreation Department shall be the Director of Parks and Recreation.
3. Duties – [Reserved]

J. Office of the Mayor

1. The City of Council Bluffs hereby authorizes the creation and operation of the Office of the Mayor.
2. The head of the Office of the Mayor shall be the Mayor.
3. Duties – [Reserved]

K. Police Department

1. The City of Council Bluffs hereby authorizes the creation and operation of the Police Department.
2. The head of the Police Department shall be the Police Chief.
3. Duties – [Reserved]

L. Public Works Department

1. The City of Council Bluffs hereby authorizes the creation and operation of the Public Works Department.
2. The head of the Public Works Department shall be the Director of Public Works.
3. Duties – [Reserved]

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its publication, as provided for by law.

PASSED
AND
APPROVED

June 22, 2026.



JILL K. ALMONTE

Mayor



JODI QUAKENBUSH

City Clerk

First Consideration: 6-8-26
Second Consideration: 6-22-26
Public Hearing: N/A
Third Consideration: Waived

Council Communication

Department: Legal

Case/Project No.:

Subject/Title

Ordinance 6690

Ordinance to amend Chapter 1.09 "Chief Executive Officer" of the Municipal Code of Council Bluffs by renaming Chapter 1.09 to "City Administration and Organization," renaming Sections 1.09.010 and 1.09.020 within Chapter 1.09, relocating without amending or altering the substantive language of Sections 1.09.010 and 1.09.020 to Section 1.09.030(A), and expanding Chapter 1.09 by adding new sections to better delineate the administrative organization of the city.

Background/Discussion

The policy impetus behind this proposed ordinance is the mayor's request to administratively move the Building Division from under Community Development into its own department to be known as the Building Department. The timing of this request is intended to establish the Building Department before the start of the new fiscal year in July.

Per CBMC 1.12.040(G), "The council shall create or abolish such departments as it deems necessary." The legal authority for the creation and operation of the city's current administrative departments is murky at best. It is a simple and fundamental best practice for a city to codify its administrative departments into the city's municipal code. As administrative departments are intended to exist on a permanent, rather than temporary basis, the creation or abolition of the city's departments should be done through ordinances rather than resolutions.

Instead of continuing the piecemeal resolution approaches of the past, this ordinance formally creates and authorizes the Building Department, formally recognizes the Chief Building Official as the head of the department, and provides for the general duties and purpose of the Building Department.

In anticipation of properly codifying the other, now existing administrative departments, the City Attorney's Office has designed a basic codification framework to recognize the creation and authorization for those departments. This framework is intentionally designed to be general in nature and defers to the specific duties or requirements for departments or department heads which may be outlined elsewhere in the municipal code.

Staff Recommendation

Should the City Council choose to create the Building Department, the City Attorney's Office recommends that you adopt this ordinance with the understanding that the corresponding framework will provide basic recognition, authorization, and defined leadership to the now existing departments, without changing any duties or responsibilities for the departments or department heads.

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Should the City Council decide against formally creating the Building Department, implementation of the remaining administrative department framework is unnecessary before the new fiscal year. Therefore, the City Attorney's Office recommends that the City Council deny the entire ordinance to allow for further development of the reserved sections, if the City Council so desires.

Attachments

[Redline - ORD-Chapter 1.09 - City Administration and Organization \(002\).docx
6690.docx](#)

Prepared by: Anthony Clowe
Approved by: Mimi Dobson

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CHAPTER 1.09
~~CHIEF EXECUTIVE OFFICER~~
CITY ADMINISTRATION AND ORGANIZATION

Sections: ~~1.09.010 Chief executive officer~~
 1.09.010 – Purpose
 ~~1.09.020 Contracts, resolutions, and ordinances~~
 1.09.020 – Conflict with Other Provisions
 1.09.030 – Executive Administrative Structure
 1.09.040 – Administrative Departments

1.09.010 – Purpose

The provisions of this chapter are intended to establish the general framework and authorization for the administration and organization of the city’s administrative departments.

1.09.020 – Conflict with Other Provisions

A. In the event of any conflict between a general provision in this chapter and a specific provision contained elsewhere in the Council Bluffs Municipal Code, the specific provision shall control and prevail.

B. In the event of any conflict between a general provision in this chapter and a specific provision contained in a public-safety union contract, the specific provision in the union contract shall control and prevail.

C. In the event of any conflict between a general provision in this chapter and a specific directive contained in a resolution of the city council, the city council’s resolution shall control and prevail.

1.09.030 – Executive Administrative Structure

~~Chapter 1.09A.~~ Chief Executive Officer

~~1.09.010 Chief Executive Officer~~

1. The chief executive officer of the City of Council Bluffs shall be the mayor.

(Ord. 4838 § 1(part), 1988) As amended by Ord. _____

~~1.09.020 Contract, Resolutions and Ordinances~~

~~Upon the effective date of the ordinance codified in this chapter~~

2. For any applicable contracts, resolutions, or ordinances which reference a city manager:

~~A-a.~~ The mayor shall be deemed to be the city manager when the city interprets all contracts to which the city is a party in which the city manager is named as an operative officer for the city;

~~B-b.~~ All resolutions which place a duty, a responsibility, or an authority in the city manager shall be interpreted to place that same duty, responsibility, or authority in the mayor or his/her designee; and

~~C-c.~~ All of the provisions of this code which place a duty, a responsibility, or an authority in the city manager shall be interpreted to place that same duty, responsibility, or authority in the mayor or his/her designee.

(Ord. 4838 § 1(part), 1988) As amended by Ord. _____

B. Administrative Departments – [Reserved]

C. Department Heads – [Reserved]

D. Divisions – [Reserved]

1.09.040 – Administrative Departments

A. Building Department

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2. The head of the Building Department shall be the Chief Building Official.

3. The Building Department is generally responsible for the oversight, implementation, and enforcement of the City's building, construction, and housing laws, rules, and regulations.

B. City Attorney's Office – [Reserved]

C. City Clerk's Office – [Reserved]

D. Community Development

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3. Duties – [Reserved]

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3. Duties – [Reserved]