

[Provides for appointment of a City Engineer responsible for the design and construction management of all public buildings and public works.]

## CHARTER AMENDMENT

### PROPOSITION \_\_\_\_

Describing and setting forth a proposal to the qualified voters of the City and County of San Francisco to amend the Charter of the City and County of San Francisco by amending Section 4.130 to provide for appointment of a City Engineer responsible for the design and construction management of all public buildings and public works.

The Board of Supervisors hereby submits to the qualified voters of the City and County, at an election to be held on March 2, 2004, a proposal to amend the Charter of the City and County by amending Section 4.130 to read as follows:

Note: Additions are *single-underline italics Times New Roman*.  
Deletions are ~~*strikethrough italics Times New Roman*~~.

#### **SEC. 4.130. DEPARTMENT OF PUBLIC WORKS; CITY ENGINEER.**

*(a)* The duties and functions of the Department of Public Works shall be assigned by the City Administrator, by ordinance or pursuant to Section 4.132.

*(b)* The Mayor shall appoint or reappoint a City Engineer, subject to confirmation by the Board of Supervisors, who shall hold the office of City Engineer and who shall supervise and direct the design and construction of all public works projects of the City and County of San Francisco and all of its departments, boards and commissions that are constituted pursuant to the provisions of this Charter or by ordinance of the Board of Supervisors. The appointee shall be a Registered Civil Engineer and shall have at least five years of professional work experience with at least three years at the city, county, or city and county level. The City Engineer shall have a term of office of five years, and may be removed by the Mayor.

The City Engineer shall have all the powers and perform all the duties imposed upon him or her by this Charter, the ordinances of the Board of Supervisors, and the general laws of the State, and shall have responsibility for:

1. The design and construction management of all public buildings and public works projects of the City and County of San Francisco and all of its departments, boards and commissions that are constituted pursuant to the provisions of this Charter or by ordinance of the Board of Supervisors;

2. The coordination and assignment between departments, boards and commissions of civil service employees whose duties include design and construction management services related to public buildings and public works projects of the City and County of San Francisco and its department, boards and commissions;

3. The determination in the first instance of whether design and construction management services related to public buildings and public works projects of the City and County of San Francisco and its departments, boards and commissions that are constituted pursuant to the provisions of this Charter or by ordinance of the Board of Supervisors may fall within the exclusions from civil service appointment set forth in Section 10.104 of this Charter and whether approval should be sought from the Civil Service Commission for the procurement of those services pursuant to personal services contracts; and

4. The execution and administration of all personal services contracts approved by the Civil Service Commission pursuant to and in accordance with Section 10.104 of this Charter for design and construction services related to public buildings and public works projects for the

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City and County of San Francisco and all of its departments, boards and commissions that are constituted pursuant to the provisions of this Charter or by ordinance of the Board of Supervisors.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By: \_\_\_\_\_  
THOMAS J. OWEN  
Deputy City Attorney