

RESOLUTION NO. _____ (N.C.S.)

**A RESOLUTION DELEGATING DESIGN APPROVAL AUTHORITY FOR
PUBLIC WORKS PROJECTS TO THE CITY ENGINEER**

WHEREAS, California Government Code Section 830.6 provides that neither a public entity nor a public employee is liable for an injury caused by the plan or design for the construction of or improvement to public property under certain conditions; and

WHEREAS, said conditions are satisfied by the City Council either approving every design in advance of construction, or delegating such authority to a City staff member, and that staff member approving every design in advance of construction; and

WHEREAS, the City Engineer has the technical background to review and oversee public works projects, approves all projects prior to call for bids and approves minor changes to projects during construction; and

WHEREAS, in order to facilitate efficiency in the review and approval of plans and designs for public works projects and to preserve the City's design immunity protection under Section 830.6, the City Council now desires to confer upon and delegate the authority to approve plans and designs for all of the City's public works projects to the City Engineer, or his or her designee; and

WHEREAS, The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378).

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Salinas, California as follows:

1. The City Council hereby confers upon and delegates to the City Engineer, or his or her designee, the authority to approve plans and designs and all amendments and addenda thereto, in advance of construction of improvement of all public works projects throughout the City.
2. The City Engineer shall sign and stamp such plan or design attesting to his or her approval thereof, or cause or direct his or her designee to do so.
3. The City Clerk is hereby authorized to make minor changes herein to address clerical errors, so long as a substantial conformance of the intent of this document is maintained. In doing so, the City

Clerk shall consult with the City Manager and the City Attorney concerning any changes deemed necessary.

PASSED AND APPROVED this 21st day of January 2020 by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk