

**REPORT TO THE  
CITY COUNCIL**  
*City of Salinas, California*

DATE: June 28, 2016

FROM: Gary Petersen, C.A.E.  
Public Works Director

THRU: Robert C. "Rob" Russell, P.E.  
Deputy P.W. Director/City Engineer

BY: Hilda Garcia, PW Administrative Supervisor  
Public Works Department

SUBJECT: **SUMMARILY VACATE PORTIONS OF EAST BORONDA ROAD**

**RECOMMENDATION:**

It is recommended that the City Council adopt the attached Resolution summarily vacating portions of East Boronda Road near San Juan Grade Road pursuant to Section 8356 of the California Streets and Highways Code and authorize the Mayor to sign the "Quit Claim" deed conveying the abandoned right of way to the adjacent property owner.

**DISCUSSION:**

On October 11, 2011 the Salinas City Council approved the Gateway Center Specific Plan (hereinafter Center) via Resolution No 20112 (N.C.S.), located on the easterly corner of the Boronda Road/San Juan Grade Road intersection. The Center was proposed to be anchored by Lowe's Home Improvement store.

Soon after project approval, the City let a construction contract to make improvements along Boronda Road, between Dartmouth Way and San Juan Grade Road to improve traffic operations, enhance safety, and better prepare the corridor for the new Center, which was anticipated to break ground soon after planning-level approvals. With the improvements, a small amount of "surplus" public right-of-way was created (primarily due to the elimination of the sweeping right turn lane that formerly existed for vehicles turning right onto San Juan Grade Road from westbound East Boronda Road).

Thus, City staff is proposing to abandon portions of right-of-way on East Boronda Road, near its intersection with San Juan Grade Road. By abandoning the property, the adjacent property owner can assume the property and combine it with his existing parcel, as was anticipated with this development, and make best use of the property for retail commercial development/use, which will (in turn) generate property tax and sales tax. Refer to Exhibits A and B. The sizes of the two (2) "surplus" areas are 19 square feet, 3,676 square feet respectively.

The plat and grant deed were technically reviewed by the City's Consultant City Surveyor, Harris Associates, as required by the State Subdivision Map Act.

It is proposed to summarily vacate the East Boronda Road surplus public right-of-ways (PROW), pursuant to Section 8356 of the California Streets and Highways Code (Code).

**ISSUE:**

Shall the Salinas City Council summarily vacate (abandon) the aforementioned public rights-of-way pursuant to the referenced sections of the Code?

**FISCAL IMPACT:**

In abandoning the surplus rights-of-way, the City does not incur any cost or savings. The maintenance cost savings from abandoning this small amount of property is negligible, and will essentially allow best use of the property to generate property and sales tax as part of the Center.

**TIME CONSIDERATIONS:**

Time is of the essence for this abandonment. The Lowes Project is in the process of being plan reviewed to commence construction later this year (2016). It is advantageous to have the future parcel map reflect the abandonment on said parcels, which requires Council approval before it can be shown on the map

**ALTERNATIVES/IMPLICATIONS:**

Council may:

1. Adopt the attached Resolution summarily vacating portions of East Boronda Road near San Juan Grade Road, pursuant to Section 8356 of the California Streets and Highways code and authorizing the Mayor to sign "Quit Claim" deeds conveying the abandoned right of way to the adjacent property owners; or
2. Reject the abandonment and provide direction to staff on how to proceed with the "surplus" PROW

**CITY COUNCIL GOALS:**

The aforementioned abandonment meets and does not conflict with any of the City Council's Goals. More specifically, the action directly addresses the Salinas City Council goal of Economic Vitality (economic vitality, job creation, and become more business friendly). The action also transfers public property dedicated by the property owner back to the owner to maximize the best use of the property, while eliminating a potential maintenance liability if retained as PROW by the City.

**CONCLUSIONS:**

At its meeting of June 28, 2016, Council is requested to adopt the attached Resolution summarily vacating portions of East Boronda Road near San Juan Grade Road pursuant to Section 8356 of the

California Streets and Highways code and authorize the Mayor to sign the “Quit Claim” deed conveying the abandoned right of way to the adjacent property owner.

Back Up Pages:  
Resolution with attachment  
Exhibits A and B