

**RESOLUTION NO. \_\_\_\_\_ (N.C.S.)**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SALINAS DECLARING CITY OWNED PROPERTY AT 1341 MERCER WAY, ADJACENT TO THE SALINAS MUNICIPAL AIRPORT AS EXEMPT SURPLUS LAND PURSUANT TO THE SURPLUS LAND ACT GOVERNMENT CODE SECTION 54221**

**WHEREAS**, the City of Salinas (“City”) is the owner of that real property located at 1341 Mercer Way immediately adjacent to the Salinas Municipal Airport, bordered by Airport Boulevard, Skyway Boulevard, Mortensen Avenue, and Mercer Way (“Property”) and identified as Monterey County Assessor’s Parcel Number (APN) 003-862-001-000 in the City of Salinas, California as more specifically described on the attached “Exhibit A “attached hereto and incorporated by referenced herein; and

**WHEREAS**, the Property is no longer necessary for the City’s use; and

**WHEREAS**, the Airport is a Federally Obligated Airport used by the public and is subject to oversight by the Federal Aviation Administration (“FAA”); and

**WHEREAS**, Chapter 20 of FAA Order 5190.6B (“FAA Order”) provides direction to Federally Obligated Airports regarding land use; and

**WHEREAS**, due to noise and safety concerns, the FAA Order indicated that residential development is incompatible with airport operations (Section 20.3(a)), incompatible with public use airports (Section 20.3(b)), conflicts with federal grant assurance and surplus property requirements (Section 20.4(B)), and that the FAA will not release an airport from its federal obligations and allow residential development (Section 20.4(b)), and

**WHEREAS**, the Property is not suitable for residential housing due to its location in the immediate vicinity of the Airport, where residential uses are not permitted pursuant to the FAA Order nor are they located within a coastal zone or the Lake Tahoe region, adjacent to an historical unit of the State Parks System, or listed or eligible for the National Register of Historic Places; and

**WHEREAS**, pursuant to California Government Code Section 54221 (b)(1), the City must declare the property to be Surplus Land or Exempt Surplus Land prior to any disposal, including lease, of the Property; and

**NOW, THEREFORE, BE IT RESOLVED** that the Salinas City Council finds and declares the Property to be Exempt Surplus Land pursuant to California Government Code Section 54221 (f)(1)(G), as the FAA has placed a valid legal restriction prohibiting housing at or immediately adjacent to the Airport and there is no feasible method to satisfactorily mitigate or avoid this prohibition.

**PASSED AND APPROVED** this 22<sup>nd</sup> day of August 2023, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

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Kimbley Craig, Mayor

**ATTEST:**

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Patricia M. Barajas, City Clerk