



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: FEBRUARY 25, 2020

DEPARTMENT: OFFICE OF THE CITY MANAGER
DEPARTMENT OF PUBLIC WORKS

FROM: ANDREW MYRICK, ECONOMIC DEVELOPMENT MANAGER
ADRIANA ROBLES, SENIOR CIVIL ENGINEER

TITLE: VACATION OF UNUSED WORK STREET RIGHT-OF-WAY

RECOMMENDED MOTION:

A motion to approve the Attached Resolution vacating a portion of the Work Street Right-of-Way which is currently a part of the City's Public Works Maintenance Yard, reserving easements for existing gas lines and storm drain pipes, and conveying the vacated property to the City as the adjacent property owner.

RECOMMENDATION:

Staff recommends that the Council approve the attached Resolution.

BACKGROUND:

The City's Public Works Maintenance Yard (the "Yard") is located at 410 and 426 Work Street at the intersection of Work Street and John Street. In the mid-1980's, the City realigned Work Street to its current location such that the intersection of Work Street and John Street was east of its prior location. Subsequently, the City constructed improvements within the space between the previous property boundary and the new Work Street alignment to enlarge the Yard's parking lot and install landscape planters. The Council dedicated the current Work Street improvements and alignment as Public Right-of-Way on August 30, 1988; however, it did not take action to vacate the previous alignment of Work Street.

The City is presently exploring the possibility of exchanging the Yard site for other property. However, the City must vacate the right-of-way prior to any transfer in order to combine the land with the adjacent lots of record. Even if the City does not proceed with that transaction, vacating the right-of-way and eliminating any confusion regarding title to the site will be beneficial to the City.

ANALYSIS:

The attached Exhibit of Proposed Vacation shows the boundaries of the vacation and reserved easements on an aerial photograph.

The attached Proposed Resolution would do the following:

- deem as excess and summarily vacate a portion of the old Work Street Right of Way;
- reserve easements to preserve access to existing gas lines and storm drain pipes located beneath the right-of-way to be vacated; and
- accept the interest of the real property vacated by this action.

The vacation of the Right of Way will enable the City to take action to combine the land with adjacent lots of record and create a single lot of record. The reservation of the easements is required by the California Streets and Highways Code will preserve access to allow for the repair and maintenance of existing utilities. As the City is the owner of all adjacent lots of record, the area encompassed by the land would revert to City ownership.

Pursuant to California Government Code Section 65402(a), the Planning Commission reviewed the proposed vacation and determined it to be consistent with the Salinas General Plan (see attached Resolution). Staff has also examined the acceptance of the interest in the vacated land by the City of Salinas and has determined that the property meets the definition of Exempt Surplus Land in accordance with California Government Code Section 54221(f)(1)(E).

CEQA CONSIDERATION:

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). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

STRATEGIC PLAN INITIATIVE:

This item relates to the Council Goal of Economic Diversity and Prosperity (as it is a necessary step in the potential sale and redevelopment of the property) as well as Effective, Sustainable Government (as formalizes the effects of previous actions taken by the City).

DEPARTMENTAL COORDINATION:

The Office of the City Manager and the Department of Public Works coordinated on this item, with additional assistance provided by the Community Development and Legal Departments.

FISCAL AND SUSTAINABILITY IMPACT:

This action will have no direct impact on City finances. However, the vacation would enable the possibility that the land in question could be developed at some point in the future, which would have an unknown but positive impact on City revenues.

ATTACHMENTS:

Exhibit of Proposed Vacation

Proposed Resolution Including the Following Exhibits:

Exhibit A – Proposed Vacation

Exhibit B – Reservation of Easement for Gas Lines

Exhibit C – Reservation of Easements for Storm Drain Pipes

Exhibit D – Certificate of Acceptance

Planning Commission Resolution 2019-23 dated December 18, 2019