

**AGENDA
ITEM**

21



CALEXICO *California*

WHERE CALIFORNIA AND MEXICO MEET

AGENDA
ITEM
21

CITY COUNCIL

AGENDA STAFF REPORT

DATE: April 16, 2025

TO: Mayor and City Council

APPROVED BY: Rick Daniels, Interim City Manager *Rick*

PREPARED BY: Michael Coyne, Planning & Building Director *[Signature]*

SUBJECT: Resolution of the City Council of the City of Calexico Summarily Vacating a Portion of Heffernan Avenue and Authorizing the City Manager to Execute a Purchase and Sale Agreement and Quitclaim Said Portion of Heffernan Avenue to the United States of America, General Services Administration for the Temporary Pedestrian Processing Facility of the Calexico West Land Port of Entry Expansion and Reconfiguration Project.

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Recommendation: Adopt a Resolution of the City Council of the City of Calexico Summarily Vacating a Portion of Heffernan Avenue and Authorizing the City Manager to Execute a Purchase and Sale Agreement and Quitclaim Said Portion of Heffernan Avenue to the United States of America, General Services Administration for the Temporary Pedestrian Processing Facility of the Calexico West Land Port of Entry Expansion and Reconfiguration Project.

Background: The Calexico West Land Port of Entry Expansion and Reconfiguration Project, managed by the US General Services Administration (GSA), is entering its final phase, with construction of the new pedestrian processing building slated to begin in mid-2025. This new 31,000-square-foot building is designed to increase the pedestrian processing capacity of US Customs and Border Protection (CBP), with an expanded processing hall consisting of 12 inspection booths. The current pedestrian processing facility consists of six inspection booths. The new processing building will replace the existing building, with pedestrians exiting the building at a similar location to the existing facility onto the intersection of 1st Street and Rockwood Avenue.

As construction of the new pedestrian processing building will entail demolition of the existing processing building, the GSA proposes to construct a temporary processing facility. This temporary facility will consist of six inspection booths to ensure the flow of pedestrians between Mexico and the US continues during the construction of the new facility. Pedestrians would be relocated to a crossing point to the east, while still utilizing the existing Mexican checkpoint building. This new crossing point allows pedestrians safe movement from Mexico into the US while avoiding walking through an active construction site. The pathway would route pedestrians east to the Heffernan Avenue bus stop area, where they will enter the temporary facility, be processed and exit out the north side of the building. To return to Mexico, travelers would enter the southbound walking lane on the eastern side of the temporary facility and travel along the border wall back to Mexico.

Due to the proposed location of the temporary pedestrian processing facility on Heffernan Avenue, which is within the City's right of way, the GSA previously sought an Agreement with the City in the form of a Grant of Temporary Exclusive Easement for temporary use of City property. On February 5, 2025 the City Council authorized the City Manager to execute such an easement with GSA. However, due to difficulty in providing liability protection to the City both for construction and operations of the temporary pedestrian facility, the GSA has come to the determination that the only path forward to ensure that their project stays on track with its construction timeline is to purchase the property from the City. In turn, GSA would, upon removal of the temporary pedestrian facility, complete hardscape and landscape improvements to the subject purchase area and ensure its long-term oversight and maintenance. The improvements would result in a small pedestrian plaza with space for a public art installation, as shown in Attachment No. 1.

The GSA would continue to maintain existing parking and access for CBP operations on adjoining property currently under its ownership, with additional landscape enhancements as shown in the referenced conceptual site plan. The property is an approximately 11,400-square-foot portion of Heffernan Avenue previously used as a bus stop, which will be supplanted by the consolidation of bus services at the new Calexico Intermodal Transportation Center currently under construction at the southwest corner of 3rd Street and Heffernan Avenue. This portion of Heffernan Avenue constitutes the old Calexico port of entry, adjoining the Historic 1933 Customs Building, which is listed on the National Register of Historic Places. This segment of Heffernan Avenue has not been used for vehicular through traffic since 1974, when the new port of entry was moved to its current location. GSA plans on repurposing the Historic Customs Building as the enrollment center for trusted traveler programs (Sentri, Global Entry).

Discussion and Analysis: City staff have been working with the GSA on a draft Purchase and Sale Agreement ("Agreement") to ensure that the project is able to move forward in a timely manner while ensuring the City's interests are protected. The Agreement is still being negotiated; however, the list of items below sets forth the major terms of the Agreement:

- The purchase and sale area, approximately 11,400 square feet, as shown in Attachment No.2, with GSA required to prepare a Quitclaim Deed with a legal description and plat of the area.
- Appraisal of the site GSA pursuant to Department of Justice "Yellow Book" regulations which would value the site as a nominal value acquisition.
- Improvement of the acquired area upon removal of the temporary pedestrian facility, with full hardscape and landscape improvements, including lighting, curbs, gutters and sidewalks as shown conceptually in Attachment No. 1.
- Reimbursement for City costs to restripe bus loading and taxi areas along 1st Street.

As the subject property is no longer being used for vehicular through traffic, will no longer be used as a bus facility, and is not a General Plan Circulation Element street, the property represents excess right of way that may be summarily vacated by the City pursuant to State Streets and Highways Code Section 8320 et seq. The City Council can authorize the City Manager to execute the Purchase and Sale Agreement and Quitclaim the property. Such authorization would ensure that the project moves forward in accordance with GSA's construction timeline. Ultimately, the project will benefit the City by reducing processing wait times for pedestrians who may visit Calexico, particularly the downtown area, for various business-related activities. The proposed long-term improvements to the site also align with the long-term vision for the site as a public space for the benefit of the community.

Environmental Review: As a Federal project, the Calexico West Land Port of Entry Expansion and Reconfiguration Project was evaluated for environmental impacts under the National Environmental Policy Act (NEPA). The GSA prepared a Final Environmental Impact Statement with a Record of Decision

published in the Federal Register on July 21, 2011. The GSA, subsequently, prepared a Final Environmental Assessment with a Finding of No Significant Impact in October 2022, assessing the potential impacts of constructing the temporary pedestrian processing facility. The City's action to sell the property is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

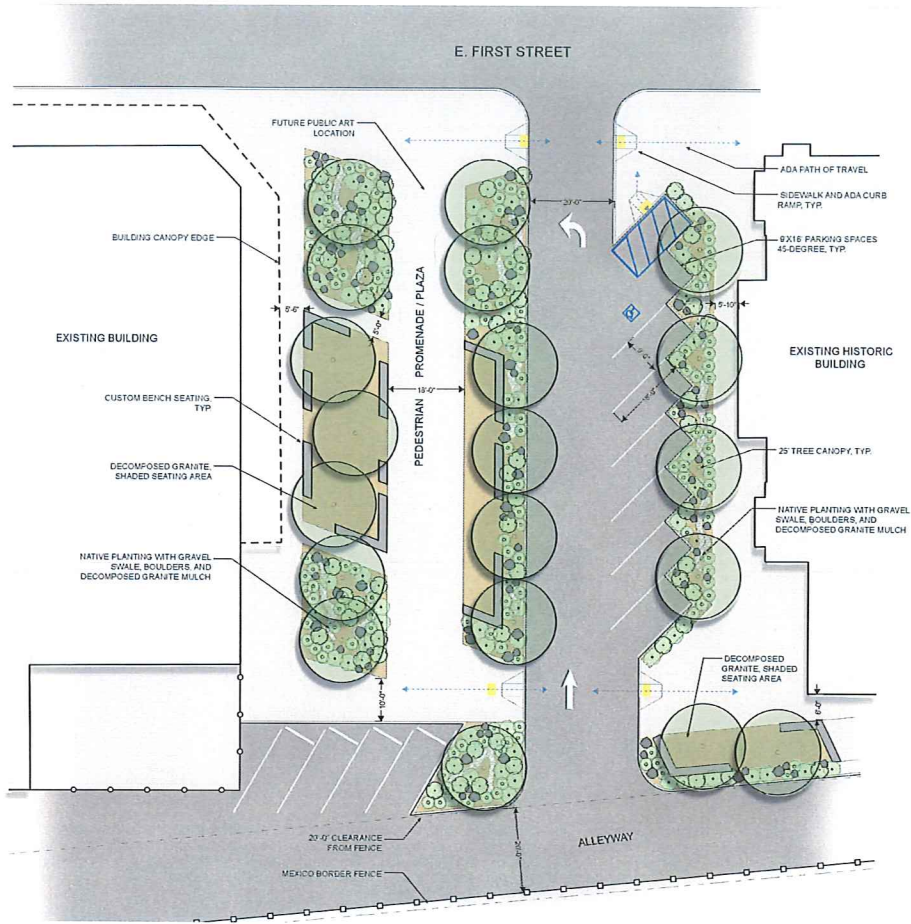
Fiscal Impact: No costs to the City are associated with the subject action as the GSA would be responsible for preparing and recording the required legal documents and compensating the City at nominal value to purchase the property.

Attachment(s):

1. New Pedestrian Plaza Area Plan
2. Right of Way Vacation/Sale Area Map
3. Draft Resolution

ATTACHMENT NO. 1

NEW PEDESTRIAN PLAZA AREA - OVERALL PLAN



HEFFERNAN SITE NEW PARKING LOT


JONES STUDIO / GRUEN ASSOCIATES

ATTACHMENT NO. 2

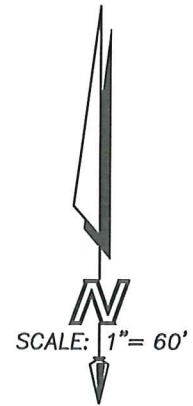
PLAT FOR RIGHT OF WAY VACATION
 IN THE CITY OF CALEXICO, COUNTY OF IMPERIAL, STATE OF CALIFORNIA

LEGEND

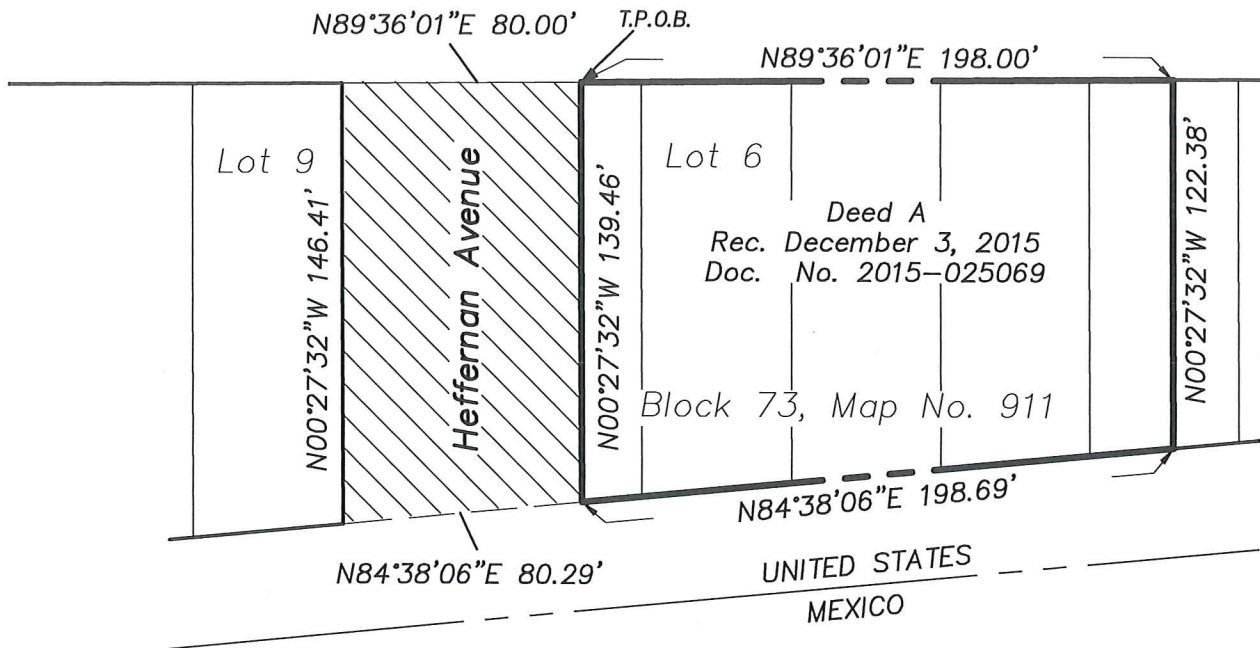
SHEET 1 OF 1

T.P.O.B. INDICATES TRUE POINT OF BEGINNING
 INDICATES RIGHT OF WAY VACATION AREA

N89°36'01"E 80.00' INDICATES APPROXIMATE BOUNDARY COURSE



1ST Street



Stuart Peace 10/17/24
 STUART PEACE, RCE 27232



ATTACHMENT NO. 3

RESOLUTION NO. 2025-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALEXICO SUMMARILY VACATING A PORTION OF HEFFERNAN AVENUE AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND QUITCLAIM SAID PORTION OF HEFFERNAN AVENUE TO THE UNITED STATES OF AMERICA, GENERAL SERVICES ADMINISTRATION FOR THE TEMPORARY PEDESTRIAN PROCESSING FACILITY OF THE CALEXICO WEST LAND PORT OF ENTRY EXPANSION AND RECONFIGURATION PROJECT

WHEREAS, the Calexico West Land Port of Entry Expansion and Reconfiguration Project, managed by the US General Services Administration (GSA), is entering its final phase, with construction of the new pedestrian processing building slated to begin in mid-2025; and

WHEREAS, the new 31,000-square-foot pedestrian processing building is designed to increase the pedestrian processing capacity of US Customs and Border Protection, with an expanded processing hall consisting of 12 lanes; and

WHEREAS, as construction of the new pedestrian processing building will entail demolition of the existing processing building, the GSA proposes to construct a temporary pedestrian processing facility; and

WHEREAS, due to the proposed location of the temporary pedestrian processing facility on Heffernan Avenue, which is within the City's right-of-way, the GSA is seeking to purchase the City-owned property and wishes to execute a Purchase and Sale Agreement with the City; and

WHEREAS, upon execution of a Purchase and Sale Agreement the City would quitclaim the property to the United States of America; and

WHEREAS, the City Council can authorize the City Manager to execute a Purchase and Sale Agreement and quitclaim a property.

WHEREAS, the City of Calexico holds certain road right of way on Heffernan Avenue between 1st Street and the International Boundary, an approximate 11,400-square-foot area, as shown in Exhibit A; and

WHEREAS, Division 9, Part 3, Chapter 4, Section 8334 of the Streets and Highways Code of the State of California permits the legislative body of a local agency to summarily vacate a road right of way if certain conditions are met; and

WHEREAS, the subject road right of way meets the statutory conditions for summary vacation under Section 8334 of the Streets and Highways Code as an excess right-of-way of a street or highway not required for street or highway purposes; and

WHEREAS, the road right of way is not required for public use; and

WHEREAS, there are no in-place public utility facilities that would be affected by the vacation such that summary vacation would be prohibited by Section 8334.5 of the Streets and Highways Code; and

WHEREAS, pursuant to California Government Code Section 65402(a), the subject right of way is not identified as a General Plan Circulation Element street for current or future use and is not needed as part of the City's street circulation network; and

WHEREAS, the City Council has determined the vacation is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of CEQA Guidelines.

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

SECTION 1. The foregoing recitals are true and correct and incorporated herein by reference.

SECTION 2. Pursuant to Division 9, Part 3, Chapter 4 of the Streets and Highways Code, from and after the date of recordation of this Resolution, road right of way, as shown on attached map, Exhibit A, is hereby vacated and shall no longer constitute a City street.

SECTION 3. Pursuant to Streets and Highways Code section 8336, the City Clerk shall cause a certified copy of this Resolution, attested by the Clerk under seal, to be recorded without acknowledgement, certificate of acknowledgement, or further proof with the County of Imperial Recorder, and pursuant to Streets and Highways Code Section 8336, no fee shall be charged for this recordation. The City Clerk shall permanently maintain a true and correct copy of this Resolution in the City Clerk's Office.

SECTION 4. Completion of Vacation. Upon the date this Resolution is recorded, the vacation shall be complete and the subject road right of way will no longer constitute a street or highway.

SECTION 5. The City Council authorizes the City Manager, with the consent of the City Attorney, to execute a Purchase and Sale Agreement and Quitclaim the vacated Portion of Heffernan Avenue, as shown in Exhibit A, to the United States of America, General Services Administration. The City Council also authorizes the City Manager or its designee to take such other actions necessary to implement the items covered in this resolution.

PASSED, APPROVED, AND ADOPTED this 16th day of April 2025, by the City Council of the City of Calexico.

Diana Nuricumbo, Mayor

ATTEST:

Veronica L. Alvarado, City Clerk

STATE OF CALIFORNIA)
COUNTY OF IMPERIAL)
CITY OF CALEXICO)

I, Veronica L Alvarado, City Clerk of the City of CALEXICO, DO HEREBY CERTIFY that foregoing Resolution No. 2025-__ was duly passed and adopted by the City Council of the City of Calexico at their regular meeting held April 16, 2025, by the following roll call vote, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Veronica L. Alvarado, City Clerk

APPROVED AS TO FORM:

Carlos Campos, City Attorney

EXHIBIT A

PLAT FOR RIGHT OF WAY VACATION

IN THE CITY OF CALEXICO, COUNTY OF IMPERIAL, STATE OF CALIFORNIA

LEGEND

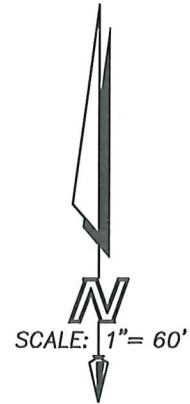
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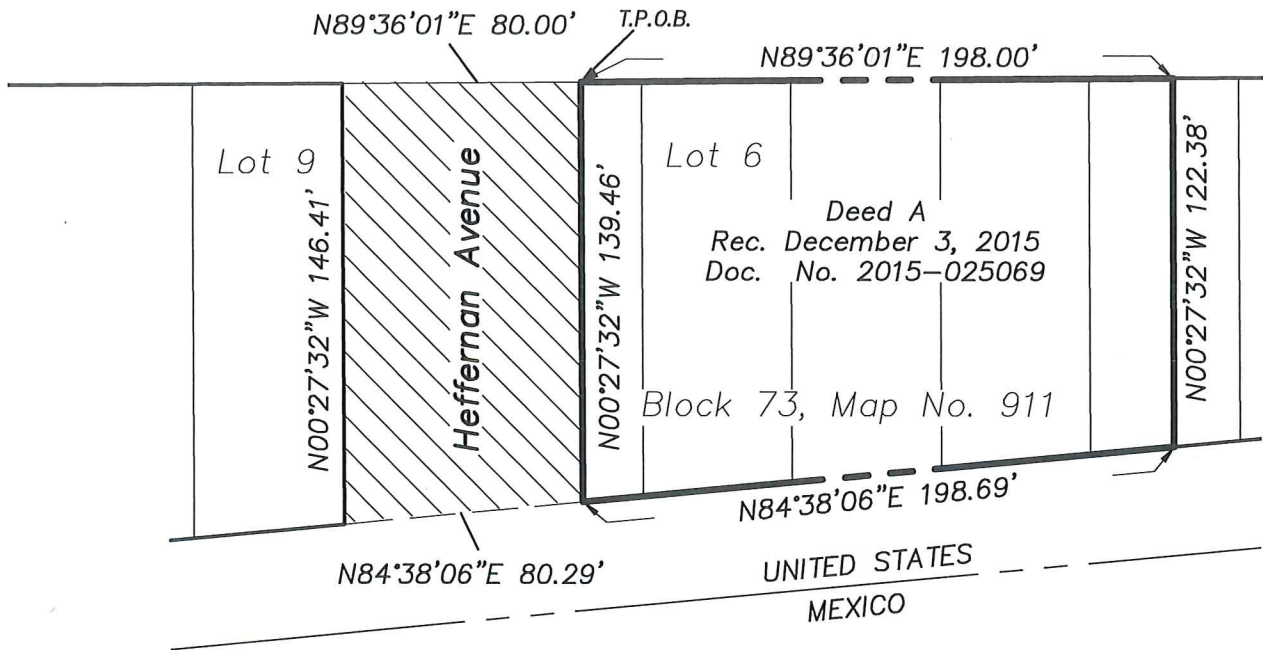


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