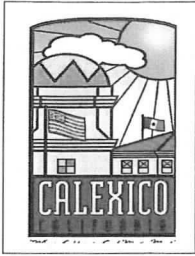


**AGENDA
ITEM**


29



CITY COUNCIL AGENDA STAFF REPORT

DATE: April 20, 2022

TO: Mayor and City Council

APPROVED BY: Diego Favila, Interim City Manager 

PREPARED BY: Sandra Fonseca, Finance Manager

SUBJECT: Adopt a Resolution Authorizing the Acceptance of the Transfer of Real Property from the Successor Agency to the Community Redevelopment Agency of the City of Calexico to the City of Calexico Located Along 2nd Street West of Cesar Chavez Boulevard Between 2nd Street and the International Border, Calexico, (APNs 058-400-072, -073, & -075)

=====

Recommendation:

Adopt a resolution authorizing the acceptance of the transfer of real property from the Successor Agency to the Community Redevelopment Agency of the City of Calexico to the City of Calexico located along 2nd street west of Cesar Chavez Boulevard between 2nd Street and the international border, Calexico, (APNs 058-400-072, -073, & -075), and approving certain related actions.

Background:

Pursuant to Health and Safety Code (the "HSC") § 34172 (a) (1), the Community Redevelopment Agency of the City of Calexico was dissolved on February 1, 2012. Consistent with the provisions of the HSC, on January 10, 2012, the City Council of the City of Calexico previously elected to serve in the capacity of the Successor Agency to the Community Redevelopment Agency of the City of Calexico (the "Successor Agency").

Per HSC § 34179, the Successor Agency previously established the Calexico Oversight Board to assist in the wind-down of the former redevelopment agency through June 30, 2018, at which time it was dissolved by operation of law. Consistent with HSC § 34179 (j), on July 1, 2018 the Imperial Countywide Oversight Board (the "CWOB") was established to assist in winding-down the dissolved redevelopment agencies within the County of Imperial.

On May 7, 2015, the Calexico Oversight Board adopted its Resolution No. 2015-04-OB approving the Successor Agency's amended Long-Range

**AGENDA
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29**

Property Management Plan (the "LRPMP"). Based on the specific directions received from the California Department of Finance (the "DOF") as a prerequisite to DOF's approval, the purpose of the LRPMP's amendment was to change the disposition category for LRPMP Site No. 2 from "governmental use" to "sell" as it was believed at the time that LRPMP Site No. 2 would be acquired in its entirety by the U.S. General Services Administration (the "GSA") for the purpose of developing a new land port of entry (the "LPOE") between Calexico and Mexicali. On June 17, 2015, the California Department of Finance (the "DOF") approved the Successor Agency's amended LRPMP and notified the Successor Agency that pursuant to HSC § 34191.3, the approved amended LRPMP shall govern, and supersede all other provisions relating to the disposition and use of all the real property assets of the former redevelopment agency.

The approved LRPMP, which addresses the disposition and use of the real property assets held by the Successor Agency, originally included nine (9) parcels of land grouped into six (6) separate sites, one (1) of which was designated as a government use site (i.e., Site No. 1, Heber Park Expansion Property) and five (5) of which were designated to be sold (inclusive of Site No. 2, the LPOE Property, which is zoned Commercial Highway (CH) and is more fully described in Exhibit "A" to the attached Resolution, which is an excerpt from the LRPMP). Although LRPMP Site No. 2 (formerly known as APNs 058-400-042 and 043), consisting of approximately 6.58 acres, was designated for sale to the GSA for the purpose of developing a new LPOE, the GSA ultimately determined that it would not acquire the approximately 3.21-acre portion of LRPMP Site No. 2 consisting of the river bed, embankments and appurtenant areas pertaining to the New River (redesignated by the County of Imperial as APNs 058-400-072, -073 & -075) (the "New River Portion of LRPMP Site No. 2"), which is more fully described in Exhibit "B" to the attached Resolution.

By way of background, the New River originates near Cerro Prieto (black hill), an extinct 732-foot volcano located about 18 miles southeast of Mexicali, Mexico, and flows north through the City of Mexicali into the United States through the City of Calexico toward the Salton Sea and although the river channel has existed since pre-historic times, the river as known today formed in 1905 from a levee failure and massive flooding that filled the Salton Sea. Based on the foregoing, the New River Portion of LRPMP Site No. 2 has no commercial use or value and must remain in public ownership in perpetuity.

Subsequent to the Successor Agency's, Calexico Oversight Board's and DOF's approvals, on August 13, 2015 the GSA acquired a portion of LRPMP Site No. 2 consisting of approximately 3.372 acres in fee and approximately 0.308 acres for access easements (the "GSA's Portion of Site No. 2") for the appraised value of \$790,893.00 (the "Purchase Price") (title transferred via Grant Deed recorded in Official Records of Imperial County as Doc# 2015017358).

Discussion & Analysis:

Although the New River Portion of LRPMP Site No. 2 is not included as a stand-alone site within the amended LRPMP, HSC § 34181 (a) will permit the Successor Agency to transfer ownership of real property assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, etc. to the appropriate public jurisdiction (the "Government Use

Assets”), subject to the approval of the Oversight Board and DOF.

Pursuant to HSC § 34181 (a), the New River Portion of LRPMP Site No. 2, consisting of the river bed, embankments and appurtenant areas pertaining to the New River, a pre-historic river course, is a Government Use Asset that will continue to be used for such purposes in perpetuity and must remain in public ownership. Subject to separate approvals by the City, Successor Agency, CWOB and DOF, adoption of this Resolution will authorize the City Manager to execute a certificate of acceptance, on behalf of the City, accepting the transfer of the New River Portion of LRPMP Site No. 2 to the City, at no cost for governmental purposes pursuant to a quitclaim, the form of which is included within Exhibit “C” to the attached resolution that includes the form of a certificate of acceptance as an attachment thereto.

The attached Resolution has been reviewed with respect to applicability of the California Environmental Quality Act (the “CEQA”), the State CEQA Guidelines (California Code of Regulations, Title 14, § 15000 *et seq.*, hereafter the “CEQA Guidelines”), and the City’s environmental guidelines. The Resolution does not constitute a “project” for purposes of CEQA, as that term is defined by CEQA Guidelines § 15378, because the Resolution is an administrative activity that will not result in a direct or indirect physical change in the environment, per § 15378 (b) (5) of the CEQA Guidelines

Fiscal Impact:

None.

Coordinated With:

Steven H. Dukett, Managing Director of Development Services, TKE Engineering, Inc.

Attachment:

1. Resolution (including its Exhibits A, B and C, as referenced above).

RESOLUTION NO. 2022- __

RESOLUTION OF THE CITY COUNCI AUTHORIZING THE ACCEPTANCE OF THE TRANSFER OF REAL PROPERTY FROM THE SUCCESSOR AGENCY TO THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF CALEXICO LOCATED ALONG 2ND STREET WEST OF CESAR CHAVEZ BOULEVARD BETWEEN 2ND STREET AND THE INTERNATIONAL BORDER, CALEXICO, (APNS 058-400-072, -073, & -075), AND APPROVING CERTAIN RELATED ACTIONS

WHEREAS, pursuant to Health and Safety Code (the “HSC”) § 34172 (a) (1), the Community Redevelopment Agency of the City of Calexico was dissolved on February 1, 2012; and

WHEREAS, consistent with the provisions of the HSC, on January 10, 2012, the City Council of the City of Calexico previously elected to serve in the capacity of the Successor Agency to the Community Redevelopment Agency of the City of Calexico (the “Successor Agency”); and

WHEREAS, pursuant to HSC § 34179, the Successor Agency previously established the Calexico Oversight Board to assist in the wind-down of the former redevelopment agency through June 30, 2018, at which time it was dissolved by operation of law; and

WHEREAS, consistent with HSC § 34179 (j), on July 1, 2018 the Imperial Countywide Oversight Board (the “CWOB”) was established to assist in winding-down the dissolved redevelopment agencies within the County of Imperial; and

WHEREAS, on May 7, 2015, the Calexico Oversight Board adopted its Resolution No. 2015-04-OB approving the Successor Agency’s amended Long-Range Property Management Plan (the “LRPMP”); and

WHEREAS, based on the specific directions received from the California Department of Finance (the “DOF”) as a prerequisite to DOF’s approval, the purpose of the LRPMP’s amendment was to change the disposition category for LRPMP Site No. 2 from “governmental use” to “sell” as it was believed at the time that LRPMP Site No. 2 would be acquired in its entirety by the U.S. General Services Administration (the “GSA”) for the purpose of developing a new land port of entry (the “LPOE”) between Calexico and Mexicali; and

WHEREAS, on June 17, 2015, the California Department of Finance (the “DOF”) approved the Successor Agency’s amended LRPMP and notified the Successor Agency that pursuant to HSC § 34191.3, the approved amended LRPMP shall govern, and supersede all other provisions relating to the disposition and use of all the real property assets of the former redevelopment agency; and

WHEREAS, the approved LRPMP, which addresses the disposition and use of the real property assets held by the Successor Agency, includes nine (9) parcels of land grouped into six (6) separate sites, one (1) of which was designated as a government use site (i.e., Site No. 1, Heber Park Expansion Property) and five (5) of which were designated to be sold (inclusive of Site No. 2, the LPOE Property, which is zoned Commercial Highway (CH) and is more fully described in

Exhibit “A” attached hereto, which is an excerpt from the LRPMP); and

WHEREAS, although LRPMP Site No. 2 (formerly known as APNs 058-400-042 and 043), consisting of approximately 6.58 acres, was designated for sale to the GSA for the purpose of developing a new LPOE, the GSA ultimately determined that it would not acquire the approximately 3.21-acre portion of LRPMP Site No. 2 consisting of the river bed, embankments and appurtenant areas pertaining to the New River (redesignated by the County of Imperial as APNs 058-400-072, -073 & -075) (the “New River Portion of LRPMP Site No. 2”), which is more fully described in Exhibit “B” attached hereto; and

WHEREAS, the New River originates near Cerro Prieto (black hill), an extinct 732-foot volcano located about 18 miles southeast of Mexicali, Mexico, and flows north through the City of Mexicali into the United States through the City of Calexico toward the Salton Sea and although the river channel has existed since pre-historic times, the river as known today formed in 1905 from a levee failure and massive flooding that filled the Salton Sea; and

WHEREAS, based on the foregoing, the New River Portion of LRPMP Site No. 2 has no commercial use or value and must remain in public ownership in perpetuity; and

WHEREAS, subsequent to the Successor Agency’s, Calexico Oversight Board’s, and DOF’s approvals, on August 13, 2015 the GSA acquired a portion of LRPMP Site No. 2 consisting of approximately 3.372 acres in fee and approximately 0.308 acres for access easements (the “GSA’s Portion of Site No. 2”) for the appraised value of \$790,893.00 (the “Purchase Price”) (title transferred via Grant Deed recorded in Official Records, records of Imperial County as Doc# 2015017358); and

WHEREAS, although the New River Portion of LRPMP Site No. 2 is not included as a stand-alone site within the amended LRPMP, HSC § 34181 (a) will permit the Successor Agency to transfer ownership of real property assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, and local agency administrative buildings, etc. to the appropriate public jurisdiction (the “Government Use Assets”), subject to the approval of the Oversight Board and DOF; and

WHEREAS, pursuant to HSC § 34181 (a), the New River Portion of LRPMP Site No. 2, consisting of the river bed, embankments and appurtenant areas pertaining to the New River, a pre-historic river course, is a Government Use Asset that will continue to be used for such purposes in perpetuity and must remain in public ownership; and

WHEREAS, subject to separate approvals by the Successor Agency, CWOB and DOF, adoption of this Resolution will authorize the City Manager to execute a certificate of acceptance, on behalf of the City, accepting the transfer of the New River Portion of LRPMP Site No. 2 to the City, at no cost for governmental purposes pursuant to a quitclaim, the form of which is attached hereto as Exhibit “C” that includes the form of a certificate of acceptance as an attachment thereto; and

WHEREAS, this Resolution has been reviewed with respect to applicability of the California Environmental Quality Act (the “CEQA”), the State CEQA Guidelines (California Code of Regulations, Title 14, § 15000 *et seq.*, hereafter the “CEQA Guidelines”), and the City’s environmental guidelines; and

WHEREAS, this Resolution does not constitute a “project” for purposes of CEQA, as that term is defined by CEQA Guidelines § 15378, because this Resolution is an administrative activity that will not result in a direct or indirect physical change in the environment, per § 15378 (b) (5) of the CEQA Guidelines; and

WHEREAS, all of the prerequisites with respect to the approval of this Resolution have been met.

NOW, THEREFORE, BE IT HEREBY RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF CALEXICO, AS FOLLOWS:

- Section 1.** The foregoing recitals are true and correct and are a substantive part of this Resolution.
- Section 2.** Subject to the approval of the Successor Agency, CWOB and DOF, the transfer of the New River Portion of LRPMP Site No. 2 from the Successor Agency to the City at no cost via quitclaim deed is accepted.
- Section 3.** On behalf of the City, the City Manager, or designee, is authorized and directed to execute a certificate of acceptance, the form of which is attached to the quitclaim deed that is attached hereto as Exhibit “C” and to take such other actions and execute such other documents as are necessary to effectuate and close the no cost transfer the Property and as may otherwise be required to fulfill the intent of this Resolution.
- Section 4.** This Resolution is not a “project” for purposes of CEQA, as that term is defined by Guidelines § 15378, because this Resolution is an administrative activity that will not result in a direct or indirect physical change in the environment, per § 15378 (b)(5) of the Guidelines.
- Section 5.** This Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED AND ADOPTED this 2nd day of April 2022.

Javier Moreno, Mayor

ATTEST:

Gabriela T. Garcia, City Clerk

APPROVED AS TO FORM:

Carlos L. Campos, City Attorney

CERTIFICATION:

State of California }
County of Imperial } ss
City of Calexico }

I, Gabriela T. Garcia, City Clerk of the City of Calexico, California, do hereby certify that the above and foregoing Resolution No. 2022-__-SA was duly passed, approved adopted by the City Council at a regular meeting held on the 2nd day of April 2022, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gabriela T. Garcia, City Clerk

EXHIBIT "A"

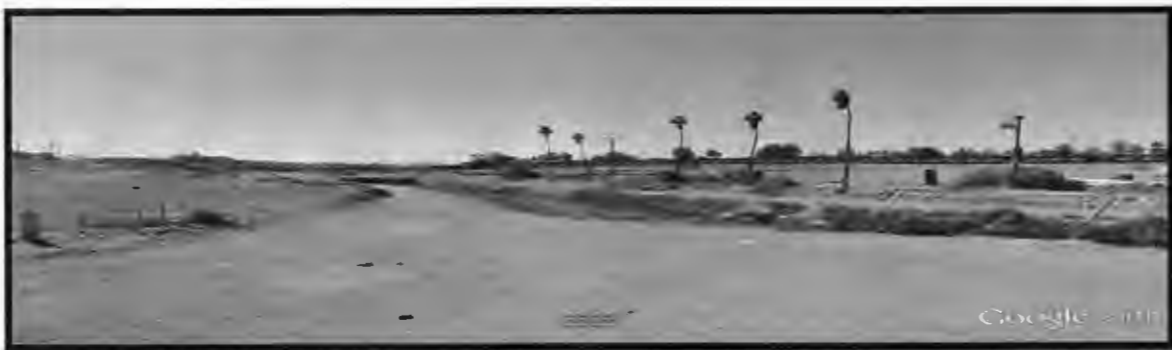
**Narrative for Site No. 2
U.S. Land Port of Entry Property
Calexico, California 92231
Excerpted from the
Long-Range Property Management Plan
(Pages 14-18)**

(See Attachment)



Successor Agency to the Redevelopment
Agency of the City of Calexico
Long-Range Property Management Plan
June 2014
AMENDED May 2015

Site No. 2
U.S. Land Port of Entry Property
Cesar Chavez Boulevard and West 2nd Street
APNs: 058-400-042-000
058-400-043-000





A. Permissible Use (HSC §34191.5(c)(2)):

Site No. 2 is the future U.S. Land Port of Entry Property (the “LPOE Property”) and is to be sold by the Successor Agency to the U.S. General Services Administration (the “GSA”) to be used for federal government purposes for the new Calexico U.S. Land Port of Entry.

B. Acquisition of Property (HSC §34191.5(c)(1)(A) & §34191.5(c)(1)(B)):

The LPOE Property was acquired by the Agency for \$378,865, on April 8, 1996 for the purpose of alleviating physical and economic blight.

The appraised value, to be used for the estimated current value (“ECV”), is \$790,983. The appraised value was prepared for the GSA, consistent with federal uniform standards and procedures.

C. Site Information (HSC §34191.5(c)(1)(C)):

The LPOE Property consists of two (2) parcels (APNs 058-400-042 and -043) that total 6.58 acres. The Property is located at the southerly terminus of Cesar Chavez Boulevard where it intersects with West 2nd Street. Currently both parcels are used by the Customs and Border Protection Patrol for roadway access to the International Border between the U.S. and Mexico.

In the City’s General Plan and Zoning Ordinance, the LPOE Property is zoned Commercial Highway (CH) with a land use designation of industrial. The industrial use designation includes fabrication, assembly, packaging, processing, and storage in conjunction with limited retail.

However, the LPOE Property is also located within the County’s Airport Land Use Compatibility Plan (the “ALUCP”). The ALUCP zoning for the LPOE Property is Approach/Departure Zone (B-1) which prohibits certain uses. Prohibited industrial uses in the B-1 zone include highly noise-sensitive uses, above ground storage, storage of highly flammable materials, and hazards to flight. Uses not normally acceptable within the B-1 designation include intensive retail, intensive manufacturing or food processing, and multiple story offices.

D. Estimated Current Value (HSC §34191.5(c)(1)(D)):

On December 8, 2014, the GSA issued a letter to the City of Calexico containing an offer to purchase the LPOE Property for \$790,983. The offer to purchase price was based on an August 2014, independent appraisal of the fair market value of the property and was appraised under federal acquisition and appraisal guidelines.



E. Site Revenues (HSC §34191.5(c)(1)(E)):

There are no site revenues generated from the LPOE Property.

F. History of Environmental Contamination (HSC §34191.5(c)(1)(F)):

There is no known history of environmental reports for the LPOE Property.

G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC §34191.5(c)(1)(G)):

There is no potential for a TOD in conjunction with the LPOE Property.

The GSA has offered to purchase the LPOE Property in fee along with certain related easements at a price equal to its just compensation-appraised value of Seven-Hundred Ninety Thousand Eight-Hundred Ninety-Three Dollars (\$790,893).

The sale of this Property to the GSA for government use as a future U.S. LPOE advances the Congressional mandates of Congress, in conjunction with the planning objectives of the Department of Homeland Security (the “DHS”), the Customs and Border Protection (the “CBP”) Patrol, the Successor Agency, and the City to meet Congressional mandates regarding tracking the entry and exit of vehicles and travelers of the U.S. at all LPOEs. In meeting these Congressional mandates, the GSA and CBP have identified the following basic deficiencies at the downtown Calexico LPOE border crossing:

- The existing facilities will not accommodate the installation of technologically advanced inspection devices such as license plate readers, radiation detectors, and x-ray equipment;
- The existing facilities are inadequate for maintaining employee and public safety security;
- The existing facilities are inadequate for the proper conduct of inspection and other services;
- The existing facilities do not comply with modern seismic design requirements, posing a threat to the life and safety of employees and the public in the event of an earthquake;
- Bottlenecks at the existing facilities cause heavy vehicular congestion on the city streets of Calexico, California, and Mexicali, Baja California; and
- The existing facilities exacerbate the delay experienced by the public crossing the International Border.⁶

In a December 12, 2012, update to the Board of Supervisors, County Executive Officer, Ralph Cordova, Jr., submitted the following:

“The County has been working with the GSA for the past 7 or 8 years in the planning for all aspects of a proposed reconstruction of the outmoded Port of Entry (the “POE”) at Calexico Downtown. With a tremendous amount of community input, the GSA finally came out with their final

⁶GSA Region 09 – July 21, 2011 – *Record of Decision – Expansion and Reconfiguration of the Land Port of Entry in Downtown Calexico*



plans for this major reconstruction that would almost double the present capacity to process both northbound and southbound traffic through the POE. GSA has spent almost \$25 million in the design, environmental clearance and right of way acquisition, and they planned to commence construction during the fiscal year 2011. Unfortunately, due to concerns in Congress over the size of the national debt, the proposed appropriation to commence construction of phase one in the amount of \$87 million was not included in the final budget that the Congress enacted and sent to the President.”

Mr. Cordova’s letter continues to state that the County and the City are pursuing every possible solution to deliver this project that is essential to the DHS and the CBP, as well as to maintaining any semblance of long-term economic prosperity in Calexico and the County.

The retention of the LPOE Property by the City for future use as the LPOE is of the utmost importance to Congress, the DHS, and the CBP, in order to be ready when either private funding, federal funding, or a combination of both through a Public-Private Partnership is secured.

***H. History of Previous Development Proposals and Activity (HSC §34191.5(c)(1)(H)):*⁷**

Currently both parcels of the LPOE Property are used by the CBP for roadway access to the International Border between the U.S. and Mexico.

The GSA proposes reconfiguration and expansion of the existing LPOE in downtown Calexico. The project includes new pedestrian processing and privately-owned vehicle (POV) inspection facilities, a new head-house, and new administration offices. The expanded facilities will occupy both the existing inspection compound and the site of the old commercial inspection facility.

The existing facilities are undersized relative to existing traffic loads and obsolete in terms of inspection officer safety and border security. The space required for modern inspection technologies is not available at the existing facility. Workspace is too small to accommodate additional staff, systems, and equipment required at the facility. The ability of the DHS to accomplish its rapidly changing mission is seriously compromised by the inadequacy of the existing facilities. When completed, the project will provide the port operation with adequate operational space, reduced traffic congestion, and a safe environment for port employees and visitors.

The project involves creation of new pedestrian and POV inspection facilities that will include 16 northbound lanes and five southbound lanes. There will be new administration space, a new head-house, and 32 secondary inspection stations serving northbound and southbound traffic. A total of 340 parking spaces will be provided.

⁷ <http://www.gsa.gov/portal/content/103395>



I. Sale of Property:

The LPOE Property will be sold to the GSA by the Successor Agency to be used for federal government purposes for the new Calexico U.S. Land Port of Entry.

The appraised value, or ECV, is \$790,983.

Date of estimated current value – August 2014

Value Basis – The ECV was determined by an appraisal consistent with federal uniform standards and procedures.

Proposed sale date – TBD

Proposed sale value – \$790,983

J. Implementation of the Long-Range Property Management Plan:

Following the approval of the LRPMP by the DOF, the Successor Agency will implement the LRPMP. Implementation will include distribution of any net land sales proceeds as property tax to the taxing entities.

EXHIBIT "B"

**Legal Description and Parcel Map
The New River Portion of LRPMP Site No. 2
Calexico, California 92231
APNs 058-400-072, -073 & -75**

(See Attachment)

EXHIBIT "A"
GRANT DEED

PARCEL "A"

That portion of Lot 8 of the River Tract, in the City of Calexico, County of Imperial, State of California, as per map on file in Book 1, Page 32 of Final Maps, records of said County described as follows:

Beginning at the westerly corner of said Lot 8; thence North $54^{\circ}21'51''$ East, 60.02 feet along the northerly line of said Lot 8 to the most westerly corner of that certain parcel of land described in deed to United States of America, per document recorded August 13, 2015 as Document No. 2015017358 records of said County; thence South $58^{\circ}00'58''$ East, 206.71 feet along the southwesterly line of said deed to the United States of America to the southwesterly line of said Lot 8; thence North $71^{\circ}36'29''$ West, 236.18 feet along said southwesterly line to the Point of Beginning.

Affects: APN 058-400-73

PARCEL "B"

That portion of Lot 8 of the River Tract, in the City of Calexico, County of Imperial, State of California, as per map on file in Book 1, Page 32 of Final Maps, records of said County described as follows:

Beginning at the northwesterly terminus of that certain course, described in deed to the United States of America per Document No. 2015017358 recorded August 13, 2015 records of said County, shown as North $86^{\circ}46'44''$ West, 245.07 feet; thence South $86^{\circ}46'44''$ East, 245.07 feet along said course to a point on the southwesterly line of that certain property as described in deed to the United States of America per Document filed in Book 1316 pages 116 to 127, September 20, 1971; thence South $63^{\circ}27'12''$ East, 260.68 feet along said southwesterly line to the southwesterly line of that certain parcel described in said Document 2015-017358 as Exhibit B-1 containing 2,311 square feet; thence South $23^{\circ}01'58''$ East, 36.31 feet to the southwesterly line of said Lot 8; thence North $71^{\circ}36'29''$ West, 518.60 feet along said southwesterly line to the Point of Beginning.

Affects: APN 058-400-75

PARCEL "C"

Parcel 4 of Parcel Map No. 58-40-33, in the City of Calexico, County of Imperial, State of California according to the map on file in Book 7, page 1 of Parcel Maps records of said County:

Excepting therefrom those portions of said Parcel 4 as described in deed to the United States of America by Document No. 2015-017358 recorded August 13, 2015 records of said County.

Affects: APN 058-400-72

See Exhibit "B" for a plat depicting the above described property.

This real property has been described by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Dated

Ronald A. Musser, L.S. 4260
License expires 06/30/22



EXHIBIT "C"

**Form of Quitclaim Deed for the Transfer of
The New River Portion of LRPMP Site No. 2
To the City of Calexico
APNs 058-400-072, -073 & -75**

EXAMPLE ONLY – NOT FOR SIGNATURE

(See Attachment)

RECORDING REQUESTED BY:
Successor Agency to the Community
Redevelopment Agency of the
City of Calexico

WHEN RECORDED MAIL TO:
City of Calexico
608 Heber Avenue
Calexico, CA 92231

Attn: City Manager

APNs: 058-400-072
058-400-073
058-400-075

(Space Above Line For Use By Recorder)

This document is exempt from the
payment of a recording fee pursuant to
Government Code Section 27383

DOCUMENTARY TRANSFER TAX \$NONE

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the Successor Agency to the Community Redevelopment Agency of the City of Calexico, a public body, corporate and politic (the "Grantor") does hereby remise, release and quitclaim to the City of Calexico, a California municipal corporation (the "Grantee"), any interest that Grantor may have in the real property in the City of Calexico, County of Imperial, State of California, described in Exhibit "A" and depicted in Exhibit "B attached hereto and incorporated herein by this reference.

SUCCESSOR AGENCY TO THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF CALEXICO,
a public body, corporate and politic

Dated: _____

By: _____

Its: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California } ss
County of Imperial }

On _____ before me, _____,
Notary Public, personally appeared _____ who proved to me
on the basis of satisfactory evidence to be the person whose name is subscribed to the within
instrument and who acknowledged to me that he/she executed the same in his/her authorized
capacity, and by his/her signature on the instrument the person, or entity upon behalf of which
the person acted, executed the instrument.

I certify under PENALTY of PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

(Signature of Notary)

(This area for official notarial seal)

LEGAL DESCRIPTION

(See Attachment)

REAL PROPERTY IN THE CITY OF CALEXICO, COUNTY OF IMPERIAL, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

(See Attachments)

EXHIBIT "A"
GRANT DEED

PARCEL "A"

That portion of Lot 8 of the River Tract, in the City of Calexico, County of Imperial, State of California, as per map on file in Book 1, Page 32 of Final Maps, records of said County described as follows:

Beginning at the westerly corner of said Lot 8; thence North 54°21'51" East, 60.02 feet along the northerly line of said Lot 8 to the most westerly corner of that certain parcel of land described in deed to United States of America, per document recorded August 13, 2015 as Document No. 2015017358 records of said County; thence South 58°00'58" East, 206.71 feet along the southwesterly line of said deed to the United States of America to the southwesterly line of said Lot 8; thence North 71°36'29" West, 236.18 feet along said southwesterly line to the Point of Beginning.

Affects: APN 058-400-73

PARCEL "B"

That portion of Lot 8 of the River Tract, in the City of Calexico, County of Imperial, State of California, as per map on file in Book 1, Page 32 of Final Maps, records of said County described as follows:

Beginning at the northwesterly terminus of that certain course, described in deed to the United States of America per Document No. 2015017358 recorded August 13, 2015 records of said County, shown as North 86°46'44" West, 245.07 feet; thence South 86°46'44" East, 245.07 feet along said course to a point on the southwesterly line of that certain property as described in deed to the United States of America per Document filed in Book 1316 pages 116 to 127, September 20, 1971; thence South 63°27'12" East, 260.68 feet along said southwesterly line to the southwesterly line of that certain parcel described in said Document 2015-017358 as Exhibit B-1 containing 2,311 square feet; thence South 23°01'58" East, 36.31 feet to the southwesterly line of said Lot 8; thence North 71°36'29" West, 518.60 feet along said southwesterly line to the Point of Beginning.

Affects: APN 058-400-75

PARCEL "C"

Parcel 4 of Parcel Map No. 58-40-33, in the City of Calexico, County of Imperial, State of California according to the map on file in Book 7, page 1 of Parcel Maps records of said County:

Excepting therefrom those portions of said Parcel 4 as described in deed to the United States of America by Document No. 2015-017358 recorded August 13, 2015 records of said County.

Affects: APN 058-400-72

See Exhibit "B" for a plat depicting the above described property.

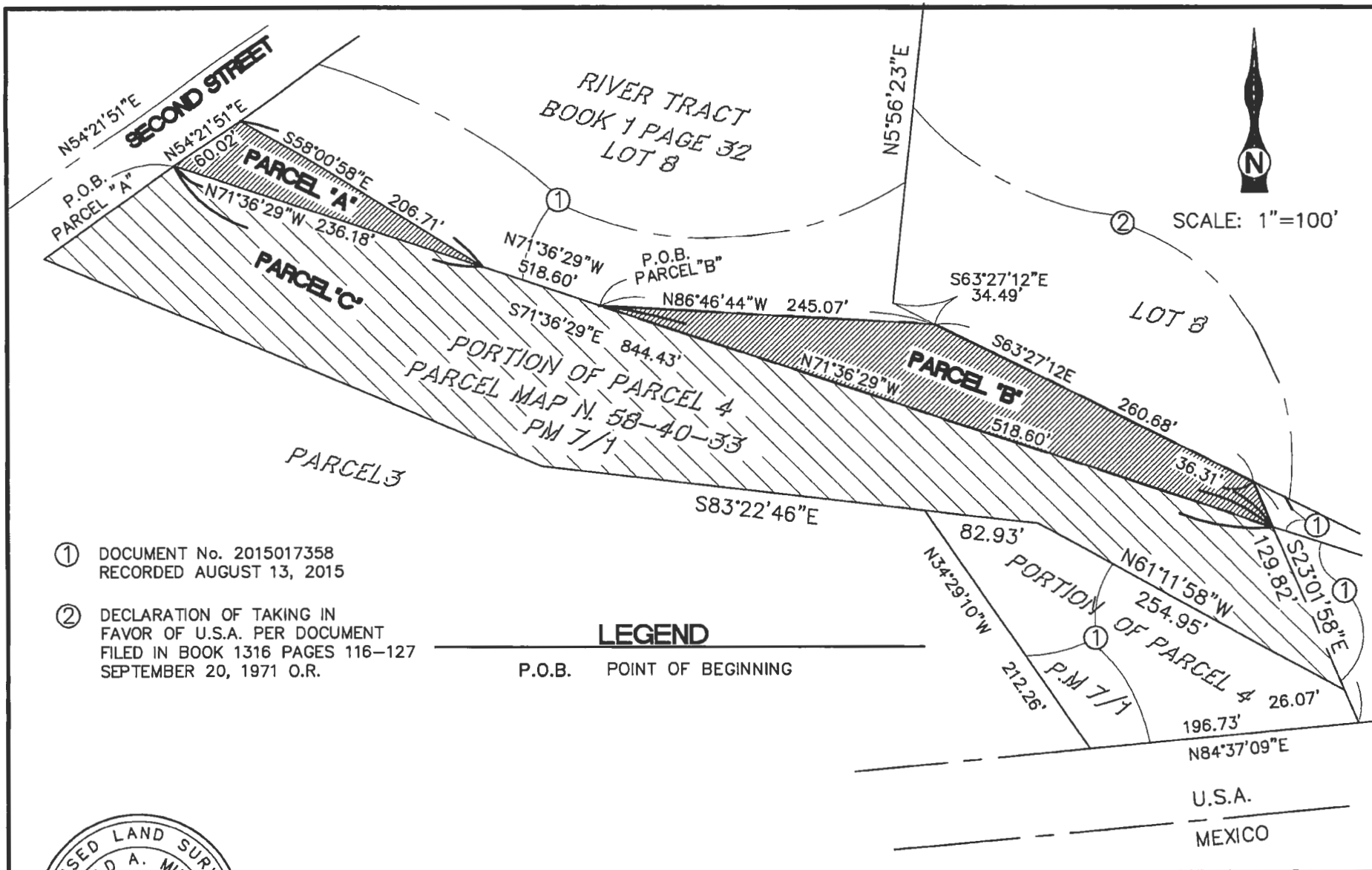
This real property has been described by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Dated

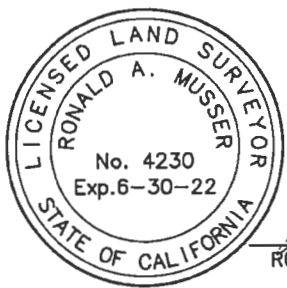
Ronald A. Musser, L.S. 4260
License expires 06/30/22





- ① DOCUMENT No. 2015017358
RECORDED AUGUST 13, 2015
- ② DECLARATION OF TAKING IN
FAVOR OF U.S.A. PER DOCUMENT
FILED IN BOOK 1316 PAGES 116-127
SEPTEMBER 20, 1971 O.R.

LEGEND
P.O.B. POINT OF BEGINNING



Ronald A. Musser
RONALD A. MUSSER L.S. No. 4230
EXPIRES: 6-30-22

TKE ENGINEERING

TKE ENGINEERING, INC.
2305 CHICAGO AVENUE
RIVERSIDE, CA 92507
(951) 680-0440

EXHIBIT 'B'

SKETCH TO ACCOMPANY LEGAL
DESCRIPTION
APN 058-400-72, APN 058-400-73,
APN 058-400-75,

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by written deed or grant dated _____, 2022, from the Successor Agency to the Community Redevelopment Agency of the City of Calexico to the City of Calexico, is hereby accepted by the undersigned officer or agent on behalf of the City of Calexico, pursuant to the authority conferred by the City Council of the City of Calexico on _____, 2022 pursuant to Resolution No. 2022 - _____, and as confirmed and approved by the Successor Agency to the Community Redevelopment Agency of the City of Calexico on _____, 2022 pursuant to Resolution No. 2022 - _____ - SA, and the City of Calexico consents to recordation thereof by its duly authorized officer.

By: _____
City Manager
City of Calexico

Provides for:
APNs: 058-400-072, -073, -075

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California } ss
County of Imperial }

On _____ before me, _____, Notary Public, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and who acknowledged to me that he/she executed the same in his/her authorized capacity, and by his/her signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY of PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

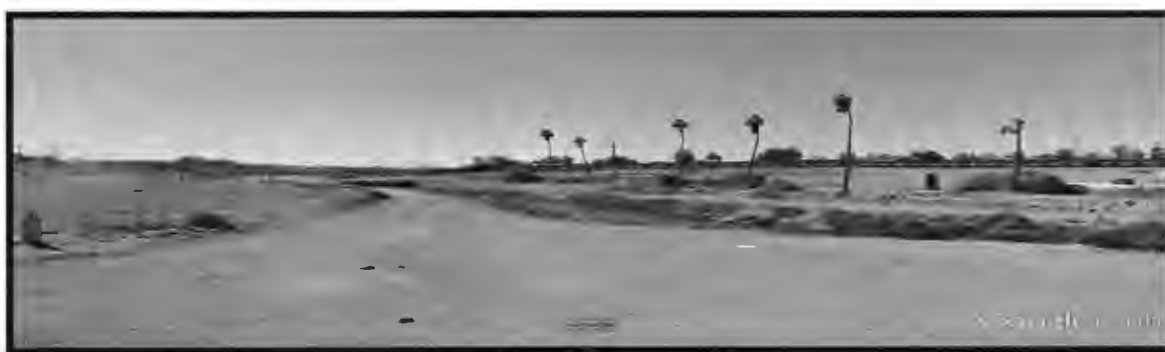
(Signature of Notary)

(This area for official notarial seal)



Successor Agency to the Redevelopment
Agency of the City of Calexico
Long-Range Property Management Plan
June 2014
AMENDED May 2015

Site No. 2
U.S. Land Port of Entry Property
Cesar Chavez Boulevard and West 2nd Street
APNs: 058-400-042-000
058-400-043-000





A. Permissible Use (HSC §34191.5(c)(2)):

Site No. 2 is the future U.S. Land Port of Entry Property (the “LPOE Property”) and is to be sold by the Successor Agency to the U.S. General Services Administration (the “GSA”) to be used for federal government purposes for the new Calexico U.S. Land Port of Entry.

B. Acquisition of Property (HSC §34191.5(c)(1)(A) & §34191.5(c)(1)(B)):

The LPOE Property was acquired by the Agency for \$378,865, on April 8, 1996 for the purpose of alleviating physical and economic blight.

The appraised value, to be used for the estimated current value (“ECV”), is \$790,983. The appraised value was prepared for the GSA, consistent with federal uniform standards and procedures.

C. Site Information (HSC §34191.5(c)(1)(C)):

The LPOE Property consists of two (2) parcels (APNs 058-400-042 and -043) that total 6.58 acres. The Property is located at the southerly terminus of Cesar Chavez Boulevard where it intersects with West 2nd Street. Currently both parcels are used by the Customs and Border Protection Patrol for roadway access to the International Border between the U.S. and Mexico.

In the City’s General Plan and Zoning Ordinance, the LPOE Property is zoned Commercial Highway (CH) with a land use designation of industrial. The industrial use designation includes fabrication, assembly, packaging, processing, and storage in conjunction with limited retail.

However, the LPOE Property is also located within the County’s Airport Land Use Compatibility Plan (the “ALUCP”). The ALUCP zoning for the LPOE Property is Approach/Departure Zone (B-1) which prohibits certain uses. Prohibited industrial uses in the B-1 zone include highly noise-sensitive uses, above ground storage, storage of highly flammable materials, and hazards to flight. Uses not normally acceptable within the B-1 designation include intensive retail, intensive manufacturing or food processing, and multiple story offices.

D. Estimated Current Value (HSC §34191.5(c)(1)(D)):

On December 8, 2014, the GSA issued a letter to the City of Calexico containing an offer to purchase the LPOE Property for \$790,983. The offer to purchase price was based on an August 2014, independent appraisal of the fair market value of the property and was appraised under federal acquisition and appraisal guidelines.



E. Site Revenues (HSC §34191.5(c)(1)(E)):

There are no site revenues generated from the LPOE Property.

F. History of Environmental Contamination (HSC §34191.5(c)(1)(F)):

There is no known history of environmental reports for the LPOE Property.

G. Potential for Transit Oriented Development (TOD) and the Advancement of Planning Objectives of the Successor Agency (HSC §34191.5(c)(1)(G)):

There is no potential for a TOD in conjunction with the LPOE Property.

The GSA has offered to purchase the LPOE Property in fee along with certain related easements at a price equal to its just compensation-appraised value of Seven-Hundred Ninety Thousand Eight-Hundred Ninety-Three Dollars (\$790,893).

The sale of this Property to the GSA for government use as a future U.S. LPOE advances the Congressional mandates of Congress, in conjunction with the planning objectives of the Department of Homeland Security (the "DHS"), the Customs and Border Protection (the "CBP") Patrol, the Successor Agency, and the City to meet Congressional mandates regarding tracking the entry and exit of vehicles and travelers of the U.S. at all LPOEs. In meeting these Congressional mandates, the GSA and CBP have identified the following basic deficiencies at the downtown Calexico LPOE border crossing:

- The existing facilities will not accommodate the installation of technologically advanced inspection devices such as license plate readers, radiation detectors, and x-ray equipment;
- The existing facilities are inadequate for maintaining employee and public safety security;
- The existing facilities are inadequate for the proper conduct of inspection and other services;
- The existing facilities do not comply with modern seismic design requirements, posing a threat to the life and safety of employees and the public in the event of an earthquake;
- Bottlenecks at the existing facilities cause heavy vehicular congestion on the city streets of Calexico, California, and Mexicali, Baja California; and
- The existing facilities exacerbate the delay experienced by the public crossing the International Border.⁶

In a December 12, 2012, update to the Board of Supervisors, County Executive Officer, Ralph Cordova, Jr., submitted the following:

"The County has been working with the GSA for the past 7 or 8 years in the planning for all aspects of a proposed reconstruction of the outmoded Port of Entry (the "POE") at Calexico Downtown. With a tremendous amount of community input, the GSA finally came out with their final

⁶GSA Region 09 – July 21, 2011 – Record of Decision – Expansion and Reconfiguration of the Land Port of Entry in Downtown Calexico



plans for this major reconstruction that would almost double the present capacity to process both northbound and southbound traffic through the POE. GSA has spent almost \$25 million in the design, environmental clearance and right of way acquisition, and they planned to commence construction during the fiscal year 2011. Unfortunately, due to concerns in Congress over the size of the national debt, the proposed appropriation to commence construction of phase one in the amount of \$87 million was not included in the final budget that the Congress enacted and sent to the President.”

Mr. Cordova’s letter continues to state that the County and the City are pursuing every possible solution to deliver this project that is essential to the DHS and the CBP, as well as to maintaining any semblance of long-term economic prosperity in Calexico and the County.

The retention of the LPOE Property by the City for future use as the LPOE is of the utmost importance to Congress, the DHS, and the CBP, in order to be ready when either private funding, federal funding, or a combination of both through a Public-Private Partnership is secured.

H. History of Previous Development Proposals and Activity (HSC §34191.5(c)(1)(H)):⁷

Currently both parcels of the LPOE Property are used by the CBP for roadway access to the International Border between the U.S. and Mexico.

The GSA proposes reconfiguration and expansion of the existing LPOE in downtown Calexico. The project includes new pedestrian processing and privately-owned vehicle (POV) inspection facilities, a new head-house, and new administration offices. The expanded facilities will occupy both the existing inspection compound and the site of the old commercial inspection facility.

The existing facilities are undersized relative to existing traffic loads and obsolete in terms of inspection officer safety and border security. The space required for modern inspection technologies is not available at the existing facility. Workspace is too small to accommodate additional staff, systems, and equipment required at the facility. The ability of the DHS to accomplish its rapidly changing mission is seriously compromised by the inadequacy of the existing facilities. When completed, the project will provide the port operation with adequate operational space, reduced traffic congestion, and a safe environment for port employees and visitors.

The project involves creation of new pedestrian and POV inspection facilities that will include 16 northbound lanes and five southbound lanes. There will be new administration space, a new head-house, and 32 secondary inspection stations serving northbound and southbound traffic. A total of 340 parking spaces will be provided.

⁷ <http://www.gsa.gov/portal/content/103395>



I. Sale of Property:

The LPOE Property will be sold to the GSA by the Successor Agency to be used for federal government purposes for the new Calexico U.S. Land Port of Entry.

The appraised value, or ECV, is \$790,983.

Date of estimated current value – August 2014

Value Basis – The ECV was determined by an appraisal consistent with federal uniform standards and procedures.

Proposed sale date – TBD

Proposed sale value – \$790,983

J. Implementation of the Long-Range Property Management Plan:

Following the approval of the LRPMP by the DOF, the Successor Agency will implement the LRPMP. Implementation will include distribution of any net land sales proceeds as property tax to the taxing entities.