

AMENDED IN SENATE JUNE 27, 2005

AMENDED IN ASSEMBLY MAY 17, 2005

AMENDED IN ASSEMBLY APRIL 18, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 54

Introduced by Assembly Member Negrete McLeod
(Coauthor: Senator Migden)

December 6, 2004

An act to amend Section 11011.21 of the Government Code, to amend Section 12 of Chapter 1087 of the Statutes of 1985, to amend Section 10 of Chapter 974 of the Statutes of 2002, and to repeal Chapter 761 of the Statutes of 2001, relating to state property, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 54, as amended, Negrete McLeod. Surplus state property.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property.

This bill would authorize the Director of General Services and the Director of Transportation to sell, exchange, or lease specified parcels of state property for fair market value and would also authorize the Department of General Services to transfer some of these specified parcels. The bill would exempt the sale, exchange, lease, or transfer of the parcels from specified provisions of the California Environmental Quality Act.

The bill would also authorize the use of approximately 21 acres of state surplus property in San Joaquin County for the construction and operation of the California Conservation Corps Delta Service Center.

This bill would authorize the Director of General Services, with the concurrence of the Adjutant General, subject to specified conditions, to lease the property ~~known~~ *known* as the 58th Street Armory in the City of Sacramento to the Sacramento Archdiocese for the purposes of constructing and using a parking lot, upon terms and conditions in the best interests of the state.

This bill would require that the net proceeds of property sold by the Director of General Services and the Director of Transportation be deposited into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, which is continuously appropriated, and would require the reservation of mineral rights, as specified.

The bill would also delete and revise provisions relating to specified authorizations to sell, exchange, lease, or transfer state surplus property.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11011.21 of the Government Code is
2 amended to read:

3 11011.21. (a) The Legislature finds and declares that the
4 Department of General Services has, pursuant to former Section
5 11011.21, as added by Section 8 of Chapter 150 of the Statutes of
6 1994, and amended by Section 15 of Chapter 422 of the Statutes
7 of 1994, developed an inventory, known as the Surplus Property
8 Inventory, of state-owned properties that are either surplus to the
9 needs of the state in their entirety or are being used for a state
10 program and some portions of the property are unused or
11 underutilized.

12 (b) State agencies, when purchasing real property, shall review
13 the Surplus Property Inventory and purchase, lease, or trade
14 property on that list, if possible, prior to purchasing property not
15 on the Surplus Property Inventory.

16 (c) The Department of General Services may sell, lease,
17 exchange, or transfer for fair market value, or upon terms and
18 conditions as the Director of General Services determines are in
19 the best interest of the state, all or part of properties as follows:

20 Parcel 1. Approximately 292 acres with improvements
21 thereon, known as the Agnews Developmental Center-West

1 Campus, bounded by Lick Mill Blvd., Montague Expressway,
2 Lafayette Street and Hope Drive, in Santa Clara, Santa Clara
3 County.

4 Parcel 2. Approximately 56 acres known as a portion of the
5 Agnews Developmental Center-East Campus, located between
6 the Agnews Developmental Center and Coyote Creek, in San
7 Jose, Santa Clara County.

8 Parcel 3. Approximately 102 acres with improvements
9 thereon, known as the Stockton Developmental Center, located at
10 510 E. Magnolia Street, in Stockton, San Joaquin County.

11 Parcel 6. Approximately 33.56 acres with improvements
12 thereon, known as the California Highway Patrol Motor
13 Transport Facility and Shop, located at 2800 Meadowview Road,
14 in Sacramento, Sacramento County.

15 Parcel 7. Approximately 1.03 acres of land, not including
16 improvements thereon, located at 1614 O Street, in Sacramento,
17 Sacramento County, and leased by the Department of General
18 Services to the Capital Area Development Authority for
19 development of the 17th Street Commons condominiums.

20 Parcel 8. Approximately 2 acres of land, not including
21 improvements thereon, located on a portion of block 273 bound
22 by 10th, 11th, P, and Q Streets, in Sacramento, Sacramento
23 County, and leased by the Department of General Services to the
24 Capital Area Development Authority for development of the
25 Somerset Parkside condominiums.

26 Parcel 9. Approximately 1.76 acres of land, not including
27 improvements thereon, located on the south $\frac{1}{2}$ of block bound by
28 15th, 16th, O, and P Streets and the south $\frac{1}{4}$ of block bound by
29 14th, 15th, O, and P Streets, in Sacramento, Sacramento County,
30 and leased by the Department of General Services to the Capital
31 Area Development Authority for development of the Stanford
32 Park condominiums.

33 Parcel 10. Approximately 1.18 acres of land, not including
34 improvements thereon, located on the north $\frac{1}{2}$ of block bound by
35 9th, 10th, Q, and R Streets, in Sacramento, Sacramento County,
36 and leased by the Department of General Services to the Capital
37 Area Development Authority for development of the Saratoga
38 Townhomes.

39 Parcel 11. Approximately 3.66 acres including improvements
40 thereon, known as the Department of General Services, Junipero

1 Serra State Office Building, located at 107 S. Broadway, in Los
2 Angeles, Los Angeles County.

3 Parcel 12. Approximately 32 acres including improvements
4 thereon, being a portion of the State Department of
5 Developmental Services Fairview Developmental Center, located
6 at 2501 Harbor Blvd., in Costa Mesa, Orange County.

7 Parcel 13. Approximately 3.6 acres, with improvements
8 thereon. Entire structure used as the Delano Armory by the
9 Military Department, located at 705 South Lexington Street, in
10 Delano, Kern County.

11 Parcel 16. Approximately 1,720 acres of agricultural land,
12 being a portion of the Department of Corrections' Imperial South
13 Centinella Prison, located at 2302 Brown Road, in Imperial,
14 Imperial County.

15 Parcel 17. Approximately 800 acres of agricultural land,
16 being a portion of the Department of Corrections' Imperial North
17 Calipatria Prison, located at 7018 Blair Road, in Calipatria,
18 Imperial County.

19 (d) The Department of General Services shall be reimbursed
20 for any cost or expense incurred in the disposition of any parcels.

21 (e) Notices of every public auction or bid opening shall be
22 posted on the property to be sold pursuant to this section, and
23 shall be published in a newspaper of general circulation
24 published in the county in which the real property to be sold is
25 situated.

26 (f) Any sale, exchange, lease, or transfer of a parcel described
27 in this section is exempt from Chapter 3 (commencing with
28 Section 21100) to Chapter 6 (commencing with Section 21165),
29 inclusive, of Division 13 of the Public Resources Code.

30 (g) As to any property sold pursuant to this section consisting
31 of 15 acres or less, the Director of General Services shall except
32 and reserve to the state all mineral deposits possessed by the
33 state, as defined in Section 6407 of the Public Resources Code,
34 below a depth of 500 feet, without surface rights of entry. As to
35 property sold pursuant to this section consisting of more than 15
36 acres, the director shall except and reserve to the state all mineral
37 deposits, as defined in Section 6407 of the Public Resources
38 Code, together with the right to prospect for, mine, and remove
39 the deposits. The rights to prospect for, mine, and remove the
40 deposits shall be limited to those areas of the property conveyed

1 that the director, after consultation with the State Lands
2 Commission, determines to be reasonably necessary for the
3 removal of the deposits.

4 ~~SEC. 2. Section 12 of Chapter 1087 of the Statutes of 1985 is~~
5 ~~amended to read:~~

6 ~~Section 12. (a) Except as provided in subdivision (b) of this~~
7 ~~section, in carrying out the requirement of subdivision (b) of~~
8 ~~Section 1 of Chapter 1549 of the Statutes of 1982 to sell excess~~
9 ~~land at the Northern California Youth Center as surplus property,~~
10 ~~the land at the center that is excess to correctional needs and is to~~
11 ~~be sold as surplus property shall consist of approximately 280~~
12 ~~acres of the land currently under the jurisdiction of the~~
13 ~~Department of the Youth Authority and lying south of Arch~~
14 ~~Road, east of Newcastle Road, and west of Austin Road in the~~
15 ~~County of San Joaquin. Notwithstanding Section 11011 of the~~
16 ~~Government Code or any other provision of law, the excess land~~
17 ~~shall not be sold or otherwise transferred to any state agency.~~

18 ~~(b) Notwithstanding subdivision (a), approximately 21 acres in~~
19 ~~the County of San Joaquin, lying east of Newcastle Road,~~
20 ~~approximately 485 feet south of the intersection of Arch Road~~
21 ~~and Newcastle Road may be used for the construction and~~
22 ~~operation of the California Conservation Corps Delta Service~~
23 ~~Center.~~

24 ~~SEC. 2. Section 12 of Chapter 1087 of the Statutes of 1985 is~~
25 ~~amended to read:~~

26 ~~SEC. 12. (a) Except as provided in subdivision (b) of this~~
27 ~~section, in carrying out the requirement of subdivision (b) of~~
28 ~~Section 1 of Chapter 1549 of the Statutes of 1982 to sell excess~~
29 ~~land at the Northern California Youth Center as surplus property,~~
30 ~~the land at the center that is excess to correctional needs and is to~~
31 ~~be sold as surplus property shall consist of not less than 301.1~~
32 ~~approximately 280 acres of the land currently under the~~
33 ~~jurisdiction of the Department of the Youth Authority and lying~~
34 ~~south of Arch Road, east of Newcastle Road, and west of Austin~~
35 ~~Road in the County of San Joaquin. Notwithstanding Section~~
36 ~~11011 of the Government Code or any other provision of law, the~~
37 ~~excess land shall not be sold or otherwise transferred to any state~~
38 ~~agency.~~

39 ~~(b) Notwithstanding subdivision (a), approximately 21 acres in~~
40 ~~the County of San Joaquin, lying east of Newcastle Road,~~

1 *approximately 485 feet south of the intersection of Arch Road*
 2 *and Newcastle Road may be used for the construction and*
 3 *operation of the California Conservation Corps Delta Service*
 4 *Center.*

5 SEC. 3. Chapter 761 of the Statutes of 2001 is repealed.

6 SEC. 4. Section 10 of Chapter 974 of the Statutes of 2002 is
 7 amended to read:

8 SEC. 10. The Director of General Services, with the
 9 concurrence of the Adjutant General, may lease to the
 10 Sacramento Archdiocese, a sole corporation, for a period not to
 11 exceed 11 years, approximately 1.4 acres of real property located
 12 at 1013 58th Street in the City of Sacramento, in the County of
 13 Sacramento, known as the 58th Street Armory, for purposes of
 14 constructing and using a parking lot, upon terms and conditions
 15 deemed to be in the best interest of the state.

16 SEC. 5. The Director of General Services may sell, exchange,
 17 or lease for fair market value or upon those terms and conditions
 18 as the Director of General Services determines are in the best
 19 interest of the state, all or any part of the following real property:

20 Parcel 1. Approximately 850 acres of property, located at the
 21 Napa State Hospital, 2100 Napa Vallejo Highway, Napa, Napa
 22 County.

23 Parcel 2. Approximately .55 of an acre with improvements
 24 thereon, known as the Employment Development Department
 25 Office Building, located at 1400 S. Hill, Los Angeles, Los
 26 Angeles County.

27 Parcel 3. Approximately 2.0 acres with improvements thereon,
 28 known as the Healdsburg Armory, located at 900 Powell Avenue,
 29 Healdsburg, Sonoma County.

30 Parcel 4. Approximately 18 acres with improvements thereon,
 31 known as the Corporate Yard, located at West Capitol Avenue,
 32 West Sacramento, Yolo County.

33 Parcel 5. Approximately 2.7 acres with improvements thereon,
 34 known as the State Office Building Complex in San Diego,
 35 located at 1350 Front Street, the State Garage located at 345
 36 West Ash, and the Transamerica Building, located at 1301 State
 37 Street, San Diego, San Diego County.

38 Parcel 6. Approximately .39 of an acre of unimproved property
 39 thereon, located north of Golden Gate Avenue at Gough and
 40 Franklin, San Francisco, San Francisco County.

1 Parcel 7. Approximately 41 acres of unimproved property at
2 Avenal State Prison, located at 1 Kings Way, Avenal, Kings
3 County.

4 Parcel 8. Approximately 150 acres of unimproved property at
5 California Correctional Institution, Tehachapi, located at 24900
6 Highway 202, Tehachapi, Kern County.

7 Parcel 9. Approximately 15 acres of unimproved property at
8 the California Institute for Women, located at 16756 Chino
9 Corona Road, Frontera, San Bernardino County.

10 Parcel 10. Approximately 490 acres of unimproved property at
11 the California Medical Facility, located at 1600 California Drive,
12 Vacaville, Solano County.

13 Parcel 11. Approximately 368 acres of unimproved property at
14 Chuckawalla Valley State Prison, located at 19025 Wiley Well
15 Road, Blythe, Riverside County.

16 Parcel 12. Approximately 220 acres of unimproved property at
17 Ironwood State Prison, located at 19005 Wiley Well Road,
18 Blythe, Riverside County.

19 Parcel 13. Approximately 100 acres of unimproved property at
20 Mule Creek State Prison, located at 4001 Highway 104, Ione,
21 Amador County.

22 Parcel 14. Approximately 50 acres of unimproved property in
23 the southern portion of North Kern State Prison, located at 2737
24 West Cecil Avenue, Delano, Kern County.

25 Parcel 15. Approximately 130 acres of unimproved property,
26 located in the southeast corner of the Salinas Valley State Prison,
27 located at 31625 Highway 101, Soledad, Monterey County.

28 Parcel 16. Approximately 93 acres of unimproved property at
29 the Miramonte Conservation Camp, located at 49039 Orchard
30 Drive, Miramonte, Fresno County.

31 Parcel 17. Approximately 139 acres of unimproved property at
32 the Alder Conservation Camp, located at 1400 Alder Camp
33 Road, Klamath, Del Norte County.

34 Parcel 18. Approximately 140 acres of unimproved property at
35 the Deadwood Conservation Camp, located at 17140 McAdams
36 Creek Road, Fort Jones, Siskiyou County.

37 Parcel 19. Approximately 40 acres of unimproved property
38 located in the eastern portion of the Fawn Lodge Forest Fire
39 Station, located at Highway 299 at Fawn Lodge Road,
40 Weaverville, Trinity County.

1 Parcel 20. Approximately 40 acres of property at the
2 Shingletown Forest Fire Station, located off Highway 44 at
3 Shingletown, Shasta County.

4 Parcel 21. Approximately 2.5 acres with improvements
5 thereon, known as the San Diego Department of Motor Vehicles
6 Field Office, located at 3960 Normal Street, San Diego, San
7 Diego County.

8 SEC. 6. (a) Notices of every public auction or bid opening
9 shall be posted on the property to be sold under this act and shall
10 be published in a newspaper of general circulation published in
11 the county in which the real property to be sold is situated.

12 (b) Any sale, exchange, lease, or transfer of the parcels
13 described in this act is exempt from Chapter 3 (commencing with
14 Section 21100) to Chapter 6 (commencing with Section 21165),
15 inclusive, of Division 13 of the Public Resources Code.

16 SEC. 7. The Department of General Services shall be
17 reimbursed for any cost or expense incurred in the disposition of
18 any parcels.

19 SEC. 8. Any property in Sections 1, 2, and 5 sold pursuant to
20 this act consisting of 15 acres or less, the Director of General
21 Services shall except and reserve to the state all mineral deposits,
22 as defined in Section 6407 of the Public Resources Code, below
23 a depth of 500 feet, without surface rights of entry. As to
24 property sold pursuant to this act consisting of more than 15
25 acres, the Director of General Services shall except and reserve
26 to the state all mineral deposits, as defined in Section 6407 of the
27 Public Resources Code, together with the right to prospect for,
28 mine, and remove the deposits. The rights to prospect for, mine,
29 and remove the deposits shall be limited to those areas of the
30 property conveyed that the director, after consultation with the
31 State Lands Commission, determines to be reasonably necessary
32 for the removal of the deposits.

33 SEC. 9. (a) The Director of Transportation may sell,
34 exchange, or lease for fair market value or, upon those terms and
35 conditions and subject to those reservations and exceptions, as
36 the Director of Transportation determines are in the best interest
37 of the state, all or part of the following property:

38 Parcel 1. Approximately ~~16.9~~ 15.05 acres of unimproved
39 property, located at Pacific Coast Highway at Superior Avenue,
40 Newport Beach, Orange County.

1 Parcel 2. Approximately ~~2.54~~ 1.85 acres of unimproved
2 property, located at Pacific Coast Highway at Superior Avenue,
3 Newport Beach, Orange County.

4 Parcel 3. Approximately 1.5 acres of property, located at 2477
5 Monterey Boulevard and Park Boulevard, Oakland, Alameda
6 County.

7 SEC. 10. The net proceeds of any moneys received from the
8 disposition of any parcels described in Sections 1, 2, ~~5, and 9,~~
9 *and 5* of this act shall be deposited in the Deficit Recovery Bond
10 Retirement Sinking Fund Subaccount as provided in subdivision
11 (f) of Section 20 of Article XVI of the California Constitution.

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