

AMENDED IN ASSEMBLY JUNE 20, 2006
AMENDED IN ASSEMBLY FEBRUARY 2, 2006
AMENDED IN SENATE APRIL 21, 2005
AMENDED IN SENATE APRIL 5, 2005

SENATE BILL

No. 276

Introduced by Senator Denham
(Principal coauthor: Assembly Member Salinas)

February 16, 2005

An act to amend Section 9 of Chapter 731 of the Statutes of 1998, relating to state property, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 276, as amended, Denham. ~~State property: Department of Corrections and Rehabilitation: Correctional Training Facility: Soledad. State property: Sacramento.~~

Existing law authorizes the Director of General Services, with the approval of the Military Department and the State Public Works Board, to convey to the Roman Catholic Bishop, Sacramento specified real property for consideration, as provided, under the terms and conditions that the Director of General Services determines to be in the best interest of the state.

This bill would instead authorize the Director of General Services, with the approval of the Military Department, to grant to the Roman Catholic Bishop, Sacramento an option to purchase or a lease with option to purchase, or exchange for real property, specified real property. This bill would require the option to be exercised within 90 days from completion of a replacement facility, as provided. This bill would also require the net proceeds of any moneys received from the

disposition of the property to be deposited in the Armory Fund for appropriation by the Legislature.

~~Existing law authorizes the Director of General Services to dispose of state surplus property, subject to specified conditions, including authorization by the Legislature.~~

~~This bill would authorize the director to convey to the City of Soledad, subject to terms, conditions, reservations, and exceptions determined by the director, a specified part of the California Department of Corrections and Rehabilitation Correctional Training Facility at Soledad. The net proceeds of the conveyance would be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, which is continuously appropriated, thereby making an appropriation.~~

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

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

1 SECTION 1. Section 9 of Chapter 731 of the Statutes of 1998
 2 is amended to read:
 3 SEC. 9. (a) The Director of General Services, with the
 4 approval of ~~the Department of the Military and the State Public~~
 5 ~~Works Board Department~~, may ~~convey grant~~ to the Roman
 6 Catholic Bishop, Sacramento, a corporation sole/St. Francis High
 7 School, *an option to purchase or a lease with option to purchase,*
 8 *or exchange for real property,* the real property located at 1013
 9 58th Street in the City of Sacramento, known as the 58th Street
 10 Armory, comprising approximately six acres. ~~Consideration for~~
 11 ~~exchange of the real property shall be~~ *The option shall be*
 12 *exercised within 90 days from completion of* a replacement
 13 facility of size and quality specified by ~~the Department of the~~
 14 *Military Department. The replacement facility shall be*
 15 constructed to National Guard bureau criteria on other state or
 16 federal lands available to ~~the Department of the Military and~~ cash
 17 ~~as necessary to equalize the transaction and reimburse the~~
 18 Department of General Services for its costs. In the event that the
 19 ~~costs of design, appraisals, state administrative costs, and~~
 20 ~~construction exceed the value of the 58th Street Armory, the~~
 21 ~~Roman Catholic Bishop, Sacramento a corporation sole/St.~~
 22 ~~Francis High School, shall be obligated to pay the costs, and the~~
 23 ~~state shall have no obligation and shall not pay for any costs~~

1 associated with the replacement facility. The exchange *Military*
2 *Department that have been certified by the state for occupancy.*
3 *The option to purchase or lease with option to purchase, or*
4 *exchange for real property agreement shall be under terms and*
5 *conditions that the Director of General Services determines to be*
6 *in the best interest of the state based on the fair market value of*
7 *the property. The exchange agreement shall not be effective until*
8 *the improvements are certified by the state for occupancy, which*
9 *shall not exceed three years from the date of the exchange*
10 *agreement; however, this period may be extended in the event of*
11 *damage, destruction, or acts of God.*

12 *(b) The net proceeds of any moneys received from the*
13 *disposition of properties described in subdivision (a) that are*
14 *armories under the jurisdiction of the Military Department shall*
15 *be deposited in the Armory Fund established pursuant to Section*
16 *435 of the Military and Veterans Code, and shall be available for*
17 *appropriation in accordance with that section.*

18 ~~SECTION 1. Notwithstanding any other provision of law, the~~
19 ~~Director of General Services may sell, lease, convey, or~~
20 ~~exchange at current fair market value to the City of Soledad upon~~
21 ~~those terms and conditions and subject to those reservations and~~
22 ~~exceptions as the Director of General Services determines are in~~
23 ~~the best interests of the state, all or any part of the following real~~
24 ~~property:~~

25 ~~Approximately 33.5 acres of the facility known as the~~
26 ~~California Department of Corrections and Rehabilitation~~
27 ~~Correctional Training Facility, Soledad, Monterey County~~
28 ~~Assessor Parcel Numbers 257-041-020 and 257-041-021.~~

29 ~~SEC. 2. Any sale, lease, conveyance, or exchange of the~~
30 ~~parcels described in this act is exempt from Chapter 3~~
31 ~~(commencing with Section 21100) to Chapter 6 (commencing~~
32 ~~with Section 21165), inclusive, of Division 13 of the Public~~
33 ~~Resources Code.~~

34 ~~SEC. 3. The net proceeds of any moneys received from the~~
35 ~~disposition of any parcels described in this act shall be paid into~~
36 ~~the Deficit Recovery Bond Retirement Sinking Fund Subaccount,~~
37 ~~as created by subdivision (f) of Section 20 of Article XVI of the~~
38 ~~California Constitution.~~

39 ~~SEC. 4. In implementing this act, the Director of General~~
40 ~~Services shall except and reserve to the state all mineral deposits,~~

1 ~~as defined in Section 6407 of the Public Resources Code,~~
2 ~~together with the right to prospect for, mine, and remove the~~
3 ~~deposits. The rights to prospect for, mine, and remove the~~
4 ~~deposits shall be limited to those areas of the property conveyed~~
5 ~~that the director, after consultation with the State Lands~~
6 ~~Commission, determines to be reasonably necessary for the~~
7 ~~removal of the deposits.~~

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