

AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 306

Introduced by Senator Campbell

February 16, 2005

An act to add Section 5003.19 to the Public Resources Code, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 306, as amended, Campbell. Property transactions: Sunset Ridge Park.

Existing law authorizes the Department of Parks and Recreation to lease, for any use, all or any portion of any parcel of real property acquired for the state park system, if the director makes specified findings, and the rent is based on the fair market value of the property when used for the purpose for which it is leased. Existing law prohibits the term of a lease from exceeding a period of 10 years, unless the Legislature has reviewed and approved the proposed lease as part of the annual budget process, or the State Public Works Board has determined that the proposed lease could not have been presented to the Legislature for review and approval, as provided.

This bill would, notwithstanding those provisions, authorize the Department of Parks and Recreation to lease ~~an unspecified number of~~ 20 acres of unimproved real property situated in the City of Newport Beach known as Sunset Ridge Park to the City of Newport Beach for a term of 25 years without monetary consideration for use of the property, for the development and operation of a local park with regional benefits, as specified. The bill would require the State Public Works Board to review and approve the lease.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 5003.19 is added to the Public
2 Resources Code, to read:

3 5003.19. (a) The director may lease to the City of Newport
4 Beach a parcel, not to exceed ~~_____~~ 20 acres of unimproved real
5 property situated in the City of Newport Beach, known as Sunset
6 Ridge Park.

7 (b) Notwithstanding subdivisions (b) and (c) of Section
8 5003.17, the term of the lease shall be for a period not to exceed
9 25 years and shall be without monetary consideration for use of
10 the property, except that the city shall fund the development and
11 operation of the park. The terms of the lease shall specify the
12 nature of the city's control of, and responsibility for the operation
13 of, the parcel.

14 (c) The purpose of the lease shall be for the development and
15 ~~operation by the city of a local park with regional benefits~~
16 ~~containing and providing organized sports facilities that will~~
17 ~~primarily serve the youth of the Newport Beach region.~~
18 *operation by the city of a locally operated state park unit with*
19 *regional benefits. These benefits shall include, but are not limited*
20 *to, facilities for organized sports events as well as passive park*
21 *features incorporating native plant species, trails, paths, and*
22 *benches. The park shall be open to the public.*

23 (d) If the department determines that the city has failed to
24 develop a local park with regional benefits ~~containing and~~
25 ~~providing organized sports facilities~~ within five years of
26 execution of the lease, the state shall have the right to terminate
27 the lease.

28 (e) Notwithstanding subdivision (d) of Section 5003.17, the
29 State Public Works Board shall review and approve the lease,
30 and shall report any action taken to the Legislature and the
31 Governor.

32 (f) Upon one year's written notice from the city and upon the
33 state's written consent as granted pursuant to the state's sole
34 discretion, the lease may be extended for an additional 25 years
35 commencing on the first calendar day after the date set for
36 expiration of the lease. In exercising its discretion to extend the
37 term of the lease, the state may modify, add, or delete terms and
38 conditions of the lease, including a requirement for monetary

1 consideration for use of the property, as the state may determine
2 to be in the best interest of the state. Pursuant to subdivision (d)
3 of Section 5003.17, the Legislature shall review and approve any
4 extension of the lease.

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