

ASSEMBLY BILL

No. 1849

Introduced by Assembly Member DeVore

January 29, 2008

An act to add Section 4109 to the Food and Agricultural Code, and to amend Section 8300 of, and to add Section 11011.22 to, the Government Code, relating to state surplus property, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1849, as introduced, DeVore. State surplus property: Los Angeles Memorial Coliseum.

Existing law creates the Los Angeles Memorial Coliseum Commission as a joint powers agreement between the City of Los Angeles, the County of Los Angeles, and the Sixth District Agricultural Association, referred to as the California Science Center.

This bill would require the California Science Center to sell the parcel of land that the Los Angeles Memorial Coliseum and the Los Angeles Memorial Sports Arena structures occupy by authorizing the Department of General Services to have conducted an appraisal, as specified, of both the parcel of land and the Los Angeles Memorial Coliseum and the Los Angeles Memorial Sports Arena structures. The department also would be authorized to hire a legal services provider to determine the title and any encumbrances on both the parcel of land and the Los Angeles Memorial Coliseum and Los Angeles Memorial Sports Arena structures, and to provide arbitration services between the state, the City of Los Angeles, and the County of Los Angeles to resolve any disputes between the parties with respect to the value of the respective

assets. The City of Los Angeles and the County of Los Angeles each would have first right of refusal to purchase the parcel of land.

The California Constitution provides that the proceeds from the sale of surplus state property be used to pay the principal and interest on bonds issued pursuant to the Economic Recovery Bond Act until the principal and interest on those bonds is fully paid, after which these proceeds are required to be deposited into the Special Fund for Economic Uncertainties. Existing statutory law similarly requires that the net proceeds received from any real property disposition be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund, until the bonds issued pursuant to the act are retired. By increasing the amount transferred into a continuously appropriated fund, this bill would make an appropriation.

This bill would terminate the Los Angeles Memorial Coliseum Commission upon the completion of the sale of the land that the Los Angeles Memorial Coliseum occupies.

Vote: majority. 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 4109 is added to the Food and
2 Agricultural Code, to read:

3 4109. The California Science Center shall sell the parcel of
4 property that both the Los Angeles Memorial Coliseum and the
5 Los Angeles Memorial Sports Arena occupy in accordance with
6 the procedures outlined in Section 11011.22 of the Government
7 Code.

8 SEC. 2. Section 8300 of the Government Code is amended to
9 read:

10 8300. (a) The joint powers agreement entered into by the City
11 of Los Angeles, the County of Los Angeles, and the Sixth District
12 Agricultural Association, known and designated as the California
13 Science Center, creating the Los Angeles Memorial Coliseum
14 Commission; shall be amended to provide that the membership of
15 the commission shall be increased to include two additional ex
16 officio, nonvoting members, one Member of the Senate appointed
17 by the Committee on Rules of the Senate, and one Member of the
18 Assembly appointed by the Speaker of the Assembly.

1 The two additional members shall serve terms that are the same
2 as other members of the commission, and shall participate in the
3 activities of the commission to the extent that their participation
4 is not incompatible with their respective positions as Members of
5 the Legislature. For the purposes of this section, the Members of
6 the Legislature shall constitute a joint investigating committee on
7 the subject of the commission and shall have the powers and duties
8 imposed upon the committees by the Joint Rules of the Senate and
9 Assembly.

10 *(b) (1) Upon completion of the sale of the property that the Los*
11 *Angeles Memorial Coliseum and the Los Angeles Memorial Sports*
12 *Arena occupy, pursuant to Section 11011.22 and Section 4109 of*
13 *the Food and Agricultural Code, the commission shall rescind the*
14 *agreement that establishes the commission and terminate the joint*
15 *powers authority referred to as the Los Angeles Memorial*
16 *Coliseum Commission.*

17 *(2) Upon termination of the Los Angeles Memorial Coliseum*
18 *Commission pursuant to this subdivision, any outstanding revenue*
19 *bonds issued to finance the construction of the Los Angeles*
20 *Memorial Sports Arena shall be fully redeemed in accordance*
21 *with the bond indenture and the joint powers agreement. Provisions*
22 *also shall be made, as part of the termination of the Los Angeles*
23 *Memorial Coliseum Commission, for the continuing administration*
24 *of the Los Angeles Memorial Sports Arena, and for the transfer*
25 *of any title and interest in the Los Angeles Memorial Coliseum*
26 *structure that may be in the commission to the City of Los Angeles*
27 *and the County of Los Angeles, respectively.*

28 SEC. 3. Section 11011.22 is added to the Government Code,
29 to read:

30 11011.22. (a) Notwithstanding any other provision of law, the
31 Department of General Services shall do all of the following with
32 regard to the parcel of land the Los Angeles Memorial Coliseum
33 and the Los Angeles Memorial Sports Arena occupy:

34 (1) Solicit a request for proposals from at least three real
35 property appraisers licensed pursuant to Part 3 (commencing with
36 Section 11300) of Division 4 of the Business and Professions Code
37 to conduct an appraisal of both the parcel of land that the Los
38 Angeles Memorial Coliseum and the Los Angeles Memorial Sports
39 Arena occupy and the Los Angeles Memorial Coliseum and Los
40 Angeles Memorial Sports Arena structures.

1 (2) Enter into agreement for legal services to determine the title
2 and any encumbrances on both the parcel of land that the Los
3 Angeles Memorial Coliseum and the Los Angeles Memorial Sports
4 Arena occupy and the Los Angeles Memorial Coliseum and Los
5 Angeles Memorial Sports Arena structures, and to provide
6 arbitration services between the state, the City of Los Angeles,
7 and the County of Los Angeles to resolve any disputes between
8 the parties with respect to the value of the respective assets.

9 (b) Following the request for proposals and selection of three
10 real property appraisers and the legal services provider pursuant
11 to subdivision (a), the Los Angeles Memorial Coliseum
12 Commission may reject one of the property appraisers.

13 (c) The department, upon receiving the appraisals from the
14 remaining appraisers, shall select the highest appraisal for both
15 the parcel of land on which the Los Angeles Memorial Coliseum
16 and the Los Angeles Memorial Sports Arena occupy and the Los
17 Angeles Memorial Coliseum and Los Angeles Memorial Sports
18 Arena structures.

19 (d) The City of Los Angeles and the County of Los Angeles
20 each shall have first right of refusal, either solely or in conjunction,
21 to purchase the parcel of land that the Los Angeles Memorial
22 Coliseum and the Los Angeles Memorial Sports Arena occupy. If
23 either the City of Los Angeles or the County of Los Angeles cannot
24 agree on the proportionate share that each party has in the Los
25 Angeles Memorial Coliseum and the Los Angeles Memorial Sports
26 Arena structures, the parties shall request the legal adviser to
27 arbitrate the issue. If either party declines to enter into arbitration,
28 the City of Los Angeles and the County of Los Angeles shall lose
29 their first right to purchase the parcel that the Los Angeles
30 Memorial Coliseum and the Los Angeles Memorial Sports Arena
31 occupy.