

AMENDED IN SENATE APRIL 22, 2008

SENATE BILL

No. 1527

**Introduced by Senator Yee
(Principal coauthor: Senator Denham)
(Coauthor: Senator Wyland)**

February 22, 2008

An act to add *Section 19622.5 to the Business and Professions Code, and to add Section 11011.27 to the Government Code*, relating to state property, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1527, as amended, Yee. State property: surplus property.

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 require the director, prior to January 1, 2009, to sell, for fair market value upon those terms and conditions determined by the director, *a specified ~~parcels~~ parcel of state property, commonly referred to as the Cow Palace*, located in the County of San Mateo and the City and County of San Francisco. The net proceeds of the conveyance would be paid into the ~~Deficit Recovery Bond Retirement Sinking Fund Subaccount, which is a continuously appropriated subaccount in the Budget Stabilization Account~~ *Fair and Exposition Fund, a continuously appropriated fund, for the benefit of a specified district agricultural association, as provided*, thereby making an appropriation. The bill would require reimbursement to the Department of General Services for any cost or expense incurred in the disposition of the property from the net proceeds of the disposition.

The bill would declare that it would take effect immediately as an urgency statute.

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 19622.5 is added to the Business and
2 Professions Code, to read:

3 19622.5. (a) Pursuant to subdivision (c) of Section 19622.3,
4 within 30 days of enactment of this section, the Department of
5 Food and Agriculture, until June 1, 2013, shall assume only the
6 rights, duties, and powers of the board of directors of the District
7 I-A Agricultural Association associated with negotiating the sale
8 of the real property of the District I-A Agricultural Association.

9 (b) The Department of Food and Agriculture in coordination
10 with the Department of General Services, no later than June 1,
11 2013, shall provide to the Legislature a report analyzing the
12 business operations of the District I-A Agricultural Association
13 for the previous five years and make recommendations identifying
14 the best use of the property. Recommendations may include, but
15 are not limited to, continued operation as a district agricultural
16 association or the sale or lease of any and all parcels.

17 ~~SECTION 1.~~

18 SEC. 2. Section 11011.27 is added to the Government Code,
19 to read:

20 11011.27. (a) The Director of General Services ~~shall, prior to~~
21 ~~January 1, 2009, in consultation with the Department of Food and~~
22 ~~Agriculture, prior to January 1, 2009, shall enter into negotiations~~
23 ~~to sell at fair market value to the Daly City Redevelopment Agency~~
24 ~~or to the City of Daly City upon those terms and conditions and~~
25 ~~subject to those reservations and exceptions that the director~~
26 ~~determines are in the best interests of the state, all or any part of~~
27 ~~the following real property, commonly referred to as the Cow~~
28 ~~Palace, located partly in the County of San Mateo and partly in~~
29 ~~the City and County of San Francisco:~~

30 ~~Parcel 1. Beginning at the point of intersection of the~~
31 ~~southeasterly line of Carter Street and the southwesterly line of~~
32 ~~Walbridge Street, now Geneva Boulevard; thence southeasterly,~~
33 ~~along the southwesterly line of Walbridge Street, 260 feet; thence~~

1 at a right angle southwesterly 660 feet; thence at a right angle
2 northwesterly 260 feet; thence at a right angle northeasterly 660
3 feet to the point of beginning.

4 Parcel 2.— Commencing at a point on the southerly line of
5 Geneva Boulevard, formerly Walbridge Street, distant thereon 260
6 feet easterly from the intersection of said line of Geneva Boulevard
7 with the east line of Carter Street; thence easterly, along said line
8 of Geneva Boulevard, 200 feet; thence southerly and parallel with
9 said easterly line of Carter Street, 600 feet; thence westerly and
10 parallel with said line of Geneva Boulevard, 200 feet; thence
11 northerly and parallel with said line of Carter Street, 600 feet to
12 the point of commencement. Excepting therefrom the following
13 described parcel: Beginning at a point on the southerly line of
14 Geneva Boulevard, formerly Walbridge Street, distant thereon 310
15 feet easterly from the easterly line of Carter Street; running thence
16 easterly, along said line of Geneva Boulevard, 150 feet; thence at
17 right angles southerly and parallel with said easterly line of Carter
18 Street, 150 feet; thence at a right angle westerly and parallel with
19 said southerly line of Geneva Boulevard, 100 feet; thence at a right
20 angle northerly, 50 feet; thence at a right angle westerly, 50 feet;
21 thence at a right angle northerly 100 feet to the point of beginning.
22 Also, excepting therefrom the following described parcel:
23 Beginning at a point on the southwesterly line of Geneva
24 Boulevard, formerly Walbridge Street, distant thereon 260 feet
25 southeasterly from the southeasterly line of Carter Street; running
26 thence southeasterly along said line of Geneva Boulevard, 50 feet;
27 thence at a right angle southwesterly parallel with the southeasterly
28 line of Carter Street, 100 feet; thence at a right angle northwesterly,
29 parallel with the southwesterly line of Geneva Boulevard, 50 feet;
30 thence at a right angle northeasterly, parallel with the said line of
31 Carter Street, 100 feet to the point of beginning.

32 Parcel 3.— Beginning at a point on the southerly line of Geneva
33 Boulevard, formerly Walbridge Street, distant thereon 310 feet
34 easterly from the easterly line of Carter Street; running thence
35 easterly, along said line of Geneva Boulevard, 150 feet; thence at
36 right angles southerly and parallel with said easterly line of Carter
37 Street, 150 feet; thence at a right angle westerly and parallel with
38 said southerly line of Geneva Boulevard, 100 feet; thence at a right
39 angle northerly 50 feet; thence at a right angle westerly 50 feet;
40 thence at a right angle northerly 100 feet to the point of beginning.

1 Parcel 4.—Beginning at a point on the southwesterly line of
2 Geneva Boulevard, formerly Walbridge Street, distant thereon 260
3 feet southeasterly from the southeasterly line of Carter Street;
4 running thence southeasterly along said line of Geneva Boulevard,
5 50 feet; thence at a right angle southwesterly, parallel with the
6 southeasterly line of Carter Street, 100 feet; thence at a right angle
7 northwesterly, parallel with the southwesterly line of Geneva
8 Boulevard, 50 feet; thence at a right angle northeasterly, parallel
9 with the said line of Carter Street, 100 feet to the point of
10 beginning.

11 Parcel 5.—Beginning at a point on the southerly line of Walbridge
12 Street, now Geneva Boulevard, distant thereon easterly 520 feet
13 from the intersection of the easterly line of Carter Street with the
14 southerly line of Walbridge Street; thence easterly and along the
15 southerly line of Walbridge Street, 200 feet; thence at a right angle
16 southerly 600 feet; thence at a right angle westerly 200 feet; thence
17 at a right angle northerly 600 feet to the southerly line of Walbridge
18 Street and the point of beginning.

19 Parcel 6.—Beginning at a point on the southerly line of Walbridge
20 Street, now Geneva Boulevard, distant thereon 720 feet easterly
21 from the point of intersection of said southerly line of Walbridge
22 Street with the easterly line of Carter Street; thence running easterly
23 and along said southerly line of Walbridge Street, 30 feet; thence
24 at a right angle southerly 600 feet; thence at a right angle westerly
25 30 feet; thence at a right angle northerly 600 feet to the southerly
26 line of Walbridge Street and the point of beginning.

27 Parcel 7.—Beginning at a point in the centerline of what was
28 formerly known as Cabrillo Street, sometimes called Wieland
29 Street, said point being distant the following courses and distances
30 from the intersection of the southerly line of Walbridge Street
31 (now Geneva Boulevard) with the easterly line of Carter Street;
32 south $70^{\circ} 25'$ east 750 feet, on and along said southerly line of
33 Walbridge Street; and thence south $19^{\circ} 35'$ west 384 feet to said
34 point of beginning; thence south $19^{\circ} 35'$ west 216 feet; thence
35 south $70^{\circ} 25'$ east 88 feet; thence north $8^{\circ} 50'$ east 219.8 feet;
36 thence north $70^{\circ} 25'$ west 47 feet to said point of beginning.

37 Parcel 8.—Beginning at a point on the southerly line of Walbridge
38 Street (now Geneva Boulevard), distant thereon 750 feet easterly
39 from the intersection of the easterly line of Carter Street with the
40 southerly line of Walbridge Street; thence easterly, along the

1 southerly line of Walbridge Street, 230 feet; thence at right angles
2 southerly 600 feet; thence at right angles westerly 142 feet; thence
3 north 8° 50' east 219.8 feet; thence north 70° 25' west 47 feet to
4 the centerline of Wieland Street, sometimes called Cabrillo Street;
5 and thence north 19° 35' east 384 feet to the southerly line of
6 Walbridge Street and the point of beginning.

7 Parcel 9.—Beginning at a point on the southerly line of Walbridge
8 Street, distant thereon 100 feet westerly from the intersection of
9 the westerly line of Rio Verde Street and the southerly line of
10 Walbridge Street, said point of beginning being the northwesterly
11 corner of block 21 of “Subdivision No. 1 of Schwerin Addition,
12 Visitacion Valley,” as per map filed October 5, 1908, in Book 6
13 of Maps at page 42 in the office of the County Recorder of San
14 Mateo County, California; running thence westerly along the said
15 southerly line of Walbridge Street, 1191.6 feet, more or less, to a
16 point distant 1040 feet southeasterly from the easterly line of Carter
17 Street (measured along said line of Walbridge Street); thence at a
18 right angle southerly 1935 feet, more or less, to the northerly line
19 of Martin Street, extended northwesterly from said “Subdivision
20 No. 1 of Schwerin Addition;” thence at a right angle easterly
21 1191.6 feet, more or less, to a point perpendicularly distant 100
22 feet westerly from the westerly line of Rio Verde Street, as shown
23 on said map of “Subdivision No. 1;” thence northerly, along a line
24 parallel to said line Rio Verde Street and distance therefrom 100
25 feet, measured perpendicularly, a distance of 1585 feet, more or
26 less, to a point distant thereon 350 feet from the southerly line of
27 Walbridge Street; thence at a right angle westerly a distance of
28 100 feet; thence at a right angle northerly a distance of 50 feet;
29 thence at a right angle easterly a distance of 100 feet and thence
30 northerly a distance of 300 feet to the point of beginning. Excepting
31 therefrom so much thereof as was conveyed to Foxhall Investments
32 Ltd. by that certain deed recorded on November 14, 1988, as
33 Document No. 88154781, Official Records of San Mateo County,
34 California.

35 Parcel 10.—Commencing at a point on the southerly line of
36 Walbridge Street, distant therefrom 100 feet westerly from the
37 intersection of the westerly line of Rio Verde Street and the
38 southerly line of Walbridge Street, said point of commencement
39 being the northwesterly corner of Block 21 of “Subdivision No. 1
40 of Schwerin Addition, Visitacion Valley,” as per map filed October

1 5, 1908, in Book 6 of Maps at page 42 in the office of the County
2 Recorder of San Mateo County, California; running thence westerly
3 along the said southerly line of Walbridge Street, 1191.6 feet, more
4 or less, to a point distant 1040 feet southeasterly from the easterly
5 line of Carter Street (measured along said line of Walbridge Street);
6 thence at a right angle southerly 1935 feet, more or less, to the
7 northerly line of Martin Street, extended northwesterly from said
8 “Subdivision No. 1 of Schwerin Addition” for a point of beginning;
9 thence southerly along the easterly line of Santos Street 100 feet;
10 thence at right angles easterly 1161 feet, thence at right angles
11 northerly 100 feet, and thence at right angles westerly 1161 feet
12 to said point of beginning. Excepting therefrom so much thereof
13 as was conveyed to Foxhall Investments Ltd. by that certain deed
14 recorded on November 14, 1988, as Document No. 88154781,
15 Official Records of San Mateo County, California. Further
16 excepting therefrom so much thereof as was conveyed to the City
17 of Daly City, a California municipal corporation, by that certain
18 deed recorded on October 3, 1985, as Document No. 85102739,
19 Official Records of San Mateo County, California.

20 Parcel 11.— Commencing at a point on the southerly line of
21 Walbridge Street, distant thereon 100 feet westerly from the
22 intersection of the westerly line of Rio Verde Street and the
23 southerly line of Walbridge Street, said point of commencement
24 being the northwesterly corner of Block 21 of “Subdivision No. 1
25 of Schwerin Addition, Visitacion Valley,” as per map filed October
26 5, 1908, in Book 6 of Maps at page 42 in the office of the County
27 Recorder of San Mateo County, California; running thence westerly
28 along the said southerly line of Walbridge Street, 1191.6 feet, more
29 or less, to a point distant 1040 feet southeasterly from the easterly
30 line of Carter Street (measured along said line of Walbridge Street);
31 thence at a right angle southerly 1935 feet, more or less, along the
32 easterly line of Santos Street, to the northerly line of Martin Street,
33 extended northwesterly from said “Subdivision No. 1 of Schwerin
34 Addition,” thence continuing southerly along the easterly line of
35 Santos Street 100 feet to the true point of beginning, thence
36 westerly 60 feet to the westerly line of Santos Street; thence
37 northerly along said westerly line Santos Street 2035 feet to the
38 southerly line of Walbridge Street; thence easterly along the
39 southerly line of Walbridge Street 60 feet to the easterly line of
40 Santos Street; thence southerly along said easterly line of Santos

1 ~~Street, 2035 feet to said true point of beginning. Excepting~~
2 ~~therefrom so much thereof as was conveyed to Foxhall Investments~~
3 ~~Ltd. by that certain deed recorded on November 14, 1988, as~~
4 ~~Document No. 88154781, Official Records of San Mateo County,~~
5 ~~California.~~

6 ~~Parcel 12. Beginning at the northwest corner of lot 17 in block~~
7 ~~21 "Subdivision No. 1 of Schwerin Addition, Visitacion Valley,"~~
8 ~~San Mateo County, California, as recorded in the office of the~~
9 ~~County Recorder of said County October 5, 1908, in Book 6 of~~
10 ~~Maps at page 42. Thence running west 100 feet parallel with the~~
11 ~~northerly line of lot 17, thence running southerly 50 feet and~~
12 ~~parallel with the westerly rear line of lots 17 and 18. Thence 100~~
13 ~~feet easterly and parallel with the southerly line of lot 18, thence~~
14 ~~northerly 50 feet along the westerly and rear lines of lots 18 and~~
15 ~~17 to the point of beginning.~~

16 ~~Parcel 13. Beginning at a point on the southerly line of~~
17 ~~Walbridge Street, distant thereon easterly 460 feet from the point~~
18 ~~of intersection of the easterly line of Carter Street with the said~~
19 ~~southerly line of Walbridge Street, now known as Geneva~~
20 ~~Boulevard; running thence easterly and along said southerly line~~
21 ~~of Walbridge Street, a distance of 60 feet; thence at right angles~~
22 ~~southerly, a distance of 600 feet; thence at right angles westerly,~~
23 ~~a distance of 60 feet and thence at right angles northerly, a distance~~
24 ~~of 600 feet to the southerly line of Walbridge Street and the point~~
25 ~~of commencement. *the state, the following real property:*~~

26 ~~Parcel A: Beginning at a point on the southerly line of Walbridge~~
27 ~~Street, now Geneva Avenue, with the easterly line of Carter Street~~
28 ~~(in the City and County of San Francisco); thence running easterly~~
29 ~~along the southerly line of Walbridge Street 980 feet; thence at a~~
30 ~~right angle south 19°35' west 600 feet; thence at a right angle~~
31 ~~north 70°25' west 720 feet; thence at a right angle south 19°35'~~
32 ~~west 60 feet; thence at a right angle north 70°25' west 260 feet;~~
33 ~~thence at a right angle north 19°35' east 660 feet along the easterly~~
34 ~~line of Carter Street to the point of beginning.~~

35 (b) Notwithstanding the terms and conditions negotiated
36 pursuant to subdivision (a), the director shall not sell the property
37 identified in subdivision (a) for less than its fair market value.

38 (c) An agreement for the sale of the property identified in
39 subdivision (a) shall require the purchaser to retain title to the
40 entire property sold to it for uses consistent with the general plan

1 of the City of Daly City, any amendment to that general plan, any
 2 specific plan amendments to any specific plan, and the Bayshore
 3 revitalization redevelopment plan.

4 (d) The Department of General Services shall be reimbursed
 5 for any cost or expense incurred in the disposition of the property
 6 described in subdivision (a) from the ~~net proceeds of the disposition~~
 7 *City of Daly City or the Daly City Redevelopment Agency.*

8 (e) The net proceeds of any moneys received from the
 9 disposition of any ~~parcels~~ *parcel* of property described in
 10 subdivision (a) ~~shall be paid into the Deficit Recovery Bond~~
 11 ~~Retirement Sinking Fund Subaccount, established by subdivision~~
 12 ~~(f) of Section 20 of Article XVI of the California Constitution, and~~
 13 ~~allocated consistent with Section 9 of Article III of the California~~
 14 ~~Constitution.~~ *shall be paid into the Fair and Exposition Fund for*
 15 *the benefit of the District 1-A Agricultural Association.*

16 ~~SEC. 2.~~

17 *SEC. 3.* This act is an urgency statute necessary for the
 18 immediate preservation of the public peace, health, or safety within
 19 the meaning of Article IV of the Constitution and shall go into
 20 immediate effect. The facts constituting the necessity are:

21 In order for the Director of General Services to sell the property
 22 described in Section ~~4~~ 2 of this act at the earliest possible time, it
 23 is necessary that this act take effect immediately.