

ASSEMBLY BILL

No. 2279

Introduced by Assembly Member Evans

February 18, 2010

An act to add Section 11011.24 to the Government Code, relating to state property, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2279, as introduced, Evans. Surplus state property: County of Napa.

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 sell or exchange, at current fair market value, all or part of a specified parcel of state property to the County of Napa upon those terms, conditions, reservations and exceptions the director determines are in the best interest of the state, by January 1, 2015. The bill would require any agreement for the sale or exchange of the property to include a provision that requires the County of Napa to retain title to the property for use as a park or wilderness preserve, or in the event of a future sale of that property by the county, require the county, by recorded easement, to limit future uses of the property to a park or wilderness preserve. The bill would also require reimbursement of the Department of General Services for any cost or expense incurred in the disposition of the property from the proceeds of the disposition of the property. The bill would require the net proceeds of any moneys received from the disposition of the property to be paid into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, a continuously appropriated fund, thereby resulting in an

appropriation. The bill would permit the County of Napa to enter an agreement with a nonprofit land trust or nonprofit conservation entity for the purpose of sharing the cost associated with the sale or exchange authorized by this bill, provided all its other requirements are met.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Napa.

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 11011.24 is added to the Government
2 Code, to read:

3 11011.24. (a) Except as provided in subdivisions (b) and (c),
4 the Director of General Services may sell or exchange at current
5 fair market value to the County of Napa, upon those terms and
6 conditions and subject to those reservations and exceptions the
7 director determines are in the best interests of the state, all or any
8 part of the following real property, by January 1, 2015, after which
9 date, if not sold or exchanged, the property is no longer surplus:

10 Approximately 850 acres of property, located at the Napa State
11 Hospital, 2100 Napa Vallejo Highway, Napa, Napa County.

12 (b) Notwithstanding the terms and conditions negotiated
13 pursuant to subdivision (a), in no event may the director sell or
14 exchange the property identified in subdivision (a) at a value less
15 than current fair market value.

16 (c) An agreement for the sale or exchange of the property
17 identified in subdivision (a), pursuant to subdivisions (a) and (b),
18 shall require the County of Napa to retain title to the entire property
19 sold or exchanged for use as a park or wilderness preserve, or in
20 the event of the future sale or exchange of that property by the
21 County of Napa, shall require the County of Napa, by recorded
22 easement, to limit future uses of the property to a park or
23 wilderness preserve.

24 (d) The Department of General Services shall be reimbursed
25 for any cost or expense incurred in the disposition of the property
26 described in subdivision (a) from the proceeds of the disposition.
27 The net proceeds of any moneys received from the disposition of
28 the property shall be paid into the Deficit Recovery Bond

1 Retirement Sinking Fund Subaccount, as established by subdivision
2 (f) of Section 20 of Article XVI of the California Constitution.

3 (e) The County of Napa may enter into an agreement with a
4 nonprofit land trust or nonprofit conservation entity for the purpose
5 of sharing the costs associated with making the sale or exchange
6 authorized by this section, provided that all the requirements of
7 this section, including, but not limited to, those of subdivision (c),
8 are met.

9 SEC. 2. The Legislature finds and declares that, because of the
10 unique circumstances applicable to the County of Napa, a statute
11 of general applicability cannot be enacted within the meaning of
12 subdivision (b) of Section 16 of Article IV of the California
13 Constitution. Therefore, this special statute is necessary.

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