

Senate Bill No. 1580

Passed the Senate August 27, 2012

Secretary of the Senate

Passed the Assembly August 23, 2012

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act relating to state surplus property, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1580, Committee on Governmental Organization. State surplus property: armories: sales.

(1) 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 dispose of 3 specified parcels of state property. The bill would also rescind the surplus property sale authorization of a specified parcel. The bill would subject the proceeds from one parcel to the reimbursement of federal equity financing, as specified.

(2) 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 are 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.

(3) Existing law authorizes the Director of General Services, with the approval of the Adjutant General, to lease and sell real property held for armory purposes, subject to legislative approval. Existing law establishes the Armory Fund and requires that the proceeds from the sale or lease of armories be deposited in the fund, for use, upon appropriation by the Legislature, for specified purposes related to armories.

This bill would authorize the Director of General Services, with the approval of the Adjutant General, to sell specified armories, including improvements made to those armories. This bill would,

notwithstanding the requirement for payment of sale proceeds into the Deficit Recovery Bond Retirement Sinking Fund Subaccount, require the proceeds from the sale to be deposited in the Armory Fund. This bill would require the Department of General Services to be reimbursed for any reasonable costs or expenses incurred in conducting a transaction involving those armories, as specified. This bill would provide that the disposition of certain property does not constitute a sale or other disposition of surplus property, as specified.

Appropriation: yes.

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

SECTION 1. (a) Notwithstanding any other law and pursuant to Section 435 of the Military and Veterans Code, the Director of General Services, with the approval of the Adjutant General, may sell any of the following properties:

(1) Approximately 4.59 acres of real property with improvements made thereon, located at 2320 N. Parmelee Avenue, Compton, California, known as the Compton Parmelee Armory.

(2) Approximately 2.0 acres of real property with improvements made thereon, located at 900 Powell Avenue, Healdsburg, California, known as the Healdsburg Armory.

(3) Approximately 1.57 acres of real property with improvements made thereon, located at 14061 Nevada City Highway, Nevada City, California, known as the Nevada City Armory.

(4) Approximately 2.84 acres of real property with improvements made thereon, located at 950 West Laurel Street, Willows, California, known as the Willows Armory.

(b) The disposition of a property pursuant to this section shall not constitute a sale or other disposition of surplus property pursuant to Section 11011 of the Government Code.

(c) The proceeds from the sale of armories authorized pursuant to subdivision (a) shall be deposited in the Armory Fund as required pursuant to subdivision (b) of Section 435 of the Military and Veterans Code.

(d) The Department of General Services shall be reimbursed for any reasonable costs or expenses incurred in conducting a transaction pursuant to this section.

(e) The sale of these armories shall be made on an “as is” basis and shall be exempt from Division 13 (commencing with Section 21100) of the Public Resources Code. Upon vesting title of the armory to the purchaser or transferee of the armory, the purchaser or transferee shall be subject to any local governmental land use entitlement requirements and to Division 13 (commencing with Section 21100) of the Public Resources Code.

SEC. 2. (a) The Director of General Services may sell, exchange, sell combined with an exchange, or lease for fair market value and upon those terms and conditions as the Director of General Services determines are in the best interests of the state, all or any part of the following real property pursuant to Section 11011.1 of the Government Code:

(1) Parcel 1, consisting of approximately 1.42 acres, formerly known as the Employment Development Department Field Office, located at 135 West Fremont Street, in Stockton, San Joaquin County.

(2) Parcel 2, consisting of approximately 0.36 acres, known as the California Department of Corrections and Rehabilitation Watts Parole Center, located at 9110 S. Central Avenue, in Los Angeles, Los Angeles County.

(3) Parcel 3, consisting of approximately 0.6 acres and improvements, including a 1,113 square foot residence and garage identified as Assessor Parcel Number 004-050-031-000, known as the California Department of Corrections and Rehabilitation Single Family Residence, located on Sutter Lane, in Ione, Amador County.

(b) Notwithstanding any other law that declared the property as surplus, the following parcel is no longer surplus to the state’s needs and the surplus property sale authorization is hereby rescinded:

A parcel consisting of approximately 2 acres and improvements, known as the Healdsburg Armory, located at 900 Powell Avenue, Healdsburg, Sonoma County, declared surplus property sale in Assembly Bill 1123, Chapter 625 of the Statutes of 2007.

(c) Proceeds received from the disposition of Parcel 1, formerly known as the Employment Development Department Field Office, shall be subject to the reimbursement of federal equity financing, if any exists in the property, as required under applicable state and federal law.

Approved _____, 2012

Governor