

AMENDED IN ASSEMBLY AUGUST 17, 1998

AMENDED IN ASSEMBLY AUGUST 6, 1998

AMENDED IN ASSEMBLY JUNE 29, 1998

AMENDED IN SENATE MAY 13, 1998

**SENATE BILL**

**No. 1645**

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**Introduced by Senator Mountjoy**

February 13, 1998

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An act to amend Section 14664 of the Government Code, and to amend Section 2 of Chapter 625 of the Statutes of 1991, Section 1 of Chapter 648 of the Statutes of 1992, Section 1 of Chapter 317 of the Statutes of 1993, and Section 1 of Chapter 391 of the Statutes of 1994, relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

SB 1645, as amended, Mountjoy. Director of General Services: surplus state property.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property.

This bill would authorize the Director of General Services, upon the written request and consent of the state agency with control or jurisdiction over the property concerned, to sell, convey, or exchange properties that are not needed by any state agency at fair market value following a 30-day notice to the Joint Legislative Budget Committee and the applicable Members of the Senate and Assembly who represent the

district in which the properties are located, under specified circumstances.

This bill would further authorize the Director of General Services to sell, exchange, lease, or transfer, as the case may be, specified parcels of state property. The bill would also exempt a sale, exchange, lease, or transfer of certain of these parcels from specified provisions of the California Environmental Quality Act, and would require the reservation of mineral rights, as specified. The bill would also rescind the existing authority of the director to sell, exchange, or lease other specified parcels of state property.

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 14664 of the Government Code  
2 is amended to read:

3 14664. (a) The director may execute grants to real  
4 property belonging to the state in the name and upon  
5 behalf of the state, whenever the sale or exchange of real  
6 property is authorized or contemplated by law, if no other  
7 state agency is specifically authorized and directed to  
8 execute the grants. The director may also execute deeds  
9 or any other instruments necessary to correct erroneous  
10 descriptions on deeds by which the state acquired title.

11 (b) (1) Notwithstanding any other provision of law,  
12 upon the written request and consent of the state agency  
13 with control or jurisdiction over the property concerned,  
14 the director may sell, convey, or exchange properties that  
15 are not needed by any state agency at fair market value  
16 following a 30-day notice to the Joint Legislative Budget  
17 Committee and the applicable Members of the Senate  
18 and Assembly who represent the district in which the  
19 properties are located, under any of the following  
20 circumstances:

21 (A) To sell or convey small portions of state property,  
22 not to exceed five acres, to a local governmental agency  
23 for the purpose of utility rights-of-way, drainage ditches,  
24 road widening, including, but not limited to, curbs,



1 gutters, sidewalks, and small parking lots, and other  
2 public improvements.

3 (B) To sell private property with a fair market value  
4 of up to one million dollars (\$1,000,000) received by the  
5 state through the office of the Attorney General or  
6 another state agency as the result of a foreclosure, seizure,  
7 or court action.

8 (C) To sell, convey, or exchange state property that is  
9 being encroached on by an adjacent landowner, where  
10 the adjacent landowner and both the state agency with  
11 control or jurisdiction over the property concerned and  
12 the Attorney General agree that the best manner in  
13 which to resolve the matter is through a sale of the  
14 property or for an exchange of property of equal value.

15 (D) To sell, convey, or exchange any parcel of state  
16 property not needed by any state agency with a fair  
17 market value of less than twenty-five thousand dollars  
18 (\$25,000).

19 (2) Any parcel described in subparagraph (B) or (D)  
20 shall be disposed of in the identical manner as state  
21 property disposed of pursuant to Section 11011.

22 (3) All funds received by the state pursuant to this  
23 subdivision shall be handled in the identical manner as  
24 funds received from state property disposed of pursuant  
25 to Section 11011.

26 *(c) The Department of General Services shall notify*  
27 *and offer first refusal to school districts of the sale of*  
28 *equipment at the lowest price it is offered.*

29 SEC. 2. Section 2 of Chapter 625 of the Statutes of  
30 1991, as amended by Chapter 784 of the Statutes of 1997,  
31 is amended to read:

32 Sec. 2. The Director of General Services, with the  
33 approval of the State Public Works Board, may sell,  
34 exchange, or lease for current market value or for any  
35 lesser consideration authorized by law and upon terms  
36 and conditions and subject to reservations and exceptions  
37 that the director determines are in the best interest of the  
38 state, all or any part of the following real property:



1 Parcel 1. Approximately 0.95 acre, with a structure  
2 used as a field office by the California Highway Patrol at  
3 25111 The Old Road, Newhall, Los Angeles County.

4 Parcel 2. Approximately 0.92 acre, with a structure  
5 used as a field office by the California Highway Patrol at  
6 60 North Highland Springs Avenue, Banning, Riverside  
7 County.

8 Parcel 4. Approximately 1.08 acres, with a structure  
9 used as a field office by the California Highway Patrol at  
10 11050 13th Avenue, Hanford, Kings County.

11 Parcel 5. Approximately 0.95 acre, with a structure  
12 used as a field office by the California Highway Patrol at  
13 79-500 Varner Road, Indio, Riverside County.

14 Parcel 6. Approximately 1.92 acres, with a structure  
15 used as a field office by the California Highway Patrol at  
16 1800 East Childs Avenue, Merced, Merced County.

17 Parcel 7. Approximately 0.73 acre, with a structure  
18 used as a field office by the California Highway Patrol at  
19 Navahoe Road at Highway 50, Meyers, South Lake Tahoe,  
20 El Dorado County.

21 Parcel 10. Approximately 0.94 acre, with a structure  
22 used as a field office by the California Highway Patrol at  
23 19055 Portola Drive, Salinas, Monterey County.

24 Parcel 12. Approximately 1.1 acres, with a structure  
25 used by the Department of Motor Vehicles, located at 222  
26 Harding Boulevard, Roseville, Placer County.

27 Parcel 13. Approximately 1.3 acres, with a structure  
28 used by the Department of Motor Vehicles, located at 615  
29 Locust Street, Redding, Shasta County.

30 SEC. 3. Section 1 of Chapter 648 of the Statutes of  
31 1992, as amended by Chapter 193 of the Statutes of 1996,  
32 is amended to read:

33 Section 1. The Director of General Services, with the  
34 approval of the State Public Works Board, may sell,  
35 exchange, convey, or lease for current market value or for  
36 any lesser consideration authorized by law and upon  
37 terms and conditions and subject to reservations and  
38 exceptions that the director determines are in the best  
39 interest of the state, all or any part of the following real  
40 property:



1 Parcel 2. A strip of land approximately 8 feet wide and  
2 411.9 feet long bordering Ramona Ave, in the City of  
3 Sacramento, County of Sacramento.

4 SEC. 4. Section 1 of Chapter 317 of the Statutes of 1993  
5 is amended to read:

6 Section 1. The Director of General Services, with the  
7 approval of the State Public Works Board, may sell,  
8 exchange, or lease for current market value or for any  
9 lesser consideration authorized by law and upon terms  
10 and conditions and subject to reservations and exceptions  
11 that the director determines are in the best interest of the  
12 state, all or any part of the following real property:

13 Parcel 3. Approximately 0.96 acre, with a structure  
14 used by the Employment Development Department, at  
15 233 E. Commonwealth Avenue, Fullerton, Orange  
16 County.

17 Parcel 5. Approximately 1.68 acres of land, formerly  
18 the site of a field office of the Department of Motor  
19 Vehicles that was destroyed by fire in April of 1992,  
20 located at 2627 Pacific Avenue, Long Beach, Los Angeles  
21 County.

22 SEC. 5. Section 1 of Chapter 391 of the Statutes of 1994  
23 is amended to read:

24 Section 1. The Director of General Services, with the  
25 approval of the State Public Works Board, may sell,  
26 exchange, lease, or transfer for current market value or  
27 for any lesser consideration authorized by law and upon  
28 terms and conditions and subject to reservations and  
29 exceptions that the director determines are in the best  
30 interest of the state, all or any part of the following real  
31 property:

32 Parcel 1. Approximately 0.45 acre, with a structure  
33 used by the State Board of Equalization, located at 233  
34 North Second Street, Covina, Los Angeles County.

35 Parcel 2. Approximately 0.53 acre of vacant land  
36 adjacent to the California Highway Patrol office, located  
37 at 430 South Broadway, Blythe, Riverside County.

38 Parcel 4. Approximately 0.57 acre, with a structure  
39 used by the Employment Development Department,



1 located at 1640 West “F” Street, Oakdale, Stanislaus  
2 County.

3 Parcel 5. Approximately 1.84 acres of unimproved  
4 land adjacent to the Employment Development  
5 Department office, located at 2348 Baldwin Avenue,  
6 Oroville, Butte County.

7 Parcel 6. Approximately 3.17 acres of improved land,  
8 being a portion of the California State Prison at Folsom,  
9 Sacramento County.

10 SEC. 6. The Director of General Services may sell,  
11 exchange, lease, or transfer for current market value or  
12 for any lesser consideration authorized by law and upon  
13 terms and conditions and subject to reservations and  
14 exceptions that the director determines are in the best  
15 interest of the state, all or any part of the following real  
16 property:

17 Parcel 1. Approximately 1.47 acres improved with a  
18 single story office building used by the Employment  
19 Development Department, located at 1204 E Street,  
20 Marysville, Yuba County.

21 Parcel 2. Approximately 1.58 acres improved with a  
22 single story office building used by the Employment  
23 Development Department, located at 343 22nd Street,  
24 Richmond, Contra Costa County.

25 SEC. 7. The Director of General Services may sell to  
26 the County of Amador for current market value and upon  
27 terms and conditions and subject to reservations and  
28 exceptions that the director determines are in the best  
29 interest of the state the following described real property:  
30 approximately 0.54 acre of vacant land encumbered with  
31 a parking lot easement to the benefit of Amador County  
32 being a portion of the Department of Forestry and Fire  
33 Protection’s Sutter Hill Forest Fire Station located one  
34 mile south of Sutter Creek on Highway 49 in Amador  
35 County.

36 SEC. 8. The Director of General Services may sell or  
37 exchange for a 1.0 acre parcel of land containing  
38 communications facilities, currently leased to the  
39 Department of Forestry and Fire Protection through the  
40 year 2012, upon terms and conditions and subject to



1 reservations and exceptions that the director determines  
2 are in the best interest of the state, the following  
3 described real property: approximately 1.31 acres  
4 improved with a Department of Forestry and Fire  
5 Protection lookout tower and miscellaneous  
6 improvements located at Call Mountain, San Benito  
7 County. Any sale or exchange shall be based on the fair  
8 market value of the state-owned parcel.

9 SEC. 9. The Director of General Services, with the  
10 approval of the Department of the Military and the State  
11 Public Works Board, may convey to the Roman Catholic  
12 Bishop, Sacramento a corporation sole/St. Francis High  
13 School, the real property located at 1013 58th Street in the  
14 City of Sacramento, known as the 58th Street Armory,  
15 comprising approximately six acres. Consideration for  
16 exchange of the real property shall be a replacement  
17 facility of size and quality specified by the Department of  
18 the Military constructed to National Guard bureau  
19 criteria on other state or federal lands available to the  
20 Department of the Military and cash as necessary to  
21 equalize the transaction and reimburse the Department  
22 of General Services for its costs. In the event that the costs  
23 of design, appraisals, state administrative costs, and  
24 construction exceed the value of the 58th Street Armory,  
25 the Roman Catholic Bishop, Sacramento a corporation  
26 sole/St. Francis High School, shall be obligated to pay the  
27 costs, and the state shall have no obligation and shall not  
28 pay for any costs associated with the replacement facility.  
29 The exchange agreement shall be under terms and  
30 conditions that the Director of General Services  
31 determines to be in the best interest of the state. The  
32 exchange agreement shall not be effective until the  
33 improvements are certified by the state for occupancy,  
34 which shall not exceed three years from the date of the  
35 exchange agreement; however, this period may be  
36 extended in the event of damage, destruction, or acts of  
37 God.

38 SEC. 10. The Director of Parks and Recreation, with  
39 the approval of the Director of General Services, may  
40 exchange real property of approximately 10 acres at



1 California Citrus State Historic Park in Riverside,  
2 Riverside County, with the City of Riverside for real  
3 property of equal value, on the terms and conditions and  
4 subject to the reservations and exceptions that may be in  
5 the best interest of the state.

6 SEC. 11. (a) Notices of every public sale shall be  
7 posted on the property to be sold pursuant to Sections 6  
8 to 8, inclusive, of this act and shall be published in a  
9 newspaper of general circulation published in the county  
10 in which the real property to be sold is situated.

11 (b) Any sale, exchange, lease, or transfer of the parcels  
12 described in Sections 6 to 8, inclusive, of this act is exempt  
13 from Chapter 3 (commencing with Section 21100) to  
14 Chapter 6 (commencing with Section 21165), inclusive,  
15 of Division 13 of the Public Resources Code.

16 SEC. 12. (a) The Department of General Services  
17 shall be reimbursed for any cost or expense incurred in  
18 the disposition of any parcels pursuant to Sections 6 to 8,  
19 inclusive, of this act.

20 (b) The net proceeds of any moneys received from the  
21 disposition of any parcels pursuant to Sections 6 to 8,  
22 inclusive, of this act shall be deposited in the General  
23 Fund and be available for appropriation in accordance  
24 with Section 15863 of the Government Code, except for  
25 the net proceeds of moneys received from the disposition  
26 of Parcels 1 and 2 of Section 6 of this act, which shall be  
27 deposited in the Employment Development  
28 Department Building Fund.

29 SEC. 13. As to any property sold pursuant to Sections  
30 6 to 8, inclusive, of this act consisting of 15 acres or less, the  
31 Director of General Services shall except and reserve to  
32 the state all mineral deposits, as described in Section 6407  
33 of the Public Resources Code, below a depth of 500 feet,  
34 without surface rights of entry. As to property sold  
35 pursuant to Sections 6 to 8, inclusive, of this act consisting  
36 of more than 15 acres, the director shall except and  
37 reserve to the state all mineral deposits, as described in  
38 Section 6407 of the Public Resources Code, together with  
39 the right to prospect for, mine, and remove the deposits.  
40 The rights to prospect for, mine, and remove the deposits



1 shall be limited to those areas of the property conveyed  
2 that the director, after consultation with the State Lands  
3 Commission, determines to be reasonably necessary for  
4 the removal of the deposits.

5 SEC. 14. The authorization to sell, exchange, or lease  
6 the following properties is rescinded by Sections 2 to 5,  
7 inclusive, of this act, as the concerned state agencies have  
8 reported that the following properties are no longer  
9 considered surplus:

10 (a) Parcel 3 of Section 2 of Chapter 625 of the Statutes  
11 of 1991.

12 (b) Parcel 9 of Section 2 of Chapter 625 of the Statutes  
13 of 1991.

14 (c) Parcel 1 of Section 1 of Chapter 648 of the Statutes  
15 of 1992.

16 (d) Parcel 3 of Section 1 of Chapter 648 of the Statutes  
17 of 1992.

18 (e) Parcel 1 of Section 1 of Chapter 317 of the Statutes  
19 of 1993.

20 (f) Parcel 4 of Section 1 of Chapter 317 of the Statutes  
21 of 1993.

22 (g) Parcel 3 of Section 1 of Chapter 391 of the Statutes  
23 of 1994.

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