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AB-1057 Armories: sales: San Diego Armory. (2017-2018)

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Assembly Bill No. 1057

CHAPTER 147

An act relating to armories.

[Approved by Governor July 31, 2017. Filed with Secretary of State July 31, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1057, Weber. Armories: sales: San Diego Armory.

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 all proceeds from the sale or lease of armories be deposited into the fund, for use, upon appropriation by the Legislature, for specified purposes related to armories.

This bill would require the Director of General Services, with the approval of the Adjutant General, to offer an option to purchase a portion of the Military Department's San Diego Armory, as specified, to the San Diego Center for Children, a nonprofit organization. The bill would, if the Department of General Services and the San Diego Center for Children do not reach and complete an agreement, as specified, authorize the sale of the armory pursuant to the above-referenced procedures.

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

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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, shall grant to the San Diego Center for Children, a nonprofit organization, an option to purchase approximately three acres located in the southwest corner of Assessor Parcel Number 427-020-07 in San Diego County, California, being a portion of the Military Department's San Diego Armory, located at 7401 Mesa College Drive in San Diego.

(b) Any purchase agreement pursuant to subdivision (a) shall include terms and conditions determined by the Director of General Services to be in the best interest of the state based on the fair market value of the property as determined by an appraisal undertaken and approved by the Director of General Services. The agreement shall be executed by the organization within 60 days after the Director of General Services determines the organization is to receive the property. The sale of the property to the organization pursuant to this section shall be completed, and title transferred, within 60 days of the date the Department of General Services executes the sales agreement, or, if required by law, no later than 60 days after the State Public Works Board has authorized the sale.

(c) As to a property sold pursuant to this section, the Director of General Services shall except and reserve to the state all mineral deposits, as described in Section 6407 of the Public Resources Code, together with the right to prospect for, mine, and remove the deposits. If, however, the Director of General Services determines that there is little or no potential for mineral deposits, the reservation may be without surface right of entry above a depth of 500 feet, or the rights to prospect for, mine, and remove the deposits shall be limited to those areas of the armory conveyed that the director determines to be reasonably necessary for the removal of the deposits.

(d) If an agreement is not reached as provided in subdivision (a) or completed pursuant to the timeframes in subdivision (b), the Director of General Services, with the approval of the Adjutant General, may sell the property pursuant to Section 435 of the Military and Veterans Code.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the specific location of the armory property in the County of San Diego.