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SB-20 Surplus state property: Napa County Regional Park and Open Space District. (2019-2020)

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Date Published: 09/07/2019 04:00 AM

Senate Bill No. 20

CHAPTER 240

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

[Approved by Governor September 05, 2019. Filed with Secretary of State September 05, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 20, Dodd. Surplus state property: Napa County Regional Park and Open Space District.

(1) Existing law authorizes the Director of General Services, by January 1, 2015, to sell or exchange, at fair market value based upon an appraisal approved by the Department of General Services, all or part of a specified parcel of state property only to the County of Napa upon those terms, conditions, reservations, and exceptions the director determines are in the best interest of the state, and subject to other requirements. Existing law requires 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.

This bill would apply the authorization described above to the Napa County Regional Park and Open Space District and the County of Napa, and would extend the period within which the sale or exchange may be made to January 1, 2026.

(2) The California Constitution requires 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, the final payment of which was made in the 2015–16 fiscal year, after which these proceeds are required to be deposited into the Special Fund for Economic Uncertainties, a continuously appropriated fund.

By increasing the amount transferred into the Special Fund for Economic Uncertainties, a continuously appropriated fund, this bill would make an appropriation. This bill would make clarifying changes to this effect.

(3) This bill would make legislative findings and declarations as to the necessity of a special statute for Napa County and the Napa County Regional Park and Open Space District.

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 11011.24 of the Government Code is amended to read:

11011.24. (a) Except as provided in subdivisions (b) and (c), the Director of General Services may sell or exchange, pursuant to Section 11011.1, at fair market value based upon an appraisal approved by the Department of General Services, only to the County of Napa or the Napa County Regional Park and Open Space District, upon those terms and conditions and subject to

those reservations and exceptions the director determines are in the best interests of the state, all or any part of the following real property, by January 1, 2026, after which date, if not sold or exchanged to the County of Napa or the Napa County Regional Park and Open Space District, the property is no longer surplus and shall not be available for sale or exchange:

Approximately 850 acres of property, currently leased to or controlled by the County of Napa as part of Skyline Wilderness Park, located at the Napa State Hospital, 2100 Napa Vallejo Highway, Napa, in the County of Napa.

(b) An agreement for the sale or exchange of the property identified in, and pursuant to, subdivision (a), shall require the County of Napa or the Napa County Regional Park and Open Space District to retain title to the entire property sold or exchanged for use as a park or wilderness preserve, or in the event of the future sale or exchange of that property by the County of Napa or Napa County Regional Park and Open Space District, shall require the County of Napa or the Napa County Regional Park and Open Space District, by recorded easement, to limit future uses of the property to a park or wilderness preserve.

(c) An agreement for the sale or exchange of the property identified in, and pursuant to, subdivision (a), shall preserve Napa State Hospital's ownership and use of the property known as Camp Coombs, and Camp Coombs shall not be part of the sale or exchange of the property. An agreement for the sale or exchange of the property shall include an easement, that shall be recorded, that provides Napa State Hospital with access to Camp Coombs.

(d) The Department of General Services shall be reimbursed for any cost or expense incurred in the disposition of the property described in subdivision (a) from the proceeds of the disposition. The net proceeds of any moneys received from the disposition of the property shall be paid into the Special Fund for Economic Uncertainties, as established by Section 16418.

(e) The County of Napa or the Napa County Regional Park and Open Space District may enter into an agreement with a nonprofit land trust or nonprofit conservation entity for the purpose of sharing the costs associated with making the sale or exchange authorized by this section, provided that all the requirements of this section, including, but not limited to, those of subdivision (b), are met.

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 unique circumstances applicable to the County of Napa and Napa County Regional Park and Open Space District.