

RESOLUTION NO. 6402(21)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California,
Declaring Certain Public Property as Exempt Surplus Land,
Pursuant to Government Code Section 54220, *et seq.* and
Authorizing the Transfer of Ownership to that Property to the
Lompoc Cemetery District**

WHEREAS, under the Surplus Land Act, Government Code section 54220, *et seq.* (Act), surplus real property is defined as “land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use;” and

WHEREAS, Government Code subdivision 54221(f)(1)(D) of the Act designates certain surplus property as “exempt” from the provisions of the Act; and

WHEREAS, the Act authorizes the City of Lompoc (City) to sell surplus real properties in the manner proposed therein; and

WHEREAS, because that certain approximately 7.64-acre portion of real property (Property), described and shown on Exhibit A, which by this reference is incorporated herein, is no longer needed by the City, the City Council has determined it is in the best interest of the City to transfer the Property to the Lompoc Cemetery District, a local public agency (District); and

WHEREAS, the Property is not (i) within a coastal zone, (ii) adjacent to a historical unit of the State Parks System, (iii) listed on, or determined by the State Office of Historic Preservation to be eligible for, the National Register of Historic Places or (iv) within the Lake Tahoe region as defined in Government Code section 66905.5; and

WHEREAS, pursuant to Government Code section 38501 *et seq.*, at the same meeting this Resolution was adopted, the City Council also is adopting Resolution No. 6403(21), by which it will be abandoning the use of the Property as a park; and

WHEREAS, there is no present or contemplated use of the Property that would preclude the City from declaring the Property as surplus to the needs of the City; and

WHEREAS, pursuant to Government Code section 65402, the Planning Commission has reviewed the possible transfer of the Property to the District and determined it conforms to the City’s General Plan, as set forth in Planning Commission Resolution No. 946 (21); and

WHEREAS, transferring ownership to the District serves the public purposes of (i) extending availability of the cemetery owned and operated by the District, (ii) financially benefitting the City due to additional funeral home, florist, catering/restaurant and gas

sales businesses and resulting increases in sales and business taxes, plus utility payments from the District, as well as transient occupancy taxes from those attending funerals and visiting their loved-ones' grave sites, (iii) adding to the City's job base and retaining jobs within the City and (iv) the District is paying the City's legal costs, up to \$5,000 for processing this transaction; and

WHEREAS, the City now desires to declare the Property as exempt surplus and authorize the transfer of it to the District for the payment of \$1.00.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The recitals above are true and correct.

SECTION 2. Based on the above recitals, the City Council finds and declares (i) the Property is surplus because it is not necessary for the City's use, (ii) it is exempt surplus property, pursuant to Government Code subdivision 54221(f)(1)(D), (iii) the noticing requirements of Government Code subdivision 54221(f)(2) are not applicable and (iv) other related provisions of the Act are not applicable, pursuant to Government Code section 54222.3.

SECTION 3. The City Council hereby authorizes and directs the City Manager or designee to take all steps necessary to transfer ownership of the Property to the District for \$1.00 and further conditioned on the District agreeing to pay the City's legal costs, up to \$5,000, for processing the sale of the Property.

SECTION 4. The transfer of the Property is found to be exempt from the California Environmental Quality Act pursuant to 14 California Code of Regulation, section 15312.

SECTION 5. This Resolution is effective upon its adoption.

The foregoing Resolution was proposed by Council Member _____, seconded by Council Member _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on May 4, 2021, by the following vote:

AYES: Council Member(s):
NOES: Council Member(s):
ABSENT: Council Member(s):

Jenelle Osborne, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc

**Exhibit A
to
Resolution No. 6402(21)**

Property Description and Location

(Attached Directly Behind this Page)