

RESOLUTION NO. 6403(21)

**A Resolution of the City Council of the City of Lompoc,
County of Santa Barbara, State of California
Making Certain Findings and Deciding to Abandon
Approximately 7.64 acres of an Unused Portion of Beattie
Park, Pursuant to Government Code Section 38501 *et seq.*, and
Authoring the Transfer to the Lompoc Cemetery District
Ownership of that Abandoned Portion of Beattie Park**

WHEREAS, pursuant to Government Code section 38501, *et seq.*, abandonment of a unused portion of Beattie Park was initiated by the City Council of the City of Lompoc through Resolution No. 6390(21) adopted on March 16, 2021; and

WHEREAS, the land being abandoned (Property) consists of an approximately 7.64-acre, unused portion of Beattie Park (Park), which is owned by the City and is described and shown in Exhibit A, attached hereto; and

WHEREAS, at a public hearing held on May 4, 2021, the City Council heard **[no objections to/and overruled all objections against]** the abandonment of the Property as part of the Park; and

WHEREAS, the Property is currently unimproved and is unused by Park users due to its topography and lack of access; and

WHEREAS, the portion of the Park, in which the Property is a part, was dedicated to the City in 1975 by Johns Manville Products Corporation at no cost to the City; and

WHEREAS, even though (i) the Property was intended to be used for recreational/park purposes, (ii) included in a Master Plan for the entirety of Beattie Park (approximately 50 acres), which was approved in 1976 by Resolution No. 2549(76), and (iii) a final environmental impact report, which analyzed the potential significant environmental impact that may result from that Master Plan, was certified by that Resolution, the Property was never used as a public park, no park improvements were made on the Property, and no money was ever spent by the City in upgrading the Property to be used for park purposes; and

WHEREAS, through Resolution No. XXX(21) the Planning Commission reported the transfer of the Property to the Lompoc Cemetery District (District) is in conformance with the Lompoc General Plan.

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 all the foregoing and information provided and heard at previous meetings of the City Council, the City Council finds:

- The Property has not been used by the public for park purposes.
- No public funds have been expended to improve the Property as a park.
- No consideration has been paid for the Property.
- The Property is not appropriate, convenient, or necessary for park purposes.

SECTION 3. The City Council hereby determines it is in the public interest to abandon the Property for use as a portion of the Park.

SECTION 4. The City Council hereby also determines a public purpose is served by the transfer of the Property to the District for less than its market value due to other public benefits, including, but not limited to:

- Extending availability of the cemetery owned and operated by the District,
- 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, and
- Adding to the City's job base and retaining jobs within the City.

SECTION 5. The City Council hereby authorizes the transfer of ownership of the Property to the District for One Dollar, conditioned on the District agreeing to pay up to \$5,000 for some of the City's costs for processing this transaction and directs the City Manager to sign all documents necessary for that transfer, after approval as to form by the City Attorney.

SECTION 6. 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: Property Description and Location

**Exhibit A
to
Resolution No. 6403(21)**

Property Description and Location

(Attached Directly Behind this Page)