

**Ordinance No. 1709(24)**

**An Ordinance of the City of Lompoc  
County of Santa Barbara, State of California,  
Discontinuing the Public Park Use of the 82-Acre Parcel  
Containing Ken Adam Park in Order to Allow Other  
Educational and Recreational Uses or Other Open Space  
Uses, or Both**

**WHEREAS**, the City of Lompoc (City) owns an approximately 82-acre parcel (APN: 095-070-008) generally located south of Hancock Drive and west of Highway 1 (the Site), which contains open space and recreational uses and the area operated as a public park named Ken Adam Park; and

**WHEREAS**, the City acquired the Site by quitclaim deed from the federal government in 1984, recorded April 26, 1985, in the records of Santa Barbara County as Document No. 1985-021446, which deed specified certain restrictions on usage of the Site. In 1999, pursuant to Section 2839 of the National Defense Authorization Act for Fiscal Year 1998, Public Law No. 105-85 (111 Stat. 1629), a Correction to Quitclaim Deed was recorded on June 8, 1999, amending the usage restrictions to read:

“The exact acreage and legal description of any property conveyed shall be used by Grantee

- a) for educational and recreational purposes;
- b) for open space, or;
- c) for the purposes described in subparagraphs (a) and (b)”; and

**WHEREAS**, the City has considered use of the Site for other educational and recreational purposes, or open space purposes, or both, other than the uses that currently exist on the Site and other than a public park, and the City is open to, and wishes to facilitate, exploring such other uses for the Site in the future; and

**WHEREAS**, for example, in July 2019, the City entered into a Memorandum of Understanding with Pale Blue Dot Ventures, Inc. (Pale Blue Dot) to undertake negotiations for a possible sale and development of the Site for a potential space-themed educational and recreational development; and

**WHEREAS**, no entitlement applications have been filed with the City for any such other uses, and the City has not solidified any plans for use of the site for other educational and recreational, or open space, purposes; and

**WHEREAS**, the City wishes to further facilitate exploration of use, development, and/or sale of the Site for other educational and recreational purposes, or other open space purposes, or both, including a possible sale to Pale Blue Dot for development of a space-themed educational and recreational development; and

**WHEREAS**, in order for any non-public-park uses to be established on the Site, the voters of the City must approve the discontinuance of the public park use at an election; and

**WHEREAS**, state law (Government Code section 38440 et seq) establishes a procedure, by which the City Council submits the question to the City's electors following notice and an opportunity for public protest and hearing; and

**WHEREAS**, on May 21, 2024, the City Council conducted a duly noticed protest hearing pursuant to Government Code section 38449 and overruled all protests pursuant to Government Code 38450; and

**WHEREAS**, voter approval of discontinuing the public park use of the Site does not require the City to cease operating the Site as a public park, or to approve or establish any other uses on the Site, or to sell or dispose of the Site, but rather allows for the possibility of non-public-park uses to be considered for the Site. Decisions whether to change the use of the Site, approve entitlements for any proposed use on the Site, to change the zoning of the Site, and/or to sell or dispose of the Site will remain solely within the discretion of the City Council even if the park use designation is removed from the Site.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF LOMPOC, CALIFORNIA, DO ORDAIN AS FOLLOWS:**

**SECTION 1.** The foregoing recitals are true and correct and are hereby incorporated and made an operative part of this Ordinance.

**SECTION 2.** This Ordinance shall be known and may be cited as the "Ken Adam Park Measure".

**SECTION 3.** The public park use of the approximately 82-acre parcel (APN: 095-070-008) generally located south of Hancock Drive and west of Highway 1 is hereby discontinued and abandoned, pursuant to Government Code section 38440 et seq.

**SECTION 4.** The City of Lompoc hereby holds the Site in fee, and at any time may sell, lease, or otherwise transfer its interest in the Site to any entity for any purpose not prohibited by law.

**SECTION 5.** If a majority of the voters of the City of Lompoc voting at the general municipal election held on November 5, 2024, vote in favor of this Ordinance, then this Ordinance shall become a valid and binding ordinance of the City of Lompoc, and shall be considered as adopted upon the date the vote is declared by the City Council of the City of Lompoc, and this Ordinance shall go into effect 10 days after that date, pursuant to Elections Code section 9217.

**SECTION 6.** The City Council may not amend or repeal any provisions of this Ordinance unless it is submitted to, and approved by, a majority of the voters of the City of Lompoc. However, the City Council may make other changes to this Ordinance provided the changes further the purposes of the Ordinance via a majority vote of the City Council in favor of such changes.

**SECTION 7.** If any provision of this Ordinance, or any section, phrase, or word thereof, or the applicability of any provision, section, part, phrase, or word to any person or circumstances, is for any reason held to be invalid or unconstitutional, the remaining provisions, sections, parts, phrases, or words shall not be affected, but shall remain in full force and effect, and to this end the provisions, sections, parts, phrases, and words of this Ordinance are severable.

**SECTION 8.** If this Ordinance is approved by the voters and thereafter challenged in court, and any person defends the Ordinance's validity and/or implementation in any court of law, whether acting in a personal capacity or as an agent of the People of the City of Lompoc, the City of Lompoc shall not indemnify any such person for any expenses or any losses incurred by such person in defending the validity and/or implementation of the challenged Ordinance.

**SECTION 9.** The abandonment and discontinuance of the Site constitutes a municipal affair.

**SECTION 10.** This Ordinance shall be liberally construed to effectuate its purposes.

**SECTION 11.** The Mayor of the City of Lompoc is hereby authorized and ordered to attest to the adoption of the Ordinance by the voters of the City of Lompoc by signing where indicated below.

I hereby certify the foregoing Ordinance was PASSED, APPROVED and ADOPTED by the People of the City of Lompoc, California voting on November 5, 2024.

\_\_\_\_\_  
Jenelle Osborne, Mayor

ATTEST:

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Stacey Haddon, City Clerk