

## **City Attorney's Impartial Analysis of Measure R**

In order for any city-owned land operated as a public park to be sold and/or considered for a new, non-public park use, state law requires voter approval of discontinuance of the public park use.

Measure R concerns an approximately 82-acre parcel owned by the City of Lompoc (APN 095-070-008) generally located south of Hancock Drive and west of Highway 1 (the Property), which contains open space and the area operated as a public city park named Ken Adam Park.

Federal use restrictions are recorded on the Property and limit the use of the Property to educational and recreational purposes, or open space, or both.

Measure R would discontinue and abandon the public park use of the Property, to allow the Property to be sold, or used, for other purposes that are consistent with the current federal use restrictions. The Measure states that one proposed use for the Property is the construction of a modern-day space-themed educational center.

Measure R does not require the City to cease operating the Property as a public park, nor to approve or establish any other uses on the Property, nor to sell or dispose of the Property. Rather, Measure R would enable the City to approve non-public-park uses, such as a space-themed educational center, on the Property, and would allow the City to sell the Property for those uses.

If Measure R fails, non-public-park uses cannot be established on the Property, and the Property cannot be sold.

The federal use restrictions will remain in place and continue to limit use of the Property to educational and recreational purposes, or open space uses, or both. Non-public-park uses allowed by Measure R would need to be consistent with the federal use restrictions.

If Measure R is approved by the voters, and subsequently there is a court challenge to the validity or implementation of the Measure, and the City does not defend the Measure in court, then the Measure's proponents would be entitled to defend the Measure in court. The Measure provides that the City of Lompoc must indemnify the proponents for reasonable expenses and any losses incurred by the proponents in defending the validity and/or implementation of the Measure. On July 2, 2024, the City of Lompoc entered into an agreement that requires Pale Blue Dot Ventures, Inc. to reimburse the City for any such expenses and losses.

Measure R was placed on the ballot by a petition signed by the requisite number of voters. Measure R will take effect if approved by a majority of voters at the November 5, 2024 election.

s/ Jeff Malawy  
City Attorney  
City of Lompoc

**The above statement is an impartial analysis of Measure R. If you desire a copy of the measure, please call the Lompoc City Clerk's Office at (805) 875-8241 and a copy will be mailed at no cost to you.**

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