

EXHIBIT A

FIRST AMENDMENT
TO MEMORANDUM OF AGREEMENT WITH NOYO CENTER FOR MARINE SCIENCE.

THIS FIRST AMENDMENT is made and entered into this 27th day of June 2017, by and between the CITY OF FORT BRAGG, hereinafter referred to as "City," the Municipal Improvement District No. 1, hereinafter referred to as "District" and the Noyo Center for Marine Science, hereinafter referred to as "Noyo Center."

WHEREAS, the City, District and Noyo Center entered into a Memorandum of Agreement ("Agreement") on December 14, 2015; and

WHEREAS, on November 8, 2016, the voters of Fort Bragg approved Measures AA and AB; and

WHEREAS, Measure AA increases the Transient Occupancy Tax from 10% to 12% effective April 1, 2017; and

WHEREAS, the voters also approved a non-binding advisory measure, Measure AB, which advises the City Council to use one-eighth of the revenues from Measure AA to support "establishment of the Noyo Center for Marine Science as a premier visitor attraction;" and

WHEREAS, the City budget for Fiscal Year 2017/18 appropriates Measure AA funds designated for Noyo Center in the amount of \$54,257; and

WHEREAS, the Noyo Center has requested that it receive the appropriated Measure AA funds and accompanying reporting on a quarterly basis; and

WHEREAS, City, District and Noyo Center desire to amend the Agreement to establish terms for the disbursement of Measure AA funds from the City to the Noyo Center;

NOW, THEREFORE, for the aforementioned reasons, City, District and Noyo Center hereby agree that the Memorandum of Agreement dated December 14, 2015, is hereby amended as follows:

1. Paragraph 4 (Financial Issues) is hereby amended to add subsection "c" as follows:
"Measure AA Funds received by the City and appropriated by the Council for the Noyo Center. Measure AB advises that one-eighth of the revenues received through Measure AA (which increases the Transient Occupancy Tax from 10% to 12%) should be used to support establishment of the Noyo Center as a premier visitor attraction. The City will appropriate Measure AA funds to the Noyo Center on an annual basis through its budget process, with a year-end "true-up" to account for actual revenues received, and will remit the funds to the Noyo Center on a quarterly basis as determined by the City. The Noyo Center will provide a mid-year and an annual report to the City Council that identifies progress towards its goals and a financial overview of the organization."

IN WITNESS WHEREOF, the parties have executed this Amendment the day and year first above written.

CITY OF FORT BRAGG:

NOYO CENTER FOR MARINE SCIENCE:

By: _____

**Linda Ruffing
City Manager**

By: _____

**Sheila Semans
Executive Director**

ATTEST:

APPROVED AS TO FORM:

**June Lemos, CMC
City Clerk**

**Samantha W. Zutler
City Attorney**