



**AGENCY:** City Council  
**MEETING DATE:** January 22, 2018  
**DEPARTMENT:** Administration  
**PRESENTED BY:** L. Ruffing  
**EMAIL ADDRESS:** LRuffing@fortbragg.com

## AGENDA ITEM SUMMARY

**TITLE:**

**RECEIVE REPORT AND RECOMMENDATION FROM FINANCE & ADMINISTRATION COMMITTEE AND PROVIDE DIRECTION TO STAFF REGARDING TRANSFER OF 11.6-ACRE NOYO CENTER PARCEL TO NOYO CENTER FOR MARINE SCIENCE NON-PROFIT ORGANIZATION**

**ISSUE:**

The Noyo Center for Marine Science non-profit organization has requested that the City transfer ownership of the Noyo Center property to the non-profit. A letter from Noyo Center Board President Peter O'Donohue (Attachment 1) cites the following reasons for requesting transfer of title at this time:

1. The Noyo Center would like to begin restoration of the property and they will be more competitive in obtaining grant funding if they own the property.
2. They would like to build a spur trail on the property for public use and begin using the property for Noyo Center events.
3. They have begun cultivating larger donors in preparation for launching a capital campaign to build the Noyo Center for Marine Science facility. Ownership of the property will enhance their fundraising efforts.
4. They plan to get school children and community volunteers involved in native plant restoration and ongoing monitoring on the property.

The City Council's Finance & Administration Committee considered this matter at a meeting on January 8, 2018. After hearing from Noyo Center representatives that property ownership will greatly assist the organization in its efforts to secure foundation and private donor funding for development of the Noyo Center for Marine Science facility, the Committee recommended that the City proceed with the property transfer at this time. The Committee also recommended that the transaction include minor modifications to the parcel boundary as proposed by staff and that a 10-year "reversionary" clause be established whereby title to the parcel could revert to the City if the Noyo Center for Marine Science facility has not been developed. This recommendation is brought forward for consideration by the full Council and direction to staff.

**ANALYSIS:**

Since 2003, the Fort Bragg City Council has pursued a visionary economic development initiative to establish a marine science and education facility as a cornerstone of future development on the former Georgia-Pacific mill site property. The City obtained a number of economic development grants that funded preparation of a feasibility study, a strategic planning process, and a Detailed Project Program for the Noyo Center for Marine Science. The City also obtained a Sustainable Communities Grant in 2010 for preparation of conceptual site plans for the Noyo Center facility.

Over time, the City helped to "spin off" the Noyo Center for Marine Science to an independent non-profit organization. In 2014, the Noyo Center non-profit was formed as a public benefit corporation and in early 2015, the IRS recognized its non-profit status.

The 11.64-acre Noyo Center parcel was purchased by the City of Fort Bragg in March 2011 with a grant from the State Coastal Conservancy. The grant was awarded to the City and the Fort Bragg Redevelopment Agency and required repayment by the Redevelopment Agency. The purpose of the grant was to acquire the property in order “to develop, construct and operate” the Noyo Center for Marine Science. The Coastal Conservancy holds an “Irrevocable Offer to Dedicate Title in Fee and Declaration of Restrictive Covenants” (OTD) that imposes use restrictions on the parcel and requires Conservancy approval before the property is transferred. The Coastal Conservancy has submitted a letter to the City expressing its “strong support” for the proposed property transfer (Attachment 2). The Conservancy letter of support includes the following statement explaining why the timing of the transfer is appropriate:

“[...] We have been informed by the Noyo Center that it is immediately in a position to move forward with several activities, including restoration of the open space areas of the property and using the restoration process as an educational opportunity for the local community. On completion of the restoration of the site, the Noyo Center expects to develop a public access trail. In addition, the Noyo Center is ready to initiate fundraising for the anticipated construction of the Noyo Center for Marine Science building.”

As part of the transaction, staff recommended that some minor property line adjustments be made between the Noyo Center parcel and the Noyo Headlands Park property so that the road to the Wastewater Treatment Facility and a sliver of land to the north of it becomes part of the Noyo Headlands Park parcel and an equivalent amount of acreage between the runway and the Noyo Center parcel be transferred from the Park to the Noyo Center parcel. Attachment 3 shows the existing parcel map. Attachment 4 shows the proposed boundary adjustment superimposed on an aerial photo of the property. The Finance & Administration Committee concurred with this recommendation.

Staff further recommended, and the Finance & Administration Committee agreed, that the Property Transfer Agreement include a “reversionary clause” whereby the property title could revert back to the City if the Noyo Center for Marine Science facility is not constructed. A ten-year time frame is recommended by the Committee.

**RECOMMENDED ACTION:**

The recommendation of the Finance & Administration Committee is that the Council direct staff to proceed with the transfer of the Noyo Center parcel to the Noyo Center for Marine Science non-profit organization with minor changes to the parcel boundaries and with a “reversionary clause” whereby the property could revert back to City ownership in ten years if the Noyo Center for Marine Science facility has not been established.

**ALTERNATIVE ACTION(S):**

No action. Ownership of the property would remain with the City of Fort Bragg.

**FISCAL IMPACT:**

There is no fiscal impact associated with this action.

**CONSISTENCY:**

Strategy 1.6 of the City’s 2014 Economic Development Strategy is “Develop the Noyo Center for Science and Education.” This action would support development of the Noyo Center facility as ownership of the property by the non-profit will help them leverage foundation and private donor funding in their capital campaign.

**IMPLEMENTATION/TIMEFRAMES:**

If the Council provides direction that the property should be transferred, a metes and bounds description for the new property boundaries will be prepared. The State Coastal Conservancy will then need to sign off on the transfer. The Executive Officer of the Conservancy has submitted a letter (Attachment 2), indicating the Conservancy's strong support for the transfer of the parcel to the Noyo Center for Marine Science non-profit organization. A Property Transfer Agreement will be prepared for the City Council's review and approval. This work can be completed within the next 2-3 months.

**ATTACHMENTS:**

1. Letter from Noyo Center Board President Peter O'Donohue
2. Coastal Conservancy Letter of Support
3. Noyo Center Parcel Map
4. Noyo Center Boundary Adjustment – proposed

**NOTIFICATION:**

Pete O'Donohue, President, Noyo Center Board of Directors  
Sheila Semans, Executive Director, Noyo Center