



February 19, 2018

Noyo Food Forest will like to address the article published in the Fort Bragg Advocate News "District declares properties surplus," re: the continued ability of our garden to remain at 300-A Dana Street, Fort Bragg.

Fort Bragg Unified School District is the owner of the property where The Learning Garden has resided since 2006. For legal purposes FBUSD is required to designate the land as "surplus," before leasing to an organization outside of the FBUSD budget. Noyo Food Forest intends to follow the process of bidding on the property, and optimistically anticipate entering into a lease agreement with FBUSD.

Noyo Food Forest provides an invaluable environment, growing food for the Farm-to-School program, and educational space for our youth intern programs. We are grateful to the community for ongoing support and look forward to continuing our stewardship of the land.

Attachments: FBUSD Board Resolution No. 18-04, dated February 8, 2018 (public documents available at www.fbUSD.us)

FEB. 8, 2018

**BEFORE THE GOVERNING BOARD
OF THE
FT. BRAGG UNIFIED SCHOOL DISTRICT**

In the Matter of the Declaration of Intention to Lease Real Property and Publication of Notice Thereof)))))	RESOLUTION NO. 18-04
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WHEREAS, the Fort Bragg Unified School District (“**District**”) is the owner of certain real property hereinafter described which is not, and will not be needed for classroom buildings or other district purposes; and

WHEREAS, the Governing Board believes the lease of this property as a garden site will benefit the students and programs in the District; and

WHEREAS, the Governing Board believes it would be in the interest of District and its students and families to have a learning garden available to students and community;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Pursuant to Education Code sections 17455 et seq., the Governing Board intends to lease for a period not to exceed three years to the highest bidder the real property described as set forth in **Exhibit A** to this Resolution.

2. This Governing Board will meet to consider offers to lease said property on **Thursday, April 19, at 5:45 PM**, at the following location: **The John Diederich Center located at 208 Dana Street in Fort Bragg, California.**

3. Sealed bids, in writing, must be filed prior to said time with Anna Borcich at the District Office located at 312 S. Lincoln Street in Fort Bragg, California.

4. No bid will be considered that does not meet the following criteria:

- a. Rent in the amount of not less than dollars (\$1) per month with the option for a negotiable trade of services in lieu of rent.
- b. Term of one year but not more than 3 years.
- c. Use the Property for a community learning garden and reasonably related purposes;
- d. Maintain the property in such a manner that is positive to the educational goals of the district.
- e. Payment for monthly utility costs including but not limited to electricity, water, internet, and garbage.

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5. After the sealed bids have been opened and read, the Governing Board shall call for oral bids, which may be made by any responsible person present. No oral proposal shall be accepted unless it exceeds by not less than five percent (5%) the amount of the highest sealed bid. Provisional final acceptance shall not be made until the oral bid is reduced to writing and signed by the offeror.

6. Each sealed bid must be accompanied by security in the form of a certified or cashier's check, cash, or money order in the amount \$250 dollars (\$250.00), payable to the District. Oral bidders shall be prepared to tender the same security. Said security shall guarantee that the successful bidder will perform the conditions of paragraph (7) below, and upon the failure of the successful bidder to do so, said security shall be surrendered to, and become the property of, the District. Each bidder, by submission of his or her bid, thereby agrees that actual damages and expenses to the District as a result of his or her failure to enter into the lease would be extremely difficult or impossible to ascertain, and therefore that this provision for liquidated damages is necessary and reasonable under the circumstances.

7. The Governing Board reserves the right to reject all bids, and withdraw the property from lease. The Governing Board further reserves the right to delay final acceptance for ten (10) days after the date specified in Paragraph 2, and no bid may be withdrawn until after expiration of fifteen (15) days from that date, except in the discretion of the Governing Board. If the successful bidder fails to provide good security or fails to enter into the lease for any reason, within ten (10) days after the date specified in paragraph 2, the Governing Board may award the lease to the next highest bidder, and the award shall be binding upon such bidder who shall enter into the lease as provided herein.

8. Within five (5) days after acceptance of the successful bid, the successful bidder shall enter into a lease agreement subject to the terms of this Resolution and other usual and customary terms not in conflict herewith.

9. The Clerk of this Governing Board is hereby authorized and directed to give notice of this Resolution by publishing this Resolution in the **Advocate News**, a newspaper having a general circulation in the District, once a week for three successive weeks, and by posting a copy of this Resolution signed by two-thirds of this Governing Board, in three public places in the District at least fifteen (15) days prior to the date specified in paragraph 2, above.

The foregoing Resolution was adopted upon motion of _____, seconded by _____, at a regular meeting on this 8th day of February, 2018, by the following vote:

Kathy Babcock	_____
Gerald Matson	_____
Jennifer Owen	_____
Diana Paoli	_____
Sydney Smith-Tallman	_____

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AYES: _____ NOES: _____ ABSENT/NOT VOTING: _____

I hereby certify the foregoing to be a full, true, and correct resolution duly adopted by the Governing Board of the Fort Bragg Unified School District on **February 8, 2018**.

Jennifer Owen, President, Governing Board

Attest:

Rebecca Walker, Secretary, Governing Board

District declares properties surplus

Westport building, Noyo Food Forest to be sold, leased respectively

By Kelci Parks

reporter@advocate-news.com
@FBAdvocateNews on Twitter

The Fort Bragg Unified School District Board of Trustees voted unanimously Jan. 25 to declare property at Fort Bragg High School and in Westport as surplus.

Food Forest

The property now housing Noyo Food Forest, a hands-on gardening project for students at Fort Bragg High School, and the building that formerly housed the Westport School are on the district's chopping block in order to eliminate the extra costs it takes to keep them going.

The board decided to lease out the Noyo Food

Forest property rather than sell it so that the high school could use it in the future if needed. However, Principal Bruce Triplett said that as of now he sees no use for additional space at the property, which sits next to the high school.

Superintendent Becky Walker will work with the district's attorney to put the property out to bid. It's likely Noyo Food Forest will lease the property and FBUSD staff will work with them to determine the terms of the lease agreement.

"We understand that they work a lot with grants and they can be two- or three-year grants, so our lease terms may be longer than a year if needed," said Walker.

Westport building

Staff hopes to have the Westport building completely off the books by June 30, so as not to carry maintenance costs into the next fiscal year.

"We've been paying for the building for the last seven and a half years and there hasn't been a student inside it since June 2010," said Walker.

The building will go out to bid within 30 days of last week's meeting. The board said the bidding process may be extended if necessary to give people in Westport time to meet about the matter.

Right of first refusal

Now that the Westport property has been declared surplus, the Mendocino Coast Recreation and Park District, which uses the building for classes

and activities, has right of first refusal. The MCRPD may decide to take over the building from the district at little or no cost.

According to district staff, if MCRPD doesn't want the building, other public agencies would be offered right of first refusal, including the town's fire department, or water and cemetery districts.

Just the building

Complicating the matter is the fact that the school district owns the building, but not the land on which it sits, which is leased from the Westport Community Church.

The building, a portable, is 21 years old but is "in good shape," according to staff.

"It's not so bad that it couldn't be moved," said Barry Silva, director of facilities maintenance, operations and transportation.