MEMORANDUM OF UNDERSTANDING
CITY OF GREENFIELD AND GREENFIELD FIRE PROTECTION DISTRICT

THIS MEMORANDUM OF UNDERSTANDING (hereinafter "MOU") is made and entered into on November 5th, 2013, by and between the CITY OF GREENFIELD (hereinafter "City") and the GREENFIELD FIRE PROTECTION DISTRICT (hereinafter "GFPD"), as follows:

RECITALS

This MOU is entered into with reference to the following facts and circumstances:

A. The Local Agency Formation Commission (LAFCO) has conditionally approved the City's annexation of approximately 134.7 acres on which the Yanks Air Museum and related uses will be developed.

B. As related to the GFPD, prior to issuance of a Certificate of Completion that will finalize and complete the annexation, LAFCO requires: "Applicant's provision of written evidence of having reached agreement with the Chief of the Greenfield Fire Protection District as to the future implementation of the project's fire protection commitments, as previously established in the Final EIR mitigation measures and a July 2001 Memorandum of Agreement between the City of Greenfield and the developer."

C. The 1997 EIR for the annexation proposal included the following mitigation measure: "The project applicant shall coordinate with the volunteer chief of the GFPD [Greenfield Fire Protection District] and his consultant prior to completion of the preliminary design to review project plans and determine the need for mitigation to ensure adequate on-site and off-site facilities to support the proposed airstrip."

D. The July 2001 Memorandum of Agreement between the City and the landowner reinforced this mitigation measure by stating: "Nichols will pay fees or purchase equipment as agreed by the Greenfield Fire Protection District."

E. To assist GFPD in identifying an appropriate Fire Facilities Impact Fee for all property and new development within the GFPD jurisdiction, the City has commissioned a study by MuniFinancial, A Willdan Company, to update the 2006 Fire Facilities Impact Fee Study.

TERMS AND CONDITIONS

1. Upon completion of the Fire Facilities Impact Fee Study, the GFPD Board of Directors will be requested by the City and the GFPD Fire Chief to approve and adopt the fee structure recommended by that study.

2. As approved and adopted by the GFPD Board of Directors, the City will adopt the proposed fee schedule and collect and pass through to the GFPD all required fire facility impact fees collected by the City.

3. The City will condition the issuance of a building permit within the City's jurisdiction upon payment by the building permit applicant of all required fire facility impact fees.

4. The City will not issue a building permit within the City's jurisdiction until the applicant pays all required fire facility impact fees to the City.

5. The City will condition the issuance of a building permit within the City's jurisdiction upon review of project plans by the GFPD and its determination of the need for any mitigation measures to ensure adequate on-site and off-site fire protection facilities, including but not limited to fire suppression equipment, to support the proposed development.

6. The City will not issue a building permit within the City's jurisdiction until all fire related mitigation measures identified by the GFPD have been adequately addressed to the satisfaction of the GFPD.

IN WITNESS WHEREOF, this MOU has been executed by the parties on the date first shown above.

CITY OF GREENFIELD

By: _____
Susan A. Stanton, ICMA-CM
City Manager

GREENFIELD FIRE PROTECTION DISTRICT

By: _____
Rich Foster
Fire Chief