

**CITY OF GREENFIELD  
RESOLUTION NO: 2012-101**

**RESOLUTION OF THE CITY OF GREENFIELD CITY COUNCIL AUTHORIZING  
THE MAYOR TO SIGN AMENDED MEMORANDUM OF UNDERSTANDING (MOU)  
A-08204, MODIFYING TERMS AND CONDITION #2, BETWEEN MONTEREY  
COUNTY AND THE CITY OF GREENFIELD CLARIFYING THE ROLES AND  
RESPONSIBILITIES FOR THE PROCESSING OF THE YANKS DEVELOPMENT**

**WHEREAS;** a request to: a) Approve Amendment #1 of Memorandum of Understanding (MOU) A-08204, modifying Terms and Condition #2, between Monterey County and the City of Greenfield clarifying the roles and responsibilities for the processing of the Yanks development; and b) Authorize the Mayor to sign the amended MOU came before the City of Greenfield City Council for public hearing on September 11, 2012. Having considered all written and documentary information submitted, the staff report, oral testimony, other evidence presented, and the administrative record as a whole, the City of Greenfield City Council hereby decide and approve as follows:

**FINDINGS FOR APPROVAL OF ACTIONS**

FINDING: CONSISTENCY – The proposed action as described herein, conforms to the policies, requirements, and standards of the City of Greenfield General Plan and the City of Greenfield Zoning Ordinance (Title 17), which designates this area as appropriate for annexation and development of the Yanks Air Museum.

**EVIDENCE:**

- a. The text, polices, and regulations in the above referenced documents have been evaluated during application review. No conflicts were found to exist. No communications were received during project review indicating any inconsistencies with the text, polices, and regulations in these documents.
- b. The property is located easterly of State Highway 101, north of and adjacent to the City of Greenfield (Assessor's Parcel Numbers 111-012-017; 111-012-019; and portions of 111-012-018 & 111-012-020), in and abutting the City of Greenfield Sphere of Influence.
- c. The Combined Development Permit (CDP) approved for the Yanks Air Museum (Planning File No. SH94002; County Resolution 97-445) consists of a use permit, general development plan, and a lot line adjustment for development of a World War II and "Golden Era" aircraft museum, aircraft storage hangers, airstrip, winery, wine tasting room, two gasoline stations, a hotel, free-standing restaurant, fast food restaurants, retail space, amphitheater and recreational vehicle park and caretaker unit. The original approval of the CDP found the project compliant with applicable policies including the Central Salinas Area Plan, General Plan and requirements of the attendant zoning district. The City of Greenfield General Plan and GP EIR found the project consistent with the plan. EIR analysis found the project consistent with assumptions found within the GP.

d. Annexation of the Yanks project site to the City of Greenfield is required by the entitlements (Combined Development Permit approved under County Resolution 97-445, 04-351, and 08-3620, Yanks Visitor Serving FEIR 95-01, City of Greenfield General Plan FEIR SCH2004061138, EDA Greenfield Utilities Grant No. 07-01-04-968, and City/County MOU A-08204, irrespective of timing.

### DECISION

**NOW, THEREFORE, BE IT RESOLVED THAT**, based on the above findings and evidence and the record as a whole, and based on consideration of the City of Greenfield City Council, the City Council adopts this resolution authorizing the Mayor to sign amended Memorandum of Understanding (MOU) A-08204, modifying Terms and Condition #2, between Monterey County and the City of Greenfield clarifying the roles and responsibilities for the processing of the Yanks development.

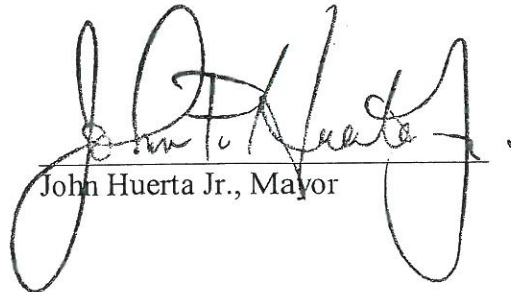
**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Greenfield duly held on the 11<sup>th</sup> day of September, 2012, by the following vote:

AYES: Mayor Huerta, Councilmember Moreno, Councilmember Hurley and Councilmember Vazquez

NOES: None

ABSENT: Mayor Pro-tem Gonzalez

ABSTAIN: None



John Huerta Jr., Mayor

ATTEST:



Ann Rathbun, City Clerk

## ATTACHMENT A

AMENDMENT NO. 1 TO MEMORANDUM OF UNDERSTANDING A-08204

between

THE CITY OF GREENFIELD

and

THE COUNTY OF MONTEREY

concerning

THE YANKS AIR MUSEUM AND PROJECT

AUGUST 28, 2012

WHEREAS, the City of Greenfield ("City") and County of Monterey ("County") entered into a Memorandum of Understanding ("MOU"), dated April 25, 2000, regarding the proposed Yanks Air Museum and project ("Project"); and

WHEREAS, the MOU provided for, in part, the phasing and eventual annexation of the Project site into the City; and

WHEREAS, the City and County desire to amend those provisions in order to facilitate successful completion of the Project; NOW THEREFORE,

The City and County agree as follows:

1. Paragraph 2 of the Terms and Conditions of the MOU is amended to read as follows:

Annexation of the Site to the City. The development will occur through phasing. The County agrees to support annexation to the City of Greenfield for each phase of development upon the issuance of certificates of occupancy for all structures within the phase, or two (2) years after the first certificate of occupancy is issued for any structure in the phase, whichever event occurs first. Notwithstanding the aforesaid phased plan for annexation, the County agrees to support annexation of the entire parcel to the City of Greenfield no later than ten (10) years after the issuance of the first certificate of occupancy. The County agrees to support annexation of approximately 134.67 acres to the City of Greenfield (the "Annexation Site"), consisting of the Yanks development project ("Yanks Project") but excluding 306 acres placed in an Agricultural Conservation Easement ("Easement Site"). Said annexation may occur as a single action or in phases. If phased, annexation of any phase of the Yanks Project shall occur no later than two (2) years after a certificate of occupancy is issued for all structures within that phase of the project, and annexation of the entire Annexation Site shall occur no later than ten (10) years after the issuance of the first certificate of occupancy for any phase of the project. If as a single action, annexation shall be completed no later than [insert date]. City agrees to accept contiguous roads, as determined by the

County, as part of the annexation. The Parties agree that Land Conservation (Williamson Act) Contract #71-041 was amended by the County in 1994 removing a portion of the Yanks property from the Williamson Act Contract. Prior to approval of the annexation, a lot-line adjustment application shall be processed to realign the boundary of the Williamson Act Contract and the existing Parcel A and Parcel B, as shown on the Record of Survey recorded at Vol. 25 of Surveys Page 73, to conform said parcel configurations to coincide with Annexation Site and the Easement Site . The intent of the Parties is that the entire Yanks Project, including the airstrip, will be annexed into the City, that no development occur on lands under Williamson Act contract, and that buffers established through project approvals be maintained to avoid impact of the development on neighboring agricultural operations. Notwithstanding the above, the County agrees that annexation of any phase of the Yanks Project, or annexation of the entire Annexation Site may occur at any time prior to the timelines set forth above upon notification by the City of Greenfield to the County that it is initiative the annexation process. If annexation of the entire Annexation Site to the City occurs prior to completion of a phase of the Yanks Project, or completion of the entire Yanks Project, the City and County agree that:

- a) development of the Yanks Project within the City shall be substantially consistent with the Board of Supervisors project approval and environmental review, as reflected in Monterey County Resolution 97-445 and the subsequent extensions thereof;
- b) all planning and building permits shall be consistent with applicable City and County General Plans; and
- c) City shall consult with County regarding conditions of approval adopted by the Board of Supervisors, such that compliance meets County's intent.

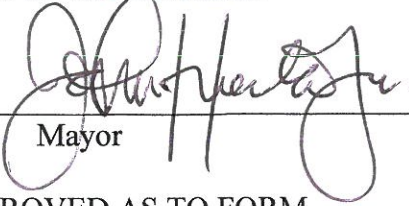
2. Except as specifically amended, the terms and conditions of the MOU remain the same.

IN WITNESS WHEREOF, this MOU has been executed by the duly authorized officers of each of the parties.

COUNTY OF MONTEREY

CITY OF GREENFIELD

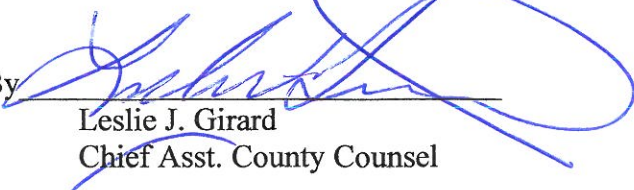
By   
Chair, Board of Supervisors

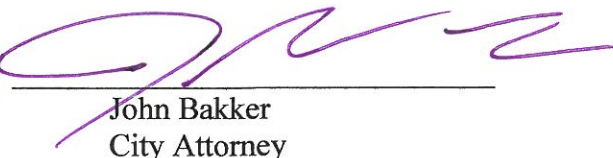
By   
Mayor

APPROVED AS TO FORM

APPROVED AS TO FORM

CHARLES J. MCKEE, County Counsel

By   
Leslie J. Girard  
Chief Asst. County Counsel

  
John Bakker  
City Attorney