

**CITY OF MCFARLAND
PLANNING COMMISSION AGENDA**

Please Note: The City of McFarland City Council Chambers complies with the provisions of the Americans with Disabilities Act (ADA). Anyone needing special assistance should contact the City of McFarland City Hall at (661) 792-3091, at least one (1) business day prior to the meeting so that we may accommodate you.

LOCATION OF MEETING: City Council Chambers
McFarland Veterans Community Center
103 W. Sherwood Avenue
McFarland CA 93250

DATE/TIME: Tuesday, February 18, 2020 at 6:00 p.m.

A. ROLL CALL: Vice Chairman Jose Hernandez
Commissioner Lettie Blanchard
Commissioner Rudy Nuñez
Commissioner Marco Martinez
Commissioner Ricardo Cano- Pending Appointment by Council

B. PLEDGE OF ALLEGIANCE:

C. INVOCATION:

D. APPROVAL OF THE MINUTES OF REGULAR AND / OR SPECIAL PLANNING COMMISSION MEETING: held on January 21, 2020

E. PUBLIC PRESENTATIONS:

This portion of the meeting is reserved for persons desiring to address the Commission on any matter **NOT** on this agenda and over which the Commission has jurisdiction. Speakers are limited to two (2) minutes. Please state your name and address for the record before making presentation.

No action or discussion shall be taken on any item not appearing on the agenda, except that any Planning Commissioner may briefly respond to statements made, or questions posed, by members of the public. Concerns or complaints will be referred to the Community Development Director's office.

F. ADMINISTRATIVE ITEMS:

- 1) Report of Nominating Committee: Report of nominating committee for Planning Commission Officers for Calendar Year 2020

G. CONSENT AGENDA (CA): These are items scheduled before the Planning Commission which are being recommended for approval by the staff and the applicant has been informed of any special conditions and has no objections. The hearing on these items may be expedited if no member of the Commission or audience wishes to comment or ask questions on the case.

- NONE

H. PUBLIC HEARINGS:

- 1) **CONDITIONAL USE PERMIT NO. 01-96:** A modification to Conditional Use Permit 01-96, to allow the Golden State Modified Community Correctional Facility located at 611 Frontage Road, to be repurposed to house federal inmates and detainees, adult male and or female.
 - a. Presentation by applicant The GEO Group, Inc.
 - b. Take public testimony and adopt Planning Commission Resolution No. 2020-03-PC approving amending Conditional Use Permit No. 01-96. – **STAFF RECOMMENDATION: APPROVE CONDITIONAL USE PERMIT IN ACCORDANCE WITH THE RECOMMENDED CONDITIONS OF APPROVAL (ATTACHMENT A) AND ADOPT SUGGESTED FINDINGS AS SET FORTH IN THE DRAFT RESOLUTION**

- 2) **CONDITIONAL USE PERMIT NO. 02-96:** A modification to Conditional Use Permit 02-96, to allow the Central Valley Medium Custody Community Correctional Facility located at 254 Taylor Avenue, to be repurposed to house federal inmates and detainees, adult male and or female.
 - a. Presentation by applicant The GEO Group, Inc.
 - b. Take public testimony and adopt Planning Commission Resolution No. 2020-04-PC approving amending Conditional Use Permit No. 02-96. – **STAFF RECOMMENDATION: APPROVE CONDITIONAL USE PERMIT IN ACCORDANCE WITH THE RECOMMENDED CONDITIONS OF APPROVAL (ATTACHMENT A) AND ADOPT SUGGESTED FINDINGS AS SET FORTH IN THE DRAFT RESOLUTION**

I. COMMISSIONER COMMENTS:

On their own initiative, Commission members may make an announcement or a report on their own activities. They may ask a question for clarification, make referral to staff, or take action to have staff place a matter of business on a future agenda (Government Code Section 54954.2(a)).

NOTICE OF RIGHT TO APPEAL:

For projects where Planning Commission action is final, actions are subject to appeal to the City Council by any interested person. No permit or license shall be issued for any use involved in an application, until the same has become final by reason of the failure of any person to appeal or by reason of the action of the city council.

An appeal must be in writing and filed, along with associated appeal fee of **\$200.00** pursuant to (Resolution No. 2014-0201), with the City Clerk, 401 W. Kern Ave McFarland, CA 93250. The filing must be made within fifteen (15) calendar days from, but not including the date of the decision pursuant to (McFarland Municipal Code Section 17.148.100(B) (1) (b)). If no appeal is received, the action of the Planning Commission is final.

J. ADJOURNMENT: The next Planning Commission is scheduled for Tuesday, March 17, 2020.



**PLANNING COMMISSION STAFF REPORT
CITY OF MCFARLAND, CALIFORNIA
February 18, 2020**

TO: Chair and Planning Commissioners
FROM: Alexander Lee, City Planner
DATE: February 18, 2020
PROJECT NAME : Geo Group CUP Modifications 01-96

ENVIRONMENTAL DOCUMENT: Notice of Exemption

Agenda Item	
Presentation	
Consent	
Unfinished Business	
New Business	
Public Hearing	x
Other	
Action Requested	
Ordinance	
Resolution	X
Motion	
Other	

PROJECT DESCRIPTION

To take public testimony, consider and take action on the Application of the GEO Group, Inc., to modify Conditional Use Permit No. 01-96 to allow the **Golden State Modified Community Correctional Facility Located at 611 Frontage Road**, to be repurposed to house federal inmates and detainees, male and/or female. This public hearing of the Planning Commission is intended to comply with the provisions of California Civil Code Section 1670.9(d).

Staff recommends that Planning Commission approve Resolution No. 2020-03-PC, approving Conditional Use Permit 01-96 (Amended 02/18/2020) as conditioned.

BACKGROUND

The Conditional Use Permit No. 01-96 was amended by Resolution No. 2008-002 adopted by the McFarland Planning Commission on October 14, 2008.

In compliance with state law and the City's Municipal Code, the City of McFarland Planning Commission held a duly noticed public hearing on the application on January 21, 2020, took information presented by City Staff and public testimony prior to considering the application.

ENVIRONMENTAL REVIEW

The project is exempt from the requirements of the California Environmental Quality Act subject to Section 15061 and 15301 of the CEQA Guidelines.

PUBLIC NOTICING

Pursuant to Section 17.148.080 of the McFarland Municipal Code a Legal Notice of Public Hearings were posted (City Hall, Mi Ranchito, Mi Rancho, McFarland Council of Chamber, and city website) and mailed out to all property owners located within 300 feet of the project site.

ATTACHMENTS

Attachment 1 – City of McFarland Planning Commission Resolution 2020-03-PC

RESOLUTION NO. 2020-03-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND, COUNTY OF KERN, CALIFORNIA, APPROVING MODIFICATIONS TO CONDITIONAL USE PERMIT 01-96 TO ALLOW THE GEO GROUP, INC., TO REPURPOSE THE GOLDEN STATE MODIFIED COMMUNITY CORRECTIONAL FACILITY, LOCATED AT 611 FRONTAGE ROAD, TO HOUSE FEDERAL INMATES AND DETAINEES, BOTH MALE AND/ OR FEMALE

WHEREAS, Conditional Use Permit No. 01-96, approved May 13, 1996 by the McFarland Planning Commission, authorized the construction and operation of the Golden State Modified Community Correctional Facility (the “Facility”) located at 611 Frontage Road, McFarland, California; and

WHEREAS, Paragraph number 11 of Conditional Use Permit 01-96 restricts inmate classification to inmates and parole violators designated as Levels I, II and III, or equivalent classification who do not have high level serious disciplinary problems within the last review period; and

WHEREAS, the applicant, Gresham, Savage, Nolan & Tilden, for The GEO Group, Inc., requests modifications to Conditional Use Permit 01-96 to allow the Golden State Medium Custody Community Correctional Facility, to house Federal inmates and detainees, both male and/or female; and

WHEREAS, in compliance with state law and the City’s Municipal Code, the City of McFarland Planning Commission held a duly noticed public hearing on the application on January 21, 2020, took information presented by City Staff and public testimony prior to considering the application;

WHEREAS, in compliance with state law and the City’s Municipal Code, the City of McFarland Planning Commission held a duly second noticed public hearing on the application on February 18, 2020, took information presented by City Staff and public testimony prior to considering the application;

WHEREAS, the City of McFarland, as lead agency, has determined that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Title 14 California Code of Regulations Section 15301 because the modification of the Conditional Use Permit represents the continued operation of an existing facility involving negligible or no expansion and pursuant to Section 15061(b)(3) because the proposed modification does not have the potential for causing a significant effect on the environment; and

NOW, THEREFORE, BE IT RESOLVED by the McFarland Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff reports and as provided by the public testimony prior to taking action on the

application. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission. Based on the foregoing, the Planning Commission hereby approves the application and makes the following modifications to Conditional Use Permit 01-96:

1. Paragraph number 11 to Conditional Use Permit 01-96 is replaced in its entirety by the following:

“11. The facility may house Federal inmates and detainees, both male and/or female.”

SECTION 3. The Planning Commission approval is based on the following findings:

- (a) That the proposed Conditional Use Permit modification is consistent with the General Plan;

The project site is designated Industrial, which is consistent with the City’s Zoning Code which allows Prisons/Correctional Facilities with approval of a Conditional Use Permit.

- (b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

Surrounding properties to east consist of Highway 99. The property to the west is comprised of row crops with residential uses to the north and south. The application will not alter the use of the existing facilities other than change the classification of individual housed in the facility.

- (c) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

The current approval is only for the modification of a Conditional Use Permit for an existing structure to allow a change in inmate classification. There will be no physical expansion of the Facility.

- (d) That the proposed use complies with all applicable development standards of the zoning district; and

The proposed project has been designed and conditioned to meet all applicable City zoning and development standards.

- (e) That the proposed use observes the spirit and intent of this Zoning Code.

The proposed Project meets the requirements of the Zoning Code. However, to ensure all Code requirements are met, a condition of approval has been added reflecting these requirements.

SECTION 4. The City of McFarland, as lead agency, has determined that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Title 14 California Code of Regulations Section 15301 because the modification of the Conditional Use Permit represents the continued operation of an existing facility involving negligible or no expansion and pursuant to Section 15061(b)(3) because the proposed modification does not have the potential for causing a significant effect on the environment.

SECTION 5. Pursuant to the provisions of California Civil Code Section 1670.9(d), this approval of modification to Conditional Use Permit 01-96 shall not be considered issued, executed or effective until July 15, 2020, which is more than 180 days from January 10, 2020, the date of notice to the public of the proposed permitting action.

SECTION 6. The Planning Commission hereby approves modifications to Conditional Use Permit 01-96 subject to the following conditions of approval, attached as Attachment A and incorporated herein.

PASSED, APPROVED AND ADOPTED by the Planning Commission this ____ day of _____, 2020.

_____,
Planning Commission Chairman

Attest:

_____, Clerk of
The Planning Commission

ATTACHMENT A

CITY OF McFARLAND PLANNING COMMISSION CONDITIONS OF APPROVAL CONDITIONAL USE PERMIT NO. 01-96 (AMENDED 02/18/2020)

1. The name of the facility shall be the Golden State Annex (GSA).
2. The capacity of the facility shall be 700 beds.
1. The existing and former employees of the GSA will be afforded the opportunity to apply for the new federal jobs and if employment criteria are met, may remain on payroll and transition to the new jobs, as approved by applicant and subject to impact of judicial action.
2. To the extent possible and if employment criteria is met, personnel employed at the facility will be recruited from the McFarland area.
5. Pursuant to the provisions of California Civil Code Section 1670.9(d), this approval of modification to Conditional Use Permit 01-96 shall not be considered issued, executed or effective until July 15, 2020, which is more than 180 days from January 10, 2020, the date of notice to the public of the proposed permitting action.
6. As Fiscal Mitigation for the Project's impact on City Services, including, but not limited to, fire protection, police and public safety, and other public services, the applicant shall pay the City of McFarland \$1.00 per bed, per day, for each of the 700 beds repurposed at CVA totaling \$255,500.00 annually, with payments starting at initial ICE detainee intake and continuing for the duration of the contract. The payments shall be increased annually by the Consumer Price Index (All Urban Consumers) (Base Years 1982-1984 = 100) for Los Angeles-Riverside-Orange County (the "Index") or successor Index between the immediately ending calendar year and the calendar year preceding the immediately ending calendar year.
7. The applicant shall annex GSMCCF to the City of McFarland Community Facilities Districts 2017-1; 2017-2, and 2019-1 for: Landscaping and Street Maintenance; Police Services; and Fire protection. Applicant shall pay the cost of annexation estimated to be \$19,500 but subject to change upon completion of the annexations; within six months of the effective date of this Resolution.
8. Frontage Road shall be repaved to City standards from W. Sherwood Ave to Taylor Avenue full width and installed missing curb, gutter, sidewalk, ADA ramps and city standard lighting, within six months of the effective date of this Resolution.

9. There shall be a GSA Community Relations Board appointed to monitor the planning and ongoing running of the facility, who will report directly to the McFarland City Council. The Board shall be chaired by the CVA Facility Administrator and include of one member of the City Council. The Advisory Board shall meet at least once a year.
10. The facility WILL NOT CONTAIN any federal inmates or detainees that are juveniles or minor children under the age of 18.
11. On a monthly basis the Facility Administrator shall provide the number of inmates or detainees population at the facility to the City Manager via faxed document. Failure to provide such inmate population figures may adversely affect the ability of the City of McFarland to provide the most efficient representation to the community.
12. The applicant will insure that the facility grounds, perimeter and buildings are secure, maintained free of weeds, trash and free of anything that could create a health & safety hazard or a public nuisance.
13. All curbs along public roadways on the perimeter of the facility shall be posted with “No Parking” signs and be painted in Red to indicate “No Parking”. This requirement is not discretionary and cannot be waived without the McFarland City Manager’s written permission. The Applicant agrees to assist the City on routine maintenance, including repairs, on Frontage Road and Taylor Avenue, the extent of which will be determined through an Agreement with the City, which Agreement shall be executed within 30 days of the effective date of this Resolution.
14. The applicant entered into an Indemnification Agreement with the City of McFarland prior to the hearing date for this Resolution.
15. The applicant shall install additional native and drought tolerant landscaping around the facility perimeter specifically at Mast Avenue to assist the City of McFarland with the Urban Heat Island Effect.
16. Upon identification of any violations of any of these Conditions of Approval (COAs), the City shall provide applicant a written notice specifically identifying the nature of the alleged violation(s) (Notice of Violation). Upon receipt of a Notice of Violation, applicant shall have sixty (60) days to remedy the identified violation, except in the event of exigent circumstances where the violation cannot be remedied within the 60 day timeframe, additional time shall be provided as appropriate.



**PLANNING COMMISSION STAFF REPORT
CITY OF MCFARLAND, CALIFORNIA
February 18, 2020**

TO: Chair and Planning Commissioners
FROM: Alexander Lee, City Planner
DATE: February 18, 2020
PROJECT NAME : Geo Group CUP Modifications 02-96

ENVIRONMENTAL DOCUMENT: Notice of Exemption

Agenda Item	
Presentation	
Consent	
Unfinished Business	
New Business	
Public Hearing	x
Other	
Action Requested	
Ordinance	
Resolution	X
Motion	
Other	

PROJECT DESCRIPTION

To take public testimony, consider and take action on the Application of the GEO Group, Inc., to modify Conditional Use Permit No. 02-96 to allow the **Central Valley Medium Custody Community Correctional Facility Located at 254 Taylor Avenue**, to be repurposed to house federal inmates and detainees, male and/or female. This second public hearing of the Planning Commission is intended to comply with the provisions of California Civil Code Section 1670.9(d).

Staff recommends that Planning Commission approve Resolution No. 2020-04-PC, approving Conditional Use Permit 02-96 (Amended 02/18/20) as conditioned.

BACKGROUND

The Conditional Use Permit No. 02-96 was amended by Resolution No. 2008-002 adopted by the McFarland Planning Commission on October 14, 2008.

In compliance with state law and the City's Municipal Code, the City of McFarland Planning Commission held a duly noticed public hearing on the application on January 21, 2020, took information presented by City Staff and public testimony prior to considering the application.

ENVIRONMENTAL REVIEW

The project is exempt from the requirements of the California Environmental Quality Act subject to Section 15061 and 15301 of the CEQA Guidelines.

PUBLIC NOTICING

Pursuant to Section 17.148.080 of the McFarland Municipal Code a Legal Notice of Public Hearings were posted (City Hall, Mi Ranchito, Mi Rancho, McFarland Council of Chamber, and city website) and mailed out to all property owners located within 300 feet of the project site.

ATTACHMENTS

Attachment 1 – City of McFarland Planning Commission Resolution 2020-04-PC

RESOLUTION NO. 2020-04-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MCFARLAND, COUNTY OF KERN, CALIFORNIA, APPROVING MODIFICATIONS TO CONDITIONAL USE PERMIT 02-96 TO ALLOW THE GEO GROUP, INC., TO REPURPOSE THE CENTRAL VALLEY MODIFIED COMMUNITY CORRECTIONAL FACILITY, LOCATED AT 254 TAYLOR AVENUE, TO HOUSE FEDERAL INMATES AND DETAINEES, BOTH MALE AND OR FEMALE

WHEREAS, Conditional Use Permit No. 02-96, approved May 13, 1996 by the McFarland Planning Commission, authorized the construction and operation of the Central Valley Modified Community Correctional Facility (the "Facility") located at 254 Taylor Avenue, McFarland, California; and

WHEREAS, Paragraph number 11 of Conditional Use Permit 02-96 restricts inmate classification to inmates and parole violators designated as Levels I, II and III, or equivalent classification who do not have high level serious disciplinary problems within the last review period; and

WHEREAS, the applicant, Gresham, Savage, Nolan & Tilden, for The GEO Group, Inc., requests modifications to Conditional Use Permit 02-96 to allow the Central Valley Modified Community Correctional Facility, to house Federal inmates and detainees, both male and/or female; and

WHEREAS, in compliance with state law and the City's Municipal Code, the City of McFarland Planning Commission held a duly noticed public hearing on the application on January 21, 2020, took information presented by City Staff and public testimony prior to considering the application;

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WHEREAS, the City of McFarland, as lead agency, has determined that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Title 14 California Code of Regulations Section 15301 because the modification of the Conditional Use Permit represents the continued operation of an existing facility involving negligible or no expansion and pursuant to Section 15061(b)(3) because the proposed modification does not have the potential for causing a significant effect on the environment; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1. The above recitals are all true and correct.

SECTION 2. The Planning Commission has reviewed and considered the information included in the staff reports and as provided by the public testimony prior to taking action on the

application. The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and the Planning Commission determinations reflect the independent judgment of the Planning Commission. Based on the foregoing, the Planning Commission hereby approves the application and makes the following modifications to Conditional Use Permit 02-96:

1. Paragraph number 11 to Conditional Use Permit 02-96 is replaced in its entirety by the following:

“11. The facility may house Federal inmates and detainees, both male and/or female.”

SECTION 3. The Planning Commission approval is based on the following findings:

- (a) That the proposed Conditional Use Permit modification is consistent with the General Plan;

The project site is designated Industrial, which is consistent with the City’s Zoning Code which allows Prisons/Correctional Facilities with approval of a Conditional Use Permit.

- (b) That the nature, condition, and development of adjacent uses, buildings, and structures have been considered, and that the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures;

Surrounding properties to east consist of Highway 99. The property to the west is comprised of row crops with residential uses to the north and south. The application will not alter the use of the existing facilities other than change the classification of individual housed in the facility.

- (c) That the site for the proposed use is of adequate size and shape to accommodate the use and buildings proposed;

The current approval is only for the modification of a Conditional Use Permit for an existing structure to allow a change in inmate classification. There will be no physical expansion of the Facility.

- (d) That the proposed use complies with all applicable development standards of the zoning district; and

The proposed project has been designed and conditioned to meet all applicable City zoning and development standards.

- (e) That the proposed use observes the spirit and intent of this Zoning Code.

The proposed Project meets the requirements of the Zoning Code. However, to ensure all Code requirements are met, a condition of approval has been added reflecting these requirements.

SECTION 4. The City of McFarland, as lead agency, has determined that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Title 14 California Code of Regulations Section 15301 because the modification of the Conditional Use Permit represents the continued operation of an existing facility involving negligible or no expansion and pursuant to Section 15061(b)(3) because the proposed modification does not have the potential for causing a significant effect on the environment.

SECTION 5. Pursuant to the provisions of California Civil Code Section 1670.9(d), this approval of modification to Conditional Use Permit 02-96 shall not be considered issued, executed or effective until July 15, 2020, which is more than 180 days from January 10, 2020, the date of notice to the public of the proposed permitting action.

SECTION 6. The Planning Commission hereby approves modifications to Conditional Use Permit 02-96 subject to the following conditions of approval, attached as Attachment A and incorporated herein.

PASSED, APPROVED AND ADOPTED by the Planning Commission this ____ day of _____, 2020.

Planning Commission Chairman

Attest:

_____, Clerk of

The Planning Commission

ATTACHMENT A
CITY OF McFARLAND PLANNING COMMISSION
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT NO. 02-96 (AMENDED 02/18/2020)

1. The name of the facility shall be the CENTRAL VALLEY ANNEX (CVA).
2. The capacity of the facility shall be 700 beds.
3. The existing and former employees of the CVA will be afforded the opportunity to apply for the new federal jobs and if employment criteria are met, may remain on payroll and transition to the new jobs, as approved by applicant and subject to impact of judicial action.
4. To the extent possible and if employment criteria is met, personnel employed at the facility will be recruited from the McFarland area.
5. Pursuant to the provisions of California Civil Code Section 1670.9(d), this approval of modification to Conditional Use Permit 02-96 shall not be considered issued, executed or effective until July 15, 2020, which is more than 180 days from January 10, 2020, the date of notice to the public of the proposed permitting action.
6. As Fiscal Mitigation for the Project's impact on City Services, including, but not limited to, fire protection, police and public safety, and other public services, the applicant shall pay the City of McFarland \$1.00 per bed, per day, for each of the 700 beds repurposed at CVA totaling \$255,500.00 annually, with payments starting at initial ICE detainee intake and continuing for the duration of the contract. The payments shall be increased annually by the Consumer Price Index (All Urban Consumers) (Base Years 1982-1984 = 100) for Los Angeles-Riverside-Orange County (the "Index") or successor Index between the immediately ending calendar year and the calendar year preceding the immediately ending calendar year.
7. The applicant shall annex CVMCC to the City of McFarland Community Facilities Districts 2017-1; 2017-2, and 2019-1 for: Landscaping and Street Maintenance; Police Services; and Fire protection. Applicant shall pay the cost of annexation estimated to be \$19,500 but subject to change upon completion of the annexations; within six months of the effective date of this Resolution.

8. Frontage Road shall be repaved to City standards from W. Sherwood Ave to Taylor Avenue full width and installed missing curb, gutter, sidewalk, ADA ramps and city standard lighting, within six months of the effective date of this Resolution.
9. There shall be a CVA Community Relations Board appointed to monitor the planning and ongoing running of the facility, who will report directly to the McFarland City Council. The Board shall be chaired by the CVA Facility Administrator and include one member of the City Council. The Advisory Board shall meet at least once a year.
10. The facility WILL NOT CONTAIN any federal inmates or detainees that are juveniles or minor children under the age of 18.
11. On a monthly basis the Facility Administrator shall provide the number of inmates or detainees population at the facility to the City Manager via faxed document. Failure to provide such inmate population figures may adversely affect the ability of the City of McFarland to provide the most efficient representation to the community.
12. The applicant will insure that the facility grounds, perimeter and buildings are secure, maintained free of weeds, trash and free of anything that could create a health & safety hazard or a public nuisance.
13. All curbs along public roadways on the perimeter of the facility shall be posted with “No Parking” signs and be painted in Red to indicate “No Parking”. This requirement is not discretionary and cannot be waived without the McFarland City Manager’s written permission. The Applicant agrees to assist the City on routine maintenance, including repairs, on Frontage Road and Taylor Avenue, the extent of which will be determined through an Agreement with the City, which Agreement shall be executed within 30 days of the effective date of this Resolution.
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16. Upon identification of any violations of any of these Conditions of Approval (COAs), the City shall provide applicant a written notice specifically identifying the nature of the alleged violation(s) (Notice of Violation). Upon receipt of a Notice of Violation, applicant shall have sixty (60) days to remedy the identified violation, except in the event of exigent circumstances where the violation cannot be remedied within the 60 day timeframe, additional time shall be provided as appropriate.