WHEREAS, The proposed County Jail No. 3 Replacement Project (the “Project”) is located on 158 acres of land owned by the City and County of San Francisco (the “City”) in unincorporated San Mateo County, adjoining the City of San Bruno to the East, the City of Pacifica to the West, Skyline College to the North, and Crystal Springs Reservoir to the South; and,

WHEREAS, The Project would be located on the site of the existing County Jail No. 3 and No. 7 Complex; and

WHEREAS, in 1991, inmates housed in County Jail No. 3 filed suit against the City challenging the constitutionality of conditions in the Jail. On July 18, 1997, the United States District Court concluded that conditions in the Jail violated the United States Constitution. The Court specifically found that the Jail posed fire safety and seismic risks, had inadequate plumbing and light and was unconstitutionally noisy. The Department of Public Works determined that it would not be cost effective or practical to attempt to seismically upgrade and repair the existing Jail. The Sheriff determined that, even if upgraded, the Jail’s outmoded design and structure would not comply with State standards and would continue to pose risks to deputies and inmates. Further, the current jail system is overcrowded, even with
the extensive use of drug treatment facilities and other alternatives to incarceration. The
Sheriff therefore determined that the City will continue to need the housing capacity of County
Jail No. 3 in order to protect public safety and house inmates in safe and humane conditions;
and,

WHEREAS, In order to settle the inmates’ lawsuit, the City agreed, subject to
the approval of the Board of Supervisors, to build a replacement jail facility on the site of the
existing Jail (“the County Jail No. 3 Replacement Project” or the “Project”), and

WHEREAS, The Project proposes to replace the existing Jail No. 3 with new
housing and administrative facilities and to make infrastructure improvements; and

WHEREAS, The Planning Department (“Department”) has undertaken an
environmental review process for the proposed Project and provided for appropriate public
hearings before the San Francisco Environmental Review Officer in the San Bruno City
Council Chambers and the San Francisco Planning Commission; and

WHEREAS, The approval of an ordinance authorizing the City Attorney, City
Architect, Mayor’s Office of Public Finance, Sheriff and Director of Public Works to negotiate a
design-build/finance contract and the Department of Public Works to enter into the contract,
the issuance of certificates of participation to finance the Project and various related actions
(the “Actions”) are contemplated in connection with the Project as more particularly defined in
Attachment A hereto; and

WHEREAS, On February 28, 1998, the Department released for public review
and comment the Draft Environmental Impact Report for the Project; and

WHEREAS, The San Francisco Environmental Review Officer on March 31,
1998, in the San Bruno City Council Chambers and the Planning Commission on April 9,
1998, held public hearings on the Draft Environmental Impact and further written public
comments were received until 5:00 p.m. on April 14, 1998; and

SHERIFF’S DEPARTMENT AND DEPARTMENT OF PUBLIC WORKS
BOARD OF SUPERVISORS
WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project has been prepared by the Department consisting of the Draft Environmental Impact Report, the comments received during the review period, any additional information that became available and the Draft Summary of Comments and Responses, all as required by law; and

WHEREAS, On July 23, 1998, the Planning Commission reviewed and considered the FEIR and, by Motion No. 14663, found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of the California Environmental Quality Act ("CEQA") and the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No.14663, the Planning Commission found that the FEIR was adequate, accurate and objective, reflected the independent judgment and analysis of the Planning Commission and that the summary of Comments and Responses contained no significant revisions to the draft Environmental Impact Report, adopted findings of significant impacts associated with the Project and certified the completion of the Final Environmental Impact report for the Project in compliance with CEQA and the CEQA Guidelines; and

WHEREAS, On January 3, 2000, the Department of City Planning issued a Memorandum to City Planning File No. 97.368E pursuant to CEQA Guidelines Section 15164 including an Addendum to the FEIR for the project (the "Addendum"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 000087, determining that changes to the project proposed as a result of negotiations between the Director of Public Works and the City Architect and Prison Realty Trust would not result in any new significant environmental effects beyond those disclosed and analyzed in the FEIR, that no new information has become available since certification of the FEIR that would require major revisions to the FEIR or its conclusions, that there are no substantial changes with respect to the circumstances under which the Project is to be undertaken since the certification of the
FEIR that would cause new significant environmental impacts and that no further environmental analysis is required for the Project; and

WHEREAS, The FEIR files, the Addendum and other Project-related Department files have been available for review by this Board of Supervisors and the public; and those files are part of the record before this Board of Supervisors; and

WHEREAS, The Department prepared proposed Findings, as required by CEQA, regarding the alternatives, variants, mitigation measures and significant environmental impacts analyzed in the FEIR, overriding considerations for approving the Project including the Design-Build Contract, the Issuance of Certificates of Participation and other Actions, and a proposed mitigation monitoring program, which material was made available to the public and this Board of Supervisors for the Board of Supervisors' review, consideration and actions; now, therefore, be it

RESOLVED, That the Board of Supervisors has reviewed and considered Planning Commission Motion No. 14663 certifying the FEIR and finding the FEIR adequate, accurate and objective, and reflecting the independent judgment and analysis of the Planning Commission, and hereby endorses and adopts Planning Commission Motion 14663 and incorporates the same herein by this reference; and be it

FURTHER RESOLVED, That based upon the Board of Supervisors' review of the FEIR and the Addendum, the Board of Supervisors finds that (1) modifications incorporated into the Project and reflected in the Actions will not require important revisions to the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (2) no substantial changes have occurred with respect to the circumstances under which the Project or the Actions are undertaken which would require major revisions to the FEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified
in the FEIR; and (3) no new information of substantial importance to the Project or the Actions has become available which would indicate (a) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible; or (d) mitigation measures or alternatives which are considerably different from those in the FEIR would substantially reduce one or more significant effects on the environment; and be it

FURTHER RESOLVED, That the Board of Supervisors has reviewed and considered the FEIR and the Addendum and hereby adopts the Project Findings attached hereto as Attachment A, including its Exhibits 1 and 2, and incorporates the same herein by this reference.
File Number: 000087  Date Passed:

Resolution endorsing the Planning Commission's certification of the Final Environmental Impact Report and adopting environmental findings (and a statement of overriding considerations) pursuant to the California Environmental Quality Act and State Guidelines in connection with the approval of a design-build/finance contract and various other approvals related to the County Jail No. 3 replacement project.

March 6, 2000  Board of Supervisors — ADOPTED
Ayes: 10 - Ammiano, Becerril, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki, Yee
Absent: 1 - Bierman
File No. 000087

I hereby certify that the foregoing Resolution was ADOPTED on March 6, 2000 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

3/12/00
Date Approved

Barbara Fahy
Mayor Willie L. Brown Jr.