



## JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov](http://www.courts.ca.gov)

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# REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 16, 2016

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Title	Agenda Item Type
Judicial Council Report to the Legislature: Status Update of Judicial Branch Courthouse Construction Program for Fiscal Year 2015– 2016	Action Required
	Effective Date
	December 16, 2016
Rules, Forms, Standards, or Statutes Affected	Date of Report
None	December 1, 2016
Recommended by	Contact
Judicial Council staff	Colin Simpson, 415-865-4566
Millicent Tidwell, Chief Operating Officer	<a href="mailto:colin.simpson@jud.ca.gov">colin.simpson@jud.ca.gov</a>
Zlatko Theodorovic, Director, Budget Services	
Mike Courtney, Director, Capital Program	

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### Executive Summary

Judicial Council staff recommend approving the *Status Update of Judicial Branch Courthouse Construction Program for Fiscal Year 2015–2016*. Government Code section 70371.8 requires that the Judicial Council report to the Joint Legislative Budget Committee, the chairs of the Senate Committee on Budget and Fiscal Review, and the Assembly Committee on Budget annually, by March 1, information on the status of each project established by the State Public Works Board under section 70371.7. The report is also required to include an accounting of the revenues generated and expenditures made in the Immediate and Critical Needs Account.

### Recommendation

Judicial Council staff recommend that the Judicial Council:

1. Approve the attached report; and
2. Direct Judicial Council staff to submit the report to the Legislature.

## **Previous Council Action**

The report on the status of the courthouse capital projects in the judicial branch courthouse construction program and accounting of the revenues and expenditures in the Immediate and Critical Needs Account (ICNA) has been required and submitted under Government Code section 70371.8 since fiscal year 2008–2009. The council has approved previous fiscal year reports. These reports are posted on the California Courts website at [www.courts.ca.gov/documents/lr-Status-of-JB-courthouse-const-prog.pdf](http://www.courts.ca.gov/documents/lr-Status-of-JB-courthouse-const-prog.pdf).

## **Rationale for Recommendation**

This report to the Legislature is required to be submitted by the Judicial Council by March 1 after the end of the fiscal year under Government Code section 70371.8, which requires the Judicial Council to report on the status of the courthouse capital projects in the judicial branch courthouse construction program and provide an accounting of the revenues and expenditures in the ICNA.

## **Comments, Alternatives Considered, and Policy Implications**

Because this report is required by the above-referenced section of the Government Code, no alternatives were considered. This report is not required to circulate for public comment.

## **Implementation Requirements, Costs, and Operational Impacts**

Submission of this mandated report to the Legislature does not involve any implementation requirements, costs, or operational impacts.

## **Attachment**

1. *Status Update of Judicial Branch Courthouse Construction Program for Fiscal Year 2015–2016*



# JUDICIAL COUNCIL OF CALIFORNIA

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HON. TANI G. CANTIL-SAKAUYE  
*Chief Justice of California*  
*Chair of the Judicial Council*

HON. DOUGLAS P. MILLER  
*Chair, Executive and Planning Committee*

HON. DAVID M. RUBIN  
*Chair, Litigation Management Committee*

HON. KENNETH K. SO  
*Chair, Policy Coordination and Liaison Committee*

HON. HARRY E. HULL, JR.  
*Chair, Rules and Projects Committee*

HON. MARSHA G. SLOUGH  
*Chair, Technology Committee*

HON. DAVID M. RUBIN  
*Chair, Judicial Branch Budget Committee*

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Hon. Brian John Back  
Hon. Richard Bloom  
Hon. Stacy Boulware Eurie  
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Hon. Daniel J. Buckley  
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Ms. Debra Elaine Pole  
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Hon. David E. Gunn

MR. MARTIN HOSHINO  
*Administrative Director,*  
*Judicial Council*

December 22, 2016

Hon. Mark Leno, Chair  
Senate Committee on Budget and Fiscal Review  
California State Senate  
State Capitol, Room 5019  
Sacramento, California 95814

Hon. Philip Y. Ting, Chair  
Assembly Committee on Budget  
California State Assembly  
State Capitol, Room 6026  
Sacramento, California 95814

Joint Legislative Budget Committee  
Ms. Peggy Collins, Principal Consultant  
1020 N Street, Room 553  
Sacramento, California 95814

*Re: Status Update of Judicial Branch Courthouse Construction Program for Fiscal Year 2015–2016, as required under Government Code section 70371.8*

Dear Senator Leno, Assembly Member Ting, and Ms. Collins:

The Judicial Council respectfully submits this report to the Legislature in accordance with Government Code section 70371.8 concerning the status of each project established by the State Public Works Board under Government Code section 70371.7 and the accounting of revenues generated and expenditures made in the Immediate and Critical Needs Account for fiscal year (FY) 2015–2016.

In FY 2015–2016, as civil and criminal filings have continued to decline since FY 2008–2009, the fund experienced a continued significant decline in revenue. Excluding transfers and other adjustments of \$2.6 million, total revenues were \$223.8 million; a decrease of \$34.9 million

Hon. Mark Leno  
Hon. Philip Y. Ting  
Ms. Peggy Collins  
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from FY 2014–2015, and \$95.3 million from FY 2010–2011. Expenditures from the fund totaled \$169.9 million, including \$21.5 million for capital outlay.

Due to the aforementioned declining revenues, as well as redirections from the fund in prior years, the Judicial Council approved at its August 26, 2016 business meeting the recommendation from the Court Facilities Advisory Committee that the remaining 23 capital projects continue based on the general criteria of working with available funding, not incurring additional costs, or wasting funds. Projects were grouped into four broad categories:

1. Projects Currently Under Construction: these efforts are anticipated to complete construction.
2. Acquisitions: these projects will complete site due diligence, then hold.
3. Ongoing Design Work: for qualifying projects, complete current phase of design, then hold.
4. FY 2016–2017 Construction Starts: obtain final approvals for these projects, then hold.

If you have any questions related to this report, please contact Mr. Zlatko Theodorovic, Director, Judicial Council Budget Services, at (916) 263-1397.

Sincerely,

Martin Hoshino  
Administrative Director  
Judicial Council of California

MH/DN  
Attachments

Hon. Mark Leno  
Hon. Philip Y. Ting  
Ms. Peggy Collins  
December 1, 2016  
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cc: Members, Joint Legislative Budget Committee  
Hon. Brad R. Hill, Administrative Presiding Justice, Court of Appeal, Fifth Appellate District  
Ms. Diane F. Boyer-Vine, Legislative Counsel  
Mr. Daniel Alvarez, Secretary of the Senate  
Mr. E. Dotson Wilson, Chief Clerk of the Assembly  
Mr. Shaun Naidu, Policy Consultant, Office of Senate President pro Tempore Kevin de León  
Mr. Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon  
Ms. Anita Lee, Senior Fiscal and Policy Analyst, Legislative Analyst's Office  
Ms. Tina McGee, Executive Secretary, Legislative Analyst's Office  
Ms. Emma Jungwirth, Program Budget Analyst, Department of Finance  
Ms. Margie Estrada, Chief Counsel, Senate Judiciary Committee  
Ms. Julie Salley-Gray, Consultant, Senate Budget and Fiscal Review Committee  
Ms. Jolie Onodera, Consultant, Senate Appropriations Committee  
Mr. Matt Osterli, Consultant, Senate Republican Fiscal Office  
Mr. Mike Petersen, Consultant, Senate Republican Policy Office  
Ms. Alison Merrilees, Chief Counsel, Assembly Judiciary Committee  
Mr. Pedro Reyes, Chief Consultant, Assembly Appropriations Committee  
Mr. Allan Cooper, Consultant, Assembly Republican Office of Policy & Budget  
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy & Budget  
Ms. Millicent Tidwell, Chief Operating Officer, Judicial Council  
Mr. Zlatko Theodorovic, Director, Budget Services, Judicial Council  
Mr. Mike Courtney, Director, Capital Program, Judicial Council  
Mr. Cory T. Jasperson, Director, Governmental Affairs, Judicial Council  
Mr. Peter Allen, Director, Public Affairs, Judicial Council  
Ms. Laura Speed, Principal Manager, Governmental Affairs, Judicial Council  
Ms. Angela Guzman, Manager, Budget Services, Judicial Council  
Ms. Yvette Casillas-Sarcos, Administrative Coordinator, Governmental Affairs, Judicial Council

Hon. Mark Leno  
Hon. Philip Y. ting  
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**Status of Active Judicial Branch Courthouse Construction Program Projects  
September 30, 2016**

	County	Capital Project Name	Capital Project Status
1	Alameda	<a href="#">New East County Courthouse</a>	Construction began in August 2014 and is scheduled to end in fourth quarter of FY 2016-2017
2	El Dorado	<a href="#">New Placerville Courthouse</a>	Acquisition phase
3	Glenn	<a href="#">Renovate and Addition to Willows Courthouse</a>	Design Work: In working drawings phase
4	Imperial	<a href="#">New El Centro Courthouse</a>	Design Work: In working drawings phase
5	Inyo	<a href="#">New Inyo County Courthouse</a>	Acquisition phase
6	Lake	<a href="#">New Lakeport Courthouse</a>	Design Work: In working drawings phase
7	Los Angeles	<a href="#">New Eastlake Juvenile Courthouse</a>	Acquisition phase
8	Los Angeles	<a href="#">Hollywood Courthouse</a>	Design Work: In preliminary plans phase, project to be delivered as a design-build project
9	Mendocino	<a href="#">New Ukiah Courthouse</a>	Acquisition phase
10	Riverside	<a href="#">New Indio Juvenile and Family Courthouse</a>	Design Work: In working drawings phase
11	Riverside	<a href="#">New Mid-County Civil Courthouse</a>	Design Work: In preliminary plans phase
12	Sacramento	<a href="#">New Sacramento Criminal Courthouse</a>	Design Work: In preliminary plans phase; scope change requested and approved for FY 2016-2017; project is not funded for construction
13	San Diego	<a href="#">New Central San Diego Courthouse</a>	Construction began in December 2013 and is scheduled to end in early 2017
14	San Joaquin	<a href="#">New Stockton Courthouse</a>	Construction began in June 2014 and is scheduled to end in fourth quarter of FY 2016-2017
15	Santa Barbara	<a href="#">New Santa Barbara Criminal Courthouse</a>	Design Work: In preliminary plans phase; demolition funding re-appropriated in FY 2016-2017
16	Shasta	<a href="#">New Redding Courthouse</a>	Design Work: In working drawings phase; demolition funding requested and approved in FY 2016-2017
17	Siskiyou	<a href="#">New Yreka Courthouse</a>	Design Work: In working drawings phase
18	Sonoma	<a href="#">New Santa Rosa Criminal Courthouse</a>	Design Work: In preliminary plans phase
19	Stanislaus	<a href="#">New Modesto Courthouse</a>	Design Work: In preliminary plans phase; demolition funding requested and approved in FY 2016-2017
20	Tuolumne	<a href="#">New Sonora Courthouse</a>	Design Work: In working drawings phase

	County	Capital Project Name	Indefinitely-Delayed Capital Project Status
21	Fresno	<a href="#">Renovate Fresno County Courthouse</a>	Indefinitely delayed as of Judicial Council meetings on October 26, 2012, and January 17, 2013
22	Kern	<a href="#">New Delano Courthouse</a>	
23	Kern	<a href="#">New Mojave Courthouse</a>	
24	Los Angeles	<a href="#">New Glendale Courthouse</a>	
25	Los Angeles	<a href="#">New Santa Clarita Courthouse</a>	
26	Los Angeles	<a href="#">New Southeast Los Angeles Courthouse</a>	
27	Monterey	<a href="#">New South Monterey County Courthouse</a>	
28	Nevada	<a href="#">New Nevada City Courthouse</a>	
29	Placer	<a href="#">New Tahoe Area Courthouse</a>	
30	Plumas	<a href="#">New Quincy Courthouse</a>	

**Indefinitely Delayed** – Projects are indefinitely delayed until funds become available in the future. No work to proceed on site acquisition or design,

**3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund**  
**Accounting of Revenues and Expenditures, Government Code Section 70371.8**

Attachment II

*(Dollars in Thousands)*

	PY 08-09	PY 09-10	PY 10-11	PY 11-12	PY 12-13	PY 13-14	PY 14-15	PY 15-16
1 BEGINNING BALANCE	\$ -	\$ 93,608	\$ 250,686	\$ 369,617	\$ 61,061	\$ 108,476	\$ 86,266	\$ 152,622
2 <b>Prior Year Adjustments</b>								
3 <u>Capital Outlay Project Refunds to ICNA:</u>								
4 Alpine - Markleeville Courthouse				\$ 2,349 A	\$ 136 A			
5 Butte - North Butte County Courthouse				\$ 174 A	\$ 1,752 AP			
6 Fresno - Renovate Fresno County Courthouse					\$ 476 P			
7 Kern - Delano Courthouse					\$ 383 A			
8 Kern - Mojave Courthouse					\$ 511 A			
9 Kings - Hanford Courthouse				\$ 1,914 A	\$ 2,680 AP	\$ 4,142 W		
10 Lake - Lakeport Courthouse				\$ 709 A				
11 Los Angeles - Glendale Courthouse					\$ 1,499 A	\$ 298 A		
12 Los Angeles - Santa Clarita Courthouse					\$ 797 A	\$ 26 A		
13 Los Angeles - Southeast Los Angeles Courthouse					\$ 730 A	\$ 18 A		
14 Merced - Los Banos Courthouse			\$ 75 A	\$ 200 A				
15 Monterey - South County Courthouse					\$ 1,094 AP	\$ 5 A		
16 Nevada - Nevada City Courthouse					\$ 4,538 A			
17 Placer - Tahoe Area Courthouse					\$ 3,475 A			
18 Plumas - Quincy Courthouse					\$ 635 A			
19 Riverside - Indio Juvenile & Family Courthouse				\$ 996 A	\$ 94 A			
20 San Diego - Central San Diego Courthouse				\$ 11,199 AP	\$ 1,651 AP	\$ 10,207 W		
21 Santa Clara - Family Justice Center				\$ 6,334 AP		\$ 2,951 AP/W		
22 Shasta - Redding Courthouse					\$ 817 A			
23 Sierra - Downieville Courthouse			\$ 610 A	\$ 264 A				
24 Siskiyou - Yreka Courthouse				\$ 516 A				
25 Solano - Renovation to Fairfield Old Solano Courthouse					\$ 56 AP			
26 Stanislaus - Modesto Courthouse								
27 Sutter - Yuba City Courthouse			\$ 303 A	\$ 1,380 AP				
28 Tehama - Red Bluff Courthouse			\$ 160 A	\$ 189 A				
29 Tuolumne - Sonora Courthouse				\$ 655 A				
30 Yolo - Woodland Courthouse				\$ 3,683 A	\$ 4,201 AP	\$ 5,269 W		
31 <b>Subtotal - Prior Year Adjustments (Capital Outlay)</b>				\$ 28,506	\$ 28,729	\$ 22,916	\$ -	
32 Prior Year Adjustments - State Operations		\$ 7,467	\$ 7,759	\$ 7,401	\$ 2,914	\$ 3,275	\$ 1,323	\$ 1,933
35 Prior Year Adjustments (Total)		\$ 7,467	\$ 7,759	\$ 35,907	\$ 31,641	\$ 26,191	\$ 1,323	\$ 1,933
36 DOF - FSCU Assessments						\$ (2)	\$ (3)	
37 SCO - GAAP Assessments						\$ (0)	\$ (0)	
38 <b>ADJUSTED BEGINNING BALANCE</b>	\$ -	\$ 101,075	\$ 258,445	\$ 405,524	\$ 92,702	\$ 134,665	\$ 87,586	\$ 154,554
39 <b>Revenues, Transfers and Other Adjustments</b>								
40 150300 Income From Surplus Money Investments	\$ -	\$ -	\$ 571	\$ 741	\$ 168	\$ 278	\$ 196	\$ 718
41 161400 Misc Revenue From Local Agencies	\$ 8,320	\$ 24,261	\$ 34,361	\$ 27,120	\$ 21,091	\$ 21,187	\$ 19,196	\$ 16,811
42 164100 Traffic Violations	\$ 12,799	\$ 36,028	\$ 36,202	\$ 30,712	\$ 28,886	\$ 27,434	\$ 26,133	\$ 22,227
43 164300 Penalty Assessments (Parking Violations)	\$ 2,421	\$ 15,325	\$ 25,828	\$ 27,031	\$ 26,440	\$ 25,968	\$ 25,916	\$ 25,234
44 164600 Fines and Forfeitures	\$ -	\$ -			\$ 120			
45 164700 Court Filing Fees and Surcharges	\$ 18,253	\$ 37,131	\$ 37,202	\$ 32,013	\$ 29,776	\$ 27,800	\$ 25,415	\$ 26,470
46 164800 Penalty Assess. on Criminal Fines	\$ 51,815	\$ 191,233	\$ 195,631	\$ 186,999	\$ 176,205	\$ 171,777	\$ 164,090	\$ 134,940
47 <u>Transfers and Other Adjustments:</u>								
48 Revenue Redirection to Trial Court Trust Fund			\$ (73,400)	\$ (143,000)				
49 Revenue Redirection to General Fund			\$ -	\$ (310,275)	\$ -	\$ (200,000)		
50 Loan to General Fund			\$ -	\$ (90,000)		\$ -	\$ -	\$ -
51 <b>Total Revenues, Transfers, and Other Adjustments</b>	\$ 93,608	\$ 303,978	\$ 256,395	\$ (238,659)	\$ 282,686	\$ 74,444	\$ 260,946	\$ 226,399
52 <b>Expenditures and Expenditure Adjustments</b>								
53 <u>Support Costs:</u>								
54 Facility Modifications	\$ -	\$ 10,000	\$ 24,363	\$ 15,000	\$ 24,519	\$ 25,000	\$ 25,000	\$ 25,000
55 Los Angeles, Long Beach Service Fee						\$ 27,979	\$ 53,354	\$ 54,214
56 Pro Rata				\$ 836	\$ 2,393	\$ 1,229	\$ 1,370	\$ 5,094
57 Fiscal								\$ 594
58 Debt Service							\$ 465	\$ 13,352
59 Capital Project Related Support Costs							\$ 807	\$ 145
61 <b>Subtotal Support Costs</b>	\$ -	\$ 10,000	\$ 24,363	\$ 15,836	\$ 26,912	\$ 54,208	\$ 80,996	\$ 98,399
62 Local Assistance - Operation of Trial Courts		\$ 25,000			\$ 240,000	\$ 50,000	\$ 10,000	\$ 50,000
63 <b>Capital Project Costs (pay as you go)</b>								
64 Alameda - East County Hall of Justice		\$ -	\$ 50,000 A				\$ 39,113 A	
65 Alpine - Markleeville Courthouse		\$ 2,681 A						
66 Butte - North Butte County Courthouse		\$ 800 A	\$ 6,064 AP	\$ 4,358 W				
67 El Dorado - Placerville Courthouse		\$ 1,711 A						
68 Fresno - Renovate Fresno County Courthouse		\$ 4,302 P						
69 Glenn - Renovation/Addition to Willows Historic Courthouse		\$ 1,354 A		\$ 2,206 P		\$ 2,600 W		
70 Imperial - El Centro Courthouse		\$ 1,049 A		\$ 3,607 AP			\$ 3,344 W	
71 Inyo - Inyo County Courthouse		\$ 753 A						
72 Kern - Delano Courthouse		\$ 871 A						
73 Kern - Mojave Courthouse		\$ 924 A						
74 Kings - Hanford Courthouse		\$ 2,615 A	\$ 6,231 P	\$ 8,342 W				
75 Lake - Lakeport Courthouse		\$ 780 A	\$ 4,660 AP				\$ 4,450 W	
76 Los Angeles - Eastlake Juvenile Courthouse		\$ 12,048 A						
77 Los Angeles - Glendale Courthouse		\$ 2,456 A						
78 Los Angeles - New Hollywood Courthouse		\$ 2,096 A					\$ 2,500 B	
79 Los Angeles - Santa Clarita Courthouse		\$ 1,246 A						
80 Los Angeles - Southeast Los Angeles Courthouse		\$ 1,187 A	\$ 400 A					
81 Mendocino - Ukiah Courthouse		\$ 2,207 A						\$ 3,466 A
82 Merced - Los Banos Courthouse		\$ 753 A		\$ 2,137 AP		\$ 1,974 W		
83 Monterey - South County Courthouse		\$ 686 A	\$ 2,288 P					
84 Nevada - Nevada City Courthouse		\$ 5,259 A						
85 Placer - Tahoe Area Courthouse			\$ 3,764 A					



**3138 Immediate and Critical Needs Account, State Court Facilities Construction Fund  
Accounting of Revenues and Expenditures, Government Code Section 70371.8**

Attachment II

*(Dollars in Thousands)*

	PY 08-09	PY 09-10	PY 10-11	PY 11-12	PY 12-13	PY 13-14	PY 14-15	PY 15-16
86 Plumas - Quincy Courthouse		\$ 1,146 A						
87 Riverside - Mid-County Civil Courthouse (formerly Hemet)		\$ 5,149 A						\$ 4,259 P
88 Riverside - Indio Juvenile & Family Courthouse		\$ 891 A	\$ 6,362 A/P				\$ 3,484 W	
89 Sacramento - Sacramento Criminal Courthouse		\$ 6,932 A					\$ 17,347 A/P	
90 San Diego - Central San Diego Courthouse		\$ 30,192 A		\$ 32,367 W		\$ 3,792 C		\$ 832
91 San Joaquin - Renovation/Addition to Juvenile Justice Center			\$ 244 P	\$ 325 P/W		\$ 3,205 C		
92 Santa Barbara - Santa Barbara Criminal Courthouse		\$ 10,439 A		\$ 129 A			\$ 4,411 P	
93 Santa Clara - Family Justice Center		\$ 3,905 A	\$ 12,915 A/P	\$ 10,005 W				
94 Shasta - Redding Courthouse		\$ 2,422 A		\$ 2,985 A			\$ 6,028 P	\$ 8,849 W
95 Sierra - Downville Courthouse		\$ 957 A						
96 Siskiyou - Yreka Courthouse		\$ 1,807 A		\$ -		\$ 3,277 P	\$ 4,518 W	
97 Siskiyou - Yreka Courthouse (Reimbursements)						\$ (3,277) P		
98 Solano - Renovation to Fairfield Old Solano Courthouse		\$ 1,739 A		\$ 1,393 W				
99 Sonoma - Santa Rosa Criminal Courthouse		\$ 2,845 A		\$ 3,853 A			\$ 7,670 P	
100 Stanislaus - Modesto Courthouse			\$ 7,906 A				\$ 9,000	
101 Sutter - Yuba City Courthouse		\$ 1,059 A	\$ 3,543 A	\$ 4,693 W				
102 Tehama - Red Bluff Courthouse		\$ 681 A	\$ 2,014 A	\$ 3,106 P		\$ 3,982 W		
103 Tuolumne - Sonora Courthouse		\$ 1,429 A		\$ 823 A			\$ 3,049 P	\$ 4,066 W
104 Yolo - Woodland Courthouse		\$ 1,996 A	\$ 14,469 A/P	\$ 9,639 W				
105 San Joaquin - Stockton (SB 1732 Project)						\$ 3,083 C		
106 <b>Subtotal Capital Costs</b>	\$ -	\$ 119,367	\$ 120,860	\$ 89,968	\$ -	\$ 18,636	\$ 104,914	\$ 21,472
107 Total Expenditures and Expenditure Adjustments	\$ -	\$ 154,367	\$ 145,223	\$ 105,804	\$ 266,912	\$ 122,843	\$ 195,910	\$ 169,871
108 Net Annual Rev., Trsf., & Other Adj. Less Total Expenditures	\$ 93,608	\$ 149,611	\$ 111,172	\$ (344,463)	\$ 15,774	\$ (48,399)	\$ 65,036	\$ 56,528
109 <b>TOTAL FUND BALANCE</b>	\$ 93,608	\$ 250,686	\$ 369,617	\$ 61,061	\$ 108,476	\$ 86,266	\$ 152,622	\$ 211,082