



Judicial Council of California

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

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-004

For business meeting on July 21, 2023

Title

Court Facilities: Judicial Branch Five-Year
Infrastructure Plan and Capital Outlay
Budget Change Proposals for Fiscal Year
2024–25

Agenda Item Type

Action Required

Effective Date

July 21, 2023

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

July 12, 2023

Recommended by

Court Facilities Advisory Committee
Hon. Brad R. Hill, Chair
Hon. Patricia M. Lucas (Ret.), Vice-Chair

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Executive Summary

The Court Facilities Advisory Committee recommends approval of the *Judicial Branch Five-Year Infrastructure Plan* and six capital outlay budget change proposals for fiscal year 2024–25 for their submission to the state Department of Finance. The five-year plan forms the basis for capital project funding requests for the upcoming and outlying fiscal years, and the budget change proposals reflect funding requested for the phases of the projects in year 1 (fiscal year 2024–25) of the plan.

Recommendation

The Court Facilities Advisory Committee recommends that the Judicial Council, effective July 21, 2023:

1. Approve the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024–25*;

2. Approve the six capital outlay budget change proposals for fiscal year 2024–25; and
3. Direct staff to submit the plan and the six budget change proposals to the state Department of Finance.

The proposed five-year plan and budget change proposals are available as attachments 1–7.

Relevant Previous Council Action

On July 15, 2022, the council approved the last update to its five-year plan, which was for fiscal year (FY) 2023–24 (see Link A).

Analysis/Rationale

Judicial Branch Five-Year Infrastructure Plan

The Trial Court Facilities Act of 2002 (Gov. Code, §§ 70301–70403) specifies the Judicial Council’s authority and responsibility to exercise policymaking authority over appellate and trial court facilities including, but not limited to, planning, construction, and acquisition, and to “[r]ecommend to the Governor and the Legislature the projects to be funded by the State Court Facilities Construction Fund.” (Gov. Code, § 70391(*l*)(3).) Council staff assists the council in meeting its responsibilities by, among other things, submitting to the state Department of Finance (DOF) a five-year plan that includes, when necessary to request funding, capital outlay plans for the superior courts, Courts of Appeal, and Supreme Court of California.

For the upcoming and outlying fiscal years, the five-year plan conveys the judicial branch’s funding needs for new courthouse construction as well as renovations and additions to existing facilities. Each year, these courthouse construction needs are then described in the Governor’s *California Five-Year Infrastructure Plan*. The California Infrastructure Planning Act¹ requires the Governor to submit a five-year infrastructure plan to the Legislature for consideration with the annual budget bill. The latest *California Five-Year Infrastructure Plan* is available at <https://dof.ca.gov/reports/other/>.

Capital outlay budget change proposals

Capital outlay budget change proposals (COBCPs) are a requirement of the state Budget Act process for requesting funding for phases of trial and appellate court capital projects identified in

¹ Assem. Bill 1473 (Hertzberg; Stats. 1999, ch. 606), codified at Gov. Code, §§ 13100–13104. The act requires the Governor to submit annually to the Legislature (1) a proposed five-year plan addressing the infrastructure needs of state executive branch agencies, schools, and postsecondary institutions; and (2) a proposal for funding the needed infrastructure. This plan is submitted in conjunction with the Governor’s Budget to identify infrastructure needs statewide and set priorities for funding. It also evaluates these infrastructure needs in the overall context of available funding sources, what the state could afford, and how the state could grow in the most sustainable way possible. Because the Judicial Council of California is not an executive branch agency, its projects are not technically required to be included in the Governor’s five-year plan under AB 1473. However, because section 13103 empowers the Governor to order *any entity* of state government to assist in preparation of this plan, the Judicial Council on a voluntary basis has historically submitted its five-year infrastructure plan to the DOF to facilitate executive branch approval of judicial branch capital-outlay project funding requests.

year 1 of the five-year plan. The DOF's COBCP cover sheet (DF-151) is used to convey the purpose of the project including its phases to be funded for the requested fiscal year.

Approval authority

The Judicial Council is the authority responsible for adopting updates to its five-year plan and for directing its staff to submit the plan to the DOF, along with COBCPs reflecting funding requested for the phases of the projects in year 1 of the plan. The *Judicial Branch Five-Year Infrastructure Plan* provides the executive and legislative branches with a context for the COBCPs submitted each fiscal year to advance projects within the judicial branch courthouse construction program.

Reconciliation with the five-year plan for FY 2023–24

On January 10, 2023, the Governor's Budget for FY 2023–24 was released. It included \$19.2 million General Fund and \$153 million Public Buildings Construction Fund for initial funding of two new capital projects and continued funding of two active projects. These projects, shown below, are included in the tables on pages 6 and 7 of the Judicial Council's [*Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24*](#):

1. Court of Appeal—New Sixth Appellate District Courthouse—\$2.8 million for performance criteria;
2. Nevada—New Nevada City Courthouse—\$8.1 million for acquisition;
3. Monterey—New Fort Ord Courthouse—\$153 million for Design-Build; and
4. San Bernardino—San Bernardino Juvenile Dependency Courthouse Addition and Renovation—\$8.3 million for construction.

On May 12, 2023, the May Revision to the Governor's Budget was released; it included no additional funding for capital projects.

On June 27, 2023, at its public meeting, the advisory committee approved the attached five-year plan and six COBCPs to move forward for council review and approval. This action included the reduction from 4 to 3 courtrooms for the Kern—New East County Courthouse project, which now consolidates court operations only in the existing Mojave court facilities, as well as costs for the Placer—Tahoe Courthouse Renovation project.

Consistent with the 2023 Budget Act (FY 2023–24), which authorized the capital outlay funding in the Governor's Budget described above, and its actions at its public meeting on June 27, 2023, the advisory committee presents the judicial branch's five-year plan for FY 2024–25 for trial and appellate court capital-outlay projects.

Five-year plan for trial court capital-outlay projects

The table on page 6 of the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024–25* presents the Five-Year Plan for Trial Court Capital-Outlay Projects. It is derived from the council's statewide list of projects, with projects shown in the same sequential order. Its

projects/phases are based on those in the Governor’s *California Five-Year Infrastructure Plan* and available resources to implement them. Its details are as follows:

- The plan proposes a total of 21 projects:
 - Year 1 (FY 2024–25) funds the start of 3 new projects plus the continuation of 2 projects;
 - Year 2 (FY 2025–26) funds the start of 3 new projects plus the continuation of 4 projects; and
 - Years 3–5 each fund the start of 3 new projects.
- The plan funds nine remaining Immediate Need group projects and 12 of 27 Critical Need group projects (see Attachment A to the attached five-year plan).
- A total of 299 courtrooms would be activated in the next five to eight years.
- Funding request totals are year 1 at \$38.782 million, year 2 at \$2.356 billion, year 3 at \$465.292 million, year 4 at \$339.738 million, and year 5 at \$1.192 billion. The plan total is \$4.392 billion.
- The estimated total cost of all 21 projects is \$7.705 billion.

For FY 2024–25 or year 1 of the Five-Year Plan for Trial Court Capital-Outlay Projects, a total of \$38.782 million is presented for five projects—three with initial phases and two with continuation phases. These projects provide benefits to five superior courts and would activate a total of 54 courtrooms.

Five-year plan for appellate court capital-outlay projects

The table on page 7 of the *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024–25* presents the Five-Year Plan for Appellate Court Capital-Outlay Projects. It is derived from the need to continue the project, funded initially in the 2023 Budget Act (FY 2023–24), for construction of a new courthouse on state-owned property in the city of Sunnyvale for the permanent location of the Court of Appeal, Sixth Appellate District.

For FY 2024–25 or year 1 of the Five-Year Plan for Appellate Court Capital-Outlay Projects, a total of \$89.491 million is presented for the next phase (Design-Build phase) of the New Sixth Appellate District Courthouse project described above.

Policy implications

The future for funding the judicial branch’s courthouse construction program was dependent on a reassessment of the council’s unfunded trial court capital-outlay projects. This reassessment was completed in November 2019 and approved by the council (see Link B). It was then submitted to the Legislature to meet the mandated deadline of December 31, 2019 (see Link C). Since the council’s [*Statewide List of Trial Court Capital-Outlay Projects*](#) was submitted for legislative

consideration, 12 projects have been authorized for funding between the 2020 and 2023 Budget Acts (FY 2020–21 and 2023–24) (see Attachment A to the attached five-year plan).

Comments

On March 22 and June 27, 2023, the advisory committee held public meetings to discuss the attached five-year plan and COBCPs. The attached plan and COBCPs were posted in advance of the meetings for public comment, and comments received were distributed to the advisory committee members or included in the meeting materials or both. Materials for these meeting are available as follows:

- For the meeting on March 22, 2023, see Tabs 2–4 at www.courts.ca.gov/documents/cfac-20230322-materials.pdf.
- For the meeting on June 27, 2023, see Tab 3 at www.courts.ca.gov/documents/cfac-20230627-materials.pdf.

Alternatives considered

For the council’s trial and appellate court capital-outlay projects to be considered for funding in the 2024 Budget Act (FY 2024–25), submission of the five-year plan and COBCPs is required by the DOF by July 31, 2023. To advance the judicial branch courthouse construction program, no alternatives to the recommended action were considered.

Fiscal and Operational Impacts

Judicial Council costs

Costs associated with the implementation of projects in the five-year plan, for needs such as an increase in Facilities Services staffing, are yet to be determined and depend on the implementation of the recommended council action.

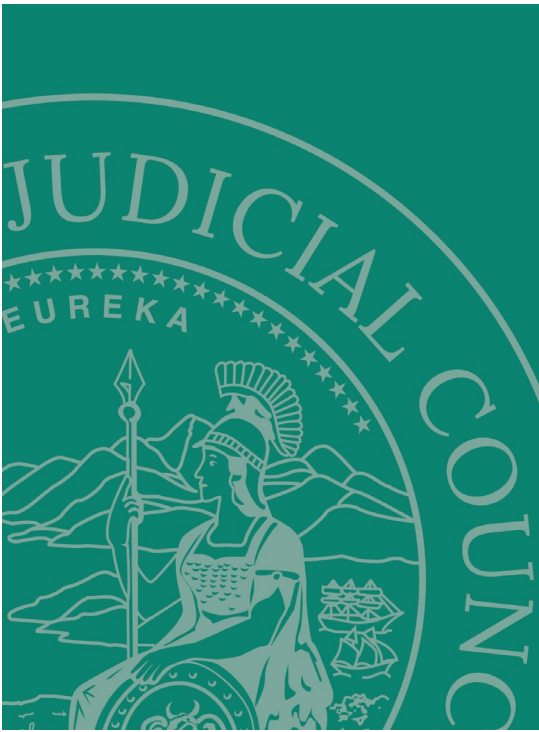
Capital outlay project costs

The scope and cost of a capital outlay project is confirmed before the council’s submission of a funding request to the DOF. Once authorized and funded, a capital outlay project is paid for from its appropriations by project phase, through the state Budget Act process.

Attachments and Links

1. Attachment 1: *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024–25* (July 21, 2023)
2. Attachment 2: *Capital Outlay Budget Change Proposal (COBCP) for Court of Appeal–New Sixth Appellate District Courthouse* (July 31, 2023)
3. Attachment 3: *Capital Outlay Budget Change Proposal (COBCP) for Fresno County–New Fresno Courthouse* (July 31, 2023)
4. Attachment 4: *Capital Outlay Budget Change Proposal (COBCP) for San Luis Obispo County–New San Luis Obispo Courthouse* (July 31, 2023)
5. Attachment 5: *Capital Outlay Budget Change Proposal (COBCP) for San Joaquin County–New Tracy Courthouse* (July 31, 2023)

6. Attachment 6: *Capital Outlay Budget Change Proposal (COBCP) for Kern County–New East County Courthouse* (July 31, 2023)
7. Attachment 7: *Capital Outlay Budget Change Proposal (COBCP) for Placer County–Tahoe Courthouse Renovation* (July 31, 2023)
8. Link A: *Court Facilities: Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24* (June 24, 2022),
<https://jcc.legistar.com/View.ashx?M=F&ID=11014326&GUID=379309E5-C1B9-4DA7-BF82-4CF465C0015B>
9. Link B: *Report to the Legislature: Reassessment of Trial Court Capital-Outlay Projects* (Oct. 25, 2019), <https://jcc.legistar.com/View.ashx?M=F&ID=7839251&GUID=371BD830-76BC-47EA-9EF9-DEDCC8EA49A9>
10. Link C: *Reassessment of Trial Court Capital-Outlay Projects* (Dec. 6, 2019),
www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf



Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024–25

SUPREME COURT OF CALIFORNIA
CALIFORNIA COURTS OF APPEAL
SUPERIOR COURTS OF CALIFORNIA
JUDICIAL COUNCIL OF CALIFORNIA

ADOPTED BY THE JUDICIAL COUNCIL
JULY 21, 2023

SUBMITTED TO THE CALIFORNIA
DEPARTMENT OF FINANCE
JULY 31, 2023



Judicial Council of California

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I. INTRODUCTION

The California judicial branch consists of the Supreme Court, Courts of Appeal, trial courts, and the Judicial Council. The Lockyer-Isenberg Trial Court Funding Act of 1997 (Assem. Bill 233; Stats. 1997, ch. 850) consolidated the costs of operating California's trial courts at the state level. The act was based on the premise that state funding of court operations was necessary to provide more uniform standards and procedures, economies of scale, structural efficiency, and access for the public.

Following on this act, the Trial Court Facilities Act of 2002 (Sen. Bill 1732; Stats. 2002, ch. 1082) specified that counties and the state pursue a process that would ultimately result in full state assumption of the financial responsibility and equity ownership of all court facilities. To address maintenance costs in existing court facilities and the renovation or construction of new court facilities, the Trial Court Facilities Act required counties to contribute to the ongoing operation and maintenance of court facilities based on historical expenditures for facilities transferred to the state. The act also established a dedicated revenue stream to the State Court Facilities Construction Fund for the design, construction, or renovation of these facilities.

Recognizing the growing demand to replace California's aging courthouses, additional legislation was enacted. Senate Bill 1407 (Stats. 2008, ch. 311) authorizes various fees, penalties, and assessments to be deposited in the Immediate and Critical Needs Account (ICNA) to support the construction, renovation, and operation of court facilities, including the payment of rental costs associated with completed capital-outlay projects funded with lease revenue bonds. However, these revenues have been lower than expected, which led to the curtailment of the Judicial Council's capital program.

On June 27, 2018, when the 2018 Budget Act was passed, the judicial branch courthouse construction program was allocated \$1.3 billion for the continuing phases of 10 trial court capital-outlay projects in the following counties: Glenn, Imperial, Riverside (in both Indio and in midcounty regions), Sacramento, Shasta, Siskiyou, Sonoma, Stanislaus, and Tuolumne. This highly encouraging support for the construction program also memorialized a notable change in the program's source of funding: The sale of lease revenue bonds to finance a project's construction was backed by the General Fund rather than the ICNA. Since 2008, SB 1407 projects had relied on the ICNA, which is forecasted to have a negative fund balance as early as fiscal year (FY) 2026–27 owing to the continual decline of its sources of revenue of fines and fees. In FY 2021–22, for the State Court Facilities Construction Fund (SCFCF)—the other source from which the courthouse construction program is funded—to remain solvent and the Judicial Council to maintain program service levels, the ICNA and SCFCF were combined.

The Judicial Council completed facility master plans for each of the 58 counties in December 2003. Those plans were consolidated into a statewide plan approved by the Judicial Council in February 2004 as the Trial Court Five-Year Capital-Outlay Plan, which ranked 201 projects for future development. Changes to this initial statewide plan have been approved

incrementally since 2004. The most recently developed statewide list of trial court capital-outlay projects and the five-year plan for trial court capital-outlay projects are described below and attached to this report.

II. REASSESSMENT OF TRIAL COURT CAPITAL-OUTLAY PROJECTS

Government Code section 70371.9 required the Judicial Council to conduct a reassessment of all trial court capital-outlay projects that had not been fully funded up to and through the 2018 Budget Act (FY 2018–19) and to submit the report by December 31, 2019, to two legislative committees. This reassessment produced the [*Statewide List of Trial Court Capital-Outlay Projects*](#) prioritized on needs-based/cost-based scores from the application of the council’s [*Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects*](#).

A. Process

The reassessment of the capital-outlay projects can be summarized by five main endeavors:

1. Revision of the prioritization methodology—developing needs-based criteria and cost-based criteria to rank projects within priority groups—consistent with Government Code section 70371.9;
2. Assessment of facilities occupied by trial courts, including physical condition assessments, as well as assessments related to security, access to court services, and overcrowding;
3. Development of court facility plans and court needs-based projects;
4. Application of the prioritization methodology to all projects; and
5. Development of a statewide list of prioritized projects.

B. Statewide List of Capital-Outlay Projects

The *Statewide List of Trial Court Capital-Outlay Projects* has been developed from the application of the revised prioritization methodology to the capital projects identified by the court facility plans, of which there is one for each county. As defined in the methodology, trial court capital-outlay projects are considered those *that increase a facility’s gross area, such as a building addition; that substantially renovate a major portion of a facility; that comprise a new facility or an acquisition; or that change the use of a facility, such as the conversion from noncourt use to court use.*

Details of the list are as follows:

- There is a total of 80 projects for 41 of the 58 trial courts.

- All 80 projects affect 165 of the approximate total 450 facilities in the judicial branch's real estate portfolio.
- The total cost of each need group is Immediate, \$2.3 billion; Critical, \$7.9 billion; High, \$1.3 billion; Medium, \$1.6 billion; and Low, \$0.1 billion.
- Of the 80 projects, 56 are for new construction, and 24 are for renovation and/or addition.
- The total cost for the 56 new construction projects is estimated at \$10.6 billion; the total cost for the 24 renovation and/or addition projects is estimated at \$2.6 billion.
- The total cost of all 80 projects is estimated at \$13.2 billion.

C. Revision of Prioritization Methodology

The methodology involves a two-step process:¹ Step 1 identifies (1) the general physical condition of the buildings; (2) needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act requirements, and environmental hazards; (3) court security features within buildings; (4) access to court services; (5) overcrowding; and (6) capital-outlay projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

Step 2 involves applying the needs-based criteria and cost-based criteria to rank projects within the priority groups.

In the most essential terms, the methodology can be described as:

- Needs-based criteria = Priority Group; and
- Needs-based and cost-based criteria = Rank within Priority Group.

III. INTEGRATING CLIMATE CHANGE INTO PLANNING AND INVESTMENT

The Judicial Council has supported climate adaptation and sustainability practices in the construction, operations, and maintenance of approximately 450 court facilities that house California's court system. The council's capital program focuses on proven design approaches and building elements that can improve court facilities and result in cost-effective, sustainable buildings. Strategies include protecting, conserving, and restoring water resources; installing water reuse systems; and improving energy efficiency. Other strategies include promoting a healthy indoor environment, using environmentally friendly building materials, recycling

¹ For more detailed information, see Judicial Council of Cal., Advisory Com. Rep., *Court Facilities: Reassessment of Trial Court Capital-Outlay Projects* (Nov. 5, 2019), agenda item 19-129 of the Judicial Council meeting of Nov. 14, 2019, <https://jcc.legistar.com/View.ashx?M=F&ID=7862663&GUID=C63B6E8E-6A8D-476C-BF8F-634132CB381F>.

materials during construction and demolition, and using flexible designs that anticipate future changes and enhance building longevity. The Judicial Council also designs its buildings to achieve at least LEED (Leadership in Energy and Environmental Design) Silver certification equivalency.

In December 2020, the Judicial Council’s Trial Court Facility Modification Advisory Committee approved a [sustainability plan](#) that focuses primarily on ensuring that new construction practices comply with state sustainability initiatives and help reduce the judicial branch’s impact on climate change. Additional goals include reducing greenhouse gas emissions, energy usage, and utility costs by pursuing energy efficiency measures such as leveraging grant opportunities and third-party financing options; educating staff, key stakeholders, and service providers on specific energy-saving practices and broader sustainability issues; conserving other natural resources through improved data collection and baseline tracking; and improving the power resiliency of the judicial branch’s portfolio through onsite renewable energy generation and storage systems.

IV. EXISTING FACILITIES

The facilities of the Supreme Court, Courts of Appeal, and trial courts encompass not only the public courtroom spaces, but also the chambers and workspace where judicial officers and courtroom staff prepare for proceedings; secure areas, including holding cells; and building support functions.

The trial courts are located in each of the 58 counties, in approximately 450 facilities and 2,100 courtrooms, covering approximately 16 million square feet of usable area and more than 21 million square feet of space under Judicial Council responsibility and management.

The Courts of Appeal are organized into six districts, which operate in nine different locations in approximately 508,000 square feet. The Fresno and Riverside appellate courts are housed in standalone, state-owned facilities with the balance being co-located in other leased or state-owned space.

The Supreme Court is located in the Civic Center Plaza in San Francisco (103,300 square feet) and in the Ronald Reagan State Building in Los Angeles (7,600 square feet).

Currently, the Judicial Council administrative facilities are located in San Francisco and Sacramento, with office space totaling approximately 263,000 square feet.

V. DRIVERS OF INFRASTRUCTURE NEEDS

The primary drivers of court facility needs include providing a safe and secure facility, improving poor functional conditions, addressing inadequate physical conditions including seismically deficient facilities, and expanding the public’s physical, remote, and equal access to the courts.

VI. PROPOSAL

A. Trial Court Capital-Outlay Project Funding Requests for FY 2024–25

The five-year plan for trial court capital-outlay projects in the table below proposes funding in FY 2024–25 for five projects on the Judicial Council’s approved statewide list of projects as referenced in the *Status Report: Immediate and Critical Need Trial Court Capital-Outlay Projects* (see Attachment A). This proposal is based on funding support in the Governor’s Proposed Budget for FY 2023–24, which included \$169.5 million (\$16.4 million General Fund and \$153 million Public Buildings Construction Fund) for initial funding of one new capital project and continued funding of two active projects:

1. Monterey–New Fort Ord Courthouse—\$153 million for Design-Build.
2. Nevada–New Nevada City Courthouse—\$8.1 million for acquisition.
3. San Bernardino–San Bernardino Juvenile Dependency Courthouse Addition and Renovation—\$8.3 million for construction.

On May 12, 2023, the May Revision to the Governor’s Budget was released. It included no additional funding for capital projects.

At its public meeting on June 27, 2023, and the Judicial Council’s Court Facilities Advisory Committee (CFAC) approved capital-outlay budget change proposals (COBCPs) for the six projects in year 1 (FY 2024–25) of this five-year plan, including costs for the following:

1. Kern–New East County Courthouse, which was reduced from 4 to 3 courtrooms and now consolidates court operations only in the existing Mojave court facilities; and
2. Placer–Tahoe Courthouse Renovation.

Consistent with the Governor’s Proposed Budget for FY 2023–24, the Judicial Council’s ratification of its CFAC’s actions on June 27, 2023, and the outcome of the 2023 Budget Act (FY 2023–24), the judicial branch’s five-year plan for trial court capital-outlay projects is presented in the table below.

Five-Year Plan for Trial Court Capital-Outlay Projects
(Dollars in Thousands)

			1		2		3		4		5	
			FY 2024–25		FY 2025–26		FY 2026–27		FY 2027–28		FY 2028–29	
County	Project Name	Courtrooms										
BY 1 Continuation	Fresno	New Fresno Courthouse	36	\$ 18,145	D	\$ 875,281	B					
	San Luis Obispo	New San Luis Obispo Courthouse	12	\$ 7,772	D	\$ 305,923	B					
BY 1 Starts	San Joaquin	New Tracy Courthouse	2	\$ 2,645	D	\$ 56,139	B					
	Kern	New East County Courthouse	3	\$ 4,921	AS			\$ 1,844	D	\$ 71,983	B	
	Placer	Tahoe Courthouse Renovation	1	\$ 5,299	AS			\$ 1,027	D	\$ 16,365	B	
BY 2 Continuation	Nevada	New Nevada City Courthouse	6			\$ 1,289	D	\$ 167,428	B			
	Solano	New Solano Hall of Justice (Fairfield)	12			\$ 286,186	B					
	Plumas	New Quincy Courthouse	3			\$ 110,156	B					
	Los Angeles	New Santa Clarita Courthouse	24			\$ 547,827	B					
BY 2 Starts	Contra Costa	New Richmond Courthouse	6			\$ 19,415	AS			\$ 2,357	D	\$ 187,981
	San Francisco	New San Francisco Hall of Justice	24			\$ 135,700	AS			\$ 14,770	D	\$ 752,467
	Orange	New Orange County Collaborative Courthouse	3			\$ 17,979	AS			\$ 2,587	D	\$ 183,797
BY 3 Starts	Santa Barbara	New Santa Barbara Criminal Courthouse	8					\$ 10,588	D	\$ 216,395	B	
	Los Angeles	New Downtown Los Angeles Courthouse (Mosk Replacement)	100					\$ 275,689	AS			\$ 40,894
	El Dorado	New Placerville Courthouse	6					\$ 8,716	AS			\$ 2,683
BY 4 Starts	Fresno	Fresno Juvenile Delinquency Courthouse Renovation	2							\$ 1,377	PW	\$ 9,105
	Inyo	New Inyo County Courthouse	2							\$ 3,921	AS	
	San Bernardino	New Victorville Courthouse	31							\$ 9,983	AS	
BY 5 Starts	Mariposa	New Mariposa Courthouse	2									\$ 3,048
	Los Angeles	Chatsworth Courthouse Renovation	7									\$ 2,011
	Santa Cruz	New Santa Cruz Courthouse	9									\$ 10,589
Totals			299	\$ 38,782		\$ 2,355,895		\$ 465,292		\$ 339,738		\$ 1,192,575

Table Legend:

S = Study
A = Acquisition
P = Preliminary Plans
W = Working Drawings
C = Construction
D = Performance Criteria
B = Design-Build

B. Appellate Court Capital-Outlay Project Funding Requests for FY 2024–25

The five-year plan for appellate court capital-outlay projects in the table below proposes funding in FY 2024–25 for one project. This proposal is based on funding support in the FY 2023–24 Proposed Governor’s Budget, which was authorized in the 2023 Budget Act (FY 2023–24) for \$2.8 million General Fund for the New Sixth Appellate District Courthouse’s performance criteria phase. The FY 2024–25 proposal is to fund this project’s Design-Build phase.

A permanent location is needed for the Sixth Appellate District of the Court of Appeal, which handles cases from the counties of San Benito, Santa Clara, Santa Cruz, and Monterey from a leased facility. The court decides over 900 appeals annually, in addition to disposing of 500 writ petitions.

Since it was established in 1984, the Sixth Appellate District has adjudicated cases out of leased space in a commercial office building in downtown San Jose in the county of Santa Clara. With the court’s lease expiring in the near term and the impending significant rate increases in a highly competitive rental market with limited vacancy, making relocation an inevitability, a feasibility study was developed. The study compared the costs of continuing the long-term lease with construction of a permanent building on a state-owned property available for redevelopment in the city of Sunnyvale in Santa Clara County. At the CFAC’s public meeting on May 26, 2022, the feasibility study and its findings were presented and discussed. Subsequently, at the CFAC’s public meeting on June 17, 2022, based on the economic, public-service, and operational benefits, the committee included costs for a capital-outlay project in this five-year plan for construction of a new courthouse on the state-owned property in Sunnyvale. The updated feasibility study and findings presented at that meeting are available under Tab 3 of the meeting materials at www.courts.ca.gov/documents/cfac-20220617-materials.pdf.

Consistent with the FY 2023–24 Proposed Governor’s Budget, the Judicial Council’s ratification of the CFAC’s actions on June 27, 2023, and the outcome of the 2023 Budget Act (FY 2023–24), the judicial branch’s five-year plan for appellate court capital-outlay projects is presented in the table below.

**Five-Year Plan for Appellate Court Capital-Outlay Projects
(Dollars in Thousands)**

	County	Project Name	Courtrooms	1		2		3		4		5	
				FY 2024–25		FY 2025–26		FY 2026–27		FY 2027–28		FY 2028–29	
BY 1 Continuation	Santa Clara	New Sixth Appellate District Courthouse	1	\$ 89,491	B								
		Totals	1	\$ 89,491		\$ -		\$ -		\$ -		\$ -	

Table Legend:
B = Design-Build

Attachment A
**Status Report: Immediate and Critical Need Trial Court Capital-
Outlay Projects (July 21, 2023)**



Status Report: Immediate and Critical Need Trial Court Capital-Outlay Projects

County	Project Name	Priority Group	Courtrooms	Group Score	Funding Status
Immediate Need					
Lake	New Lakeport Courthouse	Immediate Need	4	22.0	Fully funded; funding authorized in 2021 Budget Act (FY 2021–22).
Mendocino	New Ukiah Courthouse	Immediate Need	7	19.2	Fully funded; funding authorized in 2021 and 2022 Budget Acts.
Nevada	New Nevada City Courthouse	Immediate Need	6	18.6	Partially funded; initial funding authorized in 2023 Budget Act (FY 2023–24).
Butte	Butte County Juvenile Hall Addition and Renovation	Immediate Need	1	18.6	Fully funded; funding authorized in 2021 and 2022 Budget Acts.
Monterey	New Fort Ord Courthouse	Immediate Need	7	18.5	Fully funded; funding authorized in 2021 and 2023 Budget Acts.
Lake	New Clearlake Courthouse	Immediate Need	1	17.9	Project removed from the five-year infrastructure plan for alternative scope.
San Bernardino	San Bernardino Juvenile Dependency Courthouse Addition and Renovation	Immediate Need	2	17.6	Fully funded; funding authorized in 2021 and 2023 Budget Acts.
Solano	New Solano Hall of Justice (Fairfield)	Immediate Need	12	17.6	Partially funded; initial funding authorized in 2022 Budget Act (FY 2022–23).
Fresno	New Fresno Courthouse	Immediate Need	36	17.5	Partially funded; initial funding authorized in 2022 Budget Act (FY 2022–23).
Kern	New Ridgecrest Courthouse	Immediate Need	2	17.4	Withdrawn at the court's request/court may make future request to restore.
Plumas	New Quincy Courthouse	Immediate Need	3	17.2	Partially funded; initial funding authorized in 2022 Budget Act (FY 2022–23).
Stanislaus	New Modesto Courthouse Courtroom Renovation	Immediate Need	3	17.1	Fully funded; funding authorized in 2020 Budget Act (FY 2020–21).
Los Angeles	New Santa Clarita Courthouse	Immediate Need	24	17.0	Partially funded; initial funding authorized in 2022 Budget Act (FY 2022–23).
San Luis Obispo	New San Luis Obispo Courthouse	Immediate Need	12	16.9	Partially funded; initial funding authorized in 2022 Budget Act (FY 2022–23).
San Joaquin	New Tracy Courthouse	Immediate Need	2	16.9	Unfunded; proposed again for initial funding in FY 2024–25.
Kern	New Mojave Courthouse	Immediate Need	3	16.4	Consolidated into New East County Courthouse.
Kern	New East County Courthouse	Immediate Need	3	16.4	Unfunded; proposed again for initial funding in FY 2024–25.
Placer	Tahoe Courthouse Renovation	Immediate Need	1	16.4	Unfunded; proposed for initial funding in FY 2024–25. Project changed from new construction to renovation.
Critical Need					
Contra Costa	New Richmond Courthouse	Critical Need	6	16.1	Unfunded; proposed for initial funding in FY 2025–26.
San Francisco	New San Francisco Hall of Justice	Critical Need	24	15.9	Unfunded; proposed for initial funding in FY 2025–26.
Orange	New Orange County Collaborative Courthouse	Critical Need	3	15.8	Unfunded; proposed for initial funding in FY 2025–26.
Santa Barbara	New Santa Barbara Criminal Courthouse	Critical Need	8	15.7	Unfunded; proposed for initial funding in FY 2026–27.
Los Angeles	New Downtown Los Angeles Courthouse (Mosk Replacement)	Critical Need	100	15.5	Unfunded; proposed for initial funding in FY 2026–27. Project increased from 47 to 100 courtrooms, rescored from 15.3 to 15.5, and moved up in Critical Need Group.

County	Project Name	Priority Group	Courtrooms	Group Score	Funding Status
Critical Need, <i>continued</i>					
El Dorado	New Placerville Courthouse	Critical Need	6	15.4	Unfunded; proposed for initial funding in FY 2026–27.
Fresno	Fresno Juvenile Delinquency Courthouse Renovation	Critical Need	2	15.2	Unfunded; proposed for initial funding in FY 2027–28.
Inyo	New Inyo County Courthouse	Critical Need	2	15.2	Unfunded; proposed for initial funding in FY 2027–28.
San Bernardino	New Victorville Courthouse	Critical Need	31	15.2	Unfunded; proposed for initial funding in FY 2027–28.
Mariposa	New Mariposa Courthouse	Critical Need	2	14.9	Unfunded; proposed for initial funding in FY 2028–29.
Los Angeles	Chatsworth Courthouse Renovation	Critical Need	7	14.9	Unfunded; proposed for initial funding in FY 2028–29.
Santa Cruz	New Santa Cruz Courthouse	Critical Need	9	14.7	Unfunded; proposed for initial funding in FY 2028–29.
San Diego	New San Diego Juvenile Courthouse	Critical Need	10	14.6	Unfunded; proposal to be determined.
Riverside	New Riverside Juvenile Courthouse	Critical Need	5	14.6	Unfunded; proposal to be determined.
Tulare	New Tulare North County Courthouse	Critical Need	14	14.6	Unfunded; proposal to be determined.
Los Angeles	New West Covina Courthouse	Critical Need	15	14.5	Unfunded; proposal to be determined.
Los Angeles	New Eastlake Courthouse	Critical Need	6	14.5	Unfunded; proposal to be determined.
Kern	New Bakersfield Superior Courthouse	Critical Need	33	14.4	Unfunded; proposal to be determined.
Sonoma	New Sonoma Civil Courthouse	Critical Need	8	14.4	Unfunded; proposal to be determined.
San Luis Obispo	New Grover Beach Branch Courthouse	Critical Need	1	14.2	Unfunded; proposal to be determined.
Alameda	New Alameda County Community Justice Center	Critical Need	57	14.1	Unfunded; proposal to be determined.
Imperial	Winterhaven Branch Courthouse Addition and Renovation	Critical Need	1	14.1	Unfunded; proposal to be determined.
Los Angeles	Los Angeles Metropolitan Courthouse Renovation	Critical Need	14	14.1	Unfunded; proposal to be determined.
Los Angeles	New North Central Los Angeles Courthouse	Critical Need	12	14.1	Unfunded; proposal to be determined.
Riverside	New Palm Springs Courthouse	Critical Need	9	13.6	Unfunded; proposal to be determined.
Orange	New Orange South County Courthouse	Critical Need	16	13.6	Unfunded; proposal to be determined.
Los Angeles	Foltz Courthouse Renovation	Critical Need	60	13.4	Unfunded; proposal to be determined.

Notes:

1. The Los Angeles - New West Los Angeles Courthouse was reduced from 32 to 20 courtrooms, rescored from 16.6 to 13.3, and moved from Immediate Need to High Need Group.
2. The Los Angeles - New Inglewood Courthouse was reduced from 30 to 13 courtrooms, rescored from 16.3 to 8.7, and moved from Critical Need to Medium Need Group.
3. The Los Angeles - New Van Nuys Courthouse (East/new + West/renovation) was reduced from 55 to 42 courtrooms, rescored from 15.4 to 10.7, and moved from Critical Need to High Need Group.

STATE OF CALIFORNIA

Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet

DF-151 (REV 07/21)

Fiscal Year 2024-25	Business Unit 0250	Department Judicial Branch	Priority No. 1
Budget Request Name 0250-XXX-COBCP-2024-GB	Capital Outlay Program ID 0165	Capital Outlay Project ID 0010919	

Project Title

Court of Appeal - New Sixth Appellate District Courthouse

Project Status and TypeStatus: ☐ New ☒ ContinuingType: ☒ Major ☐ Minor**Project Category (Select one)**

<input checked="" type="checkbox"/> CRI (Critical Infrastructure)	<input type="checkbox"/> WSD (Workload Space Deficiencies)	<input type="checkbox"/> ECP (Enrollment Caseload Population)	<input type="checkbox"/> SM (Seismic)
<input type="checkbox"/> FLS (Fire Life Safety)	<input type="checkbox"/> FM (Facility Modernization)	<input type="checkbox"/> PAR (Public Access Recreation)	<input type="checkbox"/> RC (Resource Conservation)

Total Request (in thousands) \$ 89,491	Phase(s) to be Funded Design-Build	Total Project Cost (in thousands) \$ 92,302
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Budget Request Summary

The Judicial Council of California requests \$89,491,000 Lease Revenue Bond Authority for the Design-Build phase of the New Sixth Appellate District Courthouse. The proposed new courthouse project will provide construction of a new, one-courtroom, two-story courthouse of approximately 50,000 square feet (SF) on an existing 2-acre, state-owned property in the city of Sunnyvale in Santa Clara County. The project includes secured parking for justices and surface parking spaces. The estimated total project cost is \$92,302,000. The project will use the Design-Build delivery method. The project will include the demolition of an existing building on the state-owned site as well as the replacement of the appellate court's current leased facility.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	CCCI 9621
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Requires Provisional Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budget Package Status <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Existing
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Impact on Support Budget

One-Time Costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Swing Space Needed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Future Savings	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Generate Surplus Property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Future Costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No

Attach comments of affected department, signed and dated by the department director or designee.

Prepared By McCormick	Date 7/31/2023	Reviewed By Stephens/Cowan	Date 7/31/2023
Chief Administrative Officer John Wordlaw	Date 7/31/2023	Acting Administrative Director Millicent Tidwell	Date 7/31/2023

Department of Finance Use Only

Principal Program Budget Analyst	Date submitted to the Legislature
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A. COBCP Abstract:

Court of Appeal - New Sixth Appellate District Courthouse – \$89,491,000 for Design-Build. The project includes the construction of a new, one-courtroom, two-story courthouse of approximately 50,000 SF on an existing 2.03-acre, state-owned property in the city of Sunnyvale in Santa Clara County. The project includes secured parking for justices and surface parking spaces. The project will include the demolition of an existing building on the state-owned site as well as replacement of the appellate court's current leased facility. Total project costs are estimated at \$92,302,000, Performance Criteria (\$2,811,000), and Design-Build (\$89,491,000). The design-build amount includes \$71,971,000 for the construction contract, \$2,159,000 for contingency, \$3,689,000 for architectural and engineering services, and \$11,672,000 for other project costs. The Performance Criteria began in July 2023 and will be approved in June 2024. Design-Build is scheduled to begin in July 2024 and will be completed in October 2028.

B. Purpose of the Project:

Problem: This proposal is based on the need to find a permanent location for the Sixth Appellate District of the Court of Appeal. The Sixth Appellate District handles cases from the counties of San Benito, Santa Clara, Santa Cruz, and Monterey from a leased facility, deciding over 900 appeals annually in addition to disposing of 500 writ petitions. The appellate court's current lease expires in 2029, with one, final option to extend to January 2034. With the uncertainty of continuing market escalation for commercial office space, expensive and escalating lease rates, decreasing vacancy, and large-scale construction projects preparing to start nearby (including Google's 80-acre mixed use development that is part of a larger 250-acre downtown San Jose Diridon Station Area Redevelopment Plan), the appellate court faces impending inability to afford increased lease rates in such a highly competitive rental market. Moreover, there are security, overcrowding, and public service deficiencies in the leased facility that cannot be corrected as current building layout derives suboptimal operational adjacencies and space shortfall.

Feasibility Study: Since established in 1984, the Sixth Appellate District has adjudicated cases out of leased space in a commercial office building in downtown San Jose in the county of Santa Clara. With the court's lease expiring in the near term and the impending inability to afford increased lease rates in a highly competitive rental market with limited vacancy making relocation an inevitability, a feasibility study was developed. The study compared the cost of continuing the long-term lease with construction of a permanent building on a state-owned property available for redevelopment in the city of Sunnyvale in Santa Clara County. The study's options are described below under Section D, Alternatives. At the Judicial Council's Court Facilities Advisory Committee's (CFAC) public meeting in May 2022, the feasibility study and its findings were presented and discussed. Subsequently, at the CFAC's public meeting on June 17, 2022, and based on the economic, public-service, and operational benefits, the committee concurred with the study's findings—that the option of Build a New Courthouse on State-Owned Property is the recommended project option. The updated feasibility study and findings presented at that meeting are available under Tab 3 of the meeting materials at www.courts.ca.gov/documents/cfac-20220617-materials.pdf. Costs for this recommended option are reflected in this COBCP and in the Judicial Council's *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24*, which was adopted by the Judicial Council in July 2022, and *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2024–25*.

Program Need: The New Sixth Appellate District Courthouse will accomplish the following immediately needed improvements to the appellate court and enhance its ability to serve all court users:

- Provides a permanent location on state-owned property for the Sixth Appellate District of the Court of Appeal.
- Provides a state-owned appellate courthouse that is modern, safe, secure, accessible, and constructed to Judicial Council facility standards to the benefit of all court users.
- Enhances the public's access to justice by relieving the current space shortfall and overcrowding, increasing security, and improving operational efficiency and customer service.

- Allows the appellate court to operate in a facility with adequate space for greater functionality than in current conditions, including:
 - Safe and secure internal circulation that maintains separate zones for the public and justices and staff;
 - Adequate visitor security screening and queuing in the entrance area;
 - Adequate public waiting areas and circulation space;
 - Improved public service, including an adequately sized and designed public lobby, service counter, clerk's office, and mediation rooms;
 - Onsite parking for court users including the public, visitors, justices, and court staff;
 - Adequate staff workstations, meeting, and support spaces; and
 - Appropriate organization and adjacency of spaces designed and constructed to current Judicial Council facility standards.
- Consolidates operations and functions to optimize use of court facilities by vacating a leased facility.
- Maintains appellate court operation in Santa Clara County—a location familiar to court users, visitors, and the public.
- Eliminates future leasing uncertainties and ongoing expensive, escalating lease costs.
- Avoids expenditure of annual lease costs compared to new construction—approximately \$16 million at 2029 net present value (NPV) and approximately \$140 million over a 30-year lease term.
- Provides the construction of a new facility before the appellate court's current lease expiration in January 2029 and requires no lease extension.

The Sixth Appellate District of the Court of Appeal occupies leased space in the downtown area of the city of San Jose in Santa Clara County.

The project will replace and consolidate the appellate court's current operations—which are split between two floors—in a leased facility in downtown San Jose and demolish the existing, vacant, and former Sunnyvale Courthouse (previously used by the Superior Court of Santa Clara County) on the state-owned site in the city of Sunnyvale.

Name	City	Type	Owner	Year Built
New Sixth District Court of Appeal	San Jose	Office	Landlord	1983
Former Sunnyvale Courthouse	Sunnyvale	Courthouse	Judicial Council	1967

Sixth Appellate District of the Court of Appeal Leased Facility: The Sixth Appellate District of the Court of Appeal is located in a commercial office building at 333 West Santa Clara Street in the downtown area of the city of San Jose. The commercial office building was built in 1983. The appellate court occupies approximately 45,000 SF of leased space split between the 10th and 11th floors. Its leased space includes one en banc courtroom with support spaces, justice chambers, attorney offices, mediation operations, clerk operations, a law library, and court administration. In 2006, the appellate court's lease, which had been managed by the state Department of General Services, was assigned to the Judicial Council. The current lease expires in 2029, with one final option to extend to January 2034.

The appellate court's purpose is to assist the Supreme Court of California in providing appellate review for the superior courts within its jurisdiction by deciding appeals from final judgements and appealable orders, as well as ruling on extraordinary writ petitions such as habeas corpus and mandamus. It handles cases from the counties of San Benito, Santa Clara, Santa Cruz, and Monterey, deciding over 900 appeals annually in addition to disposing of 500 writ petitions. Cases are decided by randomly selected three-justice panels.

Owing to lack of space within the building, appellate court operations are not contiguous and are awkwardly distributed between two floors. Operations have been confined to predesigned leased-space floor plates, such that agencies required for effective court operations cannot be fully realized, space shortfall and overcrowding exist including in public waiting areas, and future growth based on caseload will not be accommodated. The existing layouts on both floors also have security vulnerabilities including insufficient space for security screening and inadequate secured paths of circulation for justices and staff. No onsite parking is available for court users including the public, visitors, and court staff. Parking for court users is only accommodated off-site through public pay lots or very limited street parking.

Former Sunnyvale Courthouse: The Former Sunnyvale Courthouse, at 605 West El Camino Real in the city of Sunnyvale, is a vacant, single-story building, with a partial basement, of approximately 20,000 SF that was built in 1967 and is owned and managed by the Judicial Council. The vacant building sits on a 2-acre, state-owned property. The building has been vacant since 2016 and had formerly served as a branch court facility for the Superior Court of Santa Clara County. The building has surpassed its useful life as a superior court facility, and renovation necessary for reuse is cost prohibitive, as the land value is higher than that of renovating the existing facility. The highest and best use of this property is for new development. The property has flat topography, has onsite parking, and is located in the city of Sunnyvale's Civic Center, which provides proximity to public transportation, availability of existing infrastructure, and relationship to similar land uses and current development patterns. The construction of a new courthouse on this site for the permanent location of the Sixth Appellate District of the Court of Appeal complements the beautification and modernization goals of the city's Sunnyvale Civic Center Master Plan, which calls for future civic center redevelopment and growth, including a new city hall, new public library, and new public safety operations center.

Infrastructure Deficiencies in Facilities Affected by Project: The existing Sixth Appellate District of the Court of Appeal leased facility is inadequate for public service and for the operational needs of the court in the long-term. Square footage constraints have resulted in insufficient space for security screening and lobby waiting areas, overcrowding of public and staff areas, and no separate paths of circulation for justices/staff and the public. These deficiencies pose a safety and security risk to all facility users.

C. Relationship to the Strategic Plan:

The Judicial Council, as the policymaking body for the judicial branch, has the following responsibilities and authorities with regard to court facilities, in addition to any other responsibilities or authorities established by law:

- Exercise full responsibility, jurisdiction, control, and authority as an owner would have over court facilities whose title is held by the state, including, but not limited to, the acquisition and development of facilities;
- Exercise the full range of policymaking authority over court facilities, including, but not limited to, planning, construction, acquisition, and operation, to the extent not expressly otherwise limited by law;
- Establish policies, procedures, and guidelines for ensuring that the courts have adequate and sufficient facilities, including, but not limited to, facilities planning, acquisition, construction, design, operation, and maintenance;
- Allocate appropriated funds for court facilities maintenance and construction;
- Prepare funding requests for court facility construction, repair, and maintenance;
- Implement the design, bid, award, and construction of all court construction projects, except as delegated to others; and
- Provide for capital outlay projects that may be built with funds appropriated or otherwise available for these purposes according to an approved five-year infrastructure plan for each court.

The provision of this capital outlay request is directly related to the judicial branch's strategic plan Goal VI: "Branchwide Infrastructure for Service Excellence." By providing the courts with the facilities required to carry out the judiciary's constitutional functions, the proposed project immediately addresses this goal.

In addition, the proposed project supports the Judicial Council's commitment to Goal I: "Access, Fairness, Diversity, and Inclusion"; Goal IV: "Quality of Justice and Service to the Public"; and Goal VII: "Adequate, Stable, and Predictable Funding for a Fully Functioning Branch."

D. Alternatives:

Alternative 1: Build a New Courthouse on State-Owned Property.

This alternative will construct a new, one-courtroom, two-story courthouse of approximately 50,000 SF on an existing 2.03-acre, state-owned property in the city of Sunnyvale in Santa Clara County. The project includes secured parking for justices and surface parking spaces. The estimated total project cost is \$92,302,000. The project will include the demolition of an existing vacant, single-story building on the state-owned site.

Advantages

- Provides a permanent location on state-owned property for the Sixth Appellate District of the Court of Appeal, eliminating project site acquisition costs.
- Provides a state-owned appellate courthouse that is modern, safe, secure, accessible, and constructed to Judicial Council facility standards to the benefit of all court users.
- Enhances the public's access to justice by relieving the current space shortfall and overcrowding, increasing security, improving operational efficiency and customer service, and replacing inadequate and obsolete facilities in the Judicial Council's portfolio.
- Provides one modernized en banc courtroom for oral argument. Space will be provided in a facility that is adequately sized and designed for courtroom support spaces, justice chambers, attorney offices, mediation operations, clerk's office operations, the law library, court administration, and staff support.
- Allows the court to operate in a facility with adequate space for greater functionality than in current conditions, alleviating overcrowding in public and staff areas; providing adequate space for security screening and lobby areas and separate paths of circulation for the public and justices and staff; resolving the lack of onsite parking for court users including the public, visitors, and court staff; and providing appropriate organization and adjacency of spaces designed and constructed to current Judicial Council facility standards.
- Consolidates operations and functions to optimize use of court facilities by vacating a non-state-owned, leased facility.
- Maintains appellate court operation in Santa Clara County—a location familiar to court users, visitors, and the public.
- Eliminates future leasing uncertainties and ongoing expensive, escalating lease costs.
- Avoids expenditure of annual lease costs compared to new construction—approximately \$16 million at 2029 NPV and approximately \$140 million over a 30-year lease term. Such lease costs have no capital benefit to the state and no return value of investment.
- Provides for the construction of a new facility before the appellate court's current lease's expiration in January 2029 and requires no lease extension.

Disadvantages:

- Requires authorization of funds for design and construction.

Alternative 2: Long-Term Lease With Expansion.

This alternative will require the appellate court to continue leasing at its current location in the near term. New leased space will be required to accommodate programmatic needs, which would need to be identified, negotiated, and tenant improvements completed before the current, extended lease expiration in January 2034. A lease cost analysis was prepared for this alternative in the Feasibility Study, which deemed this solution impracticable and not cost-effective. Implementation of this alternative remains challenging, as it requires a public agency to compete with private companies with resources to pay top dollar for leased space in a consistently high-demand rental market. This alternative does not resolve the appellate court's vulnerability to rental market conditions and escalating costs.

Advantages:

- This option will allow the appellate court to continue its operations but with the requirement of costs for tenant improvements and increased rent in new leased space in the near term as well as the added cost over a 30-year lease term exceeding Alternative 1 by approximately \$140 million.
- It does not require an immediate one-time commitment of General Fund resources.

Disadvantages:

- This option does not provide a permanent location on state-owned property for the Sixth Appellate District of the Court of Appeal and in a facility that is modern, safe, secure, accessible, and constructed to Judicial Council facility standards to the benefit of all court users.
- Compared to Alternative 1, this alternative requires the appellate court to remain dependent on paying long-term lease costs, vulnerable to rental market conditions and escalating costs, to house its operations and to provide service to the public.
- Compared to Alternative 1, this alternative is not cost-effective and exceeds the cost of Alternative 1 by approximately \$16 million at 2029 NPV and by approximately \$140 million of projected expenditures across 30 years. Such lease costs have no capital benefit to the state and no return value of investment.
- There is no guarantee that new leased space will provide improved layout for consolidation and efficiency gains of the appellate court's operations.
- Tenant improvements in leased space without available space for programmatic needs do not remedy space shortfall and overcrowding or increase security.
- There is no guarantee a new leased facility provides adequate onsite parking—secured parking for justices and surface parking for court users.
- Maintaining appellate court operation in Santa Clara County—a location familiar to all court users, visitors, and the public, and the most optimal location for public access to justice within the appellate district—cannot be guaranteed.

Alternative 3: Defer this Project.

This alternative only maintains status quo for public service and appellate court operations in the current leased facility in the near term. The current lease expires in 2029, with only one, final option to extend to January 2034. Beyond this date, neither the appellate court nor the Judicial Council has capability to ensure the court can remain in its current leased space. Deferring this project ignores the court's impending inability to afford increased lease rates in such a highly competitive rental market with such limited vacancy, making relocation an inevitability, without choice, and with limited pre-planning.

Advantages:

- This option requires no additional commitment of resources.

Disadvantages:

- This is an urgently needed project. The existing lease provides only near-term space accommodations and will not accommodate the appellate court's operations in the long term, making relocation an inevitability, without choice, and with limited pre-planning.
- The existing leased facility does not provide proper security, is overcrowded with space shortfall, and impedes the appellate court's ability to operate effectively and efficiently.
- Based on its configuration and location with lack of onsite parking, the existing leased facility has inherent, unresolved security, access, and functional issues.
- With near-term relocation vulnerability, the appellate court is at risk of finding new leased space in a highly competitive and expensive rental market, which has limited lease space available and that is appropriate for conversion for court needs. Such lease costs have no capital benefit to the state and no return value of investment.
- Delay of this project limits the appellate court's ability to modernize to provide enhanced public service and staffing efficiency.
- This option does not allow for consolidation of existing operations and efficiency gains.
- The current building owner may sell the property or inheritors may opt not to renew lease or significantly change lease terms beyond the limits of the appellate court's budget.

E. Recommended Solution:

1. Which alternative and why?

The recommended solution is Alternative 1: Build a New Courthouse on State-Owned Property. This alternative provides the best solution for the appellate court and for all appellate court users.

2. Detailed scope description.

The proposed new courthouse project will provide construction of a new, one-courtroom, two-story courthouse of approximately 50,000 SF on an existing 2.03-acre, state-owned property in the city of Sunnyvale in Santa Clara County. One courtroom for oral argument will be provided. Space will be provided in the facility that is adequately sized and designed for courtroom support spaces, justice chambers, attorney offices, mediation operations, Clerk's Office operations, the law library, court administration, and staff support. The project includes secured parking for justices and surface parking spaces. The project includes the demolition of an existing single-story building on the state-owned site.

The proposed New Sixth Appellate District Courthouse will replace the appellate court's current leased facility in downtown San Jose. The project will relieve the current space shortfall and overcrowding; improve security, accessibility, and safety; and allow the appellate court to colocate functions for operational efficiency.

3. Basis for cost information.

Estimated total project costs are based on a conceptual space program and three-page estimate.

4. Factors/benefits for recommended solution other than the least expensive alternative.

The recommended option is Alternative 1: Build a New Courthouse on State-Owned Property. This option is the best solution for the appellate court and will accomplish the following immediately needed improvements to enhance its ability to serve the public:

- Provide a permanent location on state-owned property for the Sixth Appellate District of the Court of Appeal.
- Provide a state-owned appellate courthouse that is modern, safe, secure, accessible, and constructed to Judicial Council facility standards to the benefit of all court users.

- Enhance the public's access to justice by relieving the current space shortfall and overcrowding, increasing security, improving operational efficiency and customer service, and replacing inadequate and obsolete facilities in the Judicial Council's portfolio.
- Improve operational efficiencies, allowing the appellate court to operate effectively and efficiently.
- Consolidate operations and functions to optimize use of court facilities by vacating a leased facility.
- Maintain appellate court operation in Santa Clara County—a location familiar to all court users, visitors, and the public.
- Eliminate future leasing uncertainties and ongoing expensive, escalating lease costs.
- Provide the construction of new facility before the appellate court's current lease's expiration in January 2029 and requires no lease extension.

5. Complete description of impact on support budget.

Impact on the appellate court operation budgets for 2024–25 will not be material. It is anticipated that this project will affect appellate court operation budgets in fiscal years beyond the current year.

Impact on the appellate court security funding for 2024–25 will not be material. It is anticipated that this project will affect appellate court security budgets in future fiscal years.

It is anticipated that there will be ongoing costs of approximately \$398,000 for Judicial Council–funded O&M.

As additional programmatic workload and funding drives the need for additional administrative funding, an administrative overhead cost has been included in each capital outlay budget change proposal. The additional funding of \$149,000 will be used to support successful implementation of this request.

6. Identification and explanation of any project risks.

Any construction project carries risk of increased scope due to discovery of unknown subsurface site conditions throughout the design and construction process that can alter the projected construction cost. These risks can be mitigated or minimized by concurrently developing a prioritized itemization of project features that can be reduced in scope, alternatively approached, or eliminated without affecting the building functionality. The list should be updated at the completion of each stage of the design process in connection with the preparation and review of the updated estimates. Risk is always inherent in the construction and ownership of real property and improvements. Standard risk management procedures are used to control and/or delegate these risks.

The risks associated with not developing a replacement court facility, as responsibility for the facilities it will replace remains with the state, are equally compelling. Given the existing physical conditions and practical limitations of improving these facilities, they will generate liabilities for the state the longer they remain unaddressed.

7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g., technology proposals).

Interagency cooperation will be required among state, county, and local jurisdictional authorities for successful completion of this project. The updated drawings will be reviewed by the State Fire Marshal and the Division of the State Architect for fire and life safety and accessibility. The State Fire Marshal will perform inspections, required by the California Building Code for fire and life safety, during the construction phase.

F. Consistency With Government Code Section 65041.1:

Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

The appellate court's existing facility is leased space in a privately owned commercial office building that cannot be rehabilitated. However, the recommended solution does promote infill development by demolishing an existing building on an existing state-owned site, to prepare it for the new construction project. Rehabilitating the existing building (former Sunnyvale Courthouse) on the state-owned site is impracticable and cost-ineffective, because it is a severely undersized single-story building that cannot house the appellate court's operations, which require more than twice the square footage in two stories.

Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state's most valuable natural resources? Explain.

The branch is committed to selecting sites with no or least impact to these resources by utilizing previously developed land with existing infrastructure. This project will complete a thorough and responsible California Environmental Quality Act (CEQA) process.

Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, supports efficient use of land and is appropriately planned for growth? Explain.

The existing state-owned site chosen for the new construction project is located advantageously in the city of Sunnyvale's Civic Center, which provides proximity to public transportation, availability of existing infrastructure, and relationship to similar land uses and current development patterns. The construction of a new appellate courthouse on this site complements the beautification and modernization goals of the city's Sunnyvale Civic Center Master Plan, which calls for future civic center redevelopment and growth, including a new city hall, new public library, and new public safety operations center.

STATE OF CALIFORNIA

Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet

DF-151 (REV 07/21)

Fiscal Year 2024-25	Business Unit 0250	Department Judicial Branch	Priority No. 2
Budget Request Name 0250-XXX-COBCP-2024-GB	Capital Outlay Program ID 0165	Capital Outlay Project ID 0009729	

Project Title

Fresno County – New Fresno Courthouse

Project Status and TypeStatus: ☐ New ☒ ContinuingType: ☒ Major ☐ Minor**Project Category (Select one)**☒ CRI

(Critical Infrastructure)

☐ WSD

(Workload Space Deficiencies)

☐ ECP

(Enrollment Caseload Population)

☐ SM

(Seismic)

☐ FLS

(Fire Life Safety)

☐ FM

(Facility Modernization)

☐ PAR

(Public Access Recreation)

☐ RC

(Resource Conservation)

Total Request (in thousands)

\$ 18,145

Phase(s) to be Funded

Performance Criteria

Total Project Cost (in thousands)

\$ 914,583

Budget Request Summary

The Judicial Council of California requests \$18,145,000 General Fund for the Performance Criteria phase of the New Fresno Courthouse in Fresno County. The project will provide construction of a new 36-courtroom courthouse of approximately 413,000 square feet (SF) in the city of Fresno. The estimated total project cost is \$914,583,000. The project will require acquisition of a site of approximately 2.09 acres. The project includes secured parking for judicial officers. The project will use a design-build delivery method. The project will consolidate three facilities and provide two additional courtrooms.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	CCCI 9621
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Requires Provisional Language☐ Yes ☒ No**Budget Package Status**☐ Needed ☒ Not Needed ☐ Existing**Impact on Support Budget**One-Time Costs ☒ Yes ☐ NoFuture Savings ☒ Yes ☐ NoFuture Costs ☒ Yes ☐ NoSwing Space Needed ☐ Yes ☒ NoGenerate Surplus Property ☒ Yes ☐ No

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No

Attach comments of affected department, signed and dated by the department director or designee.

Prepared By McCormick	Date 7/31/2023	Reviewed By Cowan	Date 7/31/2023
Chief Administrative Officer John Wordlaw	Date 7/31/2023	Acting Administrative Director Millicent Tidwell	Date 7/31/2023

Department of Finance Use Only**Principal Program Budget Analyst****Date submitted to the Legislature**

A. COBCP Abstract:

Fresno County – New Fresno Courthouse – \$18,145,000 for Performance Criteria. The project includes the construction of a new, 36-courtroom courthouse of approximately 413,000 SF in the city of Fresno. The project will require acquisition of a site of approximately 2.09 acres. The project includes secured parking for judicial officers; parking for staff and public is not included in the project. Parking needs will be assessed during the acquisition phase site selection and California Environmental Quality Act (CEQA) processes. Total project costs are estimated at \$914,583,000, including Acquisition (\$21,157,000), Performance Criteria (\$18,145,000), and Design-Build (\$875,281,000). The design-build amount includes \$748,680,000 for the construction contract, \$22,460,000 for contingency, \$29,011,000 for architectural and engineering services, and \$75,130,000 for other project costs. The Acquisition began in July 2022 and will conclude in June 2024. Performance Criteria is scheduled to begin in July 2024 and will be approved in June 2025. Design-Build is scheduled to begin in July 2025 and will be completed in January 2031.

B. Purpose of the Project:

Problem: The existing condition and capacity of the Superior Court of Fresno County Courthouse facilities were evaluated under Senate Bill 847, which revised Government Code section 70371.9 and required the Judicial Council of California to reassess projects identified in its *Trial Court Capital-Outlay Plan and Prioritization Methodology* adopted on October 24, 2008. The reassessment which is the basis for the *Judicial Branch Five-Year Infrastructure Plan*, was submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget in December 2019.

The Infrastructure Plan project rankings were established through a detailed and systematic analysis of the following criteria:

- The general physical condition of the building;
- Needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act (ADA) requirements, and environmental hazards;
- Court security features within buildings;
- Access to court services;
- Overcrowding; and
- Projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

Through this assessment process, Fresno County courthouse facilities affected by this project were determined to be deficient in all categories. This project is ranked in the Immediate Need priority group, and consequently is one of the highest priority trial court capital-outlay projects for the judicial branch. The *Reassessment of Trial Court Capital-Outlay Projects* is available at www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf.

The New Fresno Courthouse is proposed because of the current operational inefficiency due to court functions that are split between three locations in downtown Fresno; an increase in the number of courtrooms to help meet assessed judicial need (AJN); and numerous and severe deficiencies in the existing main Fresno County Courthouse, North Annex, and M Street facilities.

Program Need: The New Fresno Courthouse will accomplish the following immediately needed improvements to the superior court and enhance its ability to serve the public:

- Enhances the public's access to justice by relieving the current space shortfall, increases security, and replaces inadequate and obsolete buildings in Fresno County.
- Improves public safety by replacing a seismically deficient facility that is noncompliant with contemporary fire and life safety, and ADA codes.
- Provides two additional courtrooms in anticipation of funding for future judgeships.

- Removes from service facilities that contain environmental hazards such as asbestos containing materials.
- Improves public, staff, and judicial officer safety by providing a modern facility compliant with Judicial Council security standards for separation of in-custody defendants from staff and the public.
- Improves the sheriff's ability to efficiently manage in-custody movement by providing adequate holding areas/cells and circulation.
- Consolidates functions and optimizes use of court facilities.
- Vacates three facilities, which terminates two county joint-occupancy agreements and one private-entity lease.
- Avoids future expenditure of over \$42 million for unaddressed deferred maintenance and needed security system refresh.
- Replaces a Federal Emergency Management Agency (FEMA) P-154-rated High-Risk seismically deficient building.

The Superior Court of Fresno County uses a central service model with full-service operations concentrated in Fresno. The Juvenile Delinquency Courthouse is a branch facility handling juvenile-delinquency cases only. Administrative functions are housed in Fresno, the county seat. The court currently occupies five facilities. Four court-occupied facilities are in downtown Fresno. The Juvenile Delinquency Courthouse is in Juvenile Hall, approximately eight miles away.

The court no longer uses two single-courtroom satellite facilities located in Reedley and Clovis.

Based on the 2022 Judicial Needs Assessment, the Fresno court has a 7.0 increase in judgeship need. This project replaces 34 substandard courtrooms from three facilities and provides two additional courtrooms in anticipation of future funding for new judgeships.

The Superior Court of Fresno County occupies five buildings with a total of approximately 442,000 square feet of space. Two unoccupied buildings remain on the Judicial Council's Property List. The facilities are summarized in the table below.

	Name	City	No. of Courtrooms	Type	Owner	Year Built
1	Fresno Courthouse	Fresno	28	Courthouse	County	1962
2	North Annex Jail	Fresno	2	Jail	County	1985
3	B.F. Sisk Courthouse	Fresno	15	Courthouse	Council	1967/2009
4	M Street Courthouse	Fresno	5	Office	Lease	1964
5	Juvenile Delinquency Courthouse	Fresno	4	Multiuse	County	2009
6	Reedley (Closed)	Reedley	0	Multiuse	County	1985
7	Clovis Courthouse (Closed)	Clovis	0	Courthouse	County	1980

Infrastructure Deficiencies in Facilities Affected by Project: The project will replace the Fresno County Courthouse (28 courtrooms and most of court administration), the court space in the North Annex Jail (2 courtrooms), and the court space in the M Street Courthouse (5 courtrooms). The Fresno Courthouse is currently undergoing a title transfer of the facility from county-owned to state-owned. If the new Fresno Courthouse project is completed, the existing Fresno Courthouse could be sold, the jail courtrooms could be vacated and surrendered to the county and the M Street lease terminated. The

findings of the Infrastructure Plan reassessment are summarized below for the facilities proposed for replacement by this project.

1. Fresno County Courthouse (County-owned, title transferred to state pending)

2019 Assessment Data

Year Built	1962
Number of Courtrooms	28 courtrooms
10-Year Facility Condition Index (FCI)	Poor Condition
FEMA P-154 Seismic Rating	High Risk Seismic Rating
Deferred Maintenance	\$40,727,040
Annual O&M Costs	\$346,246
Security System Refresh Costs	\$1,605,041

Located at 1100 Van Ness Avenue, Fresno, California, the Fresno Courthouse is the oldest court facility still in operation in Fresno County. This courthouse is an approximately 214,000 SF county-owned building (title transfer to the state is pending). This is the main courthouse for Fresno County in which criminal, juvenile dependency, drug court, behavioral health court, Criminal Administrative Process Petitions for Involuntary Medication, and general trial cases are heard.

The courthouse is situated on the county-owned Courthouse Park along with the Fresno County Sheriff's Office and the Hall of Records. The building does not meet current building codes for fire and life safety and accessibility. The building has a FEMA P-154 High-Risk seismic rating and over \$42 million in unaddressed deferred maintenance and security system refresh needs.

Significant functional issues include inadequate space for security screening at the building's entrance and insufficient ADA accommodations throughout the building. Lack of holding areas limit the building's capacity for in-custody defendants. An additional concern is that there are no secure attorney-client interview rooms for in-custody defendants. The lobby is too small and there are too few elevators to accommodate the high volume of daily visitors. The jury room is too small and not functional for jurors.

2. North Annex Jail (County-owned)

2019 Assessment Data

Year Built	1985
Number of Courtrooms	2 courtrooms
10 Year Facility Condition Index (FCI)	Not assessed
FEMA P-154 Seismic Rating	Not assessed
Deferred Maintenance	Not assessed
Annual O&M Costs	\$27,147
Security System Refresh Costs	Not assessed

Located at 1255 M Street, Fresno, California, the North Annex Jail is a detention facility with two courtrooms. These courtrooms occupy approximately 8,100 SF in an approximately 67,000 SF county-owned jail. This is a satellite location for the Fresno court in which arraignment court and felony domestic violence cases are heard.

Onsite areas are too small for support staff and judicial officers, and there is a lack of a separate room in which witnesses can wait during trial proceedings. Onsite parking for judicial officers is located on the street, with no security enclosures. Because of the jail operations, there is a high volume of daily visitors to the building and site.

3. M Street Courthouse (Leased)

Located at 2317 Tuolumne Street, Fresno, California, the M Street Courthouse was renovated in 2009. The courtrooms and associated spaces occupy approximately 26,000 SF of leased space, in which criminal misdemeanor, civil, traffic, and School Attendance Review Board (SARB) cases are heard. Jury assembly occurs in this building, with 80 jurors per call.

The site is used as a satellite location for the Fresno County and B.F. Sisk Courthouses. High service volume causes overcrowding and excessive lines around the building. The building has an insufficient waiting area inside the building and no exterior awning to provide the approximately 2,000 daily visitors with protection from the elements while they wait. Secure parking area is not large enough for all judicial officers. No onsite holding is available, which causes additional transportation and creates security concerns inside the building. The building lacks circulation separation for in-custodies, judges, staff, and the public. The security screening area is overcrowded and inadequate for the number of daily visitors.

C. Relationship to the Strategic Plan:

The Judicial Council, as the policymaking body for the judicial branch, has the following responsibilities and authorities with regard to court facilities, in addition to any other responsibilities or authorities established by law:

- Exercise full responsibility, jurisdiction, control, and authority as an owner would have over trial court facilities whose title is held by the state, including, but not limited to, the acquisition and development of facilities.
- Exercise the full range of policymaking authority over trial court facilities, including, but not limited to, planning, construction, acquisition, and operation, to the extent not expressly otherwise limited by law.
- Establish policies, procedures, and guidelines for ensuring that the courts have adequate and sufficient facilities, including, but not limited to, facilities planning, acquisition, construction, design, operation, and maintenance.
- Allocate appropriated funds for court facilities maintenance and construction.
- Prepare funding requests for court facility construction, repair, and maintenance.
- Implement the design, bid, award, and construction of all court construction projects, except as delegated to others.
- Provide for capital outlay projects that may be built with funds appropriated or otherwise available for these purposes according to an approved five-year infrastructure plan for each court.

The provision of this capital outlay request is directly related to the judicial branch's strategic plan Goal VI: "Branchwide Infrastructure for Service Excellence." By providing the trial courts with the facilities required to carry out the judiciary's constitutional functions, the proposed project immediately addresses this goal.

In addition, the proposed project supports the Judicial Council's commitment to Goal I: "Access, Fairness, Diversity, and Inclusion"; Goal IV: "Quality of Justice and Service to the Public"; and Goal VII: "Adequate, Stable, and Predictable Funding for a Fully Functioning Branch."

D. Alternatives:

Alternative 1: Build a New 36-Courtroom Courthouse.

This alternative will construct a new, 36-courtroom courthouse of approximately 413,000 SF in the city of Fresno. The estimated total project cost is \$914,583,000. The project will require acquisition of a site of approximately 2.09 acres. The project includes secured parking for judicial officers. Staff

and public parking are not currently included in the project. Parking needs will be assessed during the Acquisition phase site selection and CEQA processes.

Advantages:

- Provides a new, modern, and secure courthouse, replacing three antiquated and functionally deficient facilities.
- Improves access to justice and enhances public service and court operational efficiency by being compliant with modern regulatory safety, seismic, and accessibility standards.
- Improves safety for the public, staff, and judicial officers by being compliant with modern regulatory security, seismic, and accessibility standards.
- Replaces a FEMA P-154 rated High-Risk seismically deficient building.
- Avoids over \$42 million in future deferred maintenance and security system refresh expenditures.
- Provides two additional courtrooms in anticipation of funding for future judgeships.

Disadvantages:

- Requires authorization of funds for acquisition, design, and construction.
- Requires a commitment of state resources.

Alternative 2: Renovate Existing Courthouses.

The existing Fresno County Courthouse, M Street Courthouse, and North Annex Jail space will be renovated, reconfigured, and expanded to accommodate the programmatic needs of the court. A detailed estimate was not prepared for this alternative because preliminary investigations deemed the solution impracticable. Implementation of this alternative is constrained by the site configuration, current county ownership of the buildings, and disruption to court and county operations. A renovation without a sizable expansion does not remedy overcrowding.

Advantages:

- Improves security, corrects infrastructure deficiencies, and more closely aligns the renovated court space with Judicial Council space standards.

Disadvantages:

- A *Seismic Renovation Project Feasibility Report* was conducted in January 2019 to develop conceptual seismic retrofit schemes, determine the collateral impacts and associated construction costs of the retrofit schemes, and perform cost-benefit analyses to determine the most appropriate renovation strategy for the Fresno County Courthouse. The analysis determined that a baseline seismic retrofit was feasible. The estimated hard construction cost was \$103 million, the cost-benefit ratio .65, and extension of asset life 15 years. However, a baseline retrofit project will correct only seismic deficiencies. The baseline retrofit will not address fire and life safety code or operational and spatial deficiencies. More robust retrofit options that corrected code deficiencies and extended the asset life to 50 years were estimated at a hard construction cost of \$243 million. A total project cost including soft costs, phasing, and swing costs will approximate the replacement cost of the facility due to the need for swing space and phasing. The disruption to court operations will be substantial.
- The county holds the title for the existing North Annex Jail. The Judicial Council has no right to renovate or expand on the site without the cooperation from, collaboration with, and compensation to the county.
- The M Street facility is leased from a private landlord. The Judicial Council has no right to renovate or expand on the site without the cooperation from, collaboration with, and compensation to the landlord.

- This alternative will be disruptive to court operations and incur costs for swing space while renovations are ongoing.
- This alternative requires authorization of funds for acquisition, design, and construction.

Alternative 3: Defer This Project.

Advantages:

- This option requires no additional commitment of resources.

Disadvantages:

- This is an urgently needed project. The existing facilities do not provide proper security, are overcrowded, and are in deteriorating physical condition. Delay of this project limits the court's ability to consolidate existing operations for enhanced public service and staff efficiency.
- This option leaves a FEMA P-154-rated High-Risk seismically deficient building in service.

E. Recommended Solution:

1. Which alternative and why?

The recommended option is Alternative 1, approve the construction of a new courthouse. This alternative provides the best solution for the superior court and for the benefit of all county residents.

2. Detailed scope description.

The New Fresno Courthouse project provides a new 36-courtroom courthouse of approximately 413,000 SF, consolidating three buildings—the severely deficient and overcrowded Fresno County Courthouse, the court space in the North Annex Jail, the court space in the M Street Courthouse—and provides two additional courtrooms in anticipation of funding for future judgeships. The project will require acquisition of a site of approximately 2.09 acres. The project includes secured parking for judicial officers. Parking for staff and the public is not included in the project. Parking needs will be assessed during the site selection and CEQA processes.

The New Fresno Courthouse is proposed because of the current operational inefficiency due to court functions being split between three locations in downtown Fresno, an increase of the number of courtrooms to help meet AJN, and numerous and severe deficiencies in the existing main Fresno County Courthouse, North Annex Jail, and M Street facilities.

3. Basis for cost information.

Estimated total project costs are based on conceptual space program and three-page estimate.

4. Factors/benefits for recommended solution other than the least expensive alternative.

The recommended option is Alternative 1: Construct a New 36-Courtroom Courthouse. This option is the best solution for the superior court and will accomplish the following immediately needed improvements to enhance its ability to serve the public:

- Enhance the public's access to justice by providing a modern, safe, and accessible courthouse.
- Relieve the current space shortfall, increase security, and replace inadequate and obsolete buildings in Fresno County by consolidating court operations into one location.
- Improve operational efficiencies by improving space adjacencies and providing spaces in alignment with Judicial Council space standards.

- Vacate the seismically deficient Fresno Courthouse and allow for termination of a county joint occupancy agreement at the North Annex Jail and termination of the M Street Courthouse lease.
- Improve operational efficiencies allowing the court to operate effectively and efficiently.

5. Complete description of impact on support budget.

Impact on the trial court operation budgets for 2024–25 will not be material. It is anticipated that this project will affect trial court operation budgets in fiscal years beyond the current year.

Impact on the sheriff security funding for 2024–25 will not be material. It is anticipated that this project will affect sheriff security budgets in future fiscal years.

It is anticipated that there will be ongoing costs of \$1.2 million for Judicial Council-funded O&M. The county facility payments established under Government Code section 70353 with the transfer of each county facility replaced by this project will be used to partially offset ongoing operations and maintenance costs of the new facility.

As additional programmatic workload and funding drives the need for additional administrative funding, an administrative overhead cost has been included in each capital outlay budget change proposal. The additional funding of \$30,000 will be used to support successful implementation of this request.

6. Identify and explain any project risks.

Any construction project carries risk of increased scope due to discovery of unknown subsurface site conditions throughout the design and construction process that can alter the projected construction cost. These risks can be mitigated or minimized by concurrently developing a prioritized itemization of project features that can be reduced in scope, alternatively approached, or eliminated without affecting the building functionality. The prioritized list should be updated at the completion of each stage of the design process in connection with the preparation and review of the updated estimates. Some risk is inherent with transfer of real property from one entity to another, regarding schedule and ancillary appropriation timing for funds. Risk is always inherent in the construction and ownership of real property and improvements. Standard risk management procedures are used to control and/or delegate these risks.

The risks associated with not developing a replacement court facility, as responsibility for the facilities it will replace has transferred to the state, are equally compelling. Given the existing physical conditions and practical limitations of improving these facilities, they will generate liabilities for the state the longer they remain unaddressed.

7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g., technology proposals).

Interagency cooperation will be required among state, county, and local jurisdictional authorities for successful completion of this project. The project will be reviewed by the State Fire Marshal, the Board of State and Community Corrections for compliance with corrections standards, and the Division of the State Architect for fire and life safety and accessibility. The State Fire Marshal will perform inspections, required by the California Building Code for fire and life safety, during the construction phase.

F. Consistency With Government Code Section 65041.1:

Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

The recommended solution does not include the rehabilitation of existing infrastructure. Rehabilitating the existing structure is disruptive and costly due to the lack of suitable swing space. Prior studies indicate that the most advantageous approach is a replacement facility for the Fresno Courthouse.

The Judicial Council has no right to renovate or expand the North Annex Jail or M Street Courthouse without the cooperation, collaboration, and compensation of the facility title holder.

Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state's most valuable natural resources? Explain.

The branch is committed to selecting sites with no or least impact to these resources by using previously developed land with existing infrastructure. This project will complete a thorough and responsible CEQA process.

Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, supports efficient use of land and is appropriately planned for growth? Explain.

The Judicial Council will establish a Project Advisory Group to develop site selection criteria that address proximity to public transportation, availability of existing infrastructure, and proximity and relationship to other land uses and current development patterns.

The Project Advisory Group will consist of representatives from the local court, the county (including personnel from county administration, district attorney, public defender, sheriff, and probation department), the city (including personnel from city management, planning, and redevelopment agency), the local community, and the local bar association.

STATE OF CALIFORNIA

Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet

DF-151 (REV 07/21)

Fiscal Year 2024-25	Business Unit 0250	Department Judicial Branch	Priority No. 3
Budget Request Name 0250-XXX-COBCP-2024-GB	Capital Outlay Program ID 0165	Capital Outlay Project ID 0009732	

Project Title

San Luis Obispo County – New San Luis Obispo Courthouse

Project Status and TypeStatus: ☐ New ☒ ContinuingType: ☒ Major ☐ Minor**Project Category (Select one)**

<input checked="" type="checkbox"/> CRI (Critical Infrastructure)	<input type="checkbox"/> WSD (Workload Space Deficiencies)	<input type="checkbox"/> ECP (Enrollment Caseload Population)	<input type="checkbox"/> SM (Seismic)
<input type="checkbox"/> FLS (Fire Life Safety)	<input type="checkbox"/> FM (Facility Modernization)	<input type="checkbox"/> PAR (Public Access Recreation)	<input type="checkbox"/> RC (Resource Conservation)

Total Request (in thousands) \$ 7,772	Phase(s) to be Funded Performance Criteria	Total Project Cost (in thousands) \$ 342,864
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Budget Request Summary

The Judicial Council of California requests \$7,772,000 General Fund for the Performance Criteria phase of the New San Luis Obispo Courthouse in San Luis Obispo County. The project will provide construction of a new, 12-courtroom courthouse of approximately 145,000 square feet (SF) in the city of San Luis Obispo. The estimated total project cost is \$342,864,000. The project includes secure parking for judicial officers. The project will require acquisition of a site of approximately 2.5 acres. The project will use a design-build delivery method. The project will replace the Courthouse Annex and the 1070 Palm Street facility.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	CCCI 9621
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Requires Provisional Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budget Package Status <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Existing
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Impact on Support Budget

One-Time Costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Swing Space Needed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Future Savings	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Generate Surplus Property	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Future Costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No
Attach comments of affected department, signed and dated by the department director or designee.

Prepared By McCormick	Date 7/31/2023	Reviewed By Cowan	Date 7/31/2023
Chief Administrative Officer John Wordlaw	Date 7/31/2023	Acting Administrative Director Millicent Tidwell	Date 7/31/2023

Department of Finance Use Only

Principal Program Budget Analyst	Date submitted to the Legislature
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A. COBCP Abstract:

San Luis Obispo County – New San Luis Obispo Courthouse – \$7,772,000 for Performance Criteria. The project includes the construction of a new, 12-courtroom courthouse of approximately 145,000 SF in the city of San Luis Obispo. The project includes secure parking for judicial officers. The project will require acquisition of a site of approximately 2.5 acres. Total project costs are estimated at \$342,864,000, including Acquisition (\$29,169,000), Performance Criteria (\$7,772,000), and Design-Build (\$305,923,000). The design-build amount includes \$258,154,000 for the construction contract, \$7,745,000 for contingency, \$9,115,000 for architectural and engineering services, and \$30,909,000 for other project costs. The Acquisition began in July 2022 and will conclude in June 2024. Performance Criteria is scheduled to begin in July 2024 and will be approved in June 2025. Design-Build is scheduled to begin in July 2025 and will be completed in January 2030.

B. Purpose of the Project:

Problem: The existing condition and capacity of the Superior Court of San Luis Obispo County Courthouse facilities were evaluated under Senate Bill 847, which revised Government Code section 70371.9 and required the Judicial Council of California to reassess projects identified in its *Trial Court Capital-Outlay Plan and Prioritization Methodology* adopted on October 24, 2008. The reassessment which is the basis for the judicial branch's Trial Court Five-Year Infrastructure Plan, was submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget in December 2019.

The Infrastructure Plan project rankings were established through a detailed and systematic analysis of the following criteria:

- The general physical condition of the building;
- Needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act (ADA) requirements, and environmental hazards;
- Court security features within buildings;
- Access to court services;
- Overcrowding; and
- Projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

Through this assessment process, San Luis Obispo County courthouse facilities affected by this project were determined to be deficient in all categories. This project is ranked in the Immediate Need priority group, and consequently is one of the highest priority trial court capital-outlay projects for the judicial branch. The *Reassessment of Trial Court Capital-Outlay Projects* is available at www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf.

Program Need: The New San Luis Obispo Courthouse will accomplish the following immediately needed improvements to the superior court and enhance its ability to serve the public:

- Consolidates court operations in the city of San Luis Obispo.
- Provides an accessible, safe, and efficient full-service courthouse.
- Improves security, relieves overcrowding, and improves operational efficiency and customer service.
- Allows the court to operate in a facility with adequate space for greater functionality than in current conditions, including:
 - Safe and secure internal circulation that maintains separate zones for the public, staff, and in-custodies.
 - Secure, dedicated in-custody sally port to the courthouse and secure in-custody holding areas.

- Adequate visitor security screening and queuing in the entrance area.
- Attorney-client interview rooms.
- An adequately sized self-help area, which improves public service.
- ADA accessible spaces.
- Adequate staff workstations and meeting spaces.
- Jury assembly, with capacity for typical jury pools.
- A facility with a dependable physical infrastructure.
- Avoids future expenditures of nearly \$11 million in deferred maintenance and needed security refresh.
- Decommissions a facility with a FEMA P-154 High-Risk seismic rating.

The Superior Court of San Luis Obispo County uses a centralized service model for criminal courts in San Luis Obispo County, with all criminal court operations located in the Courthouse Annex in San Luis Obispo, the county seat. Civil and family court operations are decentralized between the Courthouse Annex and Paso Robles Branch Courthouse. Additional small claims cases are heard at the Grover Beach Branch while the Veteran's Memorial Building is being renovated. Traffic court is decentralized, with operations in the Veteran's Memorial Building (under renovation), the Paso Robles Courthouse, and the Grover Beach Branch. Administrative functions are housed in the Courthouse Annex, with additional overflow staff offices in the San Luis Obispo County Courthouse, 1070 Palm Street, and 999 Monterey Street, all within San Luis Obispo. Most juvenile court cases are heard at the Juvenile Services Center in San Luis Obispo.

Based on the 2022 Judicial Needs Assessment, the San Luis Obispo court does not have a need for additional judgeships at this time.

The court occupies eight buildings with a total of 165,785 SF of space. The facilities are summarized in the table below.

	Name	City	Number of Courtrooms	Type	Owner	Year Built
1	Courthouse Annex	San Luis Obispo	12	Courthouse	County	1983
2	Veterans Memorial Building	San Luis Obispo	1	Multiuse	County	1965
3	Juvenile Services Center	San Luis Obispo	1	Multiuse	County	1980
4	Grover Beach Branch	Grover Beach	1	Courthouse	County	1968
5	Grover Beach Clerk's Office	Grover Beach	0	Modular	County	1989
6	1070 Palm St.	San Luis Obispo	0	Office	Judicial Council	1926
7	Paso Robles Courthouse	Paso Robles	2	Courthouse	County	2008
8	999 Monterey St.	San Luis Obispo	0	Office	Leased	2007

Infrastructure Deficiencies in Facilities Affected by Project: The project will replace the county-owned Courthouse Annex in San Luis Obispo (12 courtrooms) and the court office space in the Judicial Council-owned 1070 Palm St. The Courthouse Annex will be vacated by the court and surrendered to the county. The 1070 Palm Street facility will be sold. The findings of the Infrastructure Reassessment are summarized below for the facilities affected by this project.

1. Courthouse Annex (County-Owned)

2019 Assessment Data

Year Built	1983
Number of Courtrooms	12 courtrooms
10 Year Facility Condition Index (FCI)	Poor Condition
FEMA P-154 Seismic Rating	High Risk Seismic Rating
Deferred Maintenance	\$10,009,474
Annual O&M Costs	\$103,394
Security System Refresh Costs	\$243,981

The Courthouse Annex is located at 1035 Palm Street, San Luis Obispo, California. This court is part of a 112,000 SF county-owned-and-managed building complex. The court occupies approximately 41,000 SF of court-exclusive space. Criminal, civil, family, and limited juvenile cases are heard at this courthouse. The building is overcrowded, with numerous functional and security issues that include undersized courtrooms with inefficient layouts; undersized entrance security screening area; poor functional adjacencies; and ADA noncompliance. The facility has in-custody holding but minimal space for weapons screening. Separate and secure circulation dedicated for judicial officers and staff is marginal and deficient in separating in-custodies from the public and judicial staff. The facility has a FEMA P-154 High-Risk seismic rating and has over \$10 million in deferred maintenance and security refresh needs.

2. 1070 Palm Street (Judicial Council-Owned)

2019 Assessment Data

Year Built	1926
Number of Courtrooms	None
10-Year Facility Condition Index (FCI)	Not Assessed
FEMA P-154 Seismic Rating	Not Assessed
Deferred Maintenance	\$718,603
Annual O&M Costs	\$23,055
Security System Refresh Costs	\$6,770

Located at 1070 Palm Street, San Luis Obispo, this is a 2,528 SF Judicial Council-owned, former single-family home now used exclusively for court offices. This property houses court research attorneys and family court staff.

C. Relationship to the Strategic Plan:

The Judicial Council, as the policymaking body for the judicial branch, has the following responsibilities and authorities with regard to court facilities, in addition to any other responsibilities or authorities established by law:

- Exercises full responsibility, jurisdiction, control, and authority as an owner would have over trial court facilities whose title is held by the state, including, but not limited to, the acquisition and development of facilities.
- Exercises the full range of policymaking authority over trial court facilities, including, but not limited to, planning, construction, acquisition, and operation, to the extent not expressly otherwise limited by law.
- Establishes policies, procedures, and guidelines for ensuring that the courts have adequate and sufficient facilities, including, but not limited to, facilities planning, acquisition, construction, design, operation, and maintenance.
- Allocates appropriated funds for court facilities maintenance and construction.
- Prepares funding requests for court facility construction, repair, and maintenance.

- Implements the design, bid, award, and construction of all court construction projects, except as delegated to others.
- Provides for capital outlay projects that may be built with funds appropriated or otherwise available for these purposes according to an approved five-year infrastructure plan for each court.

The provision of this capital outlay request is directly related to the judicial branch's strategic plan Goal VI: "Branchwide Infrastructure for Service Excellence." By providing the trial courts with the facilities required to carry out the judiciary's constitutional functions, the proposed project immediately addresses this goal.

In addition, the proposed project supports the Judicial Council's commitment to Goal I: "Access, Fairness, Diversity, and Inclusion"; Goal IV: "Quality of Justice and Service to the Public"; and Goal VII: "Adequate, Stable, and Predictable Funding for a Fully Functioning Branch."

D. Alternatives:

Alternative 1: Build a New 12-Courtroom Courthouse.

This alternative will construct a new, 12-courtroom courthouse of approximately 145,000 SF in the city of San Luis Obispo. The estimated total project cost is \$342,864,000. The project will require acquisition of a site of approximately 2.5 acres. The project includes secure parking for judicial officers.

Advantages:

- Enhances the court's ability to serve the residents of San Luis Obispo County by providing a new, modern, and secure courthouse, replacing antiquated and functionally deficient facilities.
- Allows the court to vacate and surrender the existing Courthouse Annex to the county.
- Improves access to justice and enhances public service and court operational efficiency by being compliant with modern regulatory safety, seismic, and accessibility standards.
- Provides San Luis Obispo County residents basic services not currently provided.
- Avoids future expenditure of nearly \$11 million for deferred maintenance and needed security system refresh.
- Removes a facility from service with a FEMA P-154 High-Risk seismic rating.

Disadvantages:

- Requires authorization of funds for site acquisition and related soft costs, design, and construction.

Alternative 2: Renovate Existing Courthouses.

The existing Courthouse Annex will be renovated and reconfigured to improve the space and more closely align the renovated court space with Judicial Council standards. A detailed estimate was not prepared for this alternative because preliminary investigations deemed the solution impracticable. Implementation of this alternative is constrained by site configuration, county ownership of the buildings, and disruption to court and county operations. A renovation without a sizable expansion does not remedy overcrowding.

Advantages:

- This option will improve security, correct infrastructure deficiencies, and more closely align the renovated court space with Judicial Council space standards.

Disadvantages:

- The county holds the title for the Courthouse Annex. The Judicial Council has no right to renovate or expand on the site without the cooperation and collaboration of the county.
- The Courthouse Annex is part of a 112,000 SF county-owned-and-managed building complex. Under the Joint Occupancy Agreements, the costs of facility modifications and renovations are shared between the county and state.
- The building infrastructure systems are not separated into county and state components. Upgrading infrastructure within the court's space will likely affect the infrastructure systems buildingwide and will necessitate renovations in county-exclusive areas.
- This alternative will be disruptive to court and county operations and incur costs for swing space while renovations are ongoing.
- A renovation project without a sizable expansion does not remedy overcrowding.

Alternative 3: Defer This Project.

Advantages:

- This alternative requires no additional commitment of resources.

Disadvantages:

- This is an urgently needed project. The existing facility does not provide basic services to San Luis Obispo County residents because of overcrowding; inadequate security; ADA compliance requirements; conflicts in travel paths for judges, staff, the public, and in-custody defendants; lack of space for adequately sized visitor security screening and queuing in the entrance area, courtrooms, jury assembly, and self-help; and no attorney-client interview rooms or secure judicial parking.
- Delay of this project limits the court's ability to consolidate existing operations for enhanced public service and staff efficiency.
- This alternative requires a future expenditure of nearly \$11 million for unaddressed deferred maintenance and needed security system refresh.
- This option leaves a facility in service with a FEMA P-154 High-Risk seismic rating.

E. Recommended Solution:

1. Which alternative and why?

The recommended option is Alternative 1: Approve the construction of a new, 12-courtroom courthouse. This alternative provides the best solution for the superior court and for the benefit of all county residents.

2. Detailed scope description.

The project will provide construction of a new, 12-courtroom courthouse of approximately 145,000 SF in the city of San Luis Obispo. In addition to multipurpose courtrooms suitable for all case types, chambers, and administrative space, major space components include central holding, jury assembly, family court services, and self-help. The project includes secure parking for judicial officers. The project will require acquisition of a site of approximately 2.5 acres.

3. Basis for cost information.

Estimated total project costs are based on conceptual space program and three-page estimate.

4. Factors/benefits for recommended solution other than the least expensive alternative.

The recommended option is Alternative 1: Construct a New 12-Courtroom Courthouse. The recommended option will accomplish the following immediately needed improvements to the superior court and enhance its ability to serve the public:

- Increase public's access to justice by providing a modern, safe, and accessible courthouse.
- Relieve the current space shortfall, increase security, and replace inadequate and obsolete buildings in San Luis Obispo County.
- Improve operational efficiencies by improving space adjacencies and providing spaces in alignment with Judicial Council space standards.
- Avoid future expenditure of nearly \$11 million for deferred maintenance and needed security system refresh.
- Remove a facility from service with a FEMA P-154 High-Risk seismic rating.

5. Complete description of impact on support budget.

Impact on the trial court operation budgets for 2024–25 will not be material. It is anticipated that this project will affect trial court operation budgets in fiscal years beyond the current year.

Impact on the sheriff security funding for 2024–25 will not be material. It is anticipated that this project will affect sheriff security budgets in future fiscal years.

It is anticipated that there will be ongoing costs of \$711,000 for Judicial Council-funded O&M and security. The county facility payments established under Government Code section 70353 with the transfer of each county facility replaced by this project will be used to partially offset ongoing operations and maintenance costs of the new facility.

As additional programmatic workload and funding drives the need for additional administrative funding, an administrative overhead cost has been included in each capital outlay budget change proposal. The additional funding of \$30,000 will be used to support successful implementation of this request.

6. Identify and explain any project risks.

Any construction project carries risk of increased scope due to discovery of unknown subsurface site conditions throughout the design and construction process that can alter the projected construction cost. These risks can be mitigated or minimized by concurrently developing a prioritized itemization of project features that can be reduced in scope, alternatively approached, or eliminated without affecting the building functionality. The priority list should be updated at the completion of each stage of the design process in connection with the preparation and review of the updated estimates. Some risk is inherent with transfer of real property from one entity to another, regarding schedule and ancillary appropriation timing for funds. Risk is always inherent in the construction and ownership of real property and improvements. Standard risk management procedures are used to control and/or delegate these risks.

The risks associated with not developing a replacement court facility, as responsibility for the facilities it will replace has transferred to the state, are equally compelling. Given the existing physical conditions and practical limitations of improving these facilities, they will generate liabilities for the state the longer they remain unaddressed.

7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g., technology proposals).

Interagency cooperation will be required among state, county, and local jurisdictional authorities for successful completion of this project. The project will be reviewed by the State Fire Marshal, the Board of State and Community Corrections for compliance with corrections standards, and the Division of the State Architect for fire and life safety and accessibility. The State Fire Marshal will perform inspections, required by the California Building Code for fire and life safety, during the construction phase.

F. Consistency With Government Code Section 65041.1:

Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

The recommended solution does not include the rehabilitation of existing infrastructure. Rehabilitating the existing structure is disruptive and costly due to the lack of suitable swing space. The Judicial Council has no right to renovate or expand the Courthouse Annex without the cooperation and collaboration of the county.

Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state's most valuable natural resources? Explain.

The branch is committed to selecting sites with no or least impact to these resources by using previously developed land with existing infrastructure. This project will complete a thorough and responsible California Environmental Quality Act (CEQA) process.

Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, supports efficient use of land and is appropriately planned for growth? Explain.

The Judicial Council will establish a Project Advisory Group to develop site selection criteria that address proximity to public transportation, availability of existing infrastructure, and proximity and relationship to other land uses and current development patterns.

The Project Advisory Group will consist of representatives from the local court, the county (including personnel from county administration, district attorney, public defender, sheriff, and probation department), the city (including personnel from city management, planning, and redevelopment agency), the local community, and the local bar association.

STATE OF CALIFORNIA

Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet

DF-151 (REV 07/21)

Fiscal Year 2024-25	Business Unit 0250	Department Judicial Branch	Priority No. 4
Budget Request Name 0250-XXX-COBCP-2024-GB	Capital Outlay Program ID 0165	Capital Outlay Project ID 0010916	

Project Title

San Joaquin County - New Tracy Courthouse

Project Status and TypeStatus: ☒ New ☐ ContinuingType: ☒ Major ☐ Minor**Project Category (Select one)**

<input checked="" type="checkbox"/> CRI (Critical Infrastructure)	<input type="checkbox"/> WSD (Workload Space Deficiencies)	<input type="checkbox"/> ECP (Enrollment Caseload Population)	<input type="checkbox"/> SM (Seismic)
<input type="checkbox"/> FLS (Fire Life Safety)	<input type="checkbox"/> FM (Facility Modernization)	<input type="checkbox"/> PAR (Public Access Recreation)	<input type="checkbox"/> RC (Resource Conservation)

Total Request (in thousands) \$ 2,645	Phase(s) to be Funded Performance Criteria	Total Project Cost (in thousands) \$ 58,784
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Budget Request Summary

The Judicial Council of California requests \$2,645,000 General Fund for the Performance Criteria phase of the New Tracy Courthouse in San Joaquin County. The proposed new courthouse project will provide construction of a new, 2-courtroom courthouse of approximately 28,000 square feet (SF) in the city of Tracy. The project includes secured parking for judicial officers and surface parking spaces. The estimated total project cost is \$58,784,000. The project will use the design-build delivery method. The project will replace four existing court facilities on the Judicial Council-owned site.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed -	CCCI 9621
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Requires Provisional Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budget Package Status <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Existing
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Impact on Support Budget

One-Time Costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Swing Space Needed	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Future Savings	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Generate Surplus Property	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Future Costs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No

Attach comments of affected department, signed and dated by the department director or designee.

Prepared By McCormick	Date 7/31/2023	Reviewed By Stephens/Cowan	Date 7/31/2023
Chief Administrative Officer John Wordlaw	Date 7/31/2023	Acting Administrative Director Millicent Tidwell	Date 7/31/2023

Department of Finance Use Only

Principal Program Budget Analyst	Date submitted to the Legislature
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A. COBCP Abstract:

San Joaquin County – New Tracy Courthouse – \$2,645,000 for Performance Criteria. The project includes the construction of a new, two-courtroom courthouse of approximately 28,000 SF in the city of Tracy. The project includes secured parking for judicial officers and surface parking spaces. Total project costs are estimated at \$58,784,000, including Performance Criteria (\$2,645,000) and Design-Build (\$56,139,000). The design-build amount includes \$44,541,000 for the construction contract, \$1,336,000 for contingency, \$2,027,000 for architectural and engineering services, and \$8,235,000 for other project costs. Performance Criteria is scheduled to begin in July 2024 and will be approved in June 2025. Design-Build is scheduled to begin in July 2025 and will be completed in April 2029.

B. Purpose of the Project:

Problem: The existing condition and capacity of the Superior Court of San Joaquin County facilities were evaluated pursuant to Senate Bill 847, which revised Government Code section 70371.9 and required the Judicial Council of California to reassess projects identified in its *Trial Court Capital-Outlay Plan* and prioritization methodology adopted on October 24, 2008. The reassessment, which is the basis for the judicial branch's *Trial Court Five-Year Infrastructure Plan*, was submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget in December 2019.

The infrastructure plan project rankings were established through a detailed and systematic analysis of the following criteria:

- The general physical condition of the building;
- Needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act (ADA) requirements, and environmental hazard;
- Court security features within buildings;
- Access to court services;
- Overcrowding; and
- Projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

Through this assessment process, San Joaquin County courthouse facilities affected by this project were determined to be deficient in all categories. This project is ranked in the Immediate Need priority group, and consequently is one of the highest priority trial court capital-outlay projects for the judicial branch. The *Reassessment of Trial Court Capital-Outlay Projects* is available at www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf.

Program Need: The New Tracy Courthouse will accomplish the following immediately needed improvements to the superior court and enhance its ability to serve the public:

- Provides an accessible, safe, and efficient courthouse to serve south county communities.
- Enhances the public's access to justice by relieving the current space shortfall, increasing security, and replacing inadequate and obsolete buildings in San Joaquin County.
- Allows the court to operate in a facility with adequate space for greater functionality than in current conditions, including:
 - Safe and secure internal circulation that maintains separate zones for the public, judicial officers and staff, and in-custody defendants.
 - Secure, dedicated in-custody sally port to the courthouse and secure in-custody holding areas.
 - Adequate visitor security screening and queuing in the entrance area.
 - Provides attorney-client interview rooms.
 - Improves public service, including an adequately sized self-help area.
 - Jury assembly with capacity for typical jury pools.

- Has ADA accessible spaces.
- Adequate staff workstations and meeting spaces.
- Facility with dependable physical infrastructure.
- Improves public safety by replacing facilities that are noncompliant with contemporary fire and life safety and ADA codes.
- Restructures operations and functions to optimize use of court facilities.
- Replaces four facilities in poor condition that have aging systems.
- Repurposes a Judicial Council-owned site for infill development and eliminates project costs for site acquisition.
- Avoids future expenditure of approximately \$2 million for deferred maintenance and needed security system refresh.

The Superior Court of San Joaquin County uses a decentralized model, with full-service operations in Stockton and branch locations in Manteca, Lodi, French Camp, and Tracy (which has been vacant for several years). Stockton and Lodi serve north county communities, while Manteca has served the south county communities. French Camp is a juvenile court that serves the entire county.

The main courthouse is located in the city of Stockton (county seat). The Stockton Courthouse handles all case types and all jury trials for the county, except for juvenile delinquency case matters. The French Camp facility is the juvenile delinquency court that has three courtrooms and is connected to juvenile hall and the county probation department. The Lodi branch court has one courtroom and handles criminal matters (such as felony arraignments, preliminary hearings, misdemeanor arraignments, and pretrial conferences). The Manteca Branch Courthouse handles criminal, civil, and traffic matters. The Tracy Branch court facilities have been closed since 2011 owing to budget constraints from the recession and have not reopened due to needed replacement.

The Superior Court of San Joaquin County occupies five buildings in Stockton, Lodi, French Camp, and Manteca, with a total of approximately 350,000 SF of space. The four Tracy court facilities are vacant.

	Name	City	Number of Courtrooms	Type	Owner	Year Built
1	Stockton Courthouse	Stockton	28 (plus 1 unfinished)	Courthouse	Judicial Council	2017
2	French Camp Juvenile Justice Center	French Camp	3	Jail	County	1982
3	Manteca Branch Courthouse	Manteca	2	Courthouse	Judicial Council	1965
4	Lodi Department 2	Lodi	0	Courthouse	Judicial Council	1968
5	Lodi Department 1	Lodi	1	Office	Lease	2005
6	Tracy Branch Courthouse	Tracy	1	Courthouse/ Vacant	Judicial Council	1968
7	Tracy Modular 1: Support	Tracy	0	Modular/ Vacant	Judicial Council	1986
8	Tracy Modular 2: Courtroom	Tracy	1	Modular/ Vacant	Judicial Council	1986
9	Tracy Agricultural Building	Tracy	0	Storage/ Vacant	Judicial Council	1960

The project will replace the four Tracy Branch court facilities: Tracy Branch Courthouse, Tracy Modular 1 (Support), Tracy Modular 2 (Courtroom), and Tracy Agricultural Building.

1. Tracy Branch Courthouse (Judicial Council-Owned)

2019 Assessment Data

Year Built	1986
Number of Courtrooms	1 courtroom
10-Year Facility Condition Index (FCI)	Poor Condition
FEMA P-154 Seismic Rating	Acceptable Risk Seismic Rating
Deferred Maintenance	\$1,989,960
Annual O&M Costs	\$22,597
Security System Refresh Costs	Not assessed

Located at 475 East 10th Street in the city of Tracy, the Tracy Branch Courthouse is approximately 7,000 SF in size and is owned and managed by the Judicial Council. The building is in poor condition with aging systems that are at or beyond their useful lives. This facility lacks many modern elements required to function effectively and efficiently, has significant fire and life safety deficiencies, and needs significant structural and technological upgrades. The facility has in-custody holding but minimal space for weapons screening and lacks separate and secure circulation paths dedicated to separate in-custody defendants from the public, jurors, judicial officers, and staff. Owing to budget cuts and the need for replacement, this facility has been vacant since 2011.

2. Tracy Modular 1: Support (Judicial Council-owned)

2019 Assessment Data

Year Built	1986
Number of Courtrooms	None
10-Year Facility Condition Index (FCI)	Not Assessed
FEMA P-154 Seismic Rating	Not Assessed
Deferred Maintenance	Not Assessed
Annual O&M Costs	\$13,133
Security System Refresh Costs	Not Assessed

Tracy Modular 1 (Support) is located on the Tracy campus at 475 East 10th Street in the city of Tracy. It is approximately 1,000 SF in size and is owned and managed by the Judicial Council. The modular unit previously served as administrative space. The modular is in poor condition with aging systems. Owing to budget cuts and the need for replacement, this facility has been vacant since 2011.

3. Tracy Modular 2: Courtroom (Judicial Council-owned)

2019 Assessment Data

Year Built	1986
Number of Courtrooms	None
10-Year Facility Condition Index (FCI)	Not Assessed
FEMA P-154 Seismic Rating	Not Assessed
Deferred Maintenance	Not Assessed
Annual O&M Costs	\$13,133
Security System Refresh Costs	Not Assessed

Tracy Modular 2 (Courtroom) is located on the Tracy campus at 475 East 10th Street in the city of Tracy. It is approximately 1,000 SF in size and is owned and managed by the Judicial Council. The modular unit previously served as a courtroom. The modular is in poor condition with aging systems. Owing to budget cuts and the need for replacement, this facility has been vacant since 2011.

4. Tracy Agricultural Building (Judicial Council-owned)

2019 Assessment Data

Year Built	1960
Number of Courtrooms	None
10-Year Facility Condition Index (FCI)	Not Assessed
FEMA P-154 Seismic Rating	Not Assessed
Deferred Maintenance	Not Assessed
Annual O&M Costs	Not Assessed
Security System Refresh Costs	Not Assessed

The Tracy Agricultural Building is located on the Tracy campus at 475 East 10th Street in the city of Tracy. It is a single-story building approximately 2,000 SF in size that served as storage space and is owned and managed by the Judicial Council. The building is in poor condition with aging systems. Owing to budget cuts and need for replacement, this facility has been vacant since 2011.

Infrastructure Deficiencies in Facilities Affected by Project: The four existing Tracy Branch facilities (Tracy Branch Courthouse, Tracy Modular 1 (Support), Tracy Modular 2 (Courtroom), and Tracy Agricultural Building) are inadequate and obsolete to be returned to public service. The project will utilize the existing site of these facilities to demolish each deteriorated and vacant building to construct a single modern courthouse building.

C. Relationship to the Strategic Plan:

The Judicial Council, as the policymaking body for the judicial branch, has the following responsibilities and authorities with regard to court facilities, in addition to any other responsibilities or authorities established by law:

- Exercise full responsibility, jurisdiction, control, and authority as an owner would have over trial court facilities whose title is held by the state, including but not limited to the acquisition and development of facilities;
- Exercise the full range of policymaking authority over trial court facilities, including but not limited to planning, construction, acquisition, and operation, to the extent not expressly otherwise limited by law;
- Establish policies, procedures, and guidelines for ensuring that the courts have adequate and sufficient facilities, including but not limited to facilities planning, acquisition, construction, design, operation, and maintenance;
- Allocate appropriated funds for court facilities maintenance and construction;
- Prepare funding requests for court facility construction, repair, and maintenance;
- Implement the design, bid, award, and construction of all court construction projects, except as delegated to others; and
- Provide for capital outlay projects that may be built with funds appropriated or otherwise available for these purposes according to an approved five-year infrastructure plan for each court.

The provision of this capital outlay request is directly related to the judicial branch's strategic plan Goal VI, Branchwide Infrastructure for Service Excellence. By providing the trial courts with the facilities required to carry out the judiciary's constitutional functions, the proposed project immediately addresses this goal.

In addition, the proposed project supports the judicial branch's commitment to Goal I, Access, Fairness, Diversity, and Inclusion; Goal IV, Quality of Justice and Service to the Public; and Goal VII, Adequate, Stable, and Predictable Funding for a Fully Functioning Branch.

D. Alternatives:

Alternative 1: Build a New 2-Courtroom Courthouse.

This alternative will construct a new, 2-courtroom courthouse of approximately 28,000 SF in the city of Tracy. The project will include secured parking for judicial officers and surface parking spaces. The estimated total project cost is \$58,784,000. The project includes the demolition of four existing court facilities on the Judicial Council-owned site.

Advantages

- Enhances the public's access to justice by providing a modern, safe, and secure courthouse to serve the south county communities, relieving the current space shortfall, increasing security, and replacing inadequate and obsolete buildings in San Joaquin County.
- Provides multipurpose courtrooms suitable for all case types as well as space for jury assembly, central holding, and self-help services.
- Allows the court to operate in a facility with adequate space for greater functionality than what had been provided by the existing Tracy Branch court facilities—alleviating overcrowding in staff areas, providing adequate space for security screening and lobby areas and separate paths of circulation for in-custody defendants from the public and judges and staff, and addressing the lack of jury assembly space and jury deliberation rooms.
- Restructures operations and functions to optimize use of court facilities.
- Repurposes a Judicial Council-owned site for infill development and eliminates project costs for site acquisition.
- Avoids future expenditure of approximately \$2 million for deferred maintenance and needed security system refresh.

Disadvantages:

- This alternative requires authorization of funds for design and construction.

Alternative 2: Renovation of Existing Court Facilities.

The four existing Tracy Branch court facilities (Tracy Branch Courthouse, Tracy Modular 1 (Support), Tracy Modular 2 (Courtroom), and Tracy Agricultural Building) will be renovated, reconfigured, and expanded to accommodate the programmatic needs of the court. Detailed estimates were not prepared for this alternative as preliminary investigations deemed the solution requiring multiple projects impracticable and cost-ineffective. Multiple renovation projects would be required, yet without sizable expansions still not remedying the space shortfall.

Advantages:

- This option will improve court security, correct infrastructure deficiencies, and more closely align the renovated court space with Judicial Council space standards.

Disadvantages:

- Compared to Alternative 1, this alternative requires authorization of funds for design and construction of multiple projects, making it cost-ineffective.
- As renovation of the two modular buildings is not practical, given their poor condition with aging systems, replacement would be required.
- Maintains four separate buildings, disallowing the consolidation of separated operations into a single building for improved public service on the existing site.
- Does not allow for operational restructuring and efficiency gains.
- Multiple renovation projects without sizable expansions does not remedy the space shortfall.

Alternative 3: Defer this Project.

Advantages:

- No additional commitment of resources.

Disadvantages:

- This is an urgently needed project. The existing facilities do not provide proper security, are severely overcrowded, are in deteriorating physical condition, and impede the court's ability to operate effectively and efficiently.
- Delay of this project limits the court's ability for staffing efficiency and to provide enhanced public service to the south county communities.
- Does not allow for restructuring of existing operations and efficiency gains.
- Approximately \$2 million in expenditures are needed to address deferred maintenance and needed security system refresh.

E. Recommended Solution:

1. Which alternative and why?

The recommended solution is Alternative 1: Construct a New 2-Courtroom Courthouse. This alternative provides the best solution for the superior court and for San Joaquin County residents.

2. Detailed scope description.

The proposed new courthouse project will provide construction of a new, 2-courtroom courthouse of approximately 28,000 SF in the city of Tracy. Space will be provided for multipurpose courtrooms suitable for all case types, jury assembly, central holding, and self-help services. The project includes secured parking for judicial officers and surface parking spaces. The project includes the demolition of four existing court facilities on the Judicial Council-owned site. The project will relieve the current space shortfall, improve security, accessibility, and safety, and allow the court to improve its service to south county residents for operational efficiency.

3. Basis for cost information.

Estimated total project costs are based on a conceptual space program and three-page estimate.

4. Factors/benefits for recommended solution other than the least expensive alternative.

The recommended option is Alternative 1: Construct a New 2-Courtroom Courthouse. This option is the best solution for the superior court and will accomplish immediately needed improvements to enhance its ability to serve the public:

- Enhances the public's access to justice by providing a modern, safe, and secure courthouse to serve the south county communities.
- Allows the court to operate in a facility with adequate space for greater functionality than in current conditions—alleviating overcrowding in staff areas, providing adequate space for security screening and lobby areas and separate paths of circulation for in-custody defendants from the public and judges and staff, and addressing the lack of jury assembly space and jury deliberation rooms.
- Restructures operations and functions to optimize use of court facilities.
- Improves operational efficiencies allowing the court to operate effectively and efficiently.
- Repurposes a Judicial Council-owned site for infill development and eliminates project costs for site acquisition.
- Replaces four vacant and obsolete facilities.

5. Complete description of impact on support budget.

Impact on the trial court operation budgets for fiscal year 2024–25 will not be material. It is anticipated that this project will affect trial court operations budgets in fiscal years beyond the current year.

Impact on the sheriff security funding for fiscal year 2024–25 will not be material. It is anticipated that this project will affect sheriff security budgets in future fiscal years.

It is anticipated that there will be ongoing costs of \$120,000 for Judicial Council-funded O&M and security. The county facility payments established pursuant to Government Code section 70353 with the transfer of each county facility replaced by this project will be used to partially offset ongoing operations and maintenance costs of the new facility.

Because additional programmatic workload and funding drive the need for additional administrative funding, an administrative overhead cost has been included in each capital-outlay budget change proposal. The additional funding of \$42,000 will be used to support successful implementation of this request.

6. Identify and explain any project risks.

Any construction project carries risk of increased scope due to discovery of unknown subsurface site conditions throughout the design and construction process that can alter the projected construction cost. These risks can be mitigated or minimized by concurrently developing a prioritized itemization of project features that can be reduced in scope, alternatively approached, or eliminated without affecting the building functionality. The list should be updated at the completion of each stage of the design process in connection with the preparation and review of the updated estimates. Some risk is inherent with transfer of real property from one entity to another, regarding schedule and ancillary appropriation timing for funds. Risk is always inherent in the construction and ownership of real property and improvements. Standard risk management procedures are used to control and/or delegate these risks.

The risks associated with not developing a replacement court facility, as responsibility for the facilities it will replace has transferred to the state, are equally compelling. Given the existing physical conditions and practical limitations of improving these facilities, they will generate liabilities for the state the longer they remain unaddressed.

7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g., technology proposals).

Inter-agency cooperation will be required among state, county, and local jurisdictional authorities for successful completion of this project. The updated drawings will be reviewed by the State Fire Marshal, the Board of State and Community Corrections for compliance with corrections standards, and the Division of the State Architect for fire and life safety and accessibility. The State Fire Marshal will perform inspections, required by the California Building Code for fire and life safety, during the construction phase.

F. Consistency with Government Code section 65041.1:

Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

The recommended solution does not include the rehabilitation of existing buildings but does include repurposing a Judicial Council-owned site for infill development. Rehabilitating multiple existing buildings on the existing site is impracticable and cost ineffective, as they have been vacant more than a decade (since 2011) owing to their poor condition with aging systems. Replacement of these inadequate and obsolete buildings through site redevelopment, which eliminates project costs for site acquisition, is the only viable solution.

Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state's most valuable natural resources? Explain.

The project will be on the site of the existing Tracy Branch court facilities. The branch is committed to selecting sites with no or least impact to these resources by utilizing previously developed land with existing infrastructure. This project will complete a thorough and responsible California Environmental Quality Act (CEQA) process.

Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, support efficient use of land and is appropriately planned for growth? Explain.

The Judicial Council will establish a Project Advisory Group to develop site selection criteria that addresses proximity to public transportation, availability of existing infrastructure, and proximity and relationship to other land uses and current development patterns.

The Project Advisory Group will consist of representatives from the local court, the county (including personnel from county administration, district attorney, public defender, sheriff, probation department, etc.), the city (including personnel from city management, planning, and redevelopment agency), the local community, and local bar association.

STATE OF CALIFORNIA

Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet

DF-151 (REV 07/21)

Fiscal Year 2024-25	Business Unit 0250	Department Judicial Branch	Priority No. 5
Budget Request Name 0250-XXX-COBCP-2024-GB	Capital Outlay Program ID 0165	Capital Outlay Project ID 0010918	

Project Title

Kern County - New East County Courthouse

Project Status and TypeStatus: ☒ New ☐ ContinuingType: ☒ Major ☐ Minor**Project Category (Select one)**

<input checked="" type="checkbox"/> CRI (Critical Infrastructure)	<input type="checkbox"/> WSD (Workload Space Deficiencies)	<input type="checkbox"/> ECP (Enrollment Caseload Population)	<input type="checkbox"/> SM (Seismic)
<input type="checkbox"/> FLS (Fire Life Safety)	<input type="checkbox"/> FM (Facility Modernization)	<input type="checkbox"/> PAR (Public Access Recreation)	<input type="checkbox"/> RC (Resource Conservation)

Total Request (in thousands) \$ 4,921	Phase(s) to be Funded Acquisition	Total Project Cost (in thousands) \$ 78,748
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Budget Request Summary

The Judicial Council of California requests \$4,921,000 General Fund for the Acquisition phase of the New East County Courthouse in Kern County. The proposed new courthouse project will provide construction of a new 3-courtroom courthouse of approximately 45,000 square feet (SF) in the Tehachapi or Mojave areas. The project includes secured parking for judicial officers and surface parking spaces. The estimated total project cost is \$78,748,000. The project will require acquisition of a site of approximately 3.6 acres. The project will use the design-build delivery method. The project will replace and consolidate three facilities.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	CCCI 9621
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Requires Provisional Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budget Package Status <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Existing
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Impact on Support Budget

One-Time Costs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Swing Space Needed	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Future Savings	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Generate Surplus Property	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Future Costs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No

Attach comments of affected department, signed and dated by the department director or designee.

Prepared By McCormick	Date 7/31/2023	Reviewed By Cowan	Date 7/31/2023
Chief Administrative Officer John Wordlaw	Date 7/31/2023	Acting Administrative Director Millicent Tidwell	Date 7/31/2023

Department of Finance Use Only

Principal Program Budget Analyst	Date submitted to the Legislature
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A. COBCP Abstract:

Kern County – New East County Courthouse – \$4,921,000 for Acquisition. The project includes the construction of a new, 3-courtroom courthouse of approximately 45,000 SF in the Tehachapi or Mojave areas. The project includes secured parking for judicial officers and surface parking spaces. Total project costs are estimated at \$78,748,000, including Acquisition (\$4,921,000), Performance Criteria (\$1,844,000), and Design-Build (\$71,983,000). The design-build amount includes \$56,243,000 for the construction contract, \$1,687,000 for contingency, \$2,840,000 for architectural and engineering services, and \$11,213,000 for other project costs. The Acquisition is scheduled to begin in July 2024 and complete in June 2026. The Performance Criteria is scheduled to begin in July 2026 and will be approved in June 2027. Design-Build is scheduled to begin in July 2027 and will be completed in July 2031.

B. Purpose of the Project:

Problem: The existing condition and capacity of the Superior Court of Kern County facilities were evaluated pursuant to Senate Bill 847, which revised Government Code section 70371.9 and required the Judicial Council of California to reassess projects identified in its *Trial Court Capital-Outlay Plan* and prioritization methodology adopted on October 24, 2008. The reassessment, which is the basis for the judicial branch's *Trial Court Five-Year Infrastructure Plan*, was submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget in December 2019.

The infrastructure plan project rankings were established through a detailed and systematic analysis of the following criteria:

- The general physical condition of the building;
- Needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act (ADA) requirements, and environmental hazard;
- Court security features within buildings;
- Access to court services;
- Overcrowding; and
- Projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

Through this assessment process, Kern County courthouse facilities affected by this project were determined to be deficient in all categories. This project is ranked in the Immediate Need priority group, and consequently is one of the highest priority trial court capital-outlay projects for the judicial branch. The *Reassessment of Trial Court Capital-Outlay Projects* is available at www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf.

Program Need: The New East County Courthouse will accomplish the following immediately needed improvements to the superior court and enhance its ability to serve the public:

- Provides an accessible, safe, and efficient courthouse to serve most of the eastern county communities.
- Enhances the public's access to justice by relieving the current space shortfall, increasing security, and replacing inadequate and obsolete buildings in Kern County.
- Allows the court to operate in a facility with adequate space for greater functionality than in current conditions, including:
 - Safe and secure internal circulation that maintains separate zones for the public, judicial officers and staff, and in-custody defendants.
 - Secure, dedicated in-custody sally port to the courthouse and secure in-custody holding areas.
 - Adequate visitor security screening and queuing in the entrance area.

- Provides attorney-client interview rooms.
- Improves public service, including an adequately sized self-help area.
- Jury assembly with capacity for typical jury pools.
- Has ADA accessible spaces.
- Adequate staff workstations and meeting spaces.
- Facility with dependable physical infrastructure.
- Improves public safety by replacing facilities that are noncompliant with contemporary fire and life safety and ADA codes.
- Consolidates operations and functions to optimize use of court facilities.
- Vacates three facilities, with court-occupied space in the Mojave court buildings that could be surrendered back to the county.
- Avoids future expenditure of approximately \$2.2 million for deferred maintenance and needed security system refresh.

The Superior Court of Kern County occupies 17 buildings in eight cities in Kern County. Court facilities are located in Bakersfield (county seat), Mojave, Ridgecrest, Delano, Shafter, Lamont, Taft, and Lake Isabella. Refer to the Attachment A for a complete listing of Kern court facilities. The superior court uses a regional service model with operations in four divisions: Metro, North, East, and South Divisions. The Metro Division in Bakersfield provides full-service operations, while the outlying divisions handle most case types for their respective constituents except serious criminal matters and probate cases. Main administrative functions are housed in Bakersfield, the county seat.

The project will replace and consolidate the three Mojave facilities: the Main Courthouse, the County Administration Building, and the Superior Court Modular.

Name	City	Number of Courtrooms	Type	Owner	Year Built
Mojave Main Court Facility	Mojave	1	Multi-Use	County	1974
Mojave County Administration Building	Mojave	1	Multi-Use	County	1978
Mojave Superior Court Modular	Mojave	1	Modular	County	-

1. Mojave Main Court Facility (county-owned)

2019 Assessment Data

Year Built	1974
Number of Courtrooms	1 courtroom
10-Year Facility Condition Index (FCI)	Poor Condition
FEMA P-154 Seismic Rating	High Risk Seismic Rating
Deferred Maintenance	\$899,885
Annual O&M Costs	\$26,278
Security System Refresh Costs	Not Assessed

The Mojave Main Court Facility, at 1773 Mojave-Barstow Highway in the town of Mojave, is a single-story building of approximately 12,000 SF that is owned and managed by the county. The Kern court exclusively occupies approximately 4,600 SF, sharing the building with a sheriff's substation and justice partners. All case types are heard at this location except for juvenile and probate.

2. Mojave County Administration Building (county-owned)

2019 Assessment Data

Year Built	1978
Number of Courtrooms	1 courtroom
10-Year Facility Condition Index (FCI)	Not Assessed
FEMA P-154 Seismic Rating	Not Assessed
Deferred Maintenance	Not Assessed
Annual O&M Costs	\$15,424
Security System Refresh Costs	Not Assessed

Located at 1775 Mojave-Barstow Highway in the town of Mojave, the Mojave County Administration Building is a single-story building of approximately 8,500 SF that is owned and managed by the county. The Kern court exclusively occupies approximately 2,800 SF, sharing the building with justice partners. All case types are heard at this location except for juvenile and probate. The building does not provide a jury assembly room, which requires all jurors to assemble in the adjacent Mojave Main Court facility. Jury deliberation is held in the staff breakroom due to a lack of dedicated jury deliberation space.

3. Mojave Superior Court Modular (county-owned)

2019 Assessment Data

Year Built	Unknown
Number of Courtrooms	None
10-Year Facility Condition Index (FCI)	Not Assessed
FEMA P-154 Seismic Rating	Not Assessed
Deferred Maintenance	Not Assessed
Annual O&M Costs	Not Assessed
Security System Refresh Costs	Not Assessed

This county-owned modular building is approximately 1,000 SF of office support space and is located adjacent to the Mojave Main Court Facility and Mojave County Administration Building.

Infrastructure Deficiencies in Facilities Affected by Project: The three existing Mojave facilities (the Main Courthouse, the County Administration Building, and the Superior Court Modular) are inadequate for public service and for the operational needs of the court. Square footage constraints have resulted in insufficient space for security screening and lobby waiting areas, lack of jury assembly and jury deliberation space, overcrowding of public and staff areas, and no separate paths of circulation for in-custody defendants from the public and judges and staff. These deficiencies pose a safety and security risk to all facility users.

C. Relationship to the Strategic Plan:

The Judicial Council, as the policymaking body for the judicial branch, has the following responsibilities and authorities with regard to court facilities, in addition to any other responsibilities or authorities established by law:

- Exercise full responsibility, jurisdiction, control, and authority as an owner would have over trial court facilities whose title is held by the state, including but not limited to the acquisition and development of facilities;
- Exercise the full range of policymaking authority over trial court facilities, including but not limited to planning, construction, acquisition, and operation, to the extent not expressly otherwise limited by law;
- Establish policies, procedures, and guidelines for ensuring that the courts have adequate and sufficient facilities, including but not limited to facilities planning, acquisition, construction, design, operation, and maintenance;
- Allocate appropriated funds for court facilities maintenance and construction;

- Prepare funding requests for court facility construction, repair, and maintenance;
- Implement the design, bid, award, and construction of all court construction projects, except as delegated to others; and
- Provide for capital outlay projects that may be built with funds appropriated or otherwise available for these purposes according to an approved five-year infrastructure plan for each court.

The provision of this capital outlay request is directly related to the judicial branch's strategic plan Goal VI, Branchwide Infrastructure for Service Excellence. By providing the trial courts with the facilities required to carry out the judiciary's constitutional functions, the proposed project immediately addresses this goal.

In addition, the proposed project supports the judicial branch's commitment to Goal I, Access, Fairness, Diversity, and Inclusion; Goal IV, Quality of Justice and Service to the Public; and Goal VII, Adequate, Stable, and Predictable Funding for a Fully Functioning Branch.

D. Alternatives:

Alternative 1: Build a New 3-Courtroom Courthouse.

This alternative will construct a new, 3-courtroom courthouse of approximately 45,000 SF in the Tehachapi or Mojave areas. The project will include secured parking for judicial officers and surface parking spaces. The estimated total project cost is \$78,748,000. The project will require acquisition of a site of approximately 3.6 acres.

Advantages

- Enhances the public's access to justice by providing a modern, safe, and secure courthouse to serve most of the eastern county communities, relieving the current space shortfall, increasing security, and replacing inadequate and obsolete buildings in Kern County.
- Provides multipurpose courtrooms suitable for all case types as well as space for jury assembly, central holding, self-help, and family law services.
- Allows the court to operate in a facility with adequate space for greater functionality than in current conditions—alleviating overcrowding in staff areas, providing adequate space for security screening and lobby areas and separate paths of circulation for in-custody defendants from the public and judges and staff, and addressing the lack of jury assembly space and jury deliberation rooms.
- Consolidates operations and functions to optimize use of court facilities by vacating three facilities, with court-occupied space in the Mojave court buildings that could be surrendered back to the county.
- Avoids future expenditure of approximately \$2.2 million for deferred maintenance and needed security system refresh.

Disadvantages:

- This alternative requires authorization of funds for site acquisition, design, and construction.

Alternative 2: Renovation of Existing Courthouses.

The three existing Mojave facilities (the Main Courthouse, the County Administration Building, and the Superior Court Modular) will be renovated, reconfigured, and expanded to accommodate the programmatic needs of the court. Detailed estimates were not prepared for this alternative as preliminary investigations deemed the solution requiring multiple projects impracticable and cost-ineffective. Implementation of this alternative is further constrained by county ownership of all three buildings as well as by disruption to court and county operations. Multiple renovation projects would be required, yet without sizable expansions would still not remedying overcrowding.

Advantages:

- This option will improve court security, correct infrastructure deficiencies, and more closely align the renovated court space with Judicial Council space standards.

Disadvantages:

- Compared to Alternative 1, this alternative requires authorization of funds for acquisition, design, and construction of multiple capital-outlay projects making it cost-ineffective.
- The county holds title to the three Mojave facilities. The Judicial Council has no right to renovate or expand on these sites without the cooperation, collaboration, and compensation to the county.
- Does not allow for consolidation and efficiency gains.
- Multiple renovation projects without sizable expansions does not remedy overcrowding.
- This alternative will be disruptive to court operations and incur costs for swing space while renovations are ongoing.

Alternative 3: Defer this Project.

Advantages:

- No additional commitment of resources.

Disadvantages:

- This is an urgently needed project. The existing facilities do not provide proper security, are severely overcrowded, are in deteriorating physical condition, and impede the court's ability to operate effectively and efficiently.
- Delay of this project limits the court's ability to provide enhanced public service and staffing efficiency.
- Does not allow for consolidation of existing operations and efficiency gains.
- Approximately \$2.2 million in expenditures are needed to address deferred maintenance and needed security system refresh.

E. Recommended Solution:

1. Which alternative and why?

The recommended solution is Alternative 1: Construct a New 3-Courtroom Courthouse. This alternative provides the best solution for the superior court and for Kern County residents.

2. Detailed scope description.

The proposed new courthouse project will provide construction of a new 3-courtroom courthouse of approximately 45,000 SF in the Tehachapi or Mojave areas. Space will be provided for multipurpose courtrooms suitable for all case types, jury assembly, central holding, self-help, and family law services. The project includes secured parking for judicial officers and surface parking spaces. The project will require acquisition of a site of approximately 3.6 acres.

The proposed New East County Courthouse will replace and consolidate the three Mojave facilities: the Main Courthouse, the County Administration Building, and the Superior Court Modular. The project will relieve the current space shortfall, improve security, accessibility, and safety, and allow the court to collocate functions for operational efficiency.

3. Basis for cost information.

Estimated total project costs are based on a conceptual space program and three-page estimate.

4. Factors/benefits for recommended solution other than the least expensive alternative.

The recommended option is Alternative 1: Construct a New 3-Courtroom Courthouse. This option is the best solution for the superior court and will accomplish immediately needed improvements to enhance its ability to serve the public:

- Provides an accessible, safe, and efficient courthouse to serve most of the eastern county communities.
- Enhances the public's access to justice by consolidating court operations into one location.
- Relieves severe overcrowding and increases security.
- Improves operational efficiencies, allowing the court to operate effectively and efficiently.
- Consolidates functions and optimizes the use of court facilities.
- Vacates three non-state-owned facilities, allowing the possibility of court-occupied space to be surrendered back to the county.

5. Complete description of impact on support budget.

Impact on the trial court operation budgets for fiscal year 2024–25 will not be material. It is anticipated that this project will affect trial court operations budgets in fiscal years beyond the current year.

Impact on the sheriff security funding for fiscal year 2024–25 will not be material. It is anticipated that this project will affect sheriff security budgets in future fiscal years.

It is anticipated that there will be ongoing costs of \$231,000 for Judicial Council-funded O&M and security. The county facility payments established pursuant to Government Code section 70353 with the transfer of each county facility replaced by this project will be used to partially offset ongoing operations and maintenance costs of the new facility.

As additional programmatic workload and funding drives the need for additional administrative funding, an administrative overhead cost has been included in each capital-outlay budget change proposal. The additional funding of \$55,000 will be used to support successful implementation of this request.

6. Identify and explain any project risks.

Any construction project carries risk of increased scope due to discovery of unknown subsurface site conditions throughout the design and construction process that can alter the projected construction cost. These risks can be mitigated or minimized by concurrently developing a prioritized itemization of project features that can be reduced in scope, alternatively approached, or eliminated without affecting the building functionality. The prioritized list should be updated at the completion of each stage of the design process in connection with the preparation and review of the updated estimates. Some risk is inherent with transfer of real property from one entity to another, regarding schedule and ancillary appropriation timing for funds. Risk is always inherent in the construction and ownership of real property and improvements. Standard risk management procedures are used to control and/or delegate these risks.

The risks associated with not developing a replacement court facility, as responsibility for the facilities it will replace has transferred to the state, are equally compelling. Given the existing physical conditions and practical limitations of improving these facilities, they will generate liabilities for the state the longer they remain unaddressed.

7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g., technology proposals).

Inter-agency cooperation will be required among state, county, and local jurisdictional authorities for successful completion of this project. The updated drawings will be reviewed by the State Fire Marshal, the Board of State and Community Corrections for compliance with corrections standards, and the Division of the State Architect for fire and life safety and

accessibility. The State Fire Marshal will perform inspections, required by the California Building Code for fire and life safety, during the construction phase.

F. Consistency with Government Code section 65041.1:

Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

The recommended solution does not include the rehabilitation of existing infrastructure. Rehabilitating multiple existing buildings is impracticable and cost-ineffective. Such efforts are further constrained by nonstate ownership (i.e., county ownership) of all three buildings as well as by disruption to court and county operations and the lack of suitable swing space.

Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state's most valuable natural resources? Explain.

The branch is committed to selecting sites with no or least impact to these resources by utilizing previously developed land with existing infrastructure. This project will complete a thorough and responsible California Environmental Quality Act (CEQA) process.

Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, support efficient use of land and is appropriately planned for growth? Explain.

The Judicial Council will establish a Project Advisory Group to develop site selection criteria that address proximity to public transportation, availability of existing infrastructure, and proximity and relationship to other land uses and current development patterns.

The Project Advisory Group will consist of representatives from the local court, the county (including personnel from county administration, district attorney, public defender, sheriff, probation department, etc.), the city (including personnel from city management, planning, and redevelopment agency), the local community, and local bar association.

Attachment A

Superior Court of Kern County - Facilities List

ID	Building Name	Address	Type
15-A1	Bakersfield Superior Court	1315 Truxtun Avenue, 1415 Truxtun Avenue, and 1661 L Street, Bakersfield, CA	Courthouse
15-A2	Bakersfield Superior Court Modular	1415 Truxtun Avenue, Bakersfield, CA	Modular
15-B1	Bakersfield Justice Building	1215 Truxtun Avenue, Bakersfield, CA	Multi-Use
15-C1	Bakersfield Juvenile Justice Center	2100 College Avenue, Bakersfield, CA	Multi-Use
15-D1	Delano/North Kern Court	1122 Jefferson Street, Delano, CA	Courthouse
15-D2	1022 12th Avenue	1022 12th Avenue, Delano, CA	Courthouse
15-E1	Shafter/Wasco Courts Building	325 Central Valley Hwy., Shafter, CA	Courthouse
15-F1	Taft Courts Building	311 N. Lincoln Street, Taft, CA	Courthouse
15-F2	Taft Superior Court Modular	311 N. Lincoln Street, Taft, CA	Modular
15-G1	East Kern Court - Lake Isabella	7046 Lake Isabella Boulevard, Lake Isabella, CA	Multi-Use
15-H1	Arvin/Lamont Branch Court	12022 Main Street, Lamont, CA	Courthouse
15-I1	Mojave - Main Court Facility	1773 State Highway 58, Mojave, CA	Multi-Use
15-I2	Mojave - County Admin Building	1775 State Highway 58, Mojave, CA	Multi-Use
15-I3	Mojave Superior Court Modular	1773 State Highway 58, Mojave, CA	Modular
15-J1	Ridgecrest - Main Courthouse	132 East Coso Street, Ridgecrest, CA	Courthouse
15-J2	Ridgecrest - Division B Courthouse	420 N. China Lake Boulevard, Ridgecrest, CA	Courthouse
15-K1	3131 Arrow Street	3131 Arrow Street, Bakersfield, CA	Courthouse

STATE OF CALIFORNIA

Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet

DF-151 (REV 07/21)

Fiscal Year 2024-25	Business Unit 0250	Department Judicial Branch	Priority No. 6
Budget Request Name 0250-XXX-COBCP-2024-GB	Capital Outlay Program ID 0165	Capital Outlay Project ID 0009732	

Project Title

Placer County - Tahoe Courthouse Renovation

Project Status and TypeStatus: ☐ New ☒ ContinuingType: ☒ Major ☐ Minor**Project Category (Select one)**☒ CRI

(Critical Infrastructure)

☐ WSD

(Workload Space Deficiencies)

☐ ECP

(Enrollment Caseload Population)

☐ SM

(Seismic)

☐ FLS

(Fire Life Safety)

☐ FM

(Facility Modernization)

☐ PAR

(Public Access Recreation)

☐ RC

(Resource Conservation)

Total Request (in thousands)

\$ 5,299

Phase(s) to be Funded

Acquisition Phase

Total Project Cost (in thousands)

\$ 22,849

Budget Request Summary

The Judicial Council of California requests \$5,299,000 General Fund for the Acquisition phase of the existing Tahoe Courthouse in Placer County. The proposed renovation project includes acquisition and renovation of approximately 7,200 square feet (SF) of the existing Tahoe Courthouse on the Placer County Burton Creek Campus in Tahoe City. The project includes secure parking for judicial officers. The estimated total project cost is \$22,849,000. The project will use the design-build delivery method.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	CCCI 9621
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Requires Provisional Language☐ Yes ☒ No**Budget Package Status**☐ Needed ☒ Not Needed ☐ Existing**Impact on Support Budget**One-Time Costs ☒ Yes ☐ NoFuture Savings ☐ Yes ☒ NoFuture Costs ☒ Yes ☐ NoSwing Space Needed ☐ Yes ☒ NoGenerate Surplus Property ☐ Yes ☒ No

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No

Attach comments of affected department, signed and dated by the department director or designee.

Prepared By McCormick	Date 7/31/2023	Reviewed By Stephens/Cowan	Date 7/31/2023
Chief Administrative Officer John Wordlaw	Date 7/31/2023	Acting Administrative Director Millicent Tidwell	Date 7/31/2023

Department of Finance Use Only**Principal Program Budget Analyst****Date submitted to the Legislature**

A. COBCP Abstract:

Placer County – Tahoe Courthouse Renovation – \$5,299,000 for Acquisition phase. The project is a renovation of the existing Tahoe Courthouse. The project will acquire the existing two-story, 11,301 SF courthouse, which has a footprint of approximately 7,200 SF on the existing Placer County Burton Creek Campus in Tahoe City. The project includes secure parking for judicial officers. Total project costs are estimated at \$22,849,000, including Acquisition (\$5,457,000), Performance Criteria (\$1,027,000), and Design-Build (\$16,365,000). The design-build amount includes \$11,681,000 for the construction contract, \$818,000 for contingency, \$578,000 for architectural and engineering services, and \$3,288,000 for other project costs. The Acquisition phase is scheduled to begin in July 2024 and is scheduled to be completed in July 2026. Performance Criteria is scheduled to begin in July 2026 and is scheduled to be approved in June 2027. Design-Build is scheduled to begin in July 2027 and scheduled to be completed in August 2030.

Due to insufficient resources in the Immediate and Critical Needs Account, the Judicial Council at its meetings on October 26, 2012, and January 17, 2013, made a policy decision to place some projects on hold until proper funding could be restored. The impact of the Judicial Council direction to this project was to stop the project in the Acquisition phase. On June 27, 2023, and through action of the Judicial Council's Court Facilities Advisory Committee, the project was changed from new construction to a renovation. The Judicial Council is therefore requesting reactivation of this project for renovation of the existing courthouse. The estimated total project cost of \$22,849,000 includes \$158,000 for Acquisition/Study expenditures incurred under the prior authority.

B. Purpose of the Project:

Problem: The existing condition and capacity of the Placer County Courthouse facilities were evaluated pursuant to Senate Bill 847, which revised Government Code section 70371.9 and required the Judicial Council of California to reassess projects identified in its *Trial Court Capital-Outlay Plan* and prioritization methodology adopted on October 24, 2008. The reassessment, which is the basis for the judicial branch's *Trial Court Five-Year Infrastructure Plan*, was submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget in December 2019.

The infrastructure plan project rankings were established through a detailed and systematic analysis of the following criteria:

- The general physical condition of the building;
- Needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire and life safety conditions, Americans with Disabilities Act (ADA) requirements, and environmental hazards;
- Court security features within buildings;
- Access to court services;
- Overcrowding; and
- Projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events.

Through this assessment process, Placer County Courthouse facilities affected by this project were determined to be deficient in all categories. This project is ranked in the Immediate Need priority group, and consequently is one of the highest priority trial court capital-outlay projects for the judicial branch. The *Reassessment of Trial Court Capital-Outlay Projects* is available at www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf.

Program Need: The Tahoe Courthouse Renovation will accomplish the following needed improvements to the superior court and enhance its ability to serve the public:

- Provides an accessible, safe, and efficient branch courthouse for all case types.
- Improves security, relieves overcrowding, and improves operational efficiency and customer service.
- Allows the court to operate in a facility with adequate space for greater functionality than in current conditions, including:
 - Adequate visitor security screening and queuing in the entrance area.
 - Adequate courtroom and public waiting areas.
 - Attorney-client interview and jury deliberation rooms.
 - Public service improvements, including renovated spaces for clerk's office and self-help area.
 - ADA accessible spaces.
 - Adequate staff workstations and meeting spaces.
 - Dependable physical infrastructure.

The Superior Court of Placer County uses a centralized service model, with full-service operations centralized in the Hon. Howard G. Gibson Courthouse in Roseville. In Auburn, the county seat, the Historic Courthouse serves most case types, including occasional jury trials. The Tahoe Courthouse is a branch courthouse in Tahoe City, which serves all case types.

The court occupies six buildings. The facilities are summarized in the table below.

	Name	City	Number of Courtrooms	Type	Owner	Year Built
1	Historic Courthouse	Auburn	6	Courthouse	County	1894
2	County Jail*	Auburn	0	Jail	County	1985
3	Juvenile Hall	Auburn	0	Jail	County	1999
4	Tahoe Courthouse	Tahoe City	1	Multi-use	County	1959
5	Hon. Howard G. Gibson Courthouse	Roseville	9	Courthouse	JCC	2008
6	Placer County Arraignment Court Facility	Roseville	1	Courthouse	JCC	2018

*Note: The county jail is no longer occupied by the court.

Infrastructure Deficiencies in Facilities Affected by Project: The project will renovate the existing Tahoe Courthouse in Tahoe City. The county's portion of the building will be acquired by the Judicial Council of California and included in the renovation project.

1. Tahoe Courthouse (county-owned)

2019 Assessment Data

Year Built	1959
Number of Courtrooms	1 courtroom
10-Year Facility Condition Index (FCI)	Poor Condition
FEMA P-154 Seismic Rating	Acceptable Seismic Rating
Deferred Maintenance	\$279,924
Annual O&M Costs	\$5,369
Security System Refresh Costs	Not Assessed

The Tahoe Courthouse is located at 2501 North Lake Boulevard in Tahoe City. It is two stories, 11,301 SF, and has a footprint of approximately 7,200 SF on the existing county-owned and managed Placer County Burton Creek Campus. The Placer court exclusively occupies approximately 2,100 SF, sharing the building with justice partners. This branch courthouse hears all case types, including criminal, family law, juvenile, traffic, and civil cases. The building is overcrowded, with numerous functional and security issues that include an undersized courtroom with inefficient layout; undersized entrance security screening area; poor functional adjacencies; and ADA noncompliance. The facility has minimal space for weapons screening. The facility has approximately \$280,000 in deferred maintenance.

C. Relationship to the Strategic Plan:

The Judicial Council, as the policymaking body for the judicial branch, has the following responsibilities and authorities with regard to court facilities, in addition to any other responsibilities or authorities established by law:

- Exercise full responsibility, jurisdiction, control, and authority as an owner would have over trial court facilities whose title is held by the state, including but not limited to the acquisition and development of facilities;
- Exercise the full range of policymaking authority over trial court facilities, including but not limited to planning, construction, acquisition, and operation, to the extent not expressly otherwise limited by law;
- Establish policies, procedures, and guidelines for ensuring that the courts have adequate and sufficient facilities, including but not limited to facilities planning, acquisition, construction, design, operation, and maintenance;
- Allocate appropriated funds for court facilities maintenance and construction;
- Prepare funding requests for court facility construction, repair, and maintenance;
- Implement the design, bid, award, and construction of all court construction projects, except as delegated to others; and
- Provide for capital outlay projects that may be built with funds appropriated or otherwise available for these purposes according to an approved five-year infrastructure plan for each court.

The provision of this capital outlay request is directly related to the judicial branch's strategic plan Goal VI, Branchwide Infrastructure for Service Excellence. By providing the trial courts with the facilities required to carry out the judiciary's constitutional functions, the proposed project immediately addresses this goal.

In addition, the proposed project supports the judicial branch's commitment to Goal I, Access, Fairness, Diversity, and Inclusion, Goal IV, Quality of Justice and Service to the Public, and Goal VII, Adequate, Stable, and Predictable Funding for a Fully Functioning Branch.

D. Alternatives:

Alternative 1: Renovation of Existing Courthouse.

The existing Tahoe Courthouse would be renovated and reconfigured to improve the space and more closely align the renovated court space with Judicial Council facilities standards. The estimated total project cost is \$22,849,000. The project would require acquisition of the existing facility. The project includes secure parking for judicial officers.

Advantages:

- Improves access to justice and public service.
- Enhances court operational efficiency.
- Compliant with modern regulatory safety, seismic, and accessibility standards.
- Renovation of existing facility is more sustainable and allows for less of an environmental impact.

Disadvantages:

- This alternative requires authorization of funds for site acquisition, design, and construction.
- Potential for unforeseen conditions such as structural condition and hazard material abatement.
- Thirty-year expected life cycle is less than new construction.

Alternative 2: New 1-Courtroom Courthouse.

This alternative would construct a new, 1-courtroom courthouse of approximately 7,100 SF in the Lake Tahoe area to replace the existing facility. The estimated total project cost is \$28,823,000. The project would require acquisition of a site of approximately 1.5 acres. The project includes secure parking for judicial officers.

Advantages:

- Provides durable, safe, and maintainable facility with 50-year lifespan.
- Most aligned with modern regulatory safety, seismic, and accessibility standards.
- Allows for an opportunity to obtain higher quality systems, which reduces O&M and renewal costs.
- Provides greater design flexibility and interior layout.

Disadvantages:

- The estimated total project cost, including all phases for acquisition, performance criteria, and design-build, is higher than a renovation.

Alternative 3: Defer This Project.

Advantages:

- No additional commitment of resources.

Disadvantages:

- This is an urgently needed project. The existing facility does not provide basic services to Placer County residents due to overcrowding; lack of proper security; noncompliance with ADA requirements; lack of space for adequately sized visitor security screening and queuing in the entrance area, courtroom, and self-help; and no attorney-client interview rooms or secure judicial parking.
- Delay of this project limits the court's ability to serve the public.

E. Recommended Solution:

1. Which alternative and why?

The recommended option is Alternative 1: Renovation of Existing Courthouse. This alternative provides the best solution for the superior court and for Placer County residents.

2. Detailed scope description.

The project will acquire and renovate approximately 7,200 square feet (SF) of the existing Tahoe Courthouse on the Placer County Burton Creek Campus in Tahoe City. The project includes secure parking for judicial officers.

3. Basis for cost information.

Estimated total project costs are based on conceptual space program and three-page estimate.

4. Factors/benefits for recommended solution other than the least expensive alternative.

The recommended option is Alternative 1: Renovation of Existing Courthouse. The recommended option will accomplish the following immediately needed improvements to the superior court and enhance its ability to serve the public:

- Increases public's access to justice by providing a modern, safe, and accessible courthouse.
- Relieves the current space shortfall, increases security, and renovates an inadequate building in Placer County.
- Improves operational efficiencies by improving space adjacencies and providing spaces in alignment with Judicial Council facilities standards.

5. Complete description of impact on support budget.

Impact on the trial court operation budgets for fiscal year 2024–25 will not be material. It is anticipated that this project will affect trial court operations budgets in fiscal years beyond the current year.

Impact on the sheriff security funding for fiscal year 2024–25 will not be material. It is anticipated that this project will affect sheriff security budgets in future fiscal years.

It is anticipated that there will be ongoing costs of \$106,000 for Judicial Council-funded O&M and security. The county facility payments established pursuant to Government Code section 70353 with the transfer of each county facility replaced by this project will be used to partially offset ongoing operations and maintenance costs of the new facility.

As additional programmatic workload and funding drives the need for additional administrative funding, an administrative overhead cost has been included in each capital-outlay budget change proposal. The additional funding of \$41,000 will be used to support successful implementation of this request.

6. Identify and explain any project risks.

Any construction project carries risk of increased scope due to discovery of unknown conditions throughout the design and construction process that can alter the projected construction cost. These risks can be mitigated or minimized by concurrently developing a prioritized itemization of project features that can be reduced in scope, alternatively approached, or eliminated without affecting the building functionality. The list should be updated at the completion of each stage of the design process in connection with the preparation and review of the updated estimates. Some risk is inherent with transfer of real property from one entity to another, regarding schedule and ancillary appropriation timing for funds. Risk is always inherent in the construction and ownership of real property and improvements. Standard risk management procedures are used to control and/or delegate these risks.

The risks associated with not developing a replacement court facility, as responsibility for the facilities it will replace has transferred to the state, are equally compelling. Given the existing physical conditions and practical limitations of improving these facilities, they will generate liabilities for the state the longer they remain unaddressed.

7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g., technology proposals).

Inter-agency cooperation will be required among state, county, and local jurisdictional authorities for successful completion of this project. The project will be reviewed by the State Fire Marshal, the Board of State and Community Corrections for compliance with corrections standards, and the Division of the State Architect for fire and life safety and accessibility. The State Fire Marshal will perform inspections, required by the California Building Code for fire and life safety, during the construction phase.

F. Consistency with Government Code section 65041.1:

Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

The recommended solution does involve the rehabilitation of existing infrastructure. The rehabilitation of the existing courthouse is less costly than construction of a new courthouse facility.

Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state's most valuable natural resources? Explain.

The branch is committed to selecting sites with no or least impact to these resources by utilizing previously developed land with existing infrastructure. This project will complete a thorough and responsible CEQA process.

Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, support efficient use of land and is appropriately planned for growth? Explain.

The Judicial Council will establish a Project Advisory Group that will consist of representatives from the local court, the county (including personnel from county administration, district attorney, public defender, sheriff, probation department, etc.), the local community, and local bar association.