



JUDICIAL COUNCIL OF CALIFORNIA

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

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on March 2, 2018

Title

Judicial Council Report to the Legislature:
Judicial Branch Courthouse Construction
Program Update for 2016–17

Agenda Item Type

Information Only

Date of Report

January 9, 2018

Submitted by

Judicial Council staff
Zlatko Theodorovic, Director
Budget Services
Mike Courtney, Director
Facilities Services

Contact

Donna Newman, 916-263-7498
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Executive Summary

Government Code section 70371.8 requires the Judicial Council to report annually to the Joint Legislative Budget Committee and the chairs of the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget on the status of the Judicial Branch courthouse construction program. The *Status Update of Judicial Branch Courthouse Construction Program for Fiscal Year 2016–17* satisfies the requirement of this mandate (see Attachment A). The report includes information on the status of each project established by the State Public Works Board under section 70371.7 and an accounting of the revenues generated and expenditures made in the Immediate and Critical Needs Account.

Previous Council Action

The report on the status of courthouse capital projects in the judicial branch courthouse construction program and accounting of the revenues and expenditures in the Immediate and Critical Needs Account (ICNA) has been required and submitted under Government Code section 70371.8 since fiscal year 2008–09. The council has approved previous reports, and they are posted on the California Courts website at www.courts.ca.gov/7466.htm.

Methodology and Process

Revenues are collected from fines and fees to support the Immediate and Critical Needs Account (ICNA). The revenues are submitted to the State Controller's Office by either courts or counties, depending on the entity that is responsible for collection. ICNA makes expenditures in five major areas: facility modifications, Los Angeles–Long Beach Service Fee, lease revenue debt service, support of the trial courts, and capital projects. For this report, both revenues and expenditures match year-end financial statements and are captured on Attachment B of the status update (see Attachment A).

Policy and Cost Implementations

This report is mandated by law, and therefore does not circulate for comment. Submission of this mandated report to the Legislature requires no implementation or costs and has no operational impacts.

Attachments and Links

1. Attachment A: Status Update of Judicial Branch Courthouse Construction Program for Fiscal Year 2016-17



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Chair of the Judicial Council*

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*Administrative Director,
Judicial Council*

March 1, 2018

Hon. Holly Mitchell
Chair, Joint Legislative Budget Committee
California State Senate
1020 N Street, Room 553
Sacramento, California 95814
Attn: Ms. Jennifer Troia

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

*Re: Status Update of Judicial Branch Courthouse Construction Program
for Fiscal Year 2016–17, as required under Government Code section
70371.8*

Dear Senator Mitchell and Assembly Member Ting:

Attached is the Judicial Council report on the status of each project established by the State Public Works Board under Government Code section 70371.7 (Attachment A) and the accounting of revenues and expenditures made in the Immediate and Critical Needs Account for 2016–17, required under Government Code section 70371.8 (Attachment B).

In 2016–17, excluding transfers and other adjustments, total revenues were \$216.9 million—a decrease of \$9.5 million from 2015–16, and a decrease of \$112.9 million, 34.2 percent, from the peak revenue collected in 2010–11. Expenditures from the fund totaled \$223.5 million, including \$39.6 million for capital outlay.

Due to the continued decline in revenues as well as redirections from the fund in prior years, no new funding was expended on capital projects. Funds were spent only for capital costs, including \$3.9 million for the demolition of buildings to ensure the safety and security of three sites

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previously acquired for capital outlay needs. Due to a technical error in the funding sources for a capital outlay project, \$35 million was identified to augment the current phase of an ongoing project. This \$35 million will be returned to the Immediate and Critical Needs Account in subsequent fiscal years. The expenditures are consistent with the August 26, 2016 Judicial Council meeting, where the council approved continuation of the remaining 23 capital projects based on the general criteria of working within available funding and not incurring additional costs.

Even with the limited funding, three projects were completed, including San Diego, San Joaquin and Alameda. These courthouses opened for business by December 31, 2017. Additionally:

- Seven projects have or will soon complete the working drawings phase;
- Four projects have completed preliminary plans;
- One project is completing preliminary plans and is funded for working drawings;
- Four projects have identified sites, with site acquisition on hold; and
- One project requires identification of a suitable site.

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

Sincerely,



Martin Hoshino
Administrative Director
Judicial Council of California

MH/DN

Attachments

cc: Diane F. Boyer-Vine, Legislative Counsel
Daniel Alvarez, Secretary of the Senate
E. Dotson Wilson, Chief Clerk of the Assembly
Jessica Devencenzi, Policy Consultant, Office of Senate President pro Tempore Kevin de León
Alf Brandt, Senior Counsel, Office of Assembly Speaker Anthony Rendon
Misty Feusahrens, Special Assistant, Office of Assembly Speaker Anthony Rendon
Anita Lee, Senior Fiscal and Policy Analyst, Legislative Analyst's Office
Tina McGee, Executive Secretary, Legislative Analyst's Office

Rebecca Kirk, Program Budget Analyst, Department of Finance
Margie Estrada, Chief Counsel, Senate Judiciary Committee
Julie Salley, Consultant, Senate Budget and Fiscal Review Committee
Shaun Naidu, Consultant, Senate Appropriations Committee
Matt Osterli, Consultant, Senate Republican Fiscal Office
Mike Petersen, Consultant, Senate Republican Policy Office
Alison Merrilees, Chief Counsel, Assembly Judiciary Committee
Jennifer Kim, Consultant, Assembly Budget Committee
Daisy Gonzales, Principal Consultant, Assembly Appropriations Committee
Daryl Thomas, Consultant, Assembly Republican Office of Policy & Budget
Paul Dress, Consultant, Assembly Republican Office of Policy & Budget
Amy Leach, Minute Clerk, Office of Assembly Chief Clerk
Jennifer Troia, Principal Consultant, Joint Legislative Budget Committee
Cory T. Jasperson, Director, Governmental Affairs, Judicial Council
Laura Speed, Supervising Attorney, Governmental Affairs, Judicial Council
Peter Allen, Director, Public Affairs, Judicial Council
Yvette Casillas-Sarcos, Administrative Coordinator, Governmental Affairs, Judicial Council
Cory T. Jasperson, Director, Governmental Affairs, Judicial Council
Zlatko Theodorovic, Director, Budget Services, Judicial Council
Lucy Fogarty, Deputy Director, Budget Services, Judicial Council
Angela Guzman, Budget Manager, Budget Services, Judicial Council

**Status of Active Judicial Branch Courthouse Construction Program Projects
as of June 30, 2017**

	County	Capital Project Name	Capital Project Status
1	El Dorado	New Placerville Courthouse	Site selected. Site Acquisition on hold pending future funding.
2	Glenn	Renovate and Addition to Willows Courthouse	Working drawings to be completed. Construction on hold pending future funding.
3	Imperial	New El Centro Courthouse	Working drawings completed. Construction on hold pending future funding.
4	Inyo	New Inyo County Courthouse	Site selected. Site Acquisition on hold pending future funding.
5	Lake	New Lakeport Courthouse	Working drawings completed. Construction on hold pending future funding.
6	Los Angeles	New Eastlake Juvenile Courthouse	Site selected. Site Acquisition on hold pending future funding.
7	Los Angeles	Hollywood Courthouse	Site Selection on hold.
8	Mendocino	New Ukiah Courthouse	Site acquired. Preliminary plans on hold pending future funding.
9	Riverside	New Indio Juvenile and Family Courthouse	Working drawings completed. Construction on hold pending future funding.
10	Riverside	New Mid-County Civil Courthouse	Preliminary plans to be completed 2nd quarter 2018. Working drawings on hold pending future
11	Sacramento ¹	New Sacramento Criminal Courthouse	Preliminary to be completed 1st quarter 2018. Working drawings to be completed 2nd quarter
12	Santa Barbara	New Santa Barbara Criminal Courthouse	Preliminary plans to be completed. Working drawings on hold pending future funding.
13	Shasta	New Redding Courthouse	Working drawings completed. Construction on hold pending future funding.
14	Siskiyou	New Yreka Courthouse	Working drawings completed. Construction on hold pending future funding.
15	Sonoma	New Santa Rosa Criminal Courthouse	Preliminary plans completed. Working drawings on hold pending future funding.
16	Stanislaus	New Modesto Courthouse	Preliminary plans to be completed 2nd quarter 2018. Working drawings on hold pending future
17	Tuolumne	New Sonora Courthouse	Working drawings completed. Construction on hold pending future funding.

	County	Capital Project Name	Indefinitely-Delayed Capital Project Status
18	Fresno	Renovate Fresno County Courthouse	Indefinitely delayed as of Judicial Council meetings on October 26, 2012, and January 17, 2013
19	Kern	New Delano Courthouse	
20	Kern	New Mojave Courthouse	
21	Los Angeles	New Glendale Courthouse	
22	Los Angeles	New Santa Clarita Courthouse	
23	Los Angeles	New Southeast Los Angeles Courthouse	
24	Monterey	New South Monterey County Courthouse	
25	Nevada	New Nevada City Courthouse	
26	Placer	New Tahoe Area Courthouse	
27	Plumas	New Quincy Courthouse	

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

¹ Funding for construction is not anticipated to come from the Immediate and Critical Needs Account.

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

Attachment B

(Dollars in Thousands)

		PY 11-12	PY 12-13	PY 13-14	PY 14-15	PY 15-16	PY 16-17
1	BEGINNING BALANCE	\$ 369,617	\$ 61,061	\$ 108,476	\$ 86,266	\$ 152,622	\$ 211,082
2	Prior Year Adjustments						
3	<u>Capital Outlay Project Refunds to ICNA:</u>						
4	Alpine - Markleeville Courthouse	\$ 2,349 A	\$ 136 A				
5	Butte - North Butte County Courthouse	\$ 174 A	\$ 1,752 A/P			\$ 1,990 A/P/W	
6	Fresno - Renovate Fresno County Courthouse		\$ 476 P			\$ 1,478 P	
7	Glenn - Willows Historic					\$ 235 A	
8	Kern - Delano Courthouse		\$ 383 A			\$ 32 A	
9	Kern - Mojave Courthouse		\$ 511 A			\$ 231 A	
10	Kings - Hanford Courthouse	\$ 1,914 A	\$ 2,680 A/P	\$ 4,142 W		\$ 127 A/P	
11	Lake - Lakeport Courthouse	\$ 709 A				\$ 250 P	
12	Los Angeles - Glendale Courthouse		\$ 1,499 A	\$ 298 A		\$ 38 A	
13	Los Angeles - Santa Clarita Courthouse		\$ 797 A	\$ 26 A		\$ 34 A	
14	Los Angeles - Southeast Los Angeles Courthouse		\$ 730 A	\$ 18 A		\$ 19 A	
15	Merced - Los Banos Courthouse	\$ 75 A	\$ 200 A			\$ 954 A/P	
16	Monterey - South County Courthouse		\$ 1,094 A/P	\$ 5 A		\$ 57 A/P	
17	Nevada - Nevada City Courthouse		\$ 4,538 A			\$ 107 A	
18	Placer - Tahoe Area Courthouse		\$ 3,475 A			\$ 131 A	
19	Plumas - Quincy Courthouse		\$ 635 A			\$ 85 A	
20	Riverside - Indio Juvenile & Family Courthouse	\$ 996 A	\$ 94 A				
21	San Diego - Central San Diego Courthouse	\$ 11,199 A/P	\$ 1,651 A/P	\$ 10,207 W		\$ 3,730 A/P/W	
22	Santa Barbara - Santa Barbara Criminal Courthouse					\$ 299 A	
23	Santa Clara - Family Justice Center	\$ 6,334 A/P		\$ 2,951 A/P/W		\$ 1,420 A/P/W	
24	Shasta - Redding Courthouse		\$ 817 A			\$ 2,347 P	
25	Sierra - Downieville Courthouse	\$ 610 A	\$ 264 A				
26	Siskiyou - Yreka Courthouse		\$ 516 A			\$ 825 P	
27	Solano - Renovation to Fairfield Old Solano Courthouse		\$ 56 A/P			\$ 28 P	
28	Sonoma					\$ 265 A	
29	Stanislaus - Modesto Courthouse						
30	Sutter - Yuba City Courthouse	\$ 303 A	\$ 1,380 A/P			\$ 1,005 A/W	
31	Tehama - Red Bluff Courthouse	\$ 160 A	\$ 189 A			\$ 3,266 A/P/W	
32	Tuolumne - Sonora Courthouse		\$ 655 A			\$ 1,069 P	
33	Yolo - Woodland Courthouse	\$ 3,683 A	\$ 4,201 A/P	\$ 5,269 W		\$ 213 A/W	
34	Subtotal - Prior Year Adjustments (Capital Outlay)	\$ 28,506	\$ 28,729	\$ 22,916	\$ -	\$ -	\$ 20,234
35	Prior Year Adjustments - State Operations	\$ 7,401	\$ 2,914	\$ 3,275	\$ 1,323	\$ 1,933	\$ 2,588
38	Prior Year Adjustments (Total)	\$ 35,907	\$ 31,641	\$ 26,191	\$ 1,323	\$ 1,933	\$ 22,822
39	DOF - FSCU Assessments			\$ (2)	\$ (3)		
40	SCO - GAAP Assessments			\$ (0)	\$ (0)		-0.5
41	ADJUSTED BEGINNING BALANCE	\$ 405,524	\$ 92,702	\$ 134,665	\$ 87,586	\$ 154,554	\$ 233,903
42	Revenues, Transfers and Other Adjustments						
43	150300 Income From Surplus Money Investments	\$ 741	\$ 168	\$ 278	\$ 196	\$ 718	\$ 1,540
44	161400 Misc Revenue From Local Agencies	\$ 27,120	\$ 21,091	\$ 21,187	\$ 19,196	\$ 16,811	\$ 25,486
52	164100 Traffic Violations	\$ 30,712	\$ 28,886	\$ 27,434	\$ 26,133	\$ 22,227	\$ 20,221
53	164300 Penalty Assessments (Parking Violations)	\$ 27,031	\$ 26,440	\$ 25,968	\$ 25,916	\$ 25,234	\$ 24,583
54	164600 Fines and Forfeitures		\$ 120				
55	164700 Court Filing Fees and Surcharges	\$ 32,013	\$ 29,776	\$ 27,800	\$ 25,415	\$ 26,470	\$ 26,094
56	164800 Penalty Assess. on Criminal Fines	\$ 186,999	\$ 176,205	\$ 171,777	\$ 164,090	\$ 134,940	\$ 119,025
	Subtotal - Revenue	\$ 304,616	\$ 282,686	\$ 274,444	\$ 260,946	\$ 226,399	\$ 216,949
57	<u>Transfers and Other Adjustments:</u>						
58	Transfer from CFTF						\$ 377
59	Revenue Redirection to TCTF (Loan)	\$ (143,000)					
60	Revenue Redirection to General Fund	\$ (310,275)	\$ -	\$ (200,000)			
61	Loan to General Fund	\$ (90,000)		\$ -	\$ -	\$ -	
62	Total Revenues, Transfers, and Other Adjustments	\$ (238,659)	\$ 282,686	\$ 74,444	\$ 260,946	\$ 226,399	\$ 217,326
63	Expenditures and Expenditure Adjustments						
64	<u>Support Costs:</u>						
68	Facility Modifications	\$ 15,000	\$ 24,519	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
69	Trial Court Facility Costs-Antelope Valley						\$ 3,426
70	Glenn Temporary Space						\$ 70
71	Los Angeles, Long Beach Service Fee			\$ 27,979	\$ 53,354	\$ 54,214	\$ 53,238
72	Pro Rata	\$ 836	\$ 2,393	\$ 1,229	\$ 1,370	\$ 5,094	\$ 6,935
73	Fi\$cal					\$ 594	
74	Debt Service				\$ 465	\$ 13,352	\$ 45,230
75	Capital Project Related Support Costs				\$ 807	\$ 145	
77	Subtotal Support Costs	\$ 15,836	\$ 26,912	\$ 54,208	\$ 80,996	\$ 98,399	\$ 133,899
78	<u>Local Assistance - Operation of Trial Courts</u>		\$ 240,000	\$ 50,000	\$ 10,000	\$ 50,000	\$ 50,000

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

Attachment B

(Dollars in Thousands)						
	PY 11-12	PY 12-13	PY 13-14	PY 14-15	PY 15-16	PY 16-17
79 Capital Project Costs (pay as you go)						
80 Alameda - East County Hall of Justice				\$ 39,113 A		
81 Alpine - Markleeville Courthouse						
82 Butte - North Butte County Courthouse	\$ 4,358 W					
83 El Dorado - Placerville Courthouse						
84 Fresno - Renovate Fresno County Courthouse						
85 Glenn - Renovation/Addition to Willows Historic Courthouse	\$ 2,206 P		\$ 2,600 W			\$ 235 w
86 Imperial - El Centro Courthouse	\$ 3,607 A/P			\$ 3,344 W		
87 Inyo - Inyo County Courthouse						
88 Kern - Delano Courthouse						
89 Kern - Mojave Courthouse						
90 Kings - Hanford Courthouse	\$ 8,342 W					
91 Lake - Lakeport Courthouse				\$ 4,450 W		
92 Los Angeles - Eastlake Juvenile Courthouse						
93 Los Angeles - Glendale Courthouse						
94 Los Angeles - Hollywood Courthouse Modernization (formerly Mental Health)				\$ 2,500 B		
95 Los Angeles - Santa Clarita Courthouse						
96 Los Angeles - Southeast Los Angeles Courthouse						
97 Mendocino - Ukiah Courthouse					\$ 3,466 A	
98 Merced - Los Banos Courthouse	\$ 2,137 A/P		\$ 1,974 W			
99 Monterey - South County Courthouse						
100 Nevada - Nevada City Courthouse						
101 Placer - Tahoe Area Courthouse						
102 Plumas - Quincy Courthouse						
103 Riverside - Mid-County Civil Courthouse (formerly Hemet)					\$ 4,259 P	
104 Riverside - Indio Juvenile & Family Courthouse				\$ 3,484 W		
105 Sacramento - Sacramento Criminal Courthouse				\$ 17,347 A,P		
106 San Diego - Central San Diego Courthouse	\$ 32,367 W		\$ 3,792 C		\$ 832	
107 San Joaquin - Renovation/Addition to Juvenile Justice Center	\$ 325 P/W		\$ 3,205 C			
108 Santa Barbara - Santa Barbara Criminal Courthouse	\$ 129 A			\$ 4,411 P		\$ 386 c
109 Santa Clara - Family Justice Center	\$ 10,005 W					
110 Shasta - Redding Courthouse	\$ 2,985 A			\$ 6,028 P	\$ 8,849 W	\$ 1,810 c
111 Sierra - Downieville Courthouse						
112 Siskiyou - Yreka Courthouse	\$ -		\$ 3,277 P	\$ 4,518 W		
113 Siskiyou - Yreka Courthouse (Reimbursements)			\$ (3,277) P			
114 Solano - Renovation to Fairfield Old Solano Courthouse	\$ 1,393 W					
115 Sonoma - Santa Rosa Criminal Courthouse	\$ 3,853 A			\$ 7,670 P		
116 Stanislaus - Modesto Courthouse				\$ 9,000		\$ 1,697 c
117 Sutter - Yuba City Courthouse	\$ 4,693 W					
118 Tehama - Red Bluff Courthouse	\$ 3,106 P		\$ 3,982 W			
119 Tuolumne - Sonora Courthouse	\$ 823 A			\$ 3,049 P	\$ 4,066 W	
120 Yolo - Woodland Courthouse	\$ 9,639 W					
121 San Joaquin - Stockton (SB 1732 Project)			\$ 3,083 C			\$ 35,462 c
122 Subtotal Capital Costs	\$ 89,968	\$ -	\$ 18,636	\$ 104,914	\$ 21,472	\$ 39,590
123 Total Expenditures and Expenditure Adjustments	\$ 105,804	\$ 266,912	\$ 122,843	\$ 195,910	\$ 169,871	\$ 223,489
124 Net Annual Rev., Trsf., & Other Adj. Less Total Expenditures	\$ (344,463)	\$ 15,774	\$ (48,399)	\$ 65,036	\$ 56,528	\$ (6,163)
125 TOTAL FUND BALANCE	\$ 61,061	\$ 108,476	\$ 86,266	\$ 152,622	\$ 211,082	\$ 227,740