Report on Reassessment of Trial Court Capital-Outlay Projects

Judicial Council Meeting
November 14, 2019

Binder Materials

- Report Item 129 contains:
  - 2008 Current Prioritization Methodology
  - 2019 Revised Prioritization Methodology
  - Statewide List of Trial Court Capital-Outlay Projects
- Report Item 234 contains:
  - Report to the Legislature on the Reassessment

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Agenda

- Section 8 of Senate Bill 847 (Gov. Code Section 70371.9)
- Capital-Outlay Projects Reassessment
- Revised Prioritization Methodology
- Statewide List of Trial Court Capital-Outlay Projects
- Recommendation

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SECTION 8 OF SENATE BILL 847 (GOV. CODE SECTION 70371.9)

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Section 8 of SB 847 Capital Projects Reassessment Requirements

- Requires update of the 2008 *Prioritization Methodology for Trial Court Capital-Outlay Projects*
- Specifies use of criteria to be used
- Requires the report be submitted to the Legislature by December 31, 2019

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CAPITAL-OUTLAY PROJECTS REASSESSMENT

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Reassessment Project Activities
July 2018 – December 2019

	ACTIVITY	2018						2019											
		June / July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
1.	**Section 8 of SB 847 - Required by the 2018 Budget Act Trailer Bill: Reassessment of Trial Court Capital-Outlay Projects**	★																	
2.	**CFAC Working Group -** Set scope of process and revision to Methodology				✓	✓	✓	✓	✓			✓	✓	✓		✓			
3.	**CFAC -** Received progress reports, approved process, made recommendation to Judicial Council to approve revised Methodology and Statewide List						✓	✓	✓						✓	✓	✓		
4.	**Revised Prioritization Methodology**																		
5.	**Court Facility Plans and Statewide List of 80 Trial Court Capital-Outlay Projects**																		
6.	**CFAC and Court Review of Draft Materials**																		
7.	**Judicial Council -** Approval of revised Methodology and Statewide List for submission to Legislature																	**Nov 14**	★

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Selection of Facilities for Facility Condition Assessments

Description	Count
Complete Portfolio (as of September 2018)	476
Facilities Removed	
Non-Trial Court Facilities	15
Warehouses / Storage Facilities	19
Parking Structures / Lots	36
Modular Buildings	26
Jails	31
Offices	38
Others	2
Multiuse Facilities	43
Courthouses (new site / closed / disposition / historic / planned consolidation)	70
Facilities Assessed (as of September 2018)	**196**

Facilities were added to score projects, resulting in a total of 213 facilities assessed

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Reassessment Project Results

- Developed 58 Court Facility Plans
- Assessed 213 court occupied buildings
- Identified 80 projects in 41 courts that meet the definition of a Trial Court Capital-Outlay Project

Public Comment Opportunities

Between July 2018 and October 2019, the following opportunities were provided for public comments:

- 4 public meetings
- 2 public comment periods
- Communications to the public, trial courts, and counties
  - Notifications regarding the process and status letters to courts and counties during the development of the revised Methodology
  - Collaborative opportunities for review of draft materials, including Court Facility Plans, Facility Condition Assessments, and project scorecards

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First Round of Public Comments

Between December 11, 2018, and January 8, 2019

- 7 courts submitted comments and questions on the Draft Revised Methodology
- Revisions to the Draft Methodology were made in the following areas:
  - Definition of Trial Court Capital-Outlay Project was added
  - Modifications/clarifications to the Methodology criteria were made

Second Round of Public Comments

Between August 30th and September 13, 2019

	Public Comment Type	Number of Comments Received
1.	Letter of Support for a Specific Project	55
2.	Technical Comment(s) on a Specific Building or Project	25
3.	Policy Comments on Needs-Based Criteria	12
4.	Support for Increased Emphasis on Seismic Risk in the Methodology	8
5.	Policy Comments on Cost-Based Criteria	6
6.	Policy Comments on General Methodology (not specific to a Scoring Category)	9

Comment letters were provided to the Court Facilities Advisory Committee for its consideration

Responses to technical comments on specific buildings or projects were provided to individual courts

Second Round of Public Comments

Between August 30th and September 13, 2019

- 76% came from legislators, local governments, other elected officials, and the general public
- 24% of the comments came from trial courts
  - 20 of the 41 courts proposing projects submitted comments
  - Over 100 technical comments were received on 35 separate buildings
  - Over 120 scorecard corrections associated with technical comments have been made since August 29, 2019

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REVISED PRIORITIZATION METHODOLOGY

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Section 8 of SB 847 Criteria

(b) A project subject to this section shall be reassessed and ranked, at minimum, on each of the following:

(1) The criteria identified in the Update to Trial Court Capital-Outlay Plan and Prioritization Methodology adopted on October 24, 2008, or the most recent version of that update, if any.

(2) The level of seismic risk, environmental hazards, and other health and safety hazards.

(3) The impact on court users, including, but not limited to, the level of public access to court services, such as accessibility to the courthouse.

(4) The cost avoidance or savings that would be achieved due to the project through operational or organizational efficiencies created for the court or the state.

(5) Ways to minimize increased ongoing costs, including, but not limited to, trial court security and operating and maintenance costs.

(6) A comparison of the cost to repair or renovate the existing facility versus the cost of replacement.

(7) The projected cost of each proposed project, per court user.

(8) The total costs spent on the project as of the date of the assessment.

Methodology Comparison

2008 Criteria		2019 Criteria	
Needs-based	**Cost-based**	**Needs-based**	**Cost-based**
Physical Condition	None	Physical Condition	Cost Avoidance
Security		Security	Minimization of Ongoing Costs
Overcrowding		Overcrowding	Cost per Court User
Access to Court Services		Access to Court Services	Costs Spent to Date
		Facility Condition Index	
		Seismic Risk Factor	

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2019 Revised Methodology Summary

Needs-Based Criteria

=

Priority Group

Needs-Based and Cost-Based Criteria

=

Rank in Priority Group

When combined, Needs-based and Cost-based scores do not change the Priority Group a project is placed in,
only the rank of the project within the Priority Group

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Priority Groups of Trial Court Capital-Outlay Projects

Priority Group	Points
Immediate Need	16 – 25
Critical Need	13 – 15.9
High Need	10 – 12.9
Medium Need	7.5 – 9.9
Low Need	0 – 7.4

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Needs-Based Criteria and Seismic Risk Factor

Needs-Based Criteria	Points
Facility Conditions Index (FCI)	5
Physical Condition – composed of Seismic Rating, Fire and Life Safety (FLS), ADA and Environmental Hazards	5
Security	5
Overcrowding	5
Access to Court Services	5
Total Points for Needs-Based Criteria	**25**

Seismic Risk Factor	Very High Risk	High Risk
FEMA P-154 Seismic Score	0.5 and below	0.6 to 1.4
Additional Points	3	2

To address the issue of seismic risk to court users and court operations, projects proposed to replace or renovate courtrooms in existing *High Risk* or *Very High Risk* buildings receive additional points

Seismic Risk factor points:

- do not change the total number of points available
- do not change the Priority Group point ranges

Cost-Based Criteria

Cost-Based Criteria	Points
Cost Avoidance or Savings realized through Operational or Organizational Efficiencies	25
Minimization of Increases in Ongoing Security and Operations & Maintenance (O&M) Costs	25
Cost of Project per Court User	25
Total Costs Spent on a Project as of March 31, 2019	25
Total Rating Points for Cost-Based Criteria	**100**

As a final step, the accumulated cost-based rating points for each project, which can total up to 100, were converted to a 2-point scale as follows:

Total: 2 Points	**0.2**	**0.4**	**0.6**	**0.8**	**1.0**	**1.2**	**1.4**	**1.6**	**1.8**	**2.0**
Total: 100 Rating Points	0-10	11-20	21-30	31-40	41-50	51-60	61-70	71-80	81-90	91-100

STATEWIDE LIST OF TRIAL COURT CAPITAL-OUTLAY PROJECTS

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Summary of Trial Court Capital-Outlay Projects

80 total proposed projects identified by 41 courts

Type of Proposed Projects	# of Proposed Projects	Total Estimated Costs of Projects
New Construction	56	$10.6B
Renovations/Additions	24	$2.6B
TOTAL	**80**	**$13.2B**

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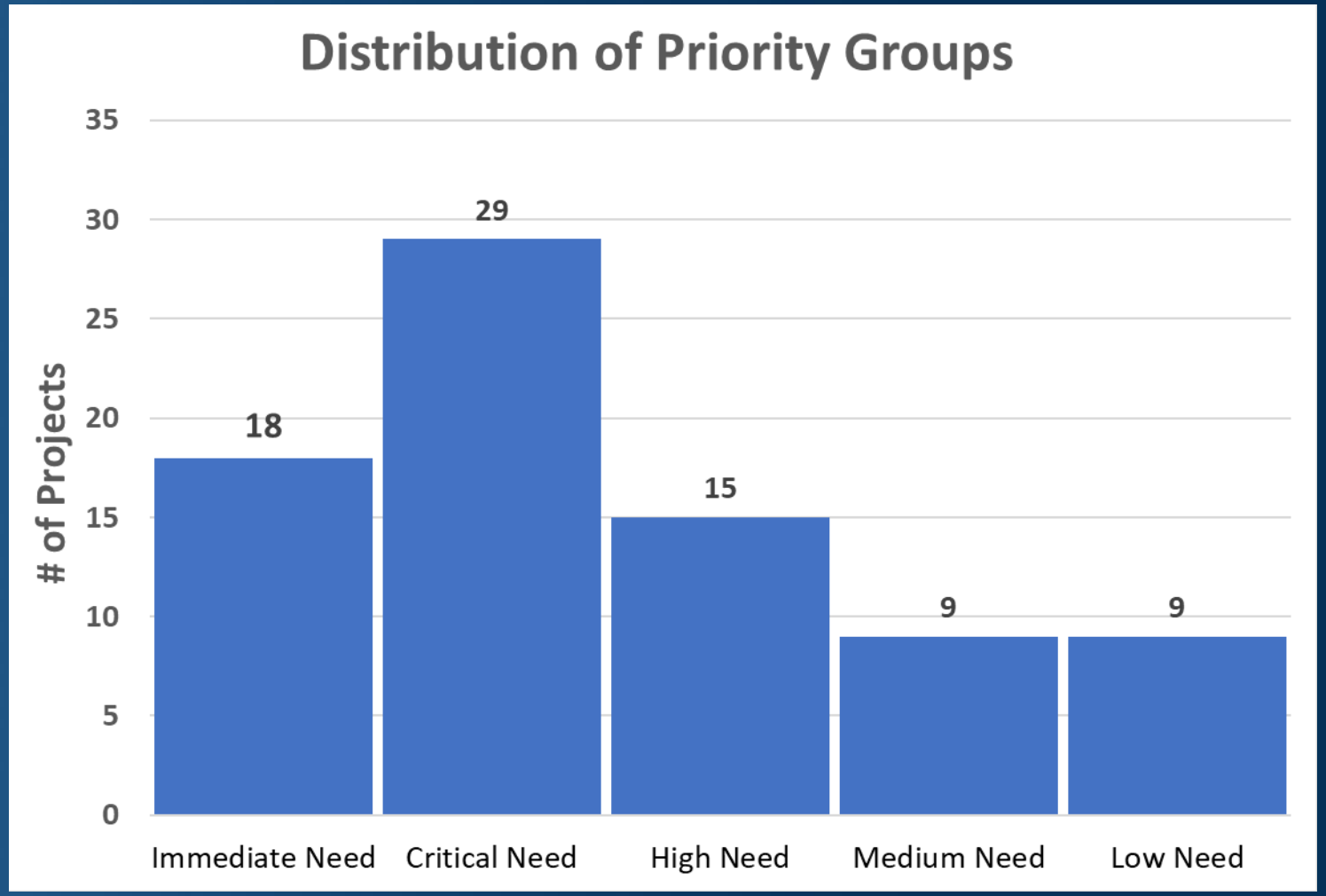
Impact on Existing Real Estate Portfolio

- The 80 projects affect 165 of the 457 facilities in the judicial branch's real estate portfolio. These projects would result in:
  - Reduced operations and maintenance costs through consolidation of buildings
  - Decreased court operating costs through consolidation of operations
  - Reduced need to lease buildings
- The 80 projects also provide an opportunity to manage the risk to court users and court operations through the replacement or renovation of buildings identified as High Risk or Very High Risk using the FEMA P-154 assessment tool

Distribution of Priority Groups using the Oct. 1st CFAC Recommended Revised Methodology

- 18 Immediate Need
- 29 Critical Need
- 15 High Need
- 9 Medium Need
- 9 Low Need



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Immediate Need Priority Group

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
Lake	New Lakeport Courthouse	Immediate Need	4	$51.2	21.0	1.0	22.0
Mendocino	New Ukiah Courthouse	Immediate Need	7	$89.6	18.0	1.2	19.2
Nevada	New Nevada City Courthouse	Immediate Need	6	$91.8	18.0	0.6	18.6
Butte	Butte County Juvenile Hall Addition and Renovation	Immediate Need	1	$2.3	18.0	0.6	18.6
Monterey	New Fort Ord Courthouse	Immediate Need	7	$130.1	17.9	0.6	18.5
Lake	New Clearlake Courthouse	Immediate Need	1	$15.0	17.5	0.4	17.9
San Bernardino	San Bernardino Juvenile Dependency Courthouse Addition and Renovation	Immediate Need	2	$8.8	17.0	0.6	17.6
Solano	New Solano Hall of Justice (Fairfield)	Immediate Need	12	$170.2	17.0	0.6	17.6
Fresno	New Fresno Courthouse	Immediate Need	36	$483.1	16.5	1.0	17.5
Kern	New Ridgecrest Courthouse	Immediate Need	2	$42.2	17.0	0.4	17.4

Immediate Need Priority Group, *continued*

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
Plumas	New Quincy Courthouse	Immediate Need	3	$65.9	17.0	0.2	17.2
Stanislaus	New Modesto Courthouse Courtroom Renovation	Immediate Need	3	$11.1	16.5	0.6	17.1
Los Angeles	New Santa Clarita Courthouse	Immediate Need	24	$345.0	16.4	0.6	17.0
San Luis Obispo	New San Luis Obispo Courthouse	Immediate Need	12	$184.9	16.5	0.4	16.9
San Joaquin	New Tracy Courthouse	Immediate Need	2	$34.4	16.5	0.4	16.9
Los Angeles	New West Los Angeles Courthouse	Immediate Need	32	$464.9	16.0	0.6	16.6
Kern	New Mojave Courthouse	Immediate Need	3	$56.8	16.0	0.4	16.4
Placer	New Tahoe Area Courthouse	Immediate Need	1	$34.8	16.0	0.4	16.4
			Total	**$2,282.1**			

Critical Need Priority Group

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
Los Angeles	New Inglewood Courthouse	Critical Need	30	$432.1	15.7	0.6	16.3
Contra Costa	New Richmond Courthouse	Critical Need	6	$107.7	15.5	0.6	16.1
San Francisco	New San Francisco Hall of Justice	Critical Need	24	$460.1	15.5	0.4	15.9
Orange	New Orange County Collaborative Courthouse	Critical Need	3	$113.4	15.0	0.8	15.8
Santa Barbara	New Santa Barbara Criminal Courthouse	Critical Need	8	$102.8	14.5	1.2	15.7
El Dorado	New Placerville Courthouse	Critical Need	6	$92.2	14.8	0.6	15.4
Los Angeles	New Van Nuys Courthouse (East/new + West/reno)	Critical Need	55	$922.4	14.8	0.6	15.4
Los Angeles	New Downtown Los Angeles Courthouse (Mosk Replacement)	Critical Need	47	$731.1	14.3	1.0	15.3
Fresno	Fresno Juvenile Delinquency Courthouse Renovation	Critical Need	2	$5.3	13.6	1.6	15.2
Inyo	New Inyo County Courthouse	Critical Need	2	$43.8	14.6	0.6	15.2

Critical Need Priority Group, *continued*

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
San Bernardino	New Victorville Courthouse	Critical Need	31	$392.5	14.6	0.6	15.2
Mariposa	New Mariposa Courthouse	Critical Need	2	$42.6	14.5	0.4	14.9
Los Angeles	Chatsworth Courthouse Renovation	Critical Need	7	$37.7	13.9	1.0	14.9
Santa Cruz	New Santa Cruz Courthouse	Critical Need	9	$139.8	13.7	1.0	14.7
San Diego	New San Diego Juvenile Courthouse	Critical Need	10	$121.4	14.0	0.6	14.6
Riverside	New Riverside Juvenile Courthouse	Critical Need	5	$77.9	14.0	0.6	14.6
Tulare	New Tulare North County Courthouse	Critical Need	14	$198.9	14.0	0.6	14.6
Los Angeles	New West Covina Courthouse	Critical Need	15	$215.5	13.9	0.6	14.5
Los Angeles	New Eastlake Courthouse	Critical Need	6	$119.1	14.1	0.4	14.5
Kern	New Bakersfield Superior Courthouse	Critical Need	33	$434.2	13.8	0.6	14.4

Critical Need Priority Group, *continued*

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
Sonoma	New Sonoma Civil Courthouse	Critical Need	8	$102.8	13.4	1.0	14.4
San Luis Obispo	New Grover Beach Branch Courthouse	Critical Need	1	$18.0	13.8	0.4	14.2
Alameda	New Alameda County Community Justice Center	Critical Need	57	$895.8	13.5	0.6	14.1
Imperial	Winterhaven Branch Courthouse Addition and Renovation	Critical Need	1	$3.6	13.5	0.6	14.1
Los Angeles	Los Angeles Metropolitan Courthouse Renovation	Critical Need	14	$215.6	13.5	0.6	14.1
Los Angeles	New North Central Los Angeles Courthouse	Critical Need	12	$196.3	13.5	0.6	14.1
Riverside	New Palm Springs Courthouse	Critical Need	9	$98.6	13.0	0.6	13.6
Orange	New Orange South County Courthouse	Critical Need	16	$232.0	13.0	0.6	13.6
Los Angeles	Foltz Courthouse Renovation	Critical Need	60	$1,400.9	13.0	0.4	13.4
			Total	**$7,954.1**			

High Need Priority Group

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
San Diego	San Diego South County Regional Courthouse Renovation	High Need	4	$10.5	12.5	0.6	13.1
San Mateo	New San Mateo Northern Branch Courthouse	High Need	5	$94.4	12.3	0.6	12.9
Los Angeles	New Pasadena Courthouse	High Need	17	$256.9	12.0	0.6	12.6
Solano	New Solano Justice Center (Vallejo)	High Need	6	$100.9	12.0	0.6	12.6
Monterey	New South Monterey County Courthouse	High Need	1	$27.9	11.9	0.6	12.5
Del Norte	New Del Norte County Main Courthouse	High Need	3	$59.4	11.8	0.4	12.2
San Francisco	San Francisco Civic Center Courthouse Renovation	High Need	7	$44.9	11.2	0.8	12.0
San Diego	San Diego North Regional Courthouse Complex Renovation - North Building	High Need	14	$135.1	11.0	0.6	11.6
Riverside	New Riverside Hall of Justice Annex	High Need	10	$133.3	11.0	0.6	11.6
Riverside	New Moreno Valley Courthouse	High Need	9	$109.8	10.9	0.6	11.5

High Need Priority Group, *continued*

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
Humboldt	New Eureka Courthouse	High Need	9	$135.1	11.0	0.4	11.4
Merced	New Merced Courthouse Annex	High Need	1	$18.1	10.1	1.0	11.1
Yuba	New Yuba County Courthouse	High Need	6	$84.7	10.5	0.6	11.1
San Bernardino	San Bernardino Courthouse Annex Renovation	High Need	11	$46.5	10.2	0.8	11.0
Modoc	New Barclay Justice Center	High Need	2	$43.1	10.6	0.2	10.8
			Total	**$1,300.6**			

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Medium Need Priority Group

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
Ventura	New Ventura East County Courthouse	Medium Need	7	$94.1	9.4	0.6	10.0
Colusa	Colusa Courthouse Annex Renovation	Medium Need	1	$17.4	9.1	0.8	9.9
Santa Clara	New Santa Clara Hall of Justice	Medium Need	36	$521.0	9.0	0.6	9.6
Los Angeles	Edelman Courthouse Renovation	Medium Need	6	$112.1	8.4	0.6	9.0
Los Angeles	New Los Angeles Mental Health Courthouse	Medium Need	4	$112.3	8.5	0.4	8.9
Los Angeles	New Lancaster Dependency Courthouse	Medium Need	6	$89.1	8.2	0.6	8.8
San Diego	San Diego East County Regional Center Renovation	Medium Need	17	$169.7	8.0	0.6	8.6
Los Angeles	New Torrance Dependency Courthouse and Traffic Annex	Medium Need	7	$94.2	7.7	0.6	8.3
Los Angeles	Compton Courthouse Renovation	Medium Need	31	$340.7	7.5	0.6	8.1
			Total	**$1,550.6**			

Low Need Priority Group

County	Project Name	Priority Group	# of Court-rooms	Project Cost (in millions)	Needs Score	Cost Score	Priority Group Score
Riverside	Riverside Southwest Justice Center Renovation	Low Need	1	$14.9	6.0	0.8	6.8
San Diego	New San Diego Traffic Courthouse	Low Need	4	$55.3	6.0	0.6	6.6
Santa Barbara	Santa Maria Building G Renovation	Low Need	1	$5.1	5.5	0.8	6.3
Butte	Butte County Courthouse Addition and Renovation	Low Need	2	$20.2	5.5	0.6	6.1
Sacramento	Sacramento Juvenile Courthouse Renovation	Low Need	2	$11.1	5.0	0.8	5.8
Riverside	Banning Justice Center Addition	Low Need	2	$21.9	4.5	0.6	5.1
Tehama	Tehama Courthouse Renovation	Low Need	2	$3.0	4.0	0.6	4.6
Yolo	Yolo Superior Courthouse Renovation	Low Need	0	$0.9	3.5	0.8	4.3
Santa Clara	Santa Clara Family Justice Center Renovation	Low Need	0	$1.9	2.5	0.8	3.3
			Total	**$134.3**			

RECOMMENDATION

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Recommended Action

Court Facilities Advisory Committee (CFAC) recommends the Council:

1. Adopt the *Revision of Prioritization Methodology for Trial Court Capital-Outlay Projects*

2. Adopt the *Statewide List of Trial Court Capital Projects*

3. Approve the report on the *Reassessment of Trial Court Capital-Outlay Projects* and direct it to be sent to the Legislature

4. Delegate to the Administrative Director the authority to make technical changes to these reports for submission to the Legislature, subject to the review and approval of the CFAC chair and vice-chair

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QUESTIONS?

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