

STATE OF CALIFORNIA
Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet
 DF-151 (REV 07/20)

Fiscal Year 2021-22	Business Unit 0250	Department Judicial Branch	Priority No. 1
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Budget Request Name 0250-015-COBCP-2021-GB	Capital Outlay Program ID 0165	Capital Outlay Project ID 0000084
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Project Title
 Lake County – New Lakeport Courthouse

Project Status and Type
 Status: New Continuing Type: Major Minor

Project Category (Select one)

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

Total Request (in thousands) \$ 68,123	Phase(s) to be Funded Performance Criteria & Design Build	Total Project Cost (in thousands) \$ 73,134
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Budget Request Summary

The Judicial Council of California requests \$1,626,000 General Fund for the Performance Criteria and \$66,497,000 in lease revenue bond authority for the Design Build phase of the Lake County — New Lakeport Courthouse. The project includes the design and construction of a new 4-courtroom courthouse of approximately 46,000 square feet (SF) in the city of Lakeport. The project includes secured parking for judicial officers and approximately 100 surface parking spaces with solar power generation capability. The estimated total project cost is \$73,134,000. The project will be located on a previously acquired site located in the city of Lakeport. The project will use a design-build delivery method. The project will replace the existing Lakeport Courthouse.

Requires Legislation <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed GC Section 70391.7	CCCI 6958
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Requires Provisional Language <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Budget Package Status <input type="checkbox"/> Needed <input type="checkbox"/> Not Needed <input checked="" 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/Stephens	Date 7/20/2020	Reviewed By Cowan/Mirzaei	Date 7/22/2020
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Chief Administrative Officer John Wordlaw	Date 12/29/2020	Administrative Director Martin Hoshino	Date 12/29/2020
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Department of Finance Use Only	
Principal Program Budget Analyst Koreen H. van Ravenhorst	Date submitted to the Legislature January 8, 2021

A. COBCP Abstract:

Lake County – New Lakeport Courthouse – \$1,626,000 General Fund for Performance Criteria and \$66,497,000 in lease revenue bond authority for Design-Build. The project includes the design and construction of a new 4-courtroom Courthouse in Lakeport, Lake County. The project includes secured parking for judicial officers and approximately 100 surface parking spaces with solar power generation capability. Total project costs are estimated at \$73,134,000, including Acquisition (\$1,775,000), Performance Criteria (\$4,085,000) and Design-Build (\$67,274,000). The design-build amount includes \$54,200,000 for the construction contract, \$1,626,000 for contingency, \$2,078,000 for architectural and engineering services, and \$9,370,000 for other project costs. The current project schedule estimates Performance Criteria will begin in July 2021 and will be approved in January 2022. Design-Build is scheduled to begin in February 2022 and will be completed in August 2025.

The Judicial Council of California is requesting reactivation of this project. Due to insufficient resources in the Immediate and Critical Needs Account, the Judicial Council, at its August 26, 2016 meeting, 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 suspend the working drawings phase then hold until funding can be restored. The estimated total project cost of \$73,134,000 includes \$5,011,000 (Acquisition \$1,775,000; Preliminary Plans \$2,459,000; and Working Drawings \$777,000) of expenditures that incurred under the prior authority.

B. Purpose of the Project:

Problem: The existing conditions and capacity of the Superior Court County of Lake 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 improvements 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 hazard
- Court security features within buildings
- Access to court services
- Overcrowding
- 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, Lake County Courthouse facilities affected by this project were determined to be deficient in all categories. This project is ranked first 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 located here:

https://www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf

Program Need: The Lake County – New Lakeport Courthouse will accomplish the following immediately needed improvements to the Superior Court and enhance its ability to serve the public:

- Enhance the public's access to justice by relieving the current space shortfall, increase security, and replace inadequate and obsolete buildings.
- Provide a safe and efficient full-service courthouse that is compliant with regulatory safety, seismic, accessibility codes, and Judicial Council space standards.

- Replace the Lakeport Courthouse which is rated as Federal Emergency Management Agency (FEMA) P-154, rated High-Risk seismically deficient building.
- Avoid over \$5 million in future deferred maintenance expenditures.
- Improve operations and thus improve efficiency and customer service.
- Provide adequate space for four courtrooms, a jury assembly room, self-help center, court administration, and clerk office with ready access to all active records.
- Provide security entrance screening.
- Provide circulation for public, judges and staff, separate from in-custody defendants, to all courtrooms.

Court services in Lake County are provided in two locations: Lakeport on the northwestern side of Clear Lake and in the city of Clearlake on the south side of the lake. Lakeport is the county seat and location of most of the county justice agencies. The jail is located several miles north of the city. The Lakeport Court Facility functions as the main courthouse and houses the court administration and four courtrooms that handle most case types. The South Civic Center in Clearlake functions as a branch court and houses one courtroom that handles child support, traffic and small claims case types. Due to lack of space in the Lakeport Court Facility, the self-help center is in the South Civic Center in Clearlake and some active records are stored in a leased facility in Lakeport. Based on the 2019 Judicial Needs Assessment the Lake Court has a 1.2 increase in judgeship need.

The existing Lake Court facilities totaling approximately 24,000 square feet are summarized in the table below.

	Name	City	Number of Courtrooms	Type	Owner	Year Built
1	Lakeport Courthouse	Lakeport	4	Multi-use	County	1968
2	South Civic Center	Clearlake	1	Courthouse	JCC	1974
3	Gateway Business Park	Lakeport	0	Warehouse	Lease	N/A
4	Lakeport Boulevard (land)	Lakeport	0	Land	JCC	N/A

Infrastructure Deficiencies in Facilities Replaced by this Project: If the New Lakeport Courthouse project is completed, the court would vacate the county-owned Lakeport Courthouse and terminate a lease for the Gateway Business Park records storage warehouse. The facility affected by this project is summarized below.

1. The Lakeport Courthouse

2019 Assessment Data

Age	52 years
Number of Courtrooms	4 courtrooms
10 Year Facility Condition Index (FCI)	Poor Condition
FEMA P-154 Seismic Rating	High-Risk Seismic Rating
Deferred Maintenance	\$5,072,991
Annual O&M Costs	\$39,164
Security System Refresh Costs	\$97,520

The Lakeport Courthouse at 255 N. Forbes Street, Lakeport, California is a county-owned building. The original building was built in 1968 and an addition was built in 1985. The law library was relocated due to structural load issues in 1988 and office space was renovated to provide an additional courtroom in 2001. The court occupies approximately 15,000 SF on the fourth floor. The facility functions as the main courthouse and houses the court administration, clerk office, and four courtrooms which handle criminal, civil, family, and juvenile case types. There are 4.1 authorized judicial officers and 57 other staff in the facility.

The building has several safety deficiencies including the lack of a fire sprinkler system and the presence of asbestos containing materials. The FEMA P-154 rating is 0.6 which is in the High-Risk seismic rating. The facility has a 30-year old roof that leaks, and several other building components and systems that will need to be repaired or replaced in the next 10 years. The building is non-compliant with Americans with Disabilities Act (ADA) and has various accessibility barriers, including the main entrance, most paths of travel, and in restrooms and courtrooms. The facility is overcrowded with staff working in converted hallways and closets. Active records are stored off-site. There is no jury assembly room and limited waiting area.

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 Council's strategic plan Goal VI: "Branch wide 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, and Diversity", Goal IV: "Enhancing the Quality of Service and Justice Provided to the Public" and Goal VII: "Adequate, Stable, and Predictable Funding for a Fully Functioning Branch."

D. Alternatives:

Alternative 1: Build a new, 4-courtroom courthouse.

This alternative will construct a new, 4-courtroom courthouse of approximately 46,000 SF in the city of Lakeport on Judicial Council owned property on Lakeport Boulevard. The project includes secured

parking for judicial officers and approximately 100 surface parking spaces with solar power generation capability. The estimated total project cost is \$73,134,000.

Advantages:

- Provides a new, modern, and secure courthouse replacing an antiquated and functionally deficient non-state-owned facility.
- Improve access to justice, enhance public service and court operational efficiency by being compliant with modern regulatory safety, seismic, and accessibility standards.
- Replace a FEMA P-154 rated High-Risk Seismically deficient building.
- Avoid over \$5 million in future deferred maintenance and security refresh costs.

Disadvantages:

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

Alternative 2: Renovation of Existing Courthouses

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

The county-owned 56,000 SF administrative center includes 15,000 SF of court exclusive space. The facility functions as the main county administrative center and includes the courthouse which houses the court administration, clerk office, and 4 courtrooms which handle criminal, civil, family, and juvenile case types. The current single block county owned site is too small to accommodate the approximately 30,000 SF addition needed to align the court space with Judicial Council standards. A renovation project without a sizable expansion does not remedy overcrowding as the building footprint is too small to align the court's space with Judicial Council standards.

The requested project is a "like for like" replacement project; that is a new, 4-courtroom facility to replace an end of life 52-year-old substandard and extremely undersized four courtroom court facility. The new courthouse designed to meet contemporary court, safety, and security standards is programmed to be 46,000 SF; the existing space is 15,000 SF.

The existing county owned building has a high-risk seismic rating and most infrastructure systems are at or beyond end of life. A partial renovation of only court exclusive space will not address the larger building-wide deficiencies (seismic, fire protection, HVAC, plumbing) which require a whole building renovation approach.

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 existing Lakeport Courthouse. The Judicial Council has no right to renovate or expand on the site without cooperation, collaboration, and compensation to the county.
- The state would be unable to utilize lease revenue bond authority to help with the renovation costs and will be forced to find a different funding mechanism such as the General Fund.
- This alternative will be disruptive to court and county 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:

- 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.
- 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 Lakeport Courthouse project is a new full-service courthouse, which will replace the county-owned existing courthouse. This new approximately 46,000 SF facility will include four courtrooms (1 Large and 3 multi-purpose) courtrooms for criminal, civil, juvenile, family law, and probate cases. The project will provide approximately 100 surface parking spaces with solar power generation capability. The project will increase security and expand the capacity for in-custody proceedings by replacing the existing and inadequate and obsolete Lakeport Courthouse. The project will consolidate active records storage from the lease Gateway Business Park, and provide jury assembly, child waiting rooms, and attorney-client meeting rooms which are currently lacking in the existing facility. As a component of the prior authorized project, a site was acquired on Lakeport Boulevard in Lakeport.

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 4-courtroom courthouse. The recommended option will accomplish the following immediately needed improvements to the Superior Court and enhance its ability to serve the public.

This option is the best solution for the superior court and benefits:

- Public's access to justice by providing a modern, safe, and accessible courthouse.
- Relieves the current space shortfall, increases security, and replaces inadequate and obsolete buildings in Lake County.
- Improves operational efficiencies by improving space adjacencies and providing spaces in alignment with Judicial Council space standards.
- Vacates a non-state-owned facility and allows for termination of county joint occupancy agreements and termination of a lease for record storage space.
- Improves court operational efficiency, access to justice, and overall public service by improving the facilities functionality.
- Replace a FEMA P-154 rated High-Risk Seismically deficient building.
- Avoid a \$5 million in future deferred maintenance and security refresh costs.

5. Complete description of impact on support budget.

Impact on the trial court operation budgets for 2021–22 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 2021–22 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 \$213,000 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 \$235,000 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 Department of State Architect for fire/life/safety and accessibility. The State Fire Marshal will perform inspections, required by the California Building Code for fire/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 county holds the title for the Lake County Courthouse. The Judicial Council has no right to renovate or expand on the site without the cooperation, collaboration, and compensation 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.

STATE OF CALIFORNIA

COBCP - Narrative

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The branch is committed to selecting sites with no or minimal impact to these resources by utilizing previously developed land with existing infrastructure. This project completed a thorough and responsible CEQA process. Upon reactivation the CEQA document will be analyzed to determine whether any changed conditions result in environmental impacts that require further mitigation.

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 established a Project Advisory Group that selected the site which has been acquired by the Judicial Council.

The Project Advisory Group consisted 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.