

Meeting Binder for  
Court Facilities Advisory Committee

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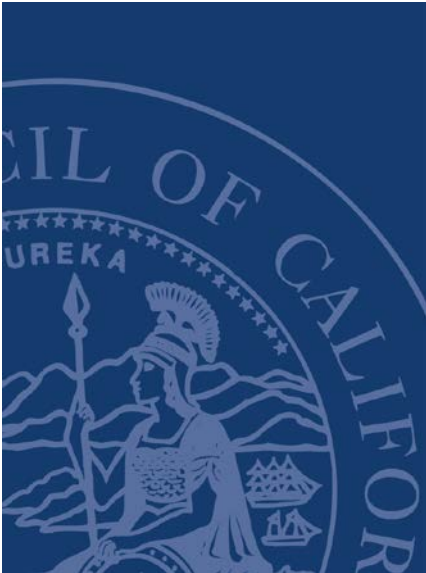
AUGUST 11, 2016



JUDICIAL COUNCIL  
OF CALIFORNIA

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OPERATIONS AND PROGRAMS DIVISION  
CAPITAL PROGRAM



## Meeting Binder

Court Facilities Advisory Committee

August 11, 2016

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JUDICIAL COUNCIL  
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION  
CAPITAL PROGRAM



## COURT FACILITIES ADVISORY COMMITTEE

### OPEN MEETING AGENDA

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1))

THIS MEETING IS BEING RECORDED

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Date: August 11, 2016

Time: 10:00 a.m.–10:30 a.m. – Registration  
10:30 a.m.–3:00 p.m. – Court Facilities Advisory Committee  
12:00 p.m.–12:45 p.m. – Anticipated Lunch Break

Location: 455 Golden Gate Avenue  
San Francisco, California 94102-3688  
Third-Floor – Malcolm M. Lucas Board Room

Public Call-In Number: (877) 820-7831 and enter Passcode: 7004216

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Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

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#### **I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))**

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##### **Call to Order, Roll Call and Opening Remarks**

##### **Approval of Minutes**

Approve minutes of the Court Facilities Advisory Committee meetings held on March 3, 2016, and June 28, 2016.

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#### **II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(2))**

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Members of the public requesting to speak during the public comment portion of the meeting must place the speaker's name, the name of the organization that the speaker represents if any, and the agenda item that the public comment will address, on the public comment sign-up sheet. The sign-up sheet will be available at the meeting location at least one hour prior to the meeting start time. The Chair will establish speaking limits at the beginning of the public comment session. While the advisory body welcomes and encourages public comment, time may not permit all persons requesting to speak to be heard at this meeting.

**Written Comment**

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to [cfac@jud.ca.gov](mailto:cfac@jud.ca.gov) or mailed or delivered to 455 Golden Gate Avenue, San Francisco, CA 94102, attention: Chris Magnusson. Only written comments received by 5:00 PM on August 10, 2016, will be provided to advisory body members.

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**III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEM 1)**

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**Item 1**

**Status of SB 1407 Courthouse Capital Projects**

Status update and decisions as to each of the active SB 1407 capital projects in the Judicial Branch Courthouse Construction Program.

Presenter: Mr. Mike Courtney, Director, Capital Program

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**IV. ADJOURNMENT OF MEETING**

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**Adjourn**

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# JUDICIAL COUNCIL OF CALIFORNIA

[www.courts.ca.gov/cfac.htm](http://www.courts.ca.gov/cfac.htm)  
[cfac@jud.ca.gov](mailto:cfac@jud.ca.gov)

COURT FACILITIES  
ADVISORY COMMITTEE

## COURT FACILITIES ADVISORY COMMITTEE

### MINUTES OF OPEN MEETING

March 3, 2016

11:45 AM – 3:15 PM

Judicial Council of California – San Francisco Office

**Advisory Body  
Members Present:**

Hon. Brad R. Hill, Chair  
Hon. Patricia M. Lucas, Vice-Chair (by phone)  
Hon. Donald Cole Byrd  
Mr. Stephan Castellanos, FAIA  
Hon. Keith D. Davis  
Hon. Robert D. Foiles  
Ms. Melissa Fowler-Bradley  
Hon. William F. Highberger  
Hon. Steven E. Jahr (Ret.) (by phone)  
Hon. Jeffrey W. Johnson  
Hon. Laura J. Masunaga  
Mr. Stephen Nash  
Hon. Gary R. Orozco  
Hon. David Edwin Power (Ret.)  
Ms. Linda Romero Soles  
Mr. Kevin Stinson (by phone)  
Hon. Robert J. Trentacosta  
Mr. Thomas J. Warwick, Jr.

**Advisory Body  
Members Absent:**

Mr. Anthony P. Capozzi  
Mr. Larry Spikes  
Mr. Val Toppenberg (participated by phone for a portion of the meeting; did not vote on any motions)

**Others Present:**

The following Judicial Council staff/others were present:  
Hon. Andrew S. Blum, Presiding Judge, Superior Court of Lake County  
Hon. Michael S. Lunas, Assistant Presiding Judge, Superior Court of California, County of Lake  
Hon. Stephen Owen Hedstrom, Judge, Superior Court of California, County of Lake  
Ms. Krista LeVier, Court Executive Officer, Superior Court of Lake County  
Mr. Darrell Petray, Construction Manager, Plant Construction  
Hon. James E. Herman, Presiding Judge, Superior Court of Santa Barbara County (by phone)  
Mr. Darrell E. Parker, Court Executive Officer, Superior Court of Santa Barbara County (by phone)  
Ms. Angela Braum, Criminal Operations Manager, Superior Court of Santa Barbara County (by phone)  
Mr. John Ruble, Partner, Moore Ruble Yudell Architects  
Mr. Jonathan Broomfield, Senior Estimator, Rudolph and Sletten, Inc.  
Mr. Rick Lloyd, Vice President, Basis  
Mr. Chris McClean, Principal, Buro Happold Engineering  
Mr. Simon Painter, Associate Principal, Buro Happold Engineering  
Ms. Barbara Chiavelli, Capital Program  
Ms. Natalie Daniel, Finance  
Ms. S. Pearl Freeman, AIA, Capital Program  
Ms. Nora Freiwald, Capital Program  
Mr. William J. Guerin, Capital Program  
Ms. Angela Guzman, Finance  
Ms. Donna Ignacio, Capital Program  
Mr. Chris Magnusson, Capital Program  
Mr. Bruce Newman, Capital Program  
Ms. Kristine Metzker, Capital Program  
Ms. Deepika Padam, Capital Program  
Mr. Raymond Polidoro, Capital Program  
Ms. Kelly Quinn, Capital Program  
Ms. Millicent Tidwell, Chief Operating Officer

**OPEN MEETING**

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**Call to Order, Roll Call, and Approval of Meeting Minutes**

The chair called the meeting to order at 11:45 AM, and roll was taken. The advisory committee voted unanimously (with the abstention of all members absent from the February 2016 meeting, and the exceptions of Hon. Donald Cole Byrd and Hon. William F. Highberger, as Ex-Officio, non-voting members, and of the members who were absent as shown above) to approve the minutes from its meeting held on February 3, 2016.

**DISCUSSION AND ACTION ITEM (ITEMS 1–2)**

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**Item 1**

**Lake County–New Lakeport Courthouse: Project Review**

Ms. S. Pearl Freeman, AIA, Judicial Council Capital Program Manager, introduced the project team for the New Lakeport Courthouse: Hon. Andrew S. Blum, Presiding Judge, and Ms. Krista LeVier, Court Executive Officer, from the Superior Court of Lake County; Mr. Darrell Petray, Construction Manager, from Plant Construction; and Ms. Deepika Padam, Senior Project Manager, from the Judicial Council Capital Program. Also, and consistent with the PowerPoint slides included in the project materials that were posted on line for public viewing in advance of the meeting, Ms. Freeman presented an overview of the project's budget history.

Consistent with the powerpoint slides included in the project materials, Ms. Padam presented the project options that had been studied—the L-shaped and Rectangular schemes—including their cost analyses and components of their budget shortfalls (i.e., costs associated with the site [topography and poor soils], California Environmental Quality Act [CEQA] mitigation measures, under-estimated general conditions, and converged network integration):

L-shaped Scheme: It was last reviewed and approved by the Court Facilities Advisory Committee's (CFAC) Courthouse Cost Reduction Subcommittee (CCRS) in January 2014, which allowed the project to proceed into the Working Drawings phase. Following the January 2014 CCRS meeting, the project team developed a pre-Working Drawings set to develop an accurate cost estimate based on CCRS direction and performed an extensive value engineering exercise, which included a study of all building systems and site requirements to reduce costs to the project's design-to-budget of \$27.8 million. This value engineering exercise was able to reduce the budget by \$3.8 million but with a remaining shortfall of \$4.7 million in addition to \$1.4 million for CEQA mitigation measures, which had been identified since the January 2014 CCRS meeting, this scheme's cost estimate resulted in a \$6.1 million design-to-budget shortfall.

Rectangular Scheme: This alternative had been developed with the intent to save project costs, as it reduced the project's size by approximately 1,600 building gross square feet due to its compactness of layout. At the end of its design, there was still a design-to-budget shortfall, which totaled \$3.9 million. In order to preserve the same schedule as the L-shaped scheme, so the project would start construction in June 2017, this scheme required additional design fees of \$0.4 million to be fast-tracked. With the budget shortfall, additional design fees, and the costs of \$1.7 million for CEQA mitigation measures, this scheme's cost estimate resulted a \$6.0 million design-to-budget shortfall.

In addition to the information contained within the materials, Ms. Padam made the following comments:

- the project site scored highest in the site selection process, its CEQA analysis occurred after its selection had been determined (which was a process consistent with site selection of properties for courthouse capital projects), and it was acquired for \$1.1 million;
- the City of Lakeport indicated it could not pay for the cost of the access road to the site, and in addition, the city is being provided right-of-way access by the state so it may continue the access road as a city street further south of the site at a time when city budget conditions improve; and
- should the project be delayed by six months and miss a scheduled construction bond sale, increase to the project budget would be approximately \$500,000.

Judge Blum presented the superior court's need for the project, spoke to the cost-cutting effort of the value engineering process, indicated that present in the boardroom were Hon. Michael S. Lunas, Assistant Presiding Judge, and Hon. Stephen Owen Hedstrom, Judge, from the Superior Court of Lake County, and asked that the advisory committee fund the project so it could move forward. He also indicated that the following in regard to sites for the project:

- the original site selection process revealed approximately 35 sites based on the project's sizing criteria and that the majority of these were eliminated because of their location within the 100-year floodplain;
- the site that had scored second in the site selection process—an old bowling alley facility—was located outside of the 100-year floodplain and had been for sale above fair market value at approximately \$3 million. The state could not acquire the property due to the large discrepancy between the appraised value and the asking price;
- the site that had scored third in the site selection process, which was nearby the county jail facility, became unavailable and is currently being built on by the county to expand the existing jail; and
- it would not be a cost savings to identify a brand new site within the county and start the entire project over, including a complete redesign.

Hon. William F. Highberger indicated that the budget shortfall information, particularly on the site and CEQA mitigation measures, was new to the advisory committee, and that overall, this was the second budget overrun the committee was being asked to endorse. He noted that the advisory committee did not have enough information to determine whether or not they would be approving the most cost effective project for the Superior Court of Lake County.

Hon. Brad R. Hill, chair, stated that the difficulty with moving the project forward with its cost overrun is that it would come at the detriment of slowing or stopping another capital project(s) and so it is necessary that all possibilities be explored for the reduction of the project's design-to-budget.

**Action:** The advisory committee—with the exception of Hon. Donald Cole Byrd and Hon. William F. Highberger, as Ex-Officio, non-voting members, the three members who were absent as shown above, and three members who voted in opposition (Hon. Steven E. Jahr [Ret.], Hon. Laura J. Masunaga, and Mr. Stephan Castellanos, FAIA)—voted to approve the following motion:

1. All work on the project's Working Drawings be suspended, except to study alternatives and project costs, and Judicial Council staff prepare a report—within six months or less—for review by the CFAC and the CCRS on all options to reduce costs.



**Item 2**

**Santa Barbara County–New Santa Barbara Criminal Courthouse: Project Review**

Hon. James E. Herman, Presiding Judge of the Superior Court of Santa Barbara County, presented the superior court’s need and site background for the New Santa Barbara Criminal Courthouse project as well as introduced the members of the project team that (including himself) participated by phone:

Mr. Darrell E. Parker, Court Executive Officer, and Ms. Angela Braum, Criminal Operations Manager, from the Superior Court of Santa Barbara County.

Ms. Nora Freiwald, Judicial Council Project Manager, introduced the team members present in the board room: Mr. John Ruble, Partner, from Moore Ruble Yudell Architects; Mr. Jonathan Broomfield, Senior Estimator, from Rudolph and Sletten, Inc.; Mr. Rick Lloyd, Vice President, from Basis; Mr. Chris McClean, Principal, and Mr. Simon Painter, Associate Principal, from Buro Happold Engineering; and Mr. Raymond Polidoro, Manager, from the Judicial Council Capital Program. Also, and consistent with the powerpoint slides included in the project materials that were posted on line for public viewing in advance of the meeting, she presented the project’s cost estimate at 100-percent schematic design including the components of the budget shortfall (i.e., affected base building construction due to code changes over time, demolition and phased construction, converged network integration, and local market conditions of increased demand for labor and materials).

Consistent with the powerpoint slides included in the project materials, Mr. Ruble presented the various aspects of the project’s 100-percent schematic design, including siting, security, and landscaping, building design and systems and interior and exterior materials, courtroom layouts, and project sustainability and LEED certification. At the advisory committee’s direction, his presentation also addressed some of the restrictions and requirements placed on the project owing to its location in the City of Santa Barbara and the cost implications that arose.

Mr. Polidoro discussed the value engineering exercises, with the input of Rudolph and Sletten, Inc., that have taken place since the completion of the project’s 100-percent schematic design last summer because of the project’s budget shortfall, and expressed the project team’s intent to improve upon those exercises and the rough order of magnitude budget shortfall as the project moves into design development of its design phase.

Hon. Jeffrey W. Johnson stated that the difficulty with moving the project forward with its cost overrun is that it would come at the detriment of slowing or stopping another capital project(s) and so it is necessary that all possibilities be explored for the reduction of the project’s design-to-budget.

**Action:** The advisory committee—with the exception of Hon. Donald Cole Byrd and Hon. William F. Highberger, as Ex-Officio, non-voting members, the three members who were absent as shown above, and Hon. Brad R. Hill and Hon. Steven E. Jahr (Ret.) who were also absent to vote on this item—voted to approve the following motion:

1. All work on the project’s Preliminary Plans be suspended, except to study alternatives and project costs, and Judicial Council staff prepare a report—within six months or less—for review by the CFAC and the CCRS on all options to reduce costs.

**ADJOURNMENT**

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There being no further business, the meeting was adjourned at 3:15 PM.

Approved by the advisory body on \_\_\_\_\_.



# JUDICIAL COUNCIL OF CALIFORNIA

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COURT FACILITIES  
ADVISORY COMMITTEE

## COURT FACILITIES ADVISORY COMMITTEE

### MINUTES OF OPEN MEETING

June 28, 2016

10:30 AM – 1:30 PM

Judicial Council of California – San Francisco Office

**Advisory Body  
Members Present:**

Hon. Brad R. Hill, Chair  
Hon. Patricia M. Lucas, Vice-Chair  
Hon. Donald Cole Byrd  
Mr. Anthony P. Capozzi  
Mr. Stephan Castellanos, FAIA  
Hon. Keith D. Davis  
Hon. Robert. D. Foiles  
Ms. Melissa Fowler-Bradley  
Hon. William F. Highberger  
Hon. Steven E. Jahr (Ret.)  
Hon. Jeffrey W. Johnson  
Hon. Laura J. Masunaga  
Mr. Stephen Nash  
Hon. Gary R. Orozco  
Hon. David Edwin Power (Ret.)  
Ms. Linda Romero Soles  
Mr. Larry Spikes  
Hon. Robert J. Trentacosta  
Mr. Thomas J. Warwick, Jr.

**Advisory Body  
Members Absent:**

Mr. Kevin Stinson  
Mr. Val Toppenberg

**Others Present:**

The following Judicial Council staff/others were present:  
Ms. Rebecca Fleming, Court Executive Officer, Superior Court of Stanislaus County  
Mr. Jose Octavio Guillen, Court Executive Officer, Superior Court of Sonoma County  
Mr. Darrel E. Parker, Court Executive Officer, Superior Court of Santa Barbara County  
Mr. Jason Haas, Budget Analyst, State Department of Finance  
Ms. Eunice Calvert-Banks, Real Estate and Facilities Management  
Mr. Mike Courtney, Capital Program  
Ms. Natalie Daniel, Finance  
Ms. Kim Davis, Capital Program  
Ms. S. Pearl Freeman, AIA, Capital Program  
Ms. Angela Guzman, Finance  
Mr. Martin Hoshino, Administrative Director  
Ms. Donna Ignacio, Capital Program  
Mr. Chris Magnusson, Capital Program  
Ms. Kristine Metzker, Capital Program  
Ms. Leslie G. Miessner, Legal Services  
Mr. Raymond Polidoro, Capital Program  
Ms. Kelly Quinn, Capital Program  
Ms. Lynette Stephens, Finance  
Mr. Zlatko Theodorovic, Finance  
Ms. Millicent Tidwell, Chief Operating Officer  
Mr. Enrique Villasana, Real Estate and Facilities Management

**OPEN MEETING**

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**Call to Order, Roll Call, and Opening/Closing Remarks**

The chair called the meeting to order at 10:30 AM, roll was taken, and both he and Mr. Martin Hoshino, Administrative Director, provided opening remarks. As part of the closing remarks, the chair and Court Facilities Advisory Committee (CFAC) committee recognized Ms. Kelly Quinn for her years of service to the Judicial Council's Capital Program and as lead staff to the CFAC.

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**DISCUSSION AND ACTION ITEM (ITEM 1)**

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**Item 1****Status of Construction Funds – Immediate and Critical Needs Account**

The following spoke in person during the public comments portion of the meeting:

1. Mr. Darrel E. Parker, Court Executive Officer, Superior Court of Santa Barbara County
2. Mr. Jose Octavio Guillen, Court Executive Officer, Superior Court of Sonoma County
3. Ms. Rebecca Fleming, Court Executive Officer, Superior Court of Stanislaus County

Consistent with the PowerPoint slides included in the materials that were posted on line following the meeting, Ms. Angela Guzman presented the status of the judicial branch's construction fund—the Immediate and Critical Needs Account (ICNA)—including original assumptions of revenues and expenditures, actual and projected revenue collections from FY 2008–2009 through FY 2018–2019, annual fund expenditures, estimated expenditures compared to the fund's revenue and balance, redirections from the fund and its future project-phase commitments, and the fund's estimated revenues, expenditures, and reserve balance projected from FY 2015–2016 through FY 2034–2035. In addition, Ms. Guzman made the following comments:

- Judicial Council staff provided the last two status updates on the ICNA to the CFAC in December 2014 and March 2015;
- in March 2015, council staff had made the following points:
  - that based on actual collections as of December 2014, council staff developed a revenue projection for FY 2014–2015 of \$250–255 million annually, forecasting that value flat for approximately 30 years or the life of the ICNA;
  - that the council staff has to do long term forecasting (of approximately 30 years) because of the need to debt-finance the majority of the projects in the courthouse construction program; and
  - that revenue projections were uncertain, the forecasting of the flat value (referenced above) was problematic and optimistic, and revenue increases were needed to avoid further project delays;
- capital project debt-service payments from the ICNA began in FY 2014–2015;
- ICNA obligations will include cash-funded and debt-service payments from FY 2014–2015 through FY 2019–2020 and only debt-service payments beyond FY 2019–2020;
- total annual ICNA expenditures range from the current obligation of approximately \$224 million to the future obligation of approximately \$323 million—this future obligation figure factors in the debt-service payments of all capital projects whose Construction phase is not yet underway;
- given its annual expenditures compared to its actual, declining revenues, the ICNA is in deficit spending and relying on its fund-balance reserves to meet current and future annual obligations;
- given its annual expenditures compared to annual revenue projections now adjusted closer to \$200 million for fiscal years beyond FY 2015–2016—based on the decrease in actual ICNA revenue

collected through FY 2014–2015—the ICNA experiences an estimated negative fund balance as early as FY 2021–2022;

- through FY 2016–2017, there has been approximately \$1.4 billion in redirections/loans from the ICNA; and
- from FY 2017–2018 through the remaining life of the ICNA, total redirections/loans in addition to all one-time and ongoing costs, such as the construction program’s debt-service payments, can increase (by approximately \$2.6 billion) to approximately \$4.0 billion.

**Action:** The advisory committee—with the exception of Hon. Donald Cole Byrd and Hon. William F. Highberger, as an Ex-Officio, non-voting members, and the members who were absent as shown above—voted to approve the following motion:

1. Judicial Council staff consult with the state Department of Finance (DOF) and Judicial Council’s Finance Office so that Judicial Council Capital Program staff can make recommendations for the August 4, 2016, CFAC meeting regarding which projects should commence into their next phase—such as Construction, Working Drawings, Preliminary Plans, or such like—given the condition of the ICNA; and further move that any ongoing projects may proceed pursuant prior to Judicial Council and legislative authorizations and appropriations if the DOF and the Executive Committee of the CFAC concurs in doing so.

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#### ADJOURNMENT

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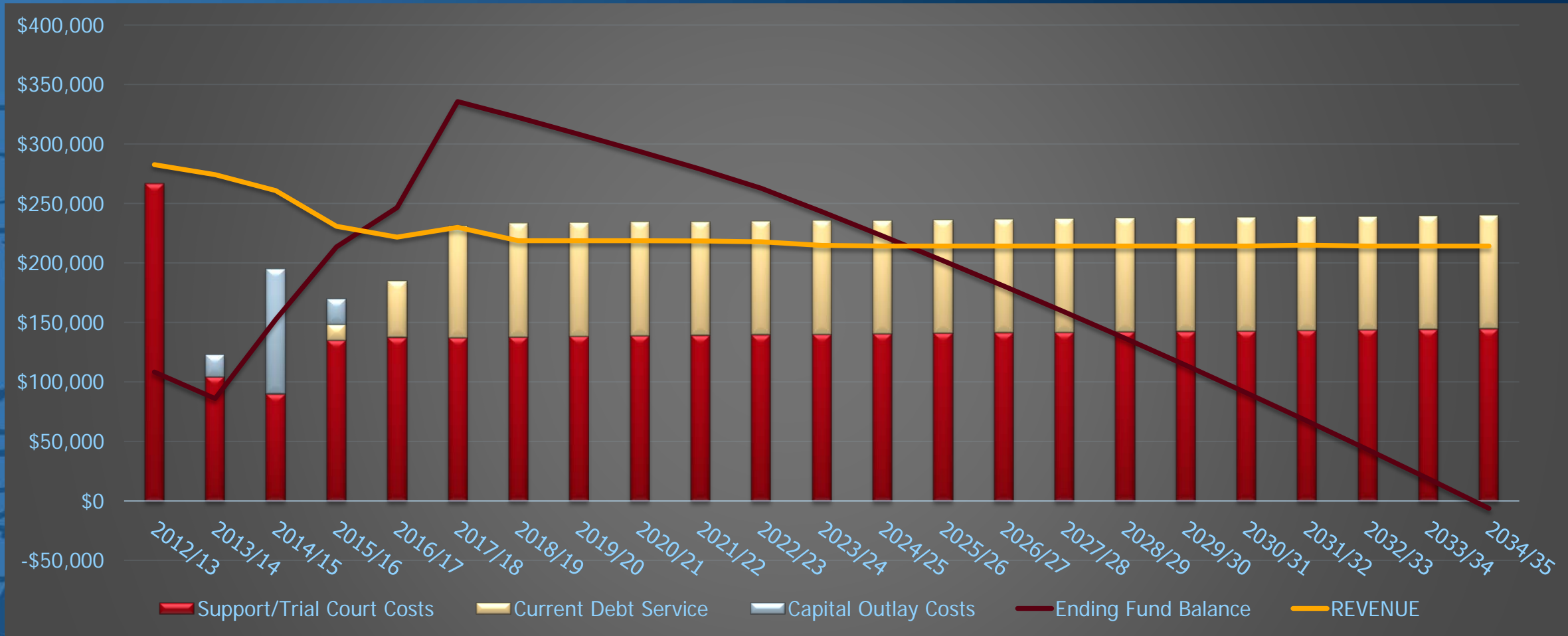
There being no further business, the meeting was adjourned at 1:30 PM.

Approved by the advisory body on \_\_\_\_\_.

# Revenues, Expenditures and Fund Balance

FY 2012-13 to FY 2034-35

(Estimated FY 2015-16 to FY 2034-35)



JUDICIAL COUNCIL  
OF CALIFORNIA

## **EXECUTIVE SUMMARY**

### **EL DORADO WEST SLOPE COURTHOUSE DEFICIENCIES**

#### **Issues with All Four West Slope Facilities**

- ADA accessibility limited, unsafe and inadequate
- Security issues - perimeter security space inadequate, high conflict public areas with limited security
- Prisoners must be transported through public elevators and hallways
- Only one facility with a holding cell
- No secure parking for judges and staff
- Insufficient parking for jurors, and court users
- No jury assembly areas
- Insufficient lobby space for public and court users
- No attorney client conference rooms
- Inadequate space for records retention requiring off site storage and limited public access to records
- No sally ports for transportation of inmates
- With 4 facilities within 12 miles there are several inefficiencies for court users, justice partners, and staff

#### **Issues with 495 Main Street Courthouse**

- Lead in the water system
- No sprinklers or emergency lighting
- Asbestos throughout the building which cannot be mitigated
- No security screen/safety glass at the clerk's office counter
- Unsafe staircases with many reported falls and injuries
- Heating, ventilation and air conditioning inadequate and unhealthy
- Electrical and lighting systems aged and unsafe
- Mold in building that cannot be mitigated
- Elevator that is aged and expensive to maintain/repair
- Windows on ground floor and within close proximity to Hwy 50
- Unable to expand technological resources due to asbestos and space
- No ADA access to Judges' benches, witness stands and jury boxes
- Loud traffic & emergency vehicle sirens disrupt courtroom proceedings

#### **Issues with Building C Shared Use Court/County Facility**

- No perimeter security at the main entrance to facility
- Unsecure records in court/county shared use areas
- Court administration and staff work areas not consolidated

#### **Issues with Cameron Park Courthouse**

- Unsecure fencing around modular unit

#### **Issues with Department 8 Court**

- Issues with plumbing due to age of facility
- Very small hearing room with limited seating

El Dorado County Superior Court

Courthouse Deficiencies



# Threats Against Judges and Staff



CR-161	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER STREET ADDRESS: 10820 Justice Center Drive MAILING ADDRESS: P.O. Box 619072 Roseville CA 95661-9072 CITY AND ZIP CODE: Roseville CA 95678 BRANCH NAME: Santucci Justice Center	FOR COURT USE ONLY  <b>FILED</b> SUPERIOR COURT OF CALIFORNIA COUNTY OF PLACER  <b>JUN 14 2016</b>  JAKE CHATTERS EXECUTIVE OFFICER & CLERK By: J. Lopez, Deputy
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: <i>Roka Kabin's Maximovich</i>	
CRIMINAL PROTECTIVE ORDER—OTHER THAN DOMESTIC VIOLENCE (CLETS - CPO) (Pen. Code, §§ 136.2, 136.2(i)(1), and 646.9(k)) <input type="checkbox"/> ORDER UNDER PENAL CODE, § 136.2 <input type="checkbox"/> MODIFICATION ORDER UNDER: <input type="checkbox"/> PENAL CODE, § 136.2(i)(1) <input type="checkbox"/> PENAL CODE, § 646.9(k)	
CASE NUMBER: <i>02-146016</i>	
PERSON TO BE RESTRAINED (complete name): <i>Roka Kabin's Maximovich</i> Sex: <input type="checkbox"/> M <input checked="" type="checkbox"/> F    Ht.: <i>5'3"</i> Wt.: <i>120</i> Hair color: <i>BROWN</i> Eye color: <i>BROWN</i> Race: <i>W</i> Age: <i>43</i> Date of birth: <i>7/20/71</i>	
1. This proceeding was heard on (date): _____ at (time): _____ in Dept.: _____ Room: _____ by judicial officer (name): _____ 2. This order expires on (date): _____ . If no date is listed, this order expires three years from date of issuance. 3. <input type="checkbox"/> Defendant was personally served with a copy of this order at the court hearing, and no additional proof of service of this order is required. 4. FULL NAME, AGE, AND GENDER OF EACH PROTECTED PERSON: <i>Susan Vick, Ashworth, D</i> 5. <input type="checkbox"/> The court has information that the defendant owns or has a firearm or ammunition, or both. <b>GOOD CAUSE APPEARING, THE COURT ORDERS THAT THE ABOVE-NAMED DEFENDANT</b> 6. must not harass, strike, threaten, assault (sexually or otherwise), follow, stalk, molest, destroy or damage personal or real property, disturb the peace, keep under surveillance, or block movements of the protected persons named above. 7. must not own, possess, buy or try to buy, receive or try to receive, or otherwise obtain a firearm or ammunition. The defendant must surrender to local law enforcement, or sell to or store with a licensed gun dealer any firearm owned by the defendant or subject to his or her immediate possession or control within 24 hours after service of this order and must file a receipt with the court showing compliance with this order within 48 hours of receiving this order. <input type="checkbox"/> The court has made the necessary findings and applies the firearm relinquishment exemption under Code Civ. Proc., § 527.9(f). The defendant is not required to relinquish this firearm (specify make, model, and serial number of firearm): _____ 8. must not attempt to or actually prevent or dissuade any victim or witness from attending a hearing or testifying or making a report to any law enforcement agency or person. 9. must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardian unless good cause exists otherwise. <input type="checkbox"/> The court finds good cause not to make the order in item 9. 10. <input type="checkbox"/> must be placed on electronic monitoring for (specify length of time): _____ . (Not to exceed one year from the date of this order. Pen. Code, § 136.2(a)(7)(D) and Pen. Code § 136.2(i)(2).) 11. <input checked="" type="checkbox"/> must have no personal, electronic, telephonic, or written contact with the protected persons named above. 12. <input checked="" type="checkbox"/> must have no contact with the protected persons named above through a third party, except an attorney of record. 13. <input checked="" type="checkbox"/> must not come within <i>100</i> yards of the protected persons named above <i>work home, vehicle</i> 14. <input type="checkbox"/> may have peaceful contact with the protected persons named above, as an exception to the "no-contact" or "stay-away" provision in item 11, 12, or 13 of this order, only for the safe exchange of children and court-ordered visitation as stated in: a. <input type="checkbox"/> the Family, Juvenile, or Probate court order in case number: _____ issued on (date): _____ b. <input type="checkbox"/> any Family, Juvenile, or Probate court order issued after the date this order is signed. 15. <input type="checkbox"/> The protected persons may record any prohibited communications made by the restrained person. 16. Other orders including stay-away orders from specific locations: _____	
Executed on: <i>6/14/2016</i> (DATE) _____ (SIGNATURE OF JUDICIAL OFFICER) _____ Department/Division: _____	
Form Adopted for Mandatory Use Judicial Council of California CR-161 (Rev. July 1, 2014) Approved by Department of Justice	
<b>CRIMINAL PROTECTIVE ORDER—OTHER THAN DOMESTIC VIOLENCE</b> <b>(CLETS - CPO)</b>	
Page 4 of 2 Penal Code, §§ 136.2, 646.9(k), and 136.2(i)(1) www.courts.ca.gov	

# Main Street Courthouse Deficiencies

- The historic building on Main Street contains so many environmentally hazardous issues, along with physical constraints, that the JCC declined to take possession of the building, finding that nothing could be done to overcome the deficiencies in the building, including:

# Main Street Courthouse Deficiencies

- Lead in water system, no potable water
- Out of date/compliance fire and life safety systems (sprinklers, exits, emergency lighting)
- Asbestos throughout the building
- Limited and inadequate accessibility for disabled
- Unsafe staircases
- Inadequate and unhealthy HVAC
- No parking for public

# Main Street Courthouse Deficiencies

- Front access security area in very small space.
- Main floor lobby is 800 sq. ft., deficient for services.
- Ground level windows to offices - security risk
- Proximity of Hwy 50 & overpass - security risk
- Inadequate/unsecure parking for judges and staff
- No jury parking or jury assembly rooms
- No holding cells or client conference rooms

# Main Street Clerk's Counter

## No Security Screen Between Public & Staff



Main Street Lobby/Jury waiting,  
approximately 800 sq. ft.

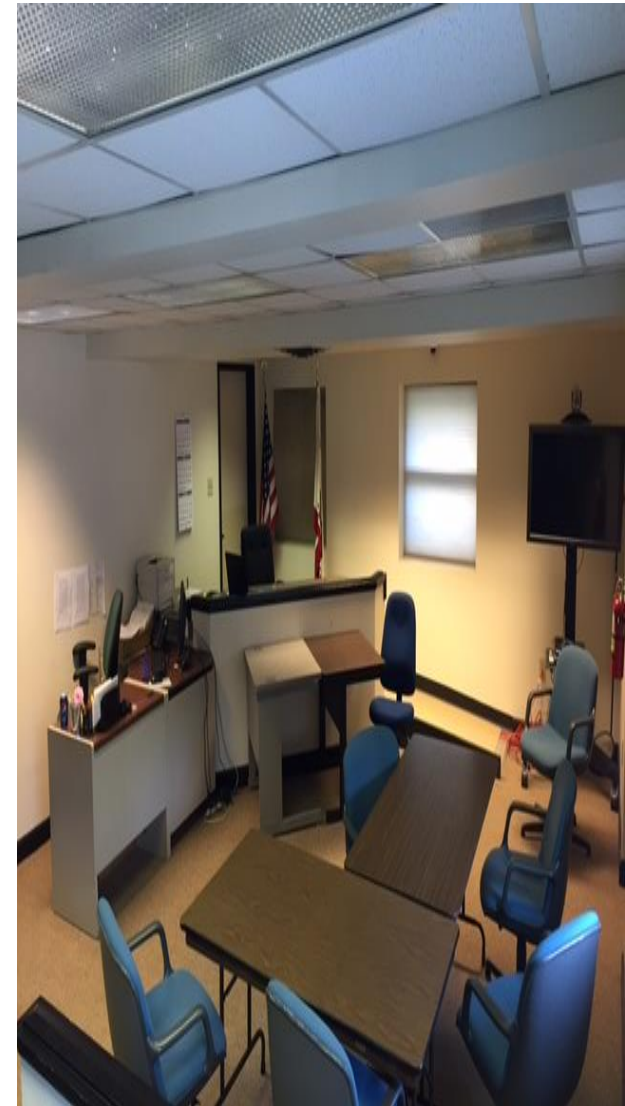


# Family Law Courtroom – Dept. 5

## Post in Center of Courtroom



# Overflow Courtroom – Dept. 6





# Jurors Arrive by Bus at Main Street Court from Off-Site Parking Lot



# Jurors & Public Enter Main Street



# Juror Check In Main Street, 3<sup>rd</sup> Floor, approximately 700 sq. ft.



# Main Street Defendant Transport to Courtroom



# Main Street ADA Access, Judge, Staff And In Custody Defendant Entrance



Main St Elevator Used to Transport Inmates and Public.  
Contraband Found Behind the Handrail.  
Out of Service 8/9/16 – Doors Stuck w/Bailiff Inside



Main St Parking w/Security Transportation, 26 Parking Spaces for Judges, Staff, Security & Service. Judges and Staff Enter and Exit at Back Door with Inmates



# Main Street – Ground Floor Windows to Hearing Room & Offices





# Main St. – Judge & Staff Parking 100 Feet from Hwy 50 & Overpass



# Building C Court Deficiencies

- No perimeter security at main entrance
- Open court files in shared court/county space
- Lack of space for records
- 2 small holding cells for all in custody matters
- Small lobby outside courtroom, deficient for services
- No secure parking for judicial officers and staff

# Building C Main Entrance No Security



# Building C, Shared Court/County Work Space – Court Records Management With Open Court Files



# Building C, Shared Court/County Work Area and Open Court Files



# Building C, Department 7 Security



# Dept. 7 Holding Cells



# Cameron Park Courthouse Deficiencies

- Limited parking for public and jurors
- No jury assembly area, lobby deficient for services
- No holding cells
- Unsecure fencing around the modular building
- Unsecure parking for judicial officers and staff



# Cameron Park, Perimeter Security & Lobby/Jury Assembly – 700 Sq. Ft.



# Cameron Park, Clerk's Counter, Lobby Area, and Self Help Workspace



# Cameron Park, Unsecure Gate to Modular Facility



# Cameron Park, Civil File Room



# Dept. 8 – Court Facility Below Juvenile Hall



# Dept. 8 – Juvenile Holding in Hallway



DONALD COLE BYRD  
JUDGE  
Department I

PETER BILLIOU TWEDE  
JUDGE  
Department II



JERI HAMLIN  
COMMISSIONER  
Department III

KEVIN HARRIGAN  
Court Executive Officer

# Superior Court of California, County of Glenn

## Willows Historic Courthouse Renovation and Expansion

### Executive Summary

This document provides summary information related to the urgency and importance of completing the Willows Historic Courthouse Renovation and Expansion project. As a result of the dire conditions and many safety concerns within the building originally erected in 1894, this project was ranked in the “critical need” group by the Judicial Council of California in October 2008. Funding for the \$40.953 million project was approved in March 2010 via SB 1407 funds and is now scheduled for completion in early 2019. In conjunction with the Judicial Council and the County of Glenn, the Glenn Superior Court has been preparing for the construction project to alleviate many safety concerns and consolidate court operations to provide more efficient services to court users.

#### Existing deficiencies and public safety concerns

- Seismic: Unreinforced masonry walls lack bracing to prevent a collapse in a potential seismic event.
- Miscellaneous hazardous building materials: Asbestos and lead paint are present in various materials throughout the courthouse.
- Mold: A portion of the building has now been sealed off and is unusable.
- ADA: Jury box, witness stand, judge’s bench, clerk’s desk in courtroom, prisoner transport, restrooms, elevator, and clerk’s office are not fully accessible.
- Roof leaks: Portions of the building suffer water damage
- Plumbing: Existing toilets have very high failure rate, bathroom fixture quantities do not meet minimums required by code.
- Electrical: Various electrical problems throughout, sporadic smoldering in walls.
- Mechanical: HVAC systems have exceeded their life expectancy.
- Public Safety: In-custody defendants are transported to the courtroom through public hallways and stairwells.

#### Benefits of completed construction project

- Consolidation of court staff and services
  - Efficient court operations
  - Cost savings to justice partners
- Public safety and access to justice
  - Secure transport of in-custody defendants
  - Enhanced access and building functionality
  - Safe forum for justice system service delivery

In addition to the planning phases of this project which included site acquisition, preliminary plans, and working drawings; Glenn Superior Court now has five different facilities dispersed throughout the County. It has already relocated a third of its staff and operation to a temporary privately-owned leased facility downtown and moved a majority of court records to a separate privately-owned leased location. Further, a modular building repurposed from Yolo Superior Court has already been refurbished and remodeled to include one courtroom and staff areas for use during construction. The very small County-owned building with one courtroom in Orland, with many deficiencies of its own, will be vacated by the Court as part of the consolidation. This is a shovel ready project which will dramatically improve the Court’s ability to function and physically enhance access to justice for the citizens of Glenn County and the State of California.



Historic Courthouse Renovation and Expansion

# Glenn Superior Court



# Willows Historic Courthouse Renovation and Expansion

- Estimated completion date: January 2019
- Authorized budget: \$40.953 million
- Expansion: 26,900 sq. ft.
- Allow for consolidation of all court operations into one facility
- Seismic strengthening and improvements to mechanical, electrical, and plumbing systems, as well as compliance with ADA.
- Provide numerous security enhancements, including secure transport of in-custody defendants
- Project ranked in “Critical Need” group by JCC in October 2008, “consequently is one of the highest priority trial court capital-outlay projects for the judicial branch”



# County of Glenn



- Founded: 1891
- Population: 28,122
- County seat: Willows
- Incorporated Cities: Willows and Orland
- Economy: Agriculture

# Glenn Superior Court

- 2.3 Judicial Officers
- 2015 Court Statistics Report: 11,089 filings, 10,626 dispositions
- Statewide Rank: 5<sup>th</sup> highest in filings, 7<sup>th</sup> highest in dispositions per judicial officer.
- 2015-16 RAS/WAFM need: 22 staff
- Actual WAFM staff: 16 (This does not include collections staff of 4.0 FTE and CEO; positions not included in calculating WAFM staffing need.)

# Glenn Superior Court

## Current Facilities:

1. Willows-Historic Courthouse -Built in 1894, two stories totaling 16,100 sq. ft., State-owned facility with 1 courtroom and 1 hearing room. Currently occupied by 1 judicial officer, 0.3 AB1058 Commissioner, and 10 court staff.
2. Orland Branch: County-owned shared use facility with 1 courtroom. Currently occupied by 1 judicial officer, court mediator, and 3 court staff.
3. Willows Resource Center-Leased facility located in a storefront approximately 5 blocks from Willows Historic Courthouse. Currently occupied by 7 staff members, 1 FLF, self-help center.
4. Willows Storage-Leased facility for records storage 2 blocks from Willows Historic Courthouse. (no staff)
5. Willows Modular-Temporary facility with 1 courtroom, repurposed from Yolo Superior Court. (Judicial officers and staff from Willows Historic Courthouse will be relocated to this building and Resource Center during construction.)

# Willows Historic Courthouse



Leaky roof in vault



Mold in vault



# Willows Historic Courthouse



Sealed vault-environmentally unsafe



Basement ceiling-seismically unsafe



# Willows Historic Courthouse

Public stairwell and hallway



# Willows Historic Courthouse



## Courtroom





# Orland Branch Court



Courtroom



Public hallway



# Temporary and Leased Facilities



Resource Center

Willows, CA



Modular Building

Willows, CA



Storage Facility

Willows, CA

# Willows Historic Courthouse Renovation and Expansion

## Judicial Council Capital Program Investment

- Approximately \$7 million total investment to date
  - \$875,442 spent or encumbered for swing space
  - \$1.294 million for acquisition
  - \$1.961 million for preliminary plans
  - \$2.756 million for working drawings

## Superior Court Investment

- \$150k contribution to CFARF in FY13-14
- Years of good faith efforts of planning and preparation for project and to vacate historic courthouse during construction (records destruction, asset inventory disposal etc.)
- Many inefficiencies now built into operation by dispersing staff and services throughout Glenn County leading up to construction phase

# Willows Historic Courthouse Expansion and Renovation



View from Wake Avenue  
(Architect's Rendering)



SUPERIOR COURT OF CALIFORNIA, COUNTY OF IMPERIAL

# SB 1407 New El Centro Courthouse Project

## WHY THIS NEW COURT PROJECT IS CRITICAL

### SECURITY CONCERNS:

- \* Safe Transport of Defendants to Court
- \* Deputies escort in-custody inmates in chains through public corridors and stairways. Inmates are next to Judges Chambers, and often pass judicial officers in their private hallways.
- \* No attorney-client meeting rooms, insufficient holding cells.
- \* Judicial parking— and prisoner transportation— is accessible to the public.

### OPERATIONAL INEFFICIENCIES:

- \* Criminal Proceedings Separated in two facilities
- \* Transportation Costs to the County to transport inmates 14 miles for Criminal Court; new facility close to County jail.
- \* Small local Bar making appearances in multiple cases spend time traveling between the present two criminal court locations, fourteen miles away, often causing delay of court proceedings and unnecessary delay of court calendars.

### FACILITY CONCERNS:

- \* Court's Valley Plaza lease terminates March 15, 2019. The Court must move approximately 45 staff members, as the Court cannot sustain the \$360,000 annual lease payment.
- \* Court space is currently overcrowded, with inefficient working space for employees.
- \* Current facilities are not compliant with the ADA (service counters, courtrooms, restrooms...)
- \* Inadequate building facilities that will not withstand the test of time— inadequate wiring, seismic issues (massive earthquake in 2010, damaging the main Courthouse), and plumbing (water rupture in 2015 caused over \$193,054.30 in damage).

*Security, Facility and Operational Problems hinder the Court's ability to provide adequate access to justice to Imperial County.*

## THE PLAN

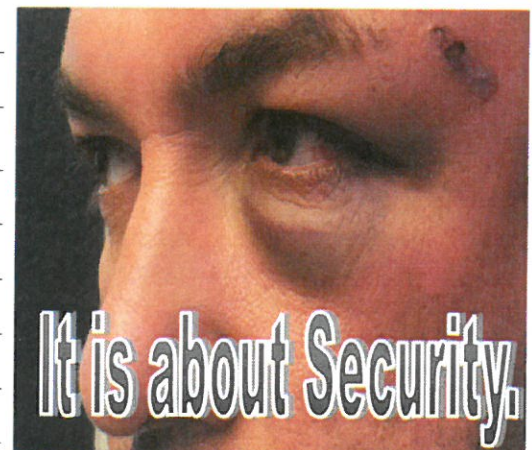
The new Imperial County Criminal Courthouse in El Centro will increase efficiency by consolidating all criminal court operations under one roof in a modern, secure building that will better serve Imperial County residents. Its 4 courtrooms will provide appropriately sized courtrooms, jury

deliberation rooms, an adequately sized self-help center, attorney/client conference rooms, and ADA accessibility. Enhanced security features will include entrance screening of all court users, a secure sallyport, adequately sized in-

custody holding and improved fire and life safety. The historic courthouse will continue to hear civil, family, small claims, and traffic cases. The Brawley Courthouse and Valley Plaza facilities will be closed, with staff consolidated into either the New or Historic El Centro Sites.

### **NOTEWORTHY STATISTICS**

Number of Courtrooms	4
Square Footage	47,512
Original Authorized Budget	\$47,605,000
Reduced Design-to Budget	\$27,000,000
Expected Completion Date	2019- 3rd Qtr
Architect Firm	Safdie Rabines
Construction Mgr At Risk	Hensel Phelps



# ***IMPERIAL COUNTY COURTHOUSE***

---

***It is all about security!***



**Court Facilities Advisory Committee**  
*San Francisco, California*  
August 11<sup>th</sup>, 2016



# SECURITY CONCERNS

---

*Safe Transport of Defendants to Court. Deputies escort in-custody inmates in chains through public corridors and stairways. Inmates are next to Judges Chambers, and often pass judicial officers in their private hallways.*

*No attorney-client meeting rooms, insufficient holding cells.*

# FACILITIES CONCERN

---

*Court's Valley Plaza lease terminates March 15, 2019. The Court must move approximately 45 staff members, as the Court cannot sustain the \$380,000 annual lease payment.*

*Court space is currently overcrowded, with inefficient working space for employees.*

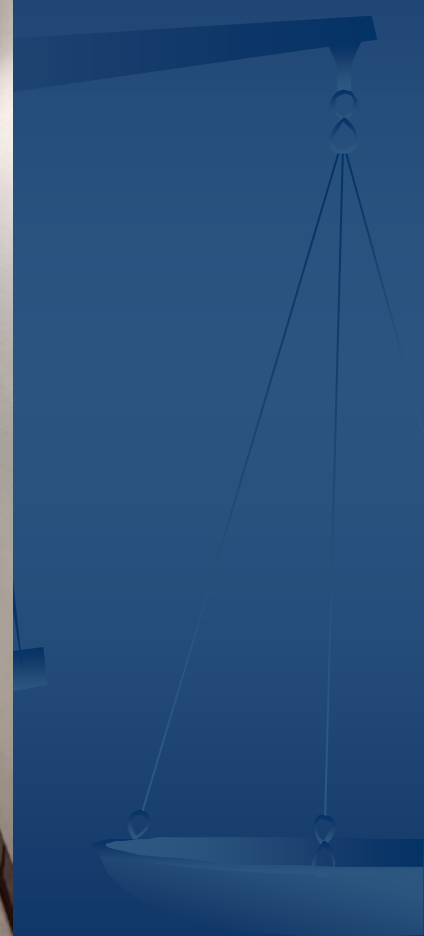




1924



*1924 building*





*Deputy Sheriff , Correctional officer*





*Inmate assault on Deputy Public Defender*







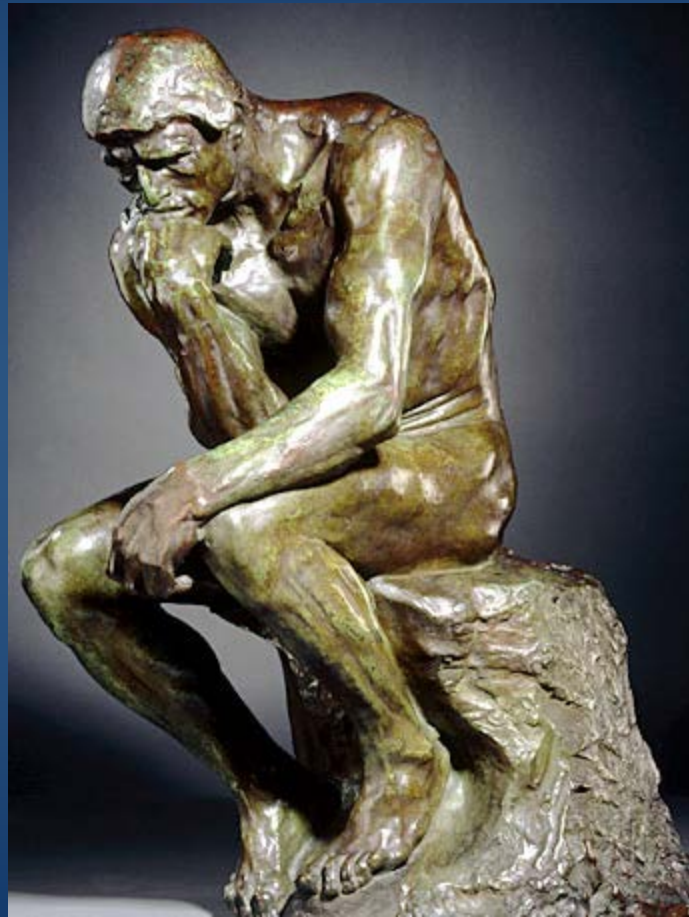




*JUDGES  
CHAMBERS*



# WE HAVE SIGNIFICANT SECURITY PROBLEMS AND POTENTIAL LIABILITY?



# THANK YOU!



# *Thank you!*



 Imperial Valley Press

Draft Bullet Points...CFAC Presentation - August 11, 2016 SF  
Superior Court of California, County of Inyo  
Hon. Dean Stout, PJ

#### Inyo County Historic Courthouse

- Built in 1921 - Three story building
- Main courtroom on top floor
- No elevator
- Basement courtroom very small and basically all glass
- Courthouse is co-occupied with County Offices, including public library
- No separate or secure circulation patterns
- There is no prisoner holding area
- Prisoners are seated in the gallery of the courtroom
- Multiple exterior doors and points of entry
- Minimal unarmed perimeter security by courtroom entrances
- Public counter is open without any barrier from the public
  - Shooting incident originated at Clerk's Office
- No child waiting area
- No Jury Assembly Room
- No ADA restrooms
- Recent water damage from broken pipes
- Asbestos

#### Single Courtroom in Bishop

- Located in Grammar School built in 1914
- Suffers from many of the same infirmities as the historic courthouse

Serious risks to public and court staff

All courts on ICNA list are suffering with the same type of problems

We're all in this together, and appreciate Committee's efforts

Restore funding, develop a new funding source, and/or develop an adequate  
Revenue stream to support these desperately needed projects

Inyo...Draft Comments for the CFAC Meeting August 11, 2016 S.F.

-Dean Stout, PJ

Justice Hill and Members of the Committee: Thank you for this opportunity to address you regarding the current needs of Inyo County as they relate to our bond funded courthouse.

My name is Dean Stout, and I'm the Presiding Judge of the Superior Court of California, County of Inyo

Joining me today is the Honorable Brian Lamb, Assistant Presiding Judge; and, Ms. Pamela Foster, our Court Executive Officer.

We are extremely grateful to be on your list of courts approved for funding from the Immediate and Critical Needs Account. As such, I'm preaching to the choir, but I ask your indulgence for a brief overview of our current situation, and how our court facilities present serious risks to the public and court staff.

The historic courthouse was built in 1921

It is a three story building with the historic courtroom on the top floor

There is no elevator

Despite our efforts to inform court users of our willingness to hear their cases, and provide other services in the basement, all too frequently people who shouldn't be doing so, climb the three long flights of slippery marble stairs to the courtroom and executive offices. To my surprise, an amputee recently appeared before me on crutches in the historic courtroom on the top floor. This courtroom is also where our Jury Trials are held. We do not have a Jury Assembly room and therefore Jurors, including seniors, also walk up the three flights of stairs to report for their civic duty. They often have to go up and down multiple times per day during jury selection and trials.

Prisoners walk up and down the three flights of public stairs in shackles. The historic courthouse is co-occupied with County offices, including offices for the County Clerk/Elections/Recorder, Tax Collector, District Attorney, and a Public Library. The public utilizes the same common area as where prisoners are brought to court.

There is no prisoner holding area, and prisoners are seated in the gallery of the courtroom in close proximity to the public

In one courtroom the judge and court staff walk right next to the inmates to get to the bench and work stations

There are no secure circulation patterns in building

There are multiple exterior doors and points of entry, and the minimal unarmed perimeter security, might at best, provide the bailiff with a few second warning of a serious problem.

Our Clerk's offices are also not secured. The clerks counter is open without any barrier from the public. Due to the multiple points of entry, the security screening is basically limited the area just before one enters the courtroom. There is no screening prior to entering the main Clerk's office. We had an incident where a mentally ill defendant came to the Clerk's office armed with an Uzi submachine gun. The Deputy Clerk was able to direct the individual to the Sheriff's Office, but unfortunately the incident still resulted in a shootout with 2 deputies and the Defendant being shot, and the Sheriff himself injured.

There is not a child waiting area.

There have been recent instances of water damage from broken pipes

I understand there is the presence of asbestos in the building

The very small courtroom in the basement is basically all glass.

Seismic concerns are a reality in the Eastern Sierra.

Conditions in our one courtroom facility in Bishop, located in a grammar school built in 1914, are frankly not much better.

These conditions put everyone at risk....not only court staff, but jurors, witnesses, and other court users.....including, but certainly not limited to, the small business owner appearing on his or her small claims case, victims in criminal cases, young children appearing in highly conflicted child custody proceedings, and children appearing in dependency (or abuse and neglect) cases.

I know that Inyo is not alone. All of the Courts on the list of Immediate and Critical Needs ...the other courts appearing today, are in the same sinking boat We're all trying our best to avoid serious injury to those we serve...we're all doing the best we can to insure safe access to justice. But frankly, we're not providing appropriate physical access and it's not safe.

We're all in this together, and we sincerely appreciate the efforts of this Committee to work with the Legislature and Governor to restore funding to our Immediate and Critical Needs Account, develop a new funding source, and/or develop an adequate revenue stream to support these desperately needed projects.

Thank you.

Rev. August 9, 2016 9:35 a.m.





*Superior Court*  
State of California  
County of Lake  
255 N. Forbes Street  
Lakeport, California 95453  
707-263-2374

ANDREW S. BLUM

\_\_\_\_\_  
PRESIDING JUDGE

## **New Lakeport Courthouse**

**Scope:** 4 courtroom, 45,000 square feet main courthouse

**Phase/Status:** Working Drawings. Site was purchased in 2011. Nearly \$5 million has been spent to date.

### **Overcrowded**

- Approximately 15,000 square feet (3,750 per courtroom), which includes 4 courtrooms, all support staff, jury commissioner, and court clerk's office.
- Staff are literally working in hallways and converted closets.
- No jury assembly room. In a gang related murder trial being conducted now, individuals have repeatedly contacted and attempted to influence jurors who are forced to wait in the same public hallways as the defendant's family and friends, nearly causing a mistrial.
- Self-Help Center is located 30 minutes away from the main courthouse causing litigants to have to drive between locations to receive assistance and file paperwork.

### **Security**

- No victim/witness waiting rooms. Victims are forced to sit in the crowded hallway with the accused abuser or their families. Witnesses are forced to sit in the crowded public hallways allowing for potential witness intimidation.
- No separate circulation paths. After a defendant was sentenced to over 300 years in prison for the shooting death of a 4 year old boy, he was lead out of the courtroom into the public hallway where his family and the child's family were waiting.
- No set back from road, no secure parking. Anyone could drive under the building with an explosive device and do significant damage, likely causing many injuries and potentially the loss of life.
- Ineffective perimeter security screening as a result of a shared use facility with multiple entry points.

### **Seismic**

- Several studies have identified structural integrity issues within the existing facility.
- Floors slope causing staff injuries. In one office the floor drops 1" in a 6' span.

### **Accessibility**

- Witness stands, juror seating and public seating areas are not ADA accessible.
- There are no ADA accessible bathrooms on the court floor.
- No ADA accessible parking at the main entrance. Individuals are forced to use a buzzer at a side entrance and wait for security.

### **Small/Busy Court**

- Based on FY13/14 statistics, we average 33 jury trials per year, more per judge than many larger counties. Lake ranks 16<sup>th</sup> statewide in felony filings per judge. The new courthouse will not sit idle.

### **Community Support for the Project:**

- County of Lake, City of Lakeport, Senator McGuire, Assemblymember Dodd, Lake County Chamber of Commerce and all justice partners have continually supported the project.



**President**

*Ted Mandrones  
Mendo Mill Home Center  
& Lumber Co.*

**Vice President**

*Jack Buell  
Sutter Lakeside Hospital*

**Past President**

*Bill Brunetti  
Bruno's Property Mgmt.*

**Financial Officer**

*Stephanie Ashworth  
Wells Fargo Bank*

**Board of Directors**

*Robert Boccabella  
Business Design Services*

*Lance Butcher  
Lakeport Disposal Company, Inc.*

*Joe Casteel  
North Bay Merchant Services*

*Dave Faries  
Lake County Record Bee*

*Rick Hamilton  
RAHamilton Co.  
Coldwell Banker Commercial*

*Bert Hutt  
Individual Member*

*Bob Lipari  
The Villa Barone*

*Beau Moore  
Black Rock Golf Course*

*Gary Riesen  
G&G Printing Services*

*Diana Schmidt  
Individual Member*

*Kurtis Woodard  
Jerico Garage Door & Solar City*

**Chief Executive Officer**  
*Melissa Fulton*

August 8, 2016

Council's Court Facility Advisory Committee  
San Francisco, CA

Dear Council Members,

I am a member of the Lake County Committee on the Lakeport Court House project which began in 2008. Our Committee members have been diligent in working with the Office of the Courts since 2008 to bring this Court House to fruition. I know you are all aware of the conditions under which the Courts in Lakeport are operating.

Although much time and effort have been expended in these past 8 years by local community partners we are in a holding pattern still. As to the ADA concerns with the current site location there may be a solution to consider:

It is my understanding that the County of Lake owns vacant properties on Bevin's Court in Lakeport, just two blocks from Lakeport Blvd. and the intersection of Lakeport Blvd and Hwy 29. This location will certainly be convenient to all those who are involved in court proceedings in Lakeport. The location was one of 36 potential site locations in 2009 courtesy of the City of Lakeport with comprehensive data for each site noting addresses, owner's information, etc. If that report is not in your records we can supply it to you.

Lakeport needs this Court House and your due diligence to see this project funded will be much appreciated by all of us in Lake County who recognize the overwhelming need. The Governor is very proud of a current surplus in the State budget. It seems that surplus could be utilized for the business of the local communities and the State by building Court Houses for the business of government.

Thank you,

Melissa Fulton, CEO

cc: Senator Mike McGuire  
Assembly Member Bill Dodd  
Judge Andrew Blum, Superior Court, County of Lake  
Krista LeVier, Court Executive Officer  
Carol Huchingson, County of Lake CAO  
Board of Supervisors, County of Lake  
Margaret Silvieira, Lakeport City Manager  
City Council, City of Lakeport  
City Council, City of Clearlake  
Board of Directors, Lake County Chamber of Commerce

# CITY OF LAKEPORT

*Over 100 years of community  
pride, progress and service.*



August 9, 2016

Court Facilities Advisory Committee  
Hon. Brad R. Hill, Chair  
Administrative Presiding Justice of the Court of Appeal, Fifth Appellate District

Dear Justice Hill and Committee Members:

The Lakeport Courthouse was ranked in the Immediate Need Project Priority Group of the Trial Court Capital Outlay Plan, and is one of the highest priority capital-outlay projects for the judicial branch. The current location is on one floor of building the same building that houses Lake County administration, community development, public works and many other county offices. This building is overcrowded and the floor which houses the courts is exceptionally overcrowded. We hear many complaints from our citizens who are at the court to either there as victims sitting in the hallway having to wait next to a defendant's family, or talking to a mediator/attorney with no privacy, which I have experienced personally.

The Lakeport Courthouse project is important not only for the court and court users, but to the entire County. For the court and court users, the project will provide a safe, accessible and efficient place to conduct court business.

The project will provide much needed employment opportunities for our citizens and boost the local economy. This is particularly important in Lake County which has seen significant devastation due to the recent wildfires that destroyed over 1300 homes and businesses in our community. Additionally, Lake County has a high unemployment rate. Over the last five years the Unemployment Rate in Lake County has averaged 10.9%, compared with the State of California Unemployment Rate of 8.9%.

The City is fully supportive of this project, and has offered to contribute property on Bevins Court for the project.

Significant time, effort and money have been expended on this project thus far. Please authorize the necessary funds to bring this project to completion. Thank you for your time.

Sincerely,

A handwritten signature in blue ink that reads 'Margaret Silveira'.

Margaret Silveira, City Manager  
City of Lakeport

8/9/2016

Council's Court Facility Advisory Committee  
San Francisco, Ca.

Dear Sirs,

As a member of the local committee charged with the development of a new Court House facility in Lakeport, I strongly urge the Advisory Committee to approve and move forward our project. I can't imagine another community needing this project more for a number of reasons. First our current facility is woefully inadequate needing improved capacity, efficiency, and security. Second, hundreds of man hours have been spent by the State and our Local officials on the development of this greatly needed project, not to mention the large amount of public dollars spent on land acquisition and design. Our Community Leaders have been diligent in the pursuit of this project. We have done our job in good faith and we have earned and deserve an approval of this project.

Thank you for your consideration,

A handwritten signature in cursive script, appearing to read "Bill Brunetti". The signature is fluid and includes a large, sweeping flourish at the end.

Bill Brunetti  
Committee member  
Lake County Court House Project.

CALIFORNIA LEGISLATURE

STATE CAPITOL  
SACRAMENTO, CALIFORNIA  
95814

JUDICIAL BRANCH  
CAPITAL PROGRAM  
SAN FRANCISCO

2016 AUG 10 P 3:27

August 5, 2016

Hon. Brad R. Hill, Chair  
Court Facilities Advisory Committee  
c/o Capital Programs Office  
455 Golden Gate Avenue  
San Francisco, California 94102-3688

RE: Lakeport Courthouse project funding prioritization

Dear Justice Hill and Committee Members:

We are writing in support of continued prioritization of funds in the statewide Immediate and Critical Needs Account (ICNA) for construction of a new Lake County Courthouse.

As you know, the new Lakeport Courthouse project will be presented to your committee on August 11 of this year for reconsideration of prioritization of funding for construction of new facilities. This project is important not only for the court and court users, but to all of Lake County and many others in our districts. This project is sorely needed and will provide a safe, accessible, and efficient place to conduct court business – something that has been challenging, if not impossible, at the current location.

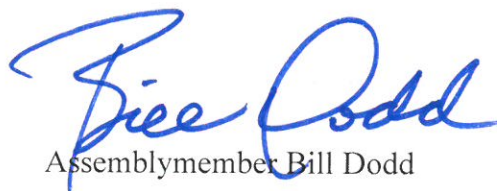
The new Lakeport Courthouse was ranked in the Immediate Need Project Priority Group of the Trial Court Capital Outlay Plan, and is one of the highest priority capital-outlay projects for the judicial branch. We understand the financial pressures on the ICNA are daunting. However, our constituents in Lake County continue to struggle with basic access to their judiciary. The current court occupies the 4th floor of the existing Lakeport Courthouse, which is severely overcrowded, poorly serves the growing needs of the superior court, and lacks basic security features, causing unnecessary risk to the staff and public who use this building. This facility has severe accessibility deficiencies, is very overcrowded, and has many structural issues that prevent the court from providing safe and efficient court services to the public.

We strongly support continuing to prioritize the necessary funds to bring this project to completion, and appreciate all the time and attention your commission has given to making this new courthouse a reality. Thank you.

Warm Regards,



Senator Mike McGuire



Assemblymember Bill Dodd



*Superior Court*  
State of California  
County of Lake  
255 N. Forbes Street  
Lakeport, California 95453  
707-263-2374

ANDREW S. BLUM

\_\_\_\_\_  
PRESIDING JUDGE  
\_\_\_\_\_

August 10, 2016

Hon. Brad Hill, Chair  
Court Facilities Advisory Committee  
Administrative Presiding Justice of the Court of Appeal  
Fifth Appellate District

Hon. Jeffrey W. Johnson, Chair  
Courthouse Cost Reduction Subcommittee  
Associate Justice of the Court of Appeal  
Second Appellate District, Division One

Hon. Patricia M. Lucas, Vice-Chair,  
Court Facilities Advisory Committee  
Assistant Presiding Judge  
Superior Court of California, County of Santa Clara

**Subject: New Lakeport Courthouse**

Dear Justice Hill & Committee Members:

As you are well aware, the New Lakeport Courthouse project was ranked as an Immediate Need in the Judicial Branch Trial Court Capital Outlay Plan and identified as one of the Judicial Branch's highest priority capital outlay projects. That was nearly eight years ago. Since that time, a site has been purchased and millions of dollars have been spent; however, the project has yet to break ground.

The dire need for a new Lakeport Courthouse is well documented and has only been exacerbated over the last eight years. The court still operates in a facility that is severely overcrowded, lacks adequate security, is seismically unsafe, and has failing systems. There is no jury assembly room forcing jurors to wait in the narrow public hallways, with parties, attorneys, victims, and sometimes the accused perpetrator. Staff areas are so crowded that closets and hallways have been converted into workstations.

The facility is a shared use facility with multiple exterior doors, which makes perimeter security screening ineffective. In-custody defendants are moved through public hallways because of the lack of separate circulation paths. Judges, court staff, the public and in-custody defendants all use the same public hallways to move about the courthouse.

Since we know many of you are very familiar with the poor conditions in the current Lakeport courthouse, we will not repeat every detail. Rather for those who may need a reminder or are new to the committee, we have attached a prior submission to this committee which details those deficiencies and includes photos.

The court understands the funding challenges and has been flexible and open to change when time and time again we have been presented with reductions and delays to our project. The authorized hard construction costs have been reduced by 32.6%. The square footage has been reduced by nearly 10%. The project does not include terrazzo flooring, marble counters or other high end finishes. In fact, in the current design the materials have been reduced to concrete floors, stucco façade, drywall and any wood in the project has been almost entirely eliminated. We are not asking for an extravagant courthouse, we are simply asking for a safe-secure place for our staff to work and our court users to access justice.

It is absolutely imperative that the Judicial Branch immediately find a stable source of funding for this project, and all SB1407 projects. Further delays will increase costs and jeopardize the functional, safe, long lasting building that the Judicial Branch, the Court and the citizens of Lake County deserve.

If you have any questions, please contact us at (707) 263-2575 or by email at [Krista.LeVier@lake.courts.ca.gov](mailto:Krista.LeVier@lake.courts.ca.gov).

Sincerely,



ANDREW S. BLUM  
Presiding Judge



KRISTA LEVIER  
Executive Officer



*Superior Court*  
State of California  
County of Lake  
255 N. Forbes Street  
Lakeport, California 95453  
707-263-2374

DAVID HERRICK  
PRESIDING JUDGE

TO: Justice Brad Hill, Presiding Judge  
Court of Appeal, Fifth District

FROM: David Herrick, Presiding Judge  
Lake Superior Court

DATE: August 27, 2012

SUBJECT: Lake Superior Court SB1407 Project Information on Selection Criteria

We appreciate the opportunity to advocate and provide input for our courthouse project, and understand the extremely difficult decisions you have before you, the statewide need for new courthouses is great and resources are few.

The Lakeport courthouse has consistently been ranked as one of the most deficient facilities in the state, some of the most severe problems with the current facility include the following:

#### Security Issues

- Ineffective perimeter security screening as a result of a shared use facility with multiple access/entry points.
- No separate circulation paths for judges, staff, the public or in-custody defendants.
- In-custody defendants are moved through public hallways with jurors, the public and staff.

#### Overcrowding

- No jury assembly room so jurors have to stand in the hallway, sometimes for hours.
- No victim's waiting room so that victims wait in public hallways with accused perpetrators.
- Staff workstations in hallways and converted closets.
- Limited on-site record storage which decreases staff efficiency due to multiple trips to off-site storage.
- Cost of off-site storage



## Physical Condition

- Concerns about structural integrity of current facility. In some areas the floor drops nearly one inch in a 6 foot span. Pencils roll off desks, staff need to brace their chairs to keep from rolling away from desks.
- Aging HVAC system is inadequate and required an average of two service work orders per week over the past year.
- No fire sprinklers.

### 1. Security

Although the draft criteria does not rank each category by priority we would suggest security should be weighted heavily. Without a safe court facility, many of the other issues are irrelevant.

On August 6 and 7, 2012 the AOC's Office of Emergency Response and Security conducted a Security Survey for the Lakeport Courthouse and submitted a written report to the court. The report details the security issues listed below, among others, and concludes that these issues create "unacceptable risks to court users." The report is attached hereto.

While entrance screening is provided at the main entrance of the Lakeport facility, it is of limited effectiveness. The court occupies the fourth floor of a four-story shared use facility, with the county occupying the remaining three floors. The county is reluctant to implement or enforce strict screening procedures. There are six key-carded entrances, which court and county employees may enter without being screened. Individuals who want to avoid security screening through the front entrance, simply follow an employee in or slip in after an employee exits through one of the employee entrances. The county has been resistant to proposed changes to improve this situation, such as requiring all employees to enter through the main entrance.

There are no separate circulation paths for judicial officers, court staff or in-custody defendants. Judges are required to walk through the public hallways with the parties whose cases they just decided. In-custody defendants are led through public hallways to the courtroom, posing a security risk to the public as well as creating an escape risk. Recently, a juvenile in-custody defendant began to cause a disturbance while in the courtroom. In order for the deputies to remove the individual from the courtroom, they had to take him through the public hallway. In the process of doing so, the individual was able to pull the fire alarm on the wall in the public hallway; thus causing the entire four story building to evacuate.



*The in-custody defendant in this case had been convicted of the murder of a 4 year old child, as well as several attempted murder charges. He is being led through the public hallway seconds after having being sentenced to 311 years in state prison. The group of individuals in the hallway are the parents of the child who was murdered, additional victims, as well as the defendants family and friends.*



*Felony in-custody defendants being led into the courtroom. The door at the end of the hallway where the defendants are led through also leads into a stairway to an exterior door. Should one of the defendants escape, he or she would have a direct, unobstructed route outside the building.*



*Felony in-custody defendants being removed from the courtroom. On this day in particular, defendants could be observed giving hand signals to individuals sitting in the audience section of the courtroom.*

There is no secure judicial parking. Judges park in reserved spots in the county lot and walk through public parking lots, stairways, and hallways to get to and from their chambers.

There is no adequate separation for juvenile in-custody defendants. Juvenile in-custody defendants are held in a jury deliberation room that has the windows covered with sheets of plywood for privacy. When in-custody juveniles are brought into the courtroom, they must also be moved through the public hallway. There is a temporary sliding separation screen that shields the juveniles as they move through the public hallway. However, when the screen is in use it blocks the entrance to one courtroom and an emergency exit.



*Plywood covering on windows in jury room where juveniles are held.*



*Movable partition that provides privacy for juveniles coming to and from court but blocks access to an emergency exit, and access to two courtrooms.*

## **2. Overcrowding**

The Lakeport court facility is roughly 15,000 square feet of space, our storage facility is 2,362 square feet and our Self Help Center is 1,815 square feet for a total of 19,177 square feet. The Project Feasibility Report conducted by the Administrative Office of the Courts estimates that adequate space for four courtrooms and all related supporting functions is approximately 50,000 square feet. To say our facility is overcrowded is an understatement. As a result of severe overcrowding, jurors are forced to wait, often with no place to sit, in public hallways, staff workstations are placed in hallways and converted closets.

On sight file storage is extremely limited which requires the court lease space to house court records. Aside from the obvious cost of the lease, the more severe consequence is the significant amount of staff time spent transporting files to and from the storage facility that could be spent on case processing activities.

Unfortunately, the public is also impacted as a result of having to store records off-site. Often, as a result of staffing shortages, we are unable to provide members of the public copies of case documents in a timely

manner, sometimes taking one to two weeks to retrieve documents from storage. This can cause delays in parties getting re-married, passing a background check for a new job, or delays in providing information to district attorneys on prior convictions resulting in incorrect charging in a criminal case.

As a result of limited space, and poor planning and design, court clerical spaces are separated from the vast majority of court files. Instead of taking a staff member 20 seconds to pull a file off of the shelf, it takes two or three minutes to run down the hall and pull the file. Since this occurs many, many times per day, this is a significant waste of time.

The restroom facilities on the fourth floor are grossly inadequate with only one three stall restroom for women, two urinals and one stall for men. On days when there are a large number of people on the floor, judges have to take longer breaks to allow for all prospective jurors or other parties to use the restroom facilities.

There are no sound barriers between the public hallways and the courtroom. Noise carries easily from the public hallways into the courtrooms, which can be intimidating to a witness and distracting to the parties, judge and staff.



*The Lakeport court facility has no jury assembly room. Jurors are forced to wait in crowded hallways. Jurors, victims, witnesses, attorneys, are all forced to wait in the same public hallway.*



*Space is so limited that staff are quite literally required to work in hallways.*

### **3. Physical Condition**

We believe this criterion sets our courthouse apart from most if not all others. The concerns about the structural deficiencies in our building was documented in the Facilities Master Plan (2003) completed by Jay Farbstein & Associates, with the following comments:



“Building Structure: The structure is a four-story-story steel-frame building with some bracing (adequacy unknown). Floors and roof are steel deck with “celotex” insulation at the roof. There is evidence of what may be serious structural problems.”

“There is considerable differential settlement in the main courthouse, possibly due to the floor being overloaded by the law library (since relocated out of the building). The fourth floor is estimated to slope by as much as three to four inches from the exterior wall to the center and pencils are observed to roll off desks.....”

In one office the floor drops nearly one inch in six feet, see photo below. Local lore has it that one of the courtrooms that was added after the original building was complete, was actually designed on the back of a napkin. While this is probably not true, after touring the facility one might wonder. Another portion of the building which was also added after the building was originally built was so structurally unsound that it had to be vacated for a time while the county added additional support to hold up the building, including a concrete pillar in the middle of the judge’s chambers, see photo below.

Lake County is a hotbed of seismic activity due to its proximity to the Geysers. This assertion is demonstrated in the attached list of earthquakes in our region for period of August 17, 2012 through August 24, 2012. Our volcano, Mt. Konocti, is also classified as active. This geological activity lends a certain urgency to our structural concerns about this building.

Aside from the underlying structural deficiencies, we have numerous Workers Compensation issues from employees tripping over cords and obstacles to carpal tunnel claims resulting from inadequate work space.



*A six foot level showing nearly an inch slope in the floor of one office.*



*Pillar in judge's chamber.*

The HVAC system is inadequate and requires constant maintenance work. This week alone, the technician was at the court two days out of three because the temperature in the building was over 85 degrees. In the winter months staff use space heaters at their desks because the HVAC systems do not work properly. The extra appliances often trip overloaded breakers causing power outages and fire risks. Over the past year there have been 114 service requests placed for HVAC related work. With approximately 260 week days per year, that averages to more than two service requests each and every week, for a 15,000 square foot facility this is excessive.

In early fall after the first cold snap, bats routinely find their way into offices, public hallways and courtrooms. This has obvious potential health risks as well as creating trip and fall hazards for those trying to avoid contact with the bats or the folks trying to catch the bats.

There are no fire sprinklers in the current building. This poses risks to both the health and safety of staff and court visitors, as well as potential damage to original court files and evidence.

Between the current building and the old jail which is used as court holding, there is a very large diesel tank and a residential size propane tank. Both fuel tanks are in an area easily accessible to the public. There are no fences or gates prohibiting access to this area. This is a serious risk to staff and court visitors.



*Photos of the two fuel tanks located between the courthouse on the left and the old jail on the right.*

#### **4. Access to Court Services**

In addition to the deficiencies listed above in security, overcrowding and the physical condition of the building, the current facility provides an unsafe environment for judges, staff, victims, witnesses, jurors and all members of the public who visit the court.

One of the most underserved populations is jurors. We require these folks to take time off work to come to court. When they arrive, instead of being asked to sit comfortably in a room where they could quietly read, maybe watch television or even work remotely while they wait to be called into the courtroom, they walk into a hallway that is so packed with people there is hardly room to navigate through the crowd to check in. Jurors are then required to stand in the hallway, sometimes for hours, waiting to be called into the courtroom.

The current facility has many deficiencies relating to ADA access. There is not an ADA accessible bathroom on the court floor. Individuals must go down the elevator to a separate floor to use an accessible bathroom. The public seating in courtrooms, several witness and jury boxes, judicial officer benches and many staff areas are not ADA compliant. Because of the limited amount of space, facility modifications to the current facility to make all of these areas ADA compliant are not feasible.



*Sign outside the restrooms on the court floor. Individuals have to go down the elevator two floors to county space to use the accessible bathrooms.*



*Witness box which is not ADA accessible.*

Our Self Help Center is two blocks from the courthouse in a leased facility so litigants often have to scurry back and forth between the courthouse and the off-site facility. Services to self-represented litigants will be greatly improved in the new courthouse where the Self Help Center and court will be under the same roof.

### **5. Economic Opportunity**

The site for the Lakeport courthouse project has already been acquired. There will be significant operational efficiencies and cost savings as a result of consolidating three facilities into the new building. There will be hard cost savings, which may be partially offset by increased operational costs for the much larger new building. However, in the current budget climate where we have lost approximately 30% of our staff over the last four years, of far greater importance are the operational efficiencies which are expected. It will no longer be necessary to transport files back and forth to the off-site records storage facility, working files will be adjacent to clerical areas so staff no longer have to walk down the hall to retrieve a files, and there are many other efficiencies the new building provide. The amount of time spent transporting and retrieving files from the storage facility as well as keeping everything in order, is easily one full-time position. In a court of 30.6 FTE's, this is a material impact.

We will be able to terminate leases for the off-site storage facility as well as the Self-Help Center at an annual savings of approximately \$60,000 annually.

**6. Project Status**

The Lakeport project has preliminary plans approved by the Public Works Board and is ready to move into the working drawings phase. It is important to note that this project has the support of the local community, and is ready and able to move forward to completion quickly. Our project is a perfect opportunity for the Judicial Branch Facilities Program to demonstrate its ability to build beautifully functional courthouses on time, and on budget.

**7.1 Court Usage (Courtroom Locations and Judicial Officer Calendar Assignments)**

**Lakeport Courthouse – Four Courtrooms (Main Court)**

Department 1: Presiding Judge David W. Herrick  
 Department 2: Judge Richard C. Martin  
 Department 3: Judge Andrew S. Blum  
 Department 4: Assistant Presiding Judge Stephen O. Hedstrom  
 No unused courtrooms.

**Clearlake Courthouse - One Courtroom (Branch Court)**

Commissioner Vincent T. Lechowick  
 No unused courtrooms.

**7.2.2 Court Usage (Estimated Population Served)**

The Lakeport courthouse serves the entire county population of approximately 63,000, with the small exception of family support, small claims, unlawful detainer and infraction cases. All other matters, criminal, family law, juvenile, civil, and probate countywide are handled at this facility.

**7.3 to 7.6 Court Usage Data**

Please note that our JPE figure on the Draft Court Usage Data is incorrect and we have notified AOC staff who will make the correction prior to submitting the final data to your working group. Those figures should be closer to the following:

Judicial Resources		County Population		Draft Criteria		Dispositions		Jury Trials		Preliminary Assessed Judge Need		
Judicial		2012		Per		Per		Per				
Positions	JPE	Total	Per JPE	Total	JPE	Total	JPE	Total	JPE			
4.8	5.6	63266	11298	12822	2290	12912	2306	36	6.4	5.3	-0.5	-10%

(JPE was previously reported as 6.8)

One comment we would like to make on this data is that this is countywide data, not facility specific data. So in large counties, while their total “Usage” figures may be high, if the facility they are replacing is a juvenile

facility for instance, they may have fewer filings per judge when you isolate the data and only look at juvenile filings.

Also on the issue of population per judge, “Is a citizen in Orange County or Los Angeles County more entitled to a safe and accessible building than someone in Lake County simply because a dollar spent in a metropolitan area benefits more people than in rural areas?” We recognize that it is necessary to be prudent with limited public funds, but all citizens in California deserve equal access to justice, which starts with a safe and accessible court facility.

**8. Type of Courthouse**

The Lakeport Courthouse is the main courthouse located in the county seat of Lakeport. Additionally, we have a branch courthouse in Clearlake which has been rated as a critical need project that is also slated for a new courthouse. However, we do not anticipate this happening for many years, so the new courthouse in Lakeport is desperately needed for our community.

**9. Disposition of Existing Court Space**

The disposition of the Lakeport Courthouse is in a “yet to be determined” category although we know that the county wants the space once the new courthouse is complete.

The two rental agreements that are in place for records storage and our Self Help Center will be terminated.

**10. Consolidation of Facilities**

Once the courthouse is complete the three facilities in Lakeport (Lakeport Courthouse, Self Help Center, and records storage) will be consolidated into the one new building. As mentioned above, the consolidation of these facilities will provide operational efficiencies in having all of these services and staff in one location as well as savings of approximately \$60,000 annually that is spent leasing the Self Help Center and records storage facilities.

**11. Extent to Which Project Solves a Court’s Facilities Problems**

The new courthouse will solve all the problems listed above.

**12.1 Expected Operational Impact (One-time and Ongoing Cost Impacts)**

It is challenging in the best of circumstances to try and predict costs several years in advance, compounded by the fact that we are still not certain exactly what the project budget includes such as telephone systems or evidence presentation systems, etc. Based on what we know so far our costs estimates are as follows:

<p><u>Expected One-time Costs</u></p> <ul style="list-style-type: none"> <li>• Moving Cost - Furniture and files for all Lakeport locations \$40,000</li> <li>• Moving Cost IT \$15,000</li> <li>• Technology Purchases \$25,000 (ELMO/electronic signage, etc.)</li> <li>• Telephone System \$15,000</li> <li>• Postage Machine (will be offset by county administrative payments)</li> </ul>	<p><u>Expected Increases to On-going Costs (Annual)</u></p> <ul style="list-style-type: none"> <li>• Janitorial \$25,000</li> <li>• Queuing System Licenses \$5,000</li> <li>• Ongoing expense for new equipment \$5,000</li> </ul>
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On a positive note we do not anticipate ongoing costs to increase significantly. Current costs for perimeter security should remain stable because we will still have only one entrance. We expect operational efficiencies to provide many savings opportunities such as the reduction of the number of copy machines necessary when we are in the new building. The ongoing increases that we do anticipate will be covered by the savings from terminating current lease agreements.

### **12.2 Expected Operational Impact (Funding Source)**

As noted above we do expect that increases in ongoing costs will be covered by savings in lease payments which will no longer be necessary. Funding the one-time costs is obviously more challenging. As everyone is now aware, recent legislation prohibits courts from carrying forward more than 1% of their annual operating budget beginning July 1, 2014. For Lake 1% of our FY12/13 operating budget is approximately \$36,000. Clearly, that is not adequate to cover all the one time move-in expenses. Absent a new procedure to cover these one-time expenses as part of the project budget, or emergency funding, the expenses would have to be covered out of the court's annual budget allocation.

### **12.3 Expected Operational Impact (Cost Savings)**

The court intends to eliminate two facility leases when the new Lakeport facility is complete. This annual cost savings is estimated to be approximately \$60,000. For a court our size, that is a substantial savings. While we do not anticipate any reduction in staffing as a result of the facility, as mentioned above we do expect significant operational efficiencies. These efficiencies will help us cope with the staffing reductions we have experienced in the past few years.

### **13. Qualitative Statement of Need**

The court facility in Lakeport is the main courthouse in Lake County serving the entire population. The facility has severe security problems, is extremely overcrowded and has many physical deficiencies.

### **14. Courtroom and Courthouse Closures**

The court has not closed any courtrooms or court facilities other than 16 closure/limited service days in FY12/13 which are unpaid furlough days for staff. All courtrooms and court facilities are open and scheduled to hear cases every day, with the exception of the 16 closure days. In an effort to streamline criminal case processing, all criminal cases are now heard in the Lakeport court facility. This move has added to the security and overcrowding issues discussed at length above.

### **15. "Outside the Box Thinking"**

While the court is open to new creative solutions to all of the deficiencies in our current building, renovation is simply not an option with our current facility. The court occupies the fourth floor of a four story building. The first three floors are occupied by the county, and they have no desire to vacate the building, so expansion is not an option in this building. More importantly there are serious and well documented concerns about the structural integrity of this building.

Finally, land for this project has already been purchased. The project team, lead by our architects, has recently taken significant steps to accomplish the 3% budget reduction by reducing the overall square footage. These changes included limiting the number of jury capable courtrooms, using jury assembly space as an extra hearing room and staff training room.



# Los Angeles Superior Court

Projects at risk

COURT FACILITIES ADVISORY COMMITTEE

AUGUST 11, 2016

# Three immediate and critical needs

1. Mental Health Court/Hollywood Courthouse renovation
2. Eastlake Juvenile Courthouse replacement
3. Glendale Courthouse renovation



# Los Angeles Hollywood Mental Health Courthouse Project

**MOST CRITICAL NEED**

# Current LA Mental Health Court: The right solution to a host of problems

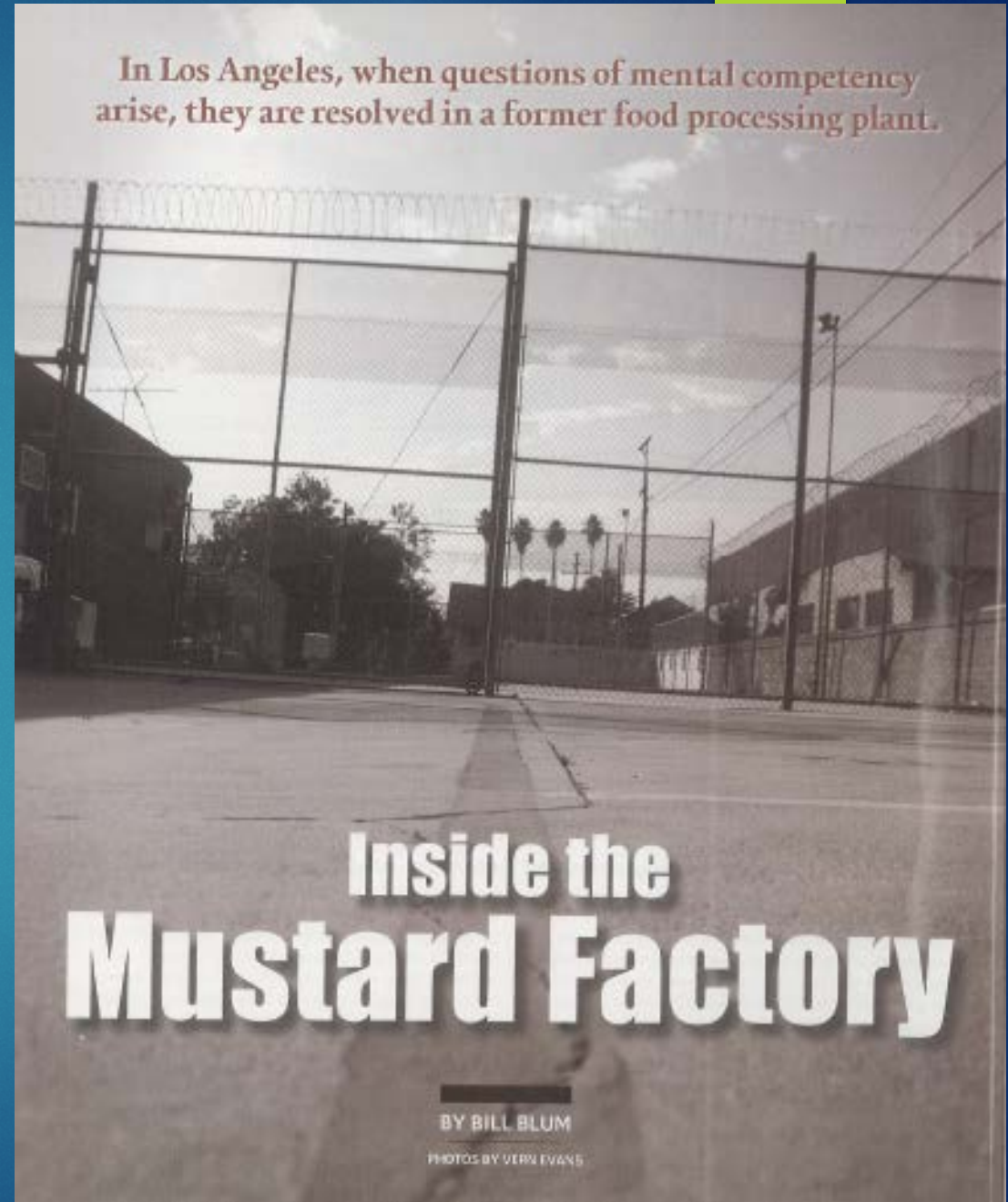
- ▶ Only courthouse in the nation devoted to the needs of those who are critically mentally ill
- ▶ Teamwork approach involving judges, medical professionals, lawyers, County staff and Sheriff's deputies with expertise in mental illness
- ▶ Substantial efficiencies by assembling case types that require this expertise
- ▶ Reduces prisoner transport costs
- ▶ Reduces prison crowding
- ▶ Expedites proper treatment

# The work of Department 95

- ▶ Competency proceedings for many criminal cases
  - ▶ Psychiatrists on site daily allowing same-day determination of competency
  - ▶ Current courthouse precludes expansion to other criminal case types
- ▶ Mentally Disordered Offender commitment petitions
- ▶ LPS Conservatorship proceedings
- ▶ Sexually Violent Predator pretrial proceedings
  - ▶ Current courthouse precludes expansion to include trial
- ▶ Writs on involuntary psychiatric hospital holds (WIC 5150)
- ▶ “Murphy conservatorships”
- ▶ Etc. (eg., WIC 5250, 5270.15, 6500; ECT hearings)

The existing building  
is woefully inadequate

And the inadequacy  
threatens the Mental  
Health Court concept



# Building History

- ▶ **1930s** – Building constructed as pickle factory
- ▶ **1950s** – Building expanded
- ▶ **1960s** – Abandoned
- ▶ **1969** – Occupied by Court
- ▶ **1984** – Renovation (Reception area and public restrooms added)
- ▶ **2000s** – (est.) Renovation (Jury deliberation room for Dept. 95A converted into new Dept. 95B)

## Outstanding Structural Problems

- ▶ Constant leaks/water damage from PDs office down to DAs office;
- ▶ Persistent HVAC issues;
- ▶ Most emergency maintenance triggers Procedure 5 abatement requirements (Asbestos)



Water damage in DA's office from PD's restroom toilet,  
July 20, 2016



# Security Deficiencies

- ▶ Inadequate number of lockup cells (matters regularly continued due to lack of holding cells)
- ▶ No secure holding area for state hospital patients (must sit in public lobby in chains)
- ▶ No separate waiting area for physicians and other medical staff
- ▶ Cells violate standard cell design requirements (suicide prevention)



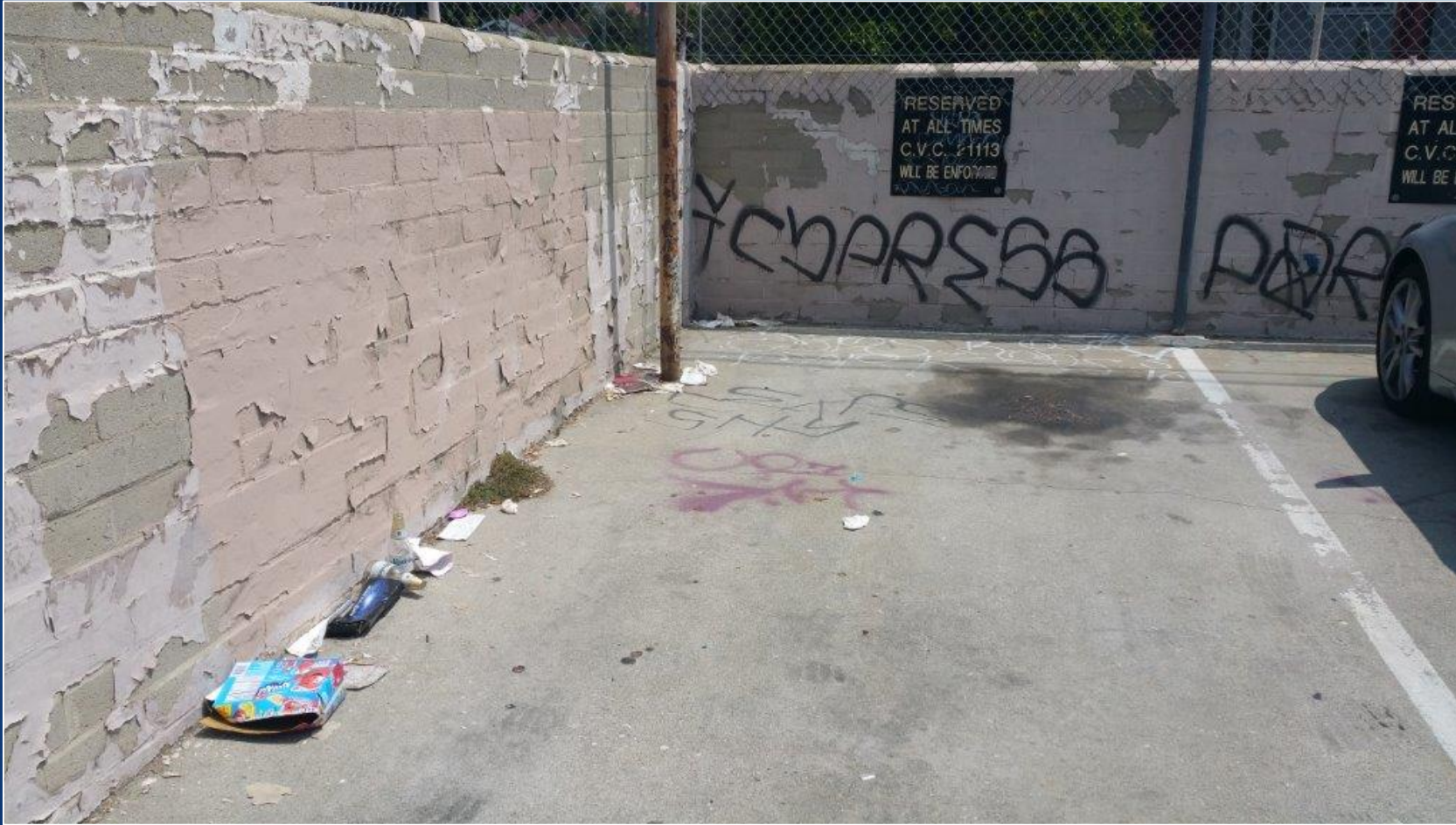
State Hospital patient sits in crowded public lobby with armed guard

# Security Deficiencies

Lock-up:  
Cages for  
segregated  
inmates



# Security Deficiencies

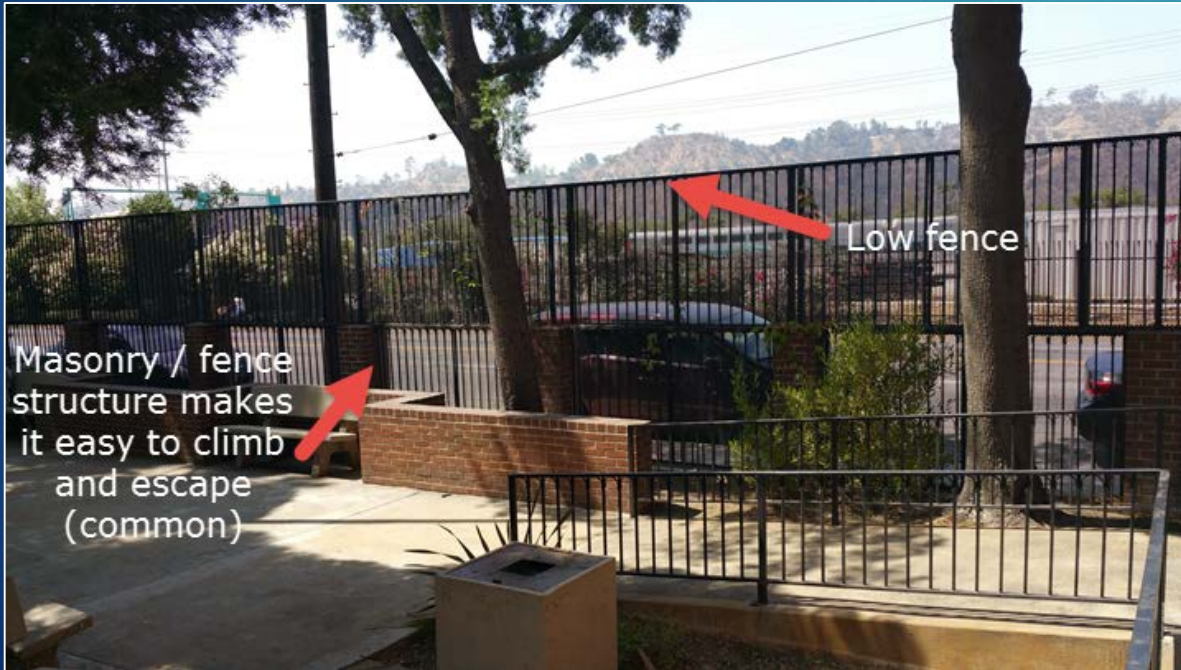


Judicial Officer parking area

- ▶ No secure parking for judicial officers; parking area covered in graffiti and replete with trash

# Security Deficiencies

- ▶ Exterior of courthouse routinely vandalized
- ▶ Outside waiting area unsecure; patients regularly climb over fence and escape into surrounding (residential) area



Outside waiting area, facing San Fernando Rd.



Graffiti common on building exterior wall (painted over) and windows (chemically removed - destroys window)

Exterior wall with residual graffiti and damaged windows

# Courtroom Deficiencies

- ▶ Courtrooms extremely small, poorly configured, and not ADA compliant
- ▶ No secure hallway from chambers to courtroom for judicial officer in Dept. 95B
- ▶ Judicial officer in Dept. 95B must use restroom in County Counsel offices, as must all jurors  
*[Note: County Counsel is a party to all conservatorship cases]*



Bird's-eye view of Dept. 95B, crowded and no jury box

# General Space, Functional, and Physical Deficiencies

- ▶ Patient interview area inadequate



Psychiatrist interviewing patient in lockup area

# General Space, Functional, and Physical Deficiencies



- ▶ Extremely limited public parking (relative to increasing caseload), street parking is limited to 2 hours.
- ▶ Cars from neighboring houses often occupy several spots

# General Space, Functional, and Physical Deficiencies

- ▶ Only 3 dedicated van/ambulance spots available (approx. 60-70% of patients arrive via van/ambulance) - delays common
- ▶ No space for taxi drop-offs



Staff double-parked to economize space



3 reserved spaces for van/ambulances



# General Space, Functional, and Physical Deficiencies

- ▶ Main entrance/lobby not designed to accommodate gurneys or wheelchairs
- ▶ Only one room available for videoconferencing to State Hospitals
- ▶ No staff break room
- ▶ No jury assembly room; jurors wait in public lobby with patients or on the sidewalk outside
- ▶ Clerk's office not ADA-complaint; furniture extremely old, cannot obtain replacement parts

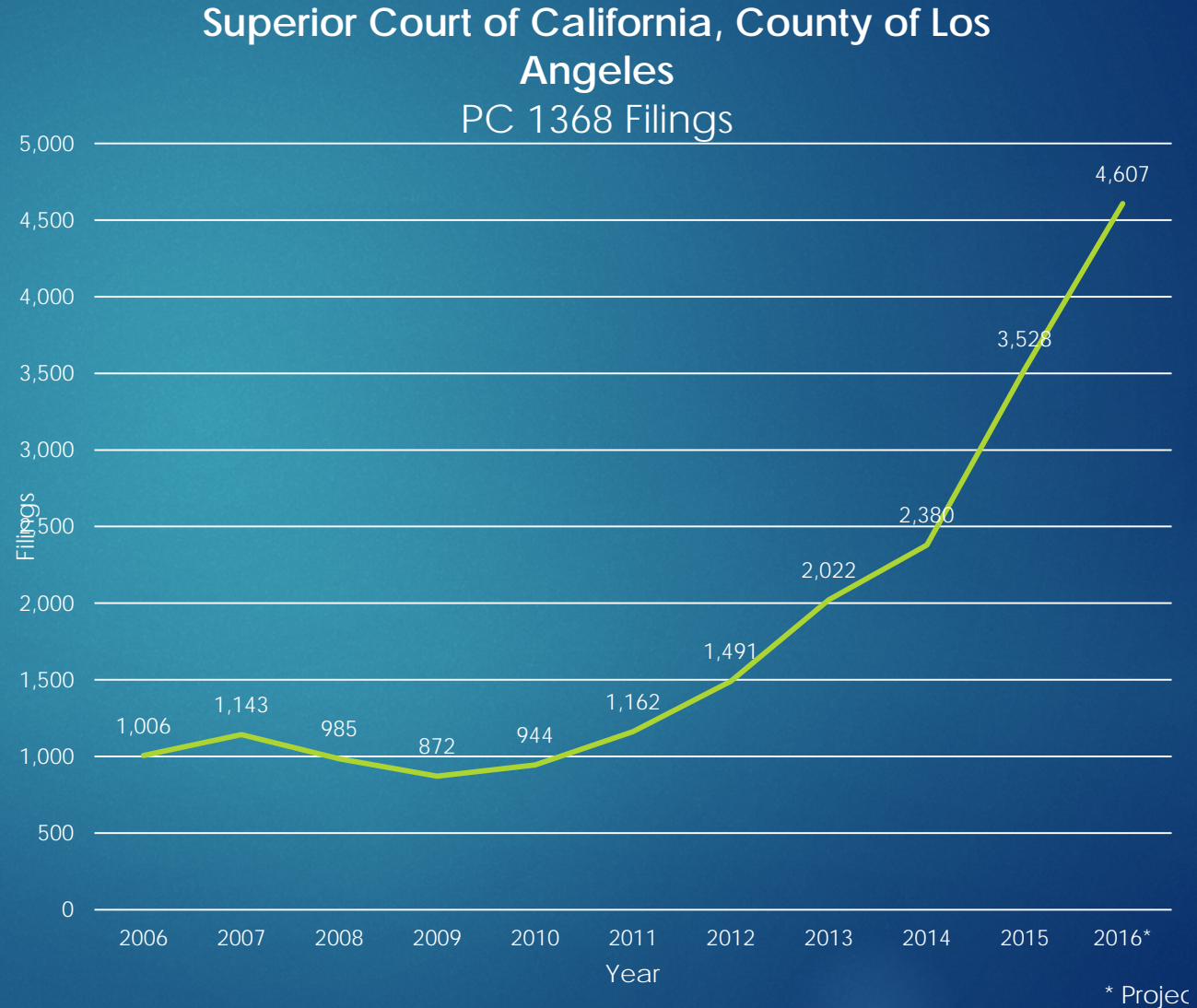


Sink hole in flooring tile outside public restroom

# Mental Health Caseloads

The need is increasing

Exponential growth will force contracting services at Mental Health Court when they should be expanded

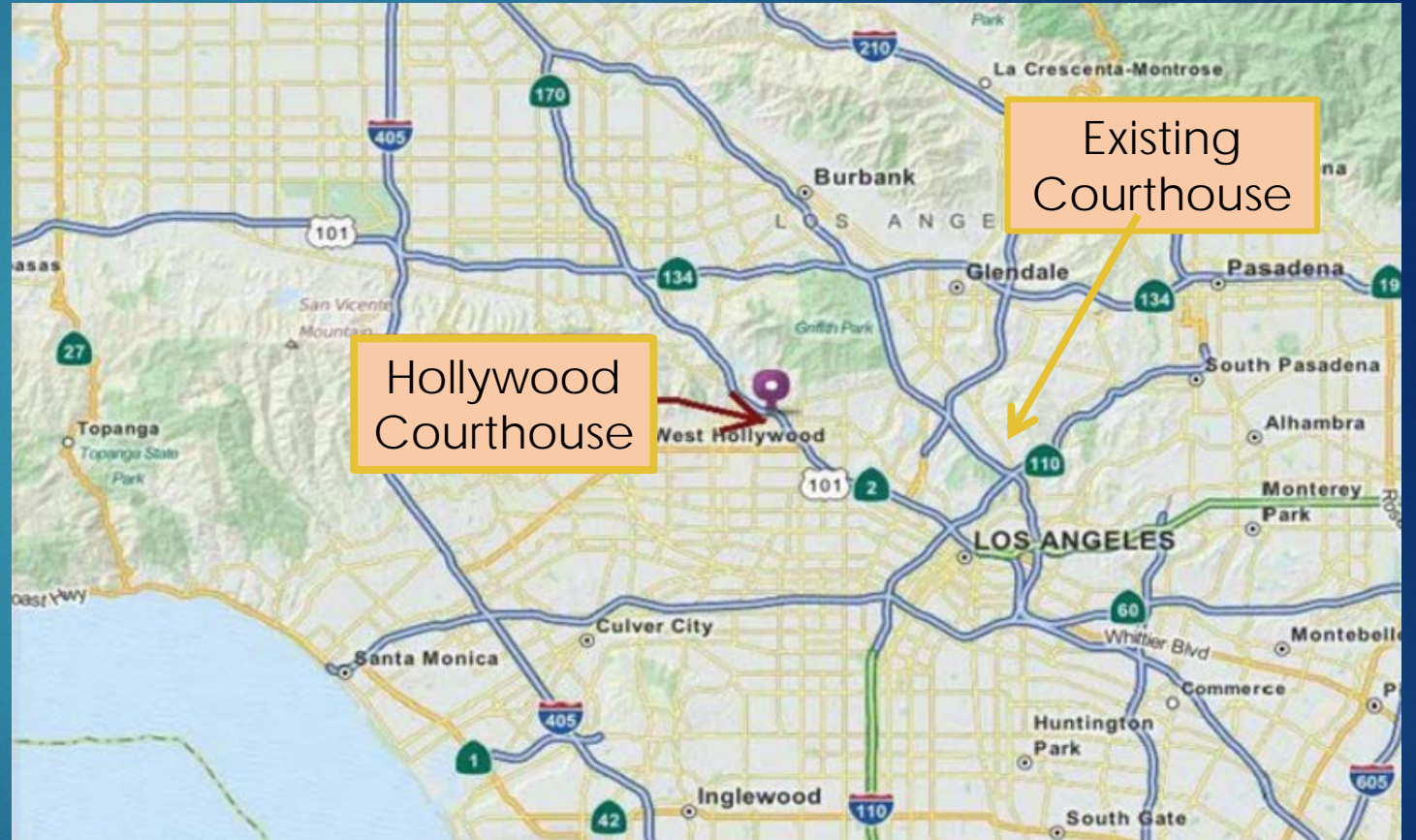


# Solution: Rebuild the Hollywood Courthouse

- ▶ Hollywood Courthouse is underutilized
- ▶ Avoid site acquisition cost and delay (project originally approved with \$33M site acquisition costs appropriated)
- ▶ Design-build option will expedite the process
- ▶ Earthquake fault issues are resolved
- ▶ Original \$80 million cost estimate now \$50 million net of County contributions



Centrally  
located




# Transit accessible



# Hollywood Design-Build Option Meets Urgent Needs

- ▶ Essential specialized lockup capacity included
- ▶ Additional courtroom will
  - ▶ Avoid dismantling the program
  - ▶ Assist in handling growing caseload, and
  - ▶ May allow expansion of competency proceedings to other case types
- ▶ Waiting spaces appropriate for the population of court users served (including outdoor secure waiting area)
- ▶ Space for justice partners, medical professionals, County conservators and County Counsel to be co-located (essential to the concept)

# Ready-to-build



- ▶ \$48 million appropriated in FY14-15 for rehab/expansion of existing Hollywood courthouse
- ▶ \$15 million additional appropriated in FY16-17 for demolition/new construction to avoid possible fault zone
- ▶ Seismic analysis complete
- ▶ Revised cost, including demolition expenses, is \$50 million, net of County contribution

# In Summary . . .

- ▶ The needs of the mentally ill population are great
- ▶ The limitations of the current facility are forcing us to consider a *decrease* in specialized collaborative services to this population
- ▶ Re-use of the Hollywood site is cost-effective and includes a contribution from LA County
- ▶ Design-build approach has been approved by DOF and the Legislature
- ▶ The Legislature's appropriation is consistent with its current focus on the problems of mental illness and homelessness



# Eastlake Juvenile Court



COURT FACILITIES ADVISORY COMMITTEE  
AUGUST 11, 2016

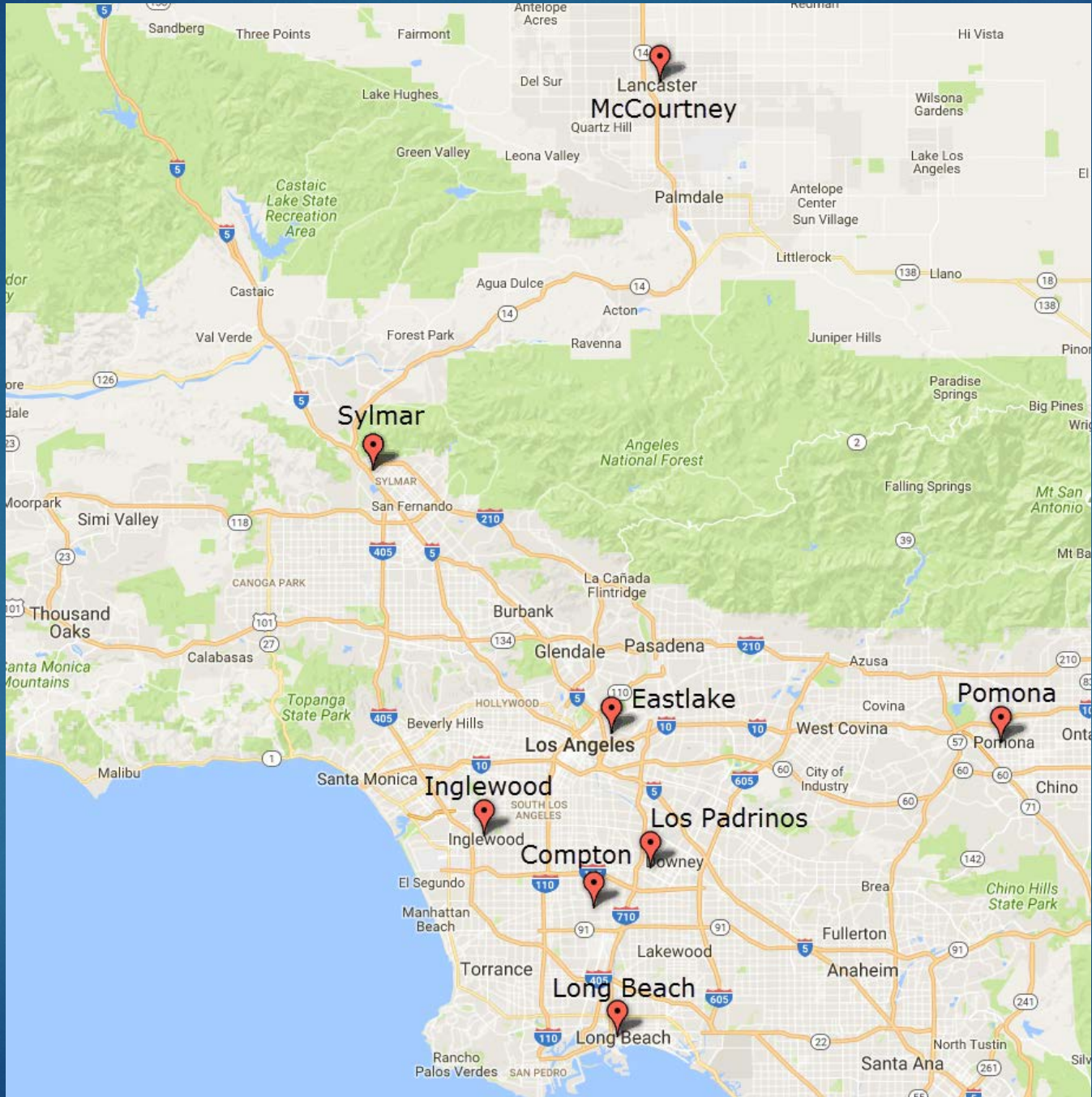
# Building History

- ▶ **1954** – Facility constructed
- ▶ **1999** – Minor renovations (paint, ceiling tiles, and lighting)
- ▶ **2014** – Minor renovations (refurbished clerk's office)

## Outstanding Structural Problems

- ▶ HVAC system antiquated and unreliable;
- ▶ Sewage leaks in Dept. 201 (source: adult holding area);
- ▶ Frequent pipe bursts in ceiling; and
- ▶ Roof leaks when it rains

# LASC Juvenile Courts



# Special Programs at Eastlake

- ▶ Only juvenile Mental Health Court
- ▶ One of three Drug Courts
- ▶ Central location for WIC 241.1 (dual status) courts
- ▶ Central location for DJJ (Department of Juvenile Justice) subjects (minors/non-minors), releases and returnees

# Eastlake Overview

- ▶ Security Deficiencies
- ▶ Courtroom Deficiencies
- ▶ General Space, Functional, and Physical Deficiencies

- ▶ "This project...is one of the highest priority trial court capital-outlay projects for the judicial branch"

*Project Feasibility Report, October 2010*

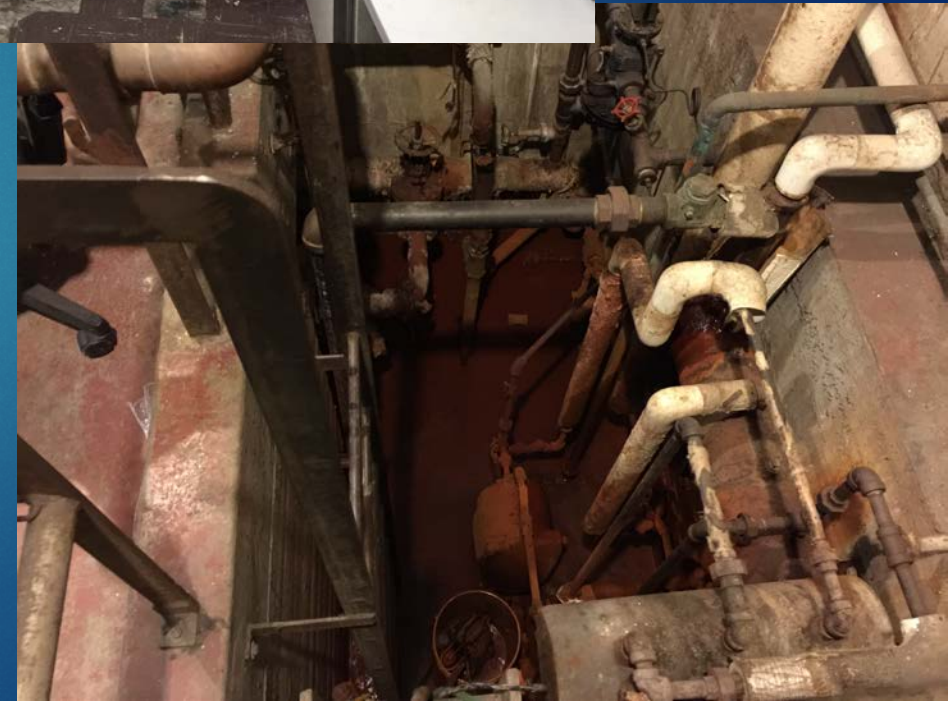
# Deficiencies

- ▶ In-Custody Holding Area
- ▶ Lack of secure parking for judicial officers
- ▶ Courtroom security



# Deficiencies

- ▶ No public parking
- ▶ No attorney interview rooms
- ▶ Rotting building infrastructure



# Glendale Courthouse



COURT FACILITIES ADVISORY COMMITTEE  
AUGUST 11, 2016



# Project Features

- ▶ Functional deficiencies (lock-up)
- ▶ Cost-saving renovation
- ▶ Community support

## Inadequate holding cells

The main cell for the male general population: holds 35 inmates; has one toilet.



# Inadequate holding facilities

Inmate kicked open  
deadbolted door



# Insecure transport for custodies

Since lock-up is not  
ADA compliant,  
wheelchair custodies  
must be taken  
through the clerk's  
office





Questions?



## Superior Court of California County of Mendocino

*From the Chambers of*  
**HON. DAVID E. NELSON**  
*Superior Court Judge*

**MENDOCINO COUNTY SUPERIOR COURT  
PRESENTATION TO THE COURT FACILITIES ADVISORY COMMITTEE OF THE  
JUDICIAL COUNCIL  
AUGUST 11, 2016**

**WE NEED TO PROCEED WITH THE NEW COURTHOUSE FOR MENDOCINO COUNTY  
BECAUSE...**

### **SECURITY CONCERNS FOR PUBLIC, JURORS AND COURT STAFF:**

- prisoners are dropped off on a public street to be walked in shackles through public corridors, up the one elevator, and through the public hallways to the seven court rooms
- recent escape of dangerous felon at courthouse door that led to lock down of West side of Ukiah for one night
- juveniles in shackles are marched through public hallways to the juvenile courtroom for their "private" proceeding
- the jury assembly room is located adjacent to the door in which the in custody defendants are led into the court house ... jurors in the hallway are exposed to risk and inmates in jury trials are seen by jurors as "in custody" in violation of case law
- the one elevator is shared by inmates, the public, court staff and judges
- inmates walk through court rooms to jury box through public and court staff... recent incident where inmate spit in probation officer's face

### **DISABILITY ACCESS CONCERNS**

- three court rooms in old part of building are not accessible to people with disabilities
- have to go up 15 stairs to get to traffic court or juvenile court
- numerous falls on steps and one pending lawsuit from disabled person

### **SEISMIC CONCERNS**

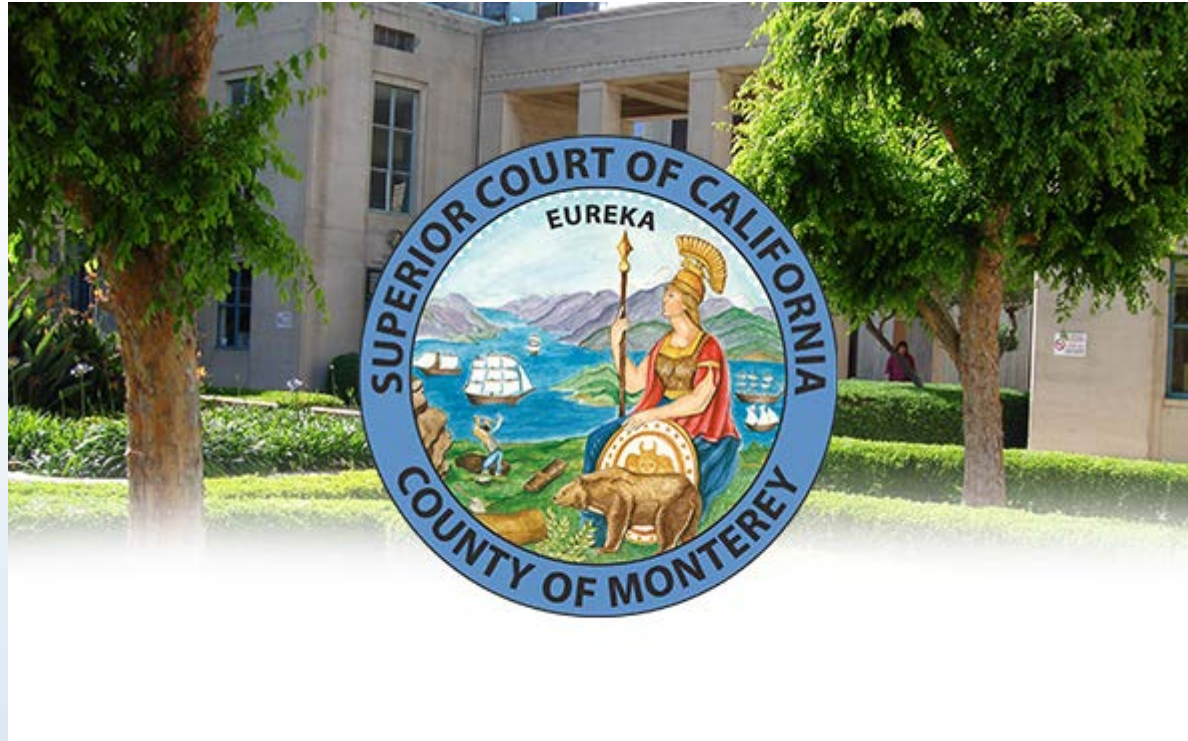
- our present courthouse is two separate old buildings built in 1928 and 1949 and joined at the hip
- Level V earthquake risk
- older part of building especially of concern (see e.g. Napa)

### **INVESTMENT OF COMMUNITY**

- City of Ukiah has invested \$476,000 (not including staff time) in environmental work and site engineering and development
- North Coast Railroad Authority (seller of new courthouse site) advanced money for clean-up of site... they are now planning for compatible development of the property in the area surrounding the courthouse site

### **NEED FOR PRELIMINARY PLANS PHASE**

- now that the site has been acquired, we need to participate in the Preliminary Plans phase as we work with our partners to develop the 4.1 acre courthouse site and adjoining 7 acres owned by the North Coast Railroad Authority
- Preliminary Plans funding is already in the state budget for this fiscal year
- momentum and progress for this project is important to the community to move this project to a shovel-ready stage so that when a funding stream is available, it can be built



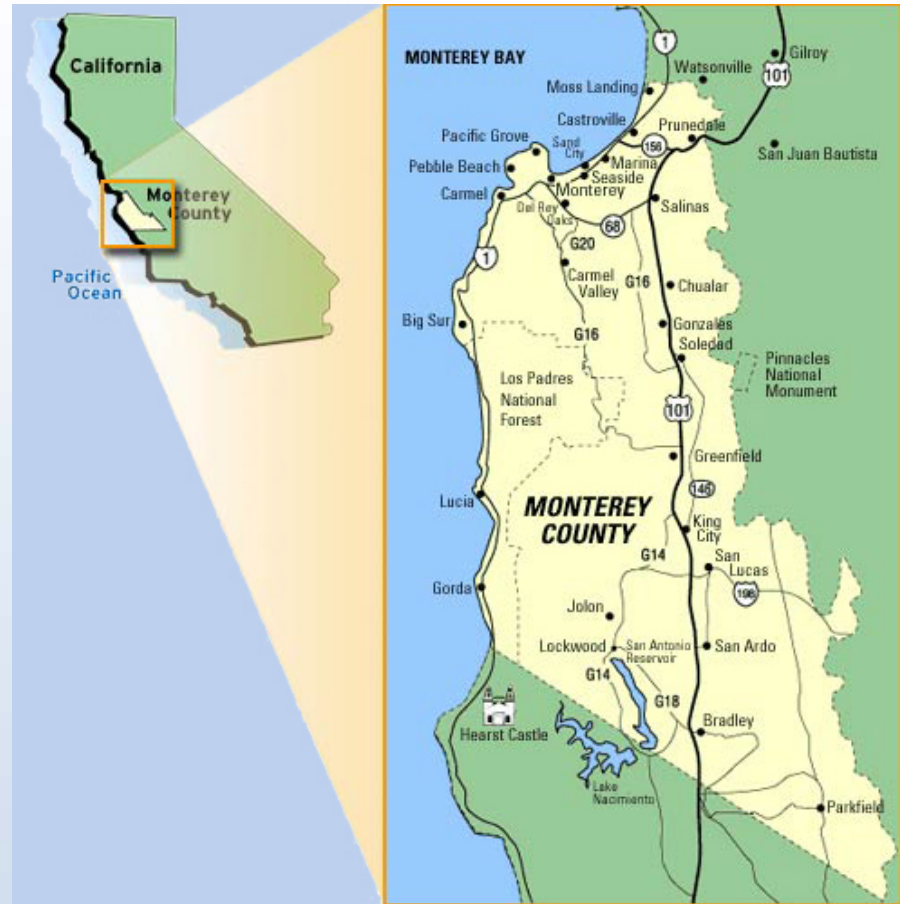
## South Monterey County Courthouse Project



Monterey County Superior Court

# MONTEREY COUNTY SNAPSHOT

- 16th Largest County in California – over 3k square miles
- Population close to half a million
- South Monterey County (Salinas Valley) has population of approx. 64k
- Includes cities of Gonzales, Soledad, Greenfield, King City, San Lucas, and San Ardo



Monterey County Superior Court



# SOUTH MONTEREY COUNTY DEMOGRAPHICS

- Average of 22% living with a median household income of \$33,000
- Predominant farmers/farm labor population
- 20% of Greenfield's population are indigenous Oaxacan people



Monterey County Superior Court

# South County's Barriers to Access to Justice

- Residents travel up to 120 miles round-trip to access Family Law, Civil, and Self-Help Center services
- Limited mass transit / public transportation service
- Utilizing public transportation necessitates travel in excess of 5 hours roundtrip



Monterey County Superior Court

# South Monterey County Courthouse

2008 – Funded due to Immediate Need

Determination (*fire safety, seismic issues, ADA, security, overall deterioration of King City court facility*)

2009 – Site Selection

2010 – Site Acquisition (*donated by City of Greenfield*)

2011 – Preliminary Plans

2012 – Working Drawings



Monterey County Superior Court

# 'Immediate Need' Project Status

- Final designs completed in July 2012
- South Monterey County Courthouse project placed on indefinite delay in September 2012
- King City Court Facility closed September 2013  
*(economic, fire safety, seismic issues, ADA, security, overall deterioration of King City court facility)*
- 2014 completed a project reassessment reducing scope by nearly half (\$48.9m to \$29.8)



Monterey County Superior Court

# Potential for Loss of Donated Land



- Greenfield purchased and developed the infrastructure (sidewalks, sewage, water lines) surrounding the land specifically to donate a location for the courthouse at a cost of approximately \$5 m
- Annual Greenfield revenue is \$6 m – a significant investment and partnership in access to justice



Monterey County Superior Court

# Potential for Loss of Donated Land

- Property Acquisition Agreement requires the State to reconvey the donated property back to the City of Greenfield if construction has not commenced by the end of 2016.
- Loss of approximately 17% of total project costs.
- Greenfield is entitled to a unified commitment by the State and the Branch to the community's sacrifice in support of ensuring access to justice.



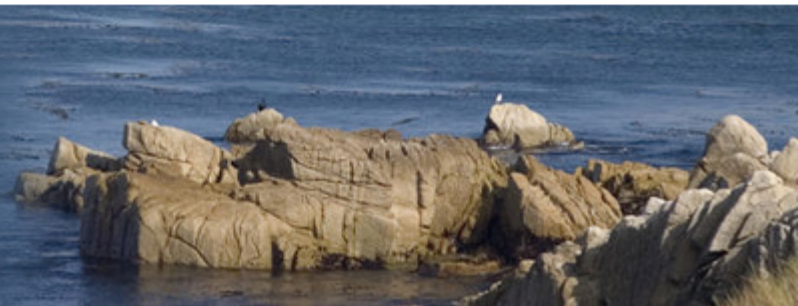
Monterey County Superior Court

# ADDITIONAL COURT FACILITY NEEDS

- While we await restarting previously identified critical needs projects, other courthouse facilities continue to deteriorate and have significant limitations.
- Monterey has 19 Courtrooms shared by 22 Judicial Officers.
- Civil court has 7 judicial officers sharing 4 courtrooms.
- Essential need for a family services consolidated court.
  - Juvenile court in E. Salinas, built in 1950's
  - Dependency court in a limited use dilapidated rental in S. Salinas
  - Family court in Monterey
  - DCSS in Marina



Superior Court of California,  
County of Monterey



# CONCLUSION

- Urge a re-commitment in critical courthouse facility projects previously identified by the State over a decade ago honoring our obligation to the communities we serve.
- Additional existing facilities continue to deteriorate and become inadequate for rising service needs and population growth; this is true for the Monterey Court and counties throughout the State.



Superior Court of California,  
County of Monterey





8-12-16

Justice Hill and Members of the Court Facilities Committee:

Thank you for the invitation to speak at the meeting yesterday. Time was of the essence so I did not share my specific thoughts because I did not want to take more time after Hal Hopp, our Presiding Judge, finished his presentation.

However, I would like the legislature and our governor to consider that we are not just talking about buildings, or whether or not the roof leaks, or if there is mold. We are talking about human lives and unnecessary suffering. I know, since I was personally involved in such a tragedy.

On 5-6-96, at 7:40 AM, I heard gun shots outside my chambers. A short time later, a nine year old boy ran in and I closed my door. After a few minutes, I discovered that his father walked up to that child's mother, gave the boy a kiss, and then shot his mother to death as they stood in the crowded line to enter our Family Court. Our deputies then raced out of the building and shot the father dead. Two other people were grazed by bullets.

That woman was 26 year old Mariela Batista. Her boy was Felipe, made an orphan in the blink of an eye. I spent 9 hours with him that day, as our court became a crime scene.

The tragedy is that we had asked for years for a new courthouse. That facility suffered from all the dangers you heard repeated over and over yesterday, and was of a similar design as our current Hemet Courthouse, which does all family law except for one courtroom. Ironically, we often referred to it as "the shooting gallery" because of the way it was designed and how crowded it had become.

Ms. Batista's death finally got our present Family Court Building in Riverside, which is safe and spacious, on the fast track to be built. On the day of its dedication, a plaque was affixed to the building, dedicating it to her memory.

When those of us in government and responsible to the people we work for have discussions about our dilapidated courthouses, budgets, delays, and priorities, Mariela Batista and Felipe always come to my mind.

How many more victims are we willing to risk? We all know it is not a matter of "if", only "when."

Respectfully Submitted,

Becky L. Dugan, Assistant Presiding Judge, Criminal Supervising Judge

Riverside Superior Court

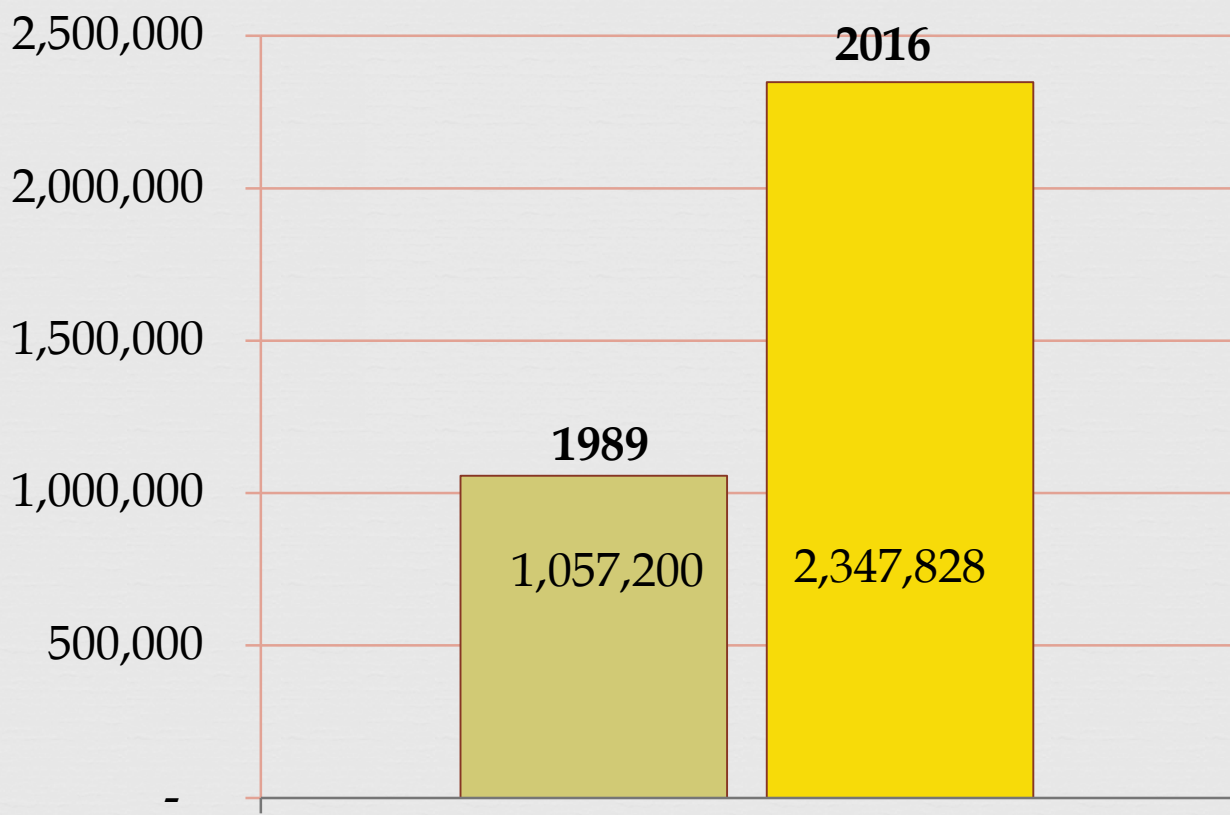
# Senate Bill 1407 Courthouse Construction Projects:

## Mid-County Civil Courthouse & Indio Juvenile/Family Law Courthouse

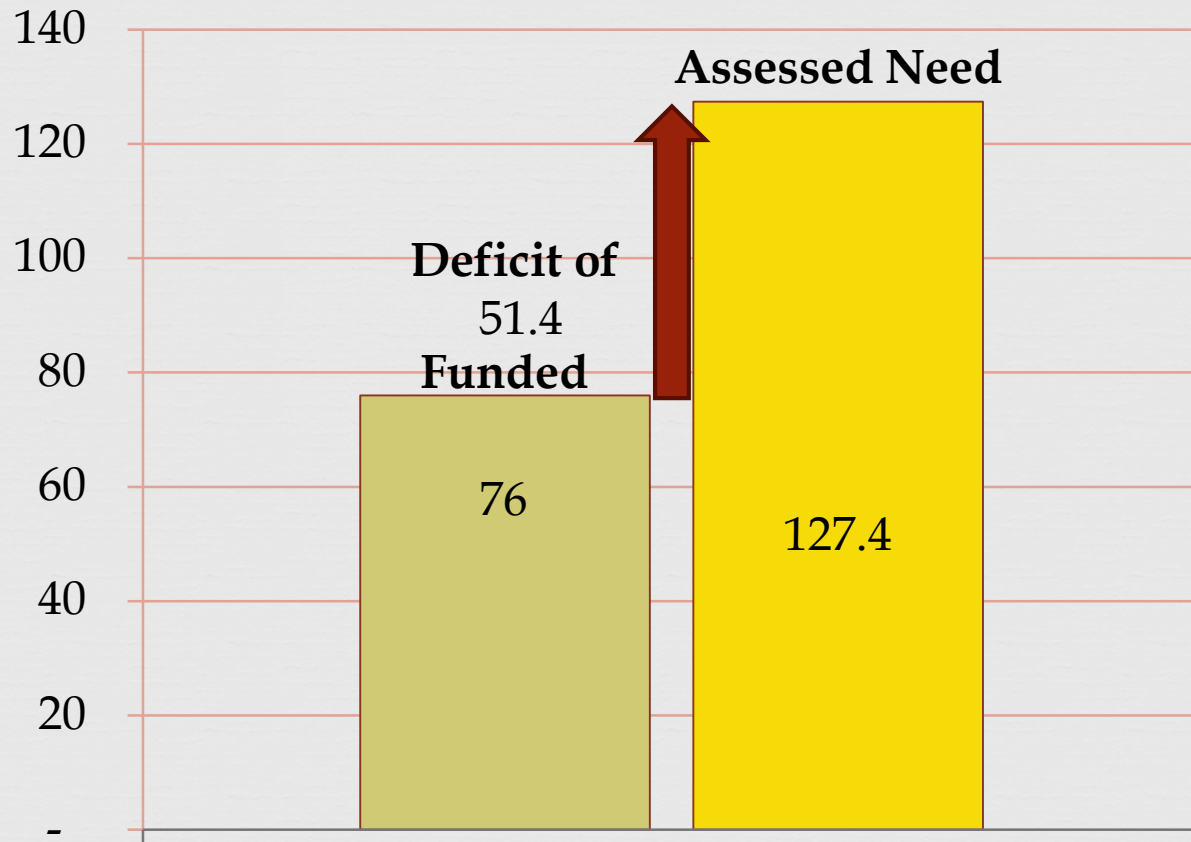


Superior Court of California,  
County of Riverside  
Court Facilities Advisory Committee  
August 11, 2016

# Riverside County Population Growth 1989 - 2016

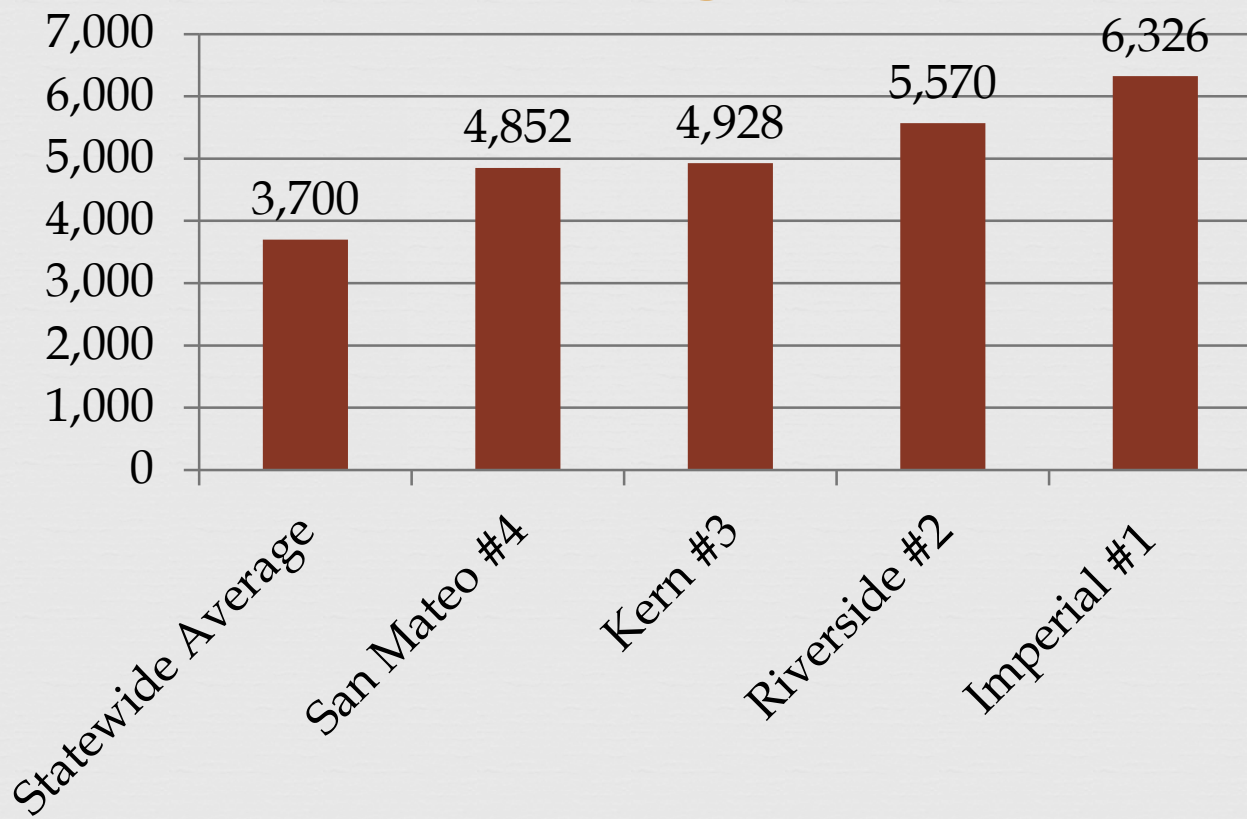


# Riverside County Superior Court Judicial Officers in 2016



# Filings per Judicial Position in California

## Comparison of Top Four Superior Courts to Statewide Average



# Mid-County Civil Courthouse



(Hemet Area  
Replacement)

# Immediate Need



Scored 16 out of 20 in the  
Judicial Council's  
prioritization  
methodology.

**Projects in Immediate Need Group**  
**Trial Court Capital-Outlay Plan**  
**Adopted April 27, 2007**  
**Sorted by Court**

County	Project Name	Project Priority Group	Total Score	Security	Over-Crowding	Physical Condition	Access to Court Services
Contra Costa	New North Concord Courthouse	Immediate	16	4	3	5	4
Fresno	Renovate Fresno County Courthouse	Immediate	18	5	3	5	5
Fresno	New Selma Regional Justice Center	Immediate	16	5	3	3	5
Fresno	New Clovis Courthouse	Immediate	15	5	3	2	5
Imperial	New El Centro Family Courthouse	Immediate	14.5	5	4	5	0.5
Kern	New Mojave Courthouse	Immediate	16.5	5	4	5	2.5
Kern	New Delano Courthouse	Immediate	15	2	3	5	5
Lake	New Lakeport Courthouse	Immediate	15	5	4	5	1
Los Angeles	Renovate Lancaster Courthouse (N)	Immediate	17	3	4	5	5
Los Angeles	Renovate Santa Clarita Courthouse (NV)	Immediate	16	3	3	5	5
Los Angeles	New Glendale Courthouse (NC)	Immediate	14.5	4	3	5	2.5
Merced	New Los Banos Courthouse	Immediate	16	3	3	5	5
Monterey	New King County Courthouse	Immediate	17	5	4	3	5
Placer	New Tahoe Area Courthouse	Immediate	17	4	5	3	5
Riverside	New Indio Juvenile Courthouse (Desert Reg)	Immediate	20	5	5	5	5
Riverside	Addition to Corona Courthouse (W Reg)	Immediate	16	4	2	5	5
Riverside	Addition to Hemet Courthouse (Mid-Cnty Reg)	Immediate	16	3	3	5	5
Sacramento	New Sacramento Criminal Courthouse	Immediate	16.5	5	3	5	3.5
San Bernardino	Addition to Joshua Tree Courthouse	Immediate	16	4	2	5	5
San Joaquin	New South San Joaquin County Courthouse	Immediate	17	4	3	5	5
San Joaquin	Renovate Juvenile Justice Center	Immediate	15.5	5	4	5	1.5
Santa Barbara	Renovation and Addition to Santa Barbara Figueroa Courthouse	Immediate	14.5	5	4	5	0.5
Shasta	New Redding Courthouse	Immediate	16	5	3	5	3
Solano	Renovation and Addition to Fairfield Old Solano Courthouse	Immediate	16	3	3	5	5
Sonoma	New Santa Rosa Criminal Courthouse	Immediate	15.5	5	3	5	2.5
Sonoma	New Santa Rosa Family and Civil Courthouse	Immediate	14.5	5	3	5	1.5
Stanislaus	New Modesto Courthouse	Immediate	17	4	3	5	5
Sutter	New Yuba City Courthouse	Immediate	16.5	5	4	5	2.5
Tulare	Renovation and Addition to Visalia Courthouse	Immediate	16	5	3	5	3
Ventura	New Ventura East County Courthouse	Immediate	15	4	1	5	5



# Riverside County Superior Court Mid-County Region

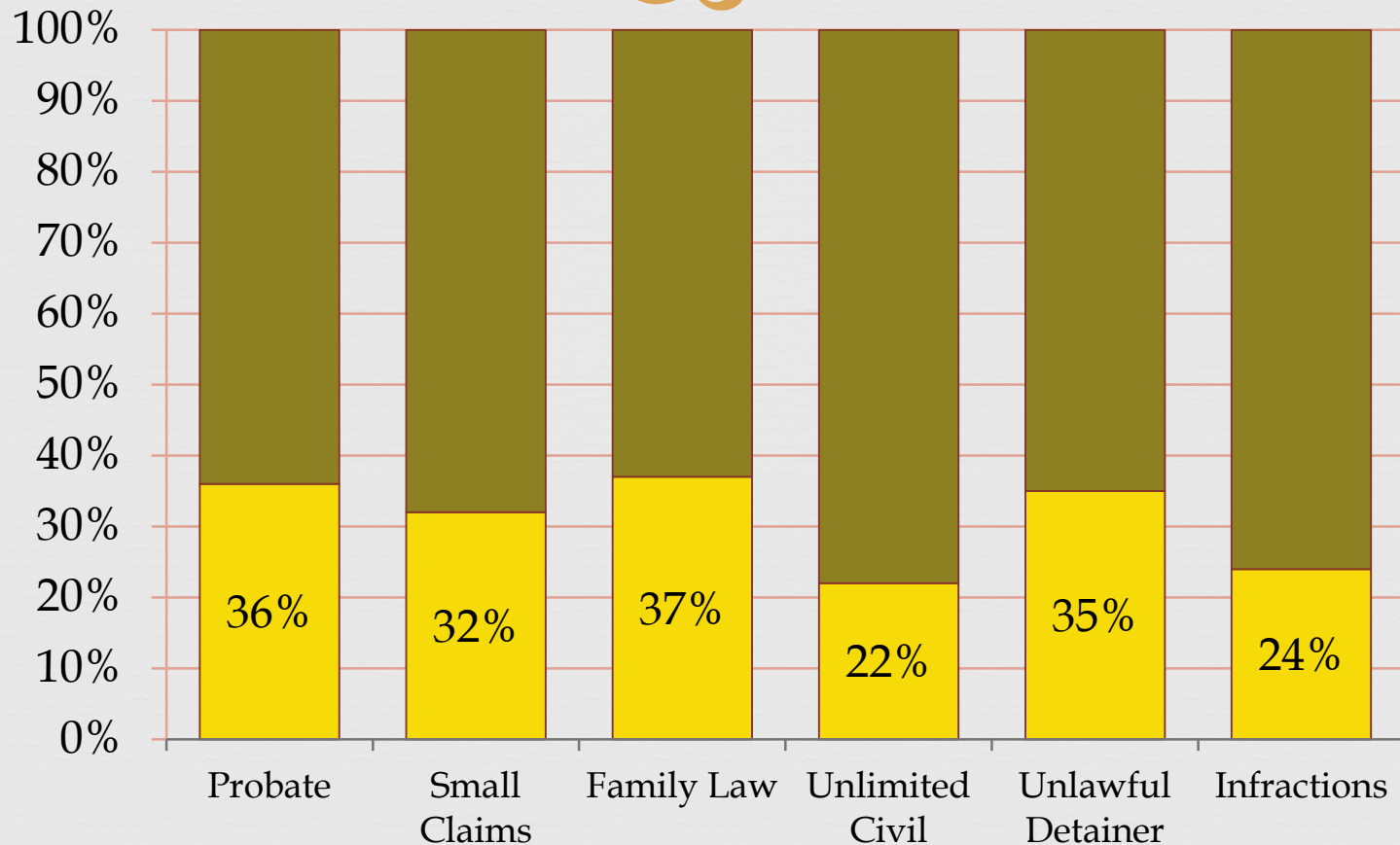


Map of Riverside County



Distance of 180 Miles

# Filings in the Mid-County Region as a Percentage of the Court's Total Filings





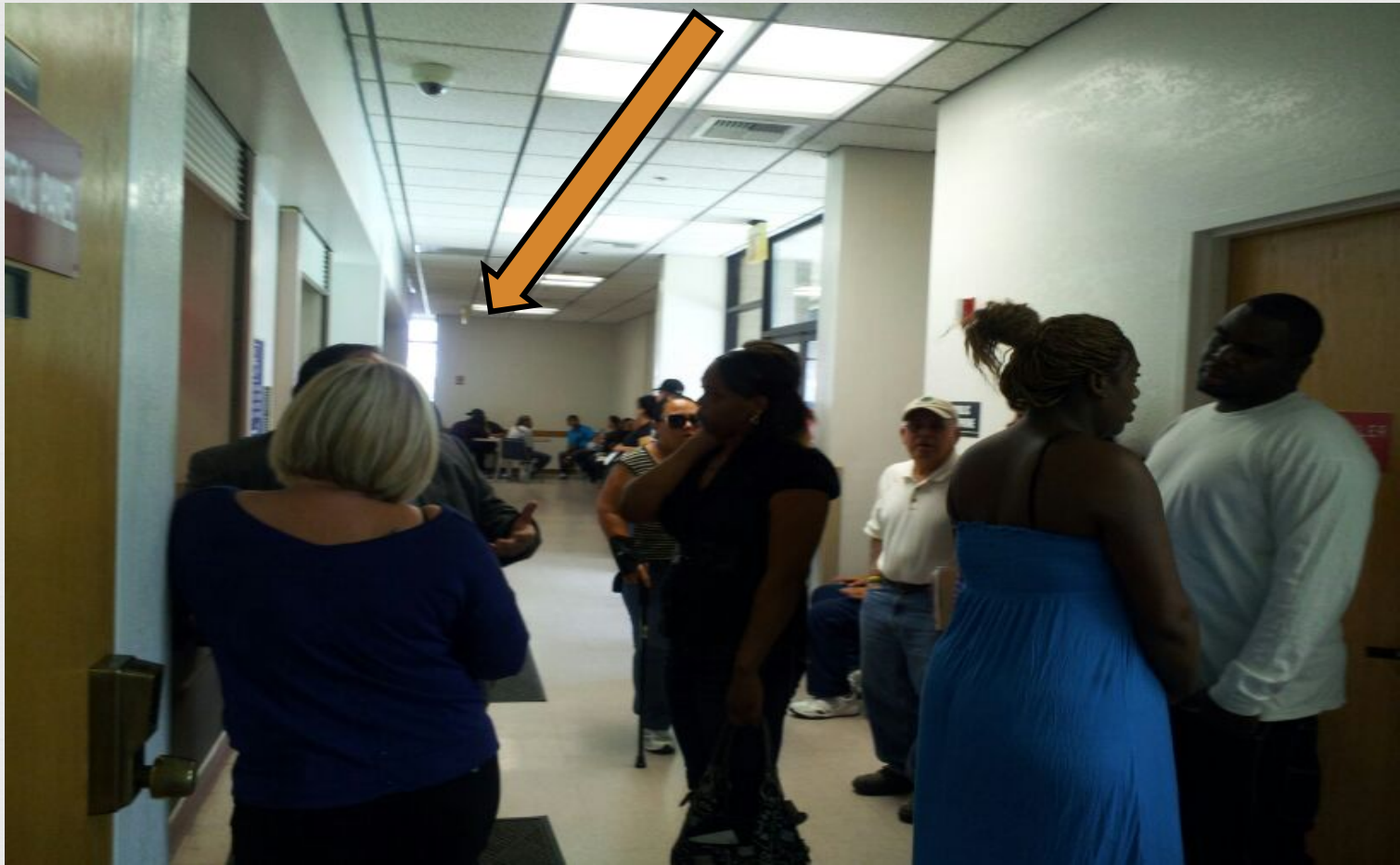
A single small sub-standard security entrance prevents safe and effective public screening with proper ADA access.....



causing long lines to form outside with summer temperatures reaching up to 109 degrees.

Awkward public lobby and corridor angles prevent adequate security monitoring and ADA accessibility.





Crowded courtroom entry is adjacent to non-accessible ADA public service windows.

# Indio Juvenile and Family Law Courthouse



# Immediate Need



Scored 20 out of 20 in the Judicial Council's prioritization methodology to make it the highest scored immediate need project on the original list of 41.



## Projects in Immediate Need Group

Trial Court Capital-Outlay Plan

Adopted April 27, 2007

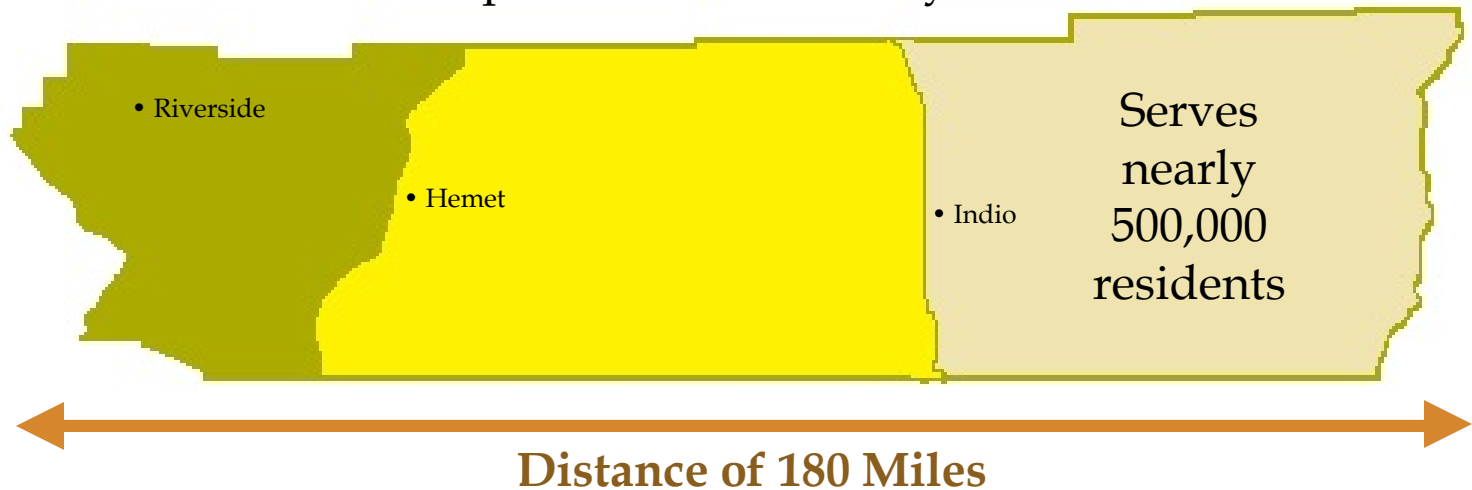
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Tulare	Renovation and Addition to Visalia Courthouse	Immediate	16	5	3	5	3
Ventura	New Ventura East County Courthouse	Immediate	15	4	1	5	5

# Riverside County Superior Court Desert Region



Map of Riverside County



# Security Deficiencies of Current Facility

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Current facility has an AOC security rating of **80**, the highest possible rating for deficiencies. It is unsafe, substandard in size, and overcrowded.



Crowded public hallways create security hazards.

Inadequate lobby configuration prevents security staff from properly monitoring internal areas of the court.





Inadequate space, crowding, no line configuration, and mixing of litigants....

Lack of seating, ADA accessibility, and confidentiality among parties.





Cramped lobby means parties must wait outside the courthouse in extreme temperatures ranging from 102 to 120 degrees.



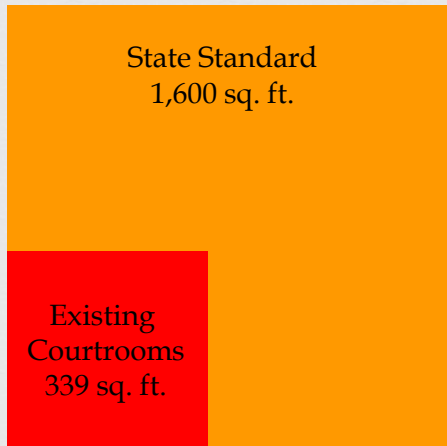


Unsecured parking for judges is a security concern.

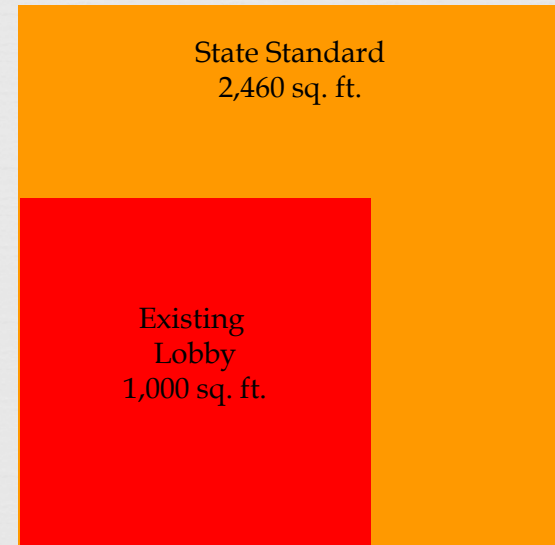
# Courtrooms and Lobby Waiting Area Considerably Undersized Compared to Approved California Trial Court Facilities Standards



## Courtrooms



## Lobby Area



# In Summary: Immediate Need for New Facilities



These projects will allow consolidation of all juvenile and family court functions in one location in the Desert region and several case types in the Mid-County region, which corrects operational inefficiencies for the court and improves access to justice.

The new projects will solve the current substandard space shortfalls, increase security, and replace inadequate and obsolete buildings, as well as provide for consolidation.

Proceeding with these projects will best serve the current needs of the public and the justice system, as well as provide the foundation for long-term needs.

# Questions ?





SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO

KEVIN R. CULHANE  
PRESIDING JUDGE  
DEPARTMENT 47

720 NINTH STREET  
SACRAMENTO, CALIFORNIA 95814  
(916) 874-5487

August 10, 2016

Hon. Brad R. Hill  
Chair, Court Facilities Advisory Committee  
Court of Appeal, Fifth Appellate District  
2424 Ventura Street  
Fresno, CA 93721

Re: Sacramento Courthouse Project

Dear Justice Hill,

Sacramento Deserves A New Downtown Courthouse For Its Citizens, Judiciary And Trial Court Employees.

*Why is a new courthouse needed?*

- The existing Sacramento County Gordon D. Schaber Courthouse (hereinafter "Schaber Courthouse") was built in 1965, and was originally designed for 22 courtrooms. Sequential renovations necessitated by the growth of Sacramento County have now squeezed 44 courtrooms into the original building envelope. At the same time, elevator capacity, public hallway space, restroom facilities and all public service areas remain as they were when the building contained only 22 courtrooms;
- For the last two decades, the building has had major security, life safety, functional and overcrowding issues that include but are not limited to the following:
  - The secure holding facilities, which were designed for a court with 22 courtrooms, are dangerously insufficient for more than 600 in-custody defendants who now appear in court each week. This results in severe overcrowding that violates Title 24 standards;

- For all courtrooms on the east side of the building, in-custody defendants must be transported through public corridors that are simultaneously used by jurors, witnesses, crime victims, trial court employees and members of the public;
  - For all courtrooms on the west side of the building, in-custody defendants can only access the courtroom through the clerk's office or judicial chambers;
  - There is *no* method of secure transport for in-custody defendants to any of the numerous courtrooms located above the fourth floor;
  - The building has received the highest deficiency seismic rating (Level V);
  - Although the building is occupied by up to 3000 people on a daily basis, there is no fire sprinkler system above the second floor;
  - None of the courtrooms are ADA compliant, and all courtrooms fail to meet minimum state size standards.
- The jury lounge—which was designed to provide space for 145 occupants—is grossly inadequate to handle the average of 307 new jurors that report for jury service each day or the 500 total jurors that are regularly present. This problem led to enforcement citations issued by the City Fire Marshal, and some additional seating was added to the open mezzanine adjacent to the jury assembly room. These additions have resulted in available seating for a total of 286 occupants; hundreds of potential jurors are therefore required to stand in adjacent public hallways;
  - As a result of the foregoing and numerous other structural issues, the building was in 2008 ranked number 9 out of 33 projects on the statewide Capital Outlay Projects list. The physical and safety deficiencies outlined above caused the Sacramento facility to be placed in the “Immediate Needs” category in support of building a new courthouse;
  - The foregoing deficiencies and many others were summarized in the 2010 Project Feasibility Report, which described the Sacramento court facilities as “. . . unsafe, substandard in size, overcrowded, and [with] many physical conditions which create impediments to the administration of justice.”

*Significant Progress to Date*

- Preliminary Design and site acquisition for the new courthouse was completed in June 2014;
- The California Legislature appropriated funds for preliminary plans and working drawings in FY 2014-15;
- The Judicial Council approved a scope change to provide for a single unified building in February 2016;
- A budget re-appropriation and scope change was submitted by the California Department of Finance to the Legislature in April 2016. The re-appropriation included \$16 million to proceed with architectural and engineering design. The re-appropriation specifically directing these funds to the Sacramento County Project was approved by the Legislature and finalized in the 2016/17 final budget.

*Current Activity for the Project*

- Final design and working drawings are currently in progress;
- There is no approved construction funding to build the \$425 million dollar building;
- The Judicial Council and the Court are exploring other options to fund the construction project;
- We need your help to bring this desperately needed project to completion.

Very truly yours,



Hon. Kevin R. Culhane  
*Presiding Judge*  
Sacramento Superior Court

# Superior Court of California County of Santa Barbara Criminal Courts Building – Executive Summary



The Superior Court of Santa Barbara County serves residents of South County from the historic Anacapa courthouse, the Figueroa courthouse across the street, and a small Jury Services building nearby. These facilities are overcrowded and have severe security problems and many physical deficiencies, including inadequate parking.

The new Santa Barbara Criminal Courthouse will increase efficiency and security by consolidating all criminal and traffic court operations in one modern, secure building for the south district. It will also co-locate jury services with the criminal courtrooms. The new facility will relieve the historic Anacapa courthouse of criminal proceedings and replace the Figueroa courthouse and alter the use of the Jury Services building.

The project will also provide basic services not currently provided to south district court users due to limited space, including appropriately sized courtrooms, jury deliberation rooms, an adequately sized self-help center, a children's waiting room, attorney/client interview rooms, and ADA accessibility. Enhanced security features would include entrance screening of all court users and adequately sized in-custody holding.

The new courthouse will be located on Santa Barbara Street, next to the Figueroa courthouse and across the street from the historic courthouse.

Site acquisition was completed in mid-2012.

This project is in [architectural design-preliminary plans](#) with a current expected completion date of 3 Q 2022.

Courtrooms	8
Square Footage	92,331
Current authorized project budget	\$99,507,000

In 2000 the Task Force on Court Facilities found the existing Criminal Courthouse deficient. Seismic retrofitting would be costly and replacement was ultimately recommended. The Building is included among those noted as immediate and critical needs.

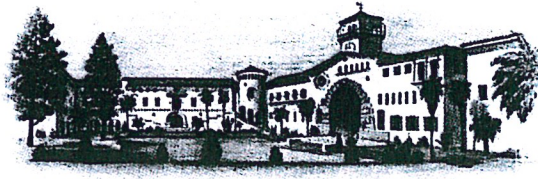
The building suffers from a number of deficiencies:

- **Lack of security** – *Lobbies and hallways are dangerously crowded with criminal defendants*
- **Poor circulation routes** – *Litigants, staff, jurors, judges and in-custody defendants co-mingle in cramped public hallways and lobbies.*
- **Lack of Holding Cells** – *Retrofitted custodial facilities use telephone booth sized cages to separate different classifications of in-custody defendants*
- **Insufficient number and size of courtrooms** – *The Court has outgrown the over 60 year old building compelling use of a National Historic Landmark Courthouse across the street to accommodate additional full-time criminal calendars.*
- **Poor physical condition of building** – *antiquated plumbing routinely fails and renders courtrooms inoperable*
- **Lack of Fire/Life Safety Systems** – *No alarm system and fire suppression is only available on one floor of the structure*
- **Inadequate ADA compliance** – *a single elevator serves the building which is insufficient in size to accommodate the needs of those in a wheel chair; a single ADA compliant restroom is located on the basement level.*



# County Of Santa Barbara

**Mona Miyasato**  
*County Executive Officer*



105 East Anapamu Street, Room 406  
Santa Barbara, California 93101  
805-568-3400 • Fax 805-568-3414  
[www.countyofsb.org](http://www.countyofsb.org)

## Executive Office

August 8, 2016

Hon. Brad R. Hill  
Administrative Presiding Justice of the Court of Appeal  
Fifth Appellate District  
Chair, Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Justice Brad Hill,

This letter is in support of the New Criminal Courthouse in the Pueblo Viejo district in downtown Santa Barbara.

The new Santa Barbara Courthouse will replace a deteriorating 62 year old building no longer suitable for the needs of the criminal courts. The current courthouse suffers from inadequate courtroom sizes, small crowded lobby areas, non-ADA compliant jury boxes, restrooms and doors, inadequate holding cells for inmates, unsafe transports of inmates through public areas using one elevator and public cross walks, unsecure circulation for judicial officers and staff, and unsecure parking for judicial officers. In addition to the operational side of the court the facility's system's life cycles of the plumbing, electrical, and HVAC systems continue to expire on a daily basis.

The new Criminal Courthouse consolidates 8 courtrooms into one building along with jury services and public windows servicing Records, Traffic, Criminal, and Appeals conveniently located on the street level for ease of access by court users. The new building will offer easier access for jurors, witnesses, litigants, attorneys, staff, and judicial officers and will also be ADA compliant.

In addition, the new courthouse will bring various jobs to the downtown community for 2 to 3 years, provide additional customers for local businesses, and beautify the historic Pueblo Viejo district of Santa Barbara.

It was recently reported that the funding stream for new courthouse construction is diminishing and the fund is being depleted. The decision on which construction projects should move forward given the challenges of the fund is a critical one for this committee. As you make your decision, thank you for considering the safety, access, and security needs of the public servants who work in the Santa Barbara Courthouse as well as the members of our community that access it daily.

Sincerely,

Mona Miyasato  
County Executive Officer

cc: Court Facilities Advisory Committee [cfac@jud.ca.gov](mailto:cfac@jud.ca.gov)

Terri Maus-Nisich  
*Assistant County Executive Officer*  
[tmaus@countyofsb.org](mailto:tmaus@countyofsb.org)

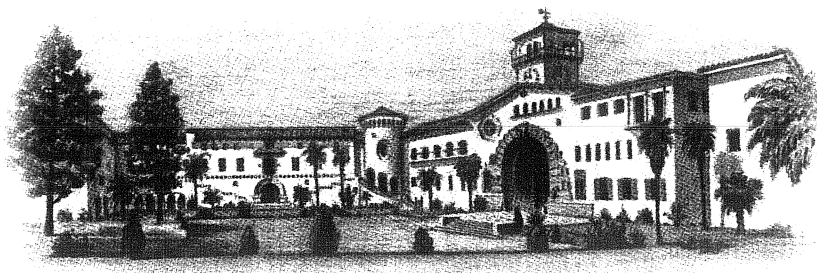
Tom Alvarez  
*Budget Director*  
[toalvarez@countyofsb.org](mailto:toalvarez@countyofsb.org)

**SALUD CARBAJAL**  
First District Supervisor

**JEREMY TITTLE**  
Chief of Staff

**ERIC FRIEDMAN**  
District Representative

**LISA VALENCIA  
SHERRATT**  
District Representative



**BOARD OF SUPERVISORS**  
105 East Anapamu Street, 4th Floor  
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[www.countyofsb.org/bos/carbajal](http://www.countyofsb.org/bos/carbajal)  
E-mail: [Scarbajal@sbcbos1.org](mailto:Scarbajal@sbcbos1.org)

## COUNTY OF SANTA BARBARA

August 8, 2016

Hon. Brad R. Hill  
Administrative Presiding Justice of the Court of Appeal  
Fifth Appellate District  
Chair, Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Justice Hill,

I am writing to urge your support of the New Criminal Courthouse in the historic Pueblo Viejo district in downtown Santa Barbara. This is a much needed project that will address critical safety gaps for the courthouse staff, jurors and the public at large.

As First District Supervisor for Santa Barbara County, I know first-hand the significance this project has for public safety in our community. The new Santa Barbara County Courthouse will replace a deteriorating 62 year old building that is no longer suitable for the needs of the criminal courts. The current courthouse has a number of deficiencies including: inadequate courtroom sizes; small crowded lobby areas; non-ADA compliant jury boxes, restrooms and doors; inadequate holding cells for inmates; unsafe transports of inmates through public areas using one elevator and public cross walks; unsecure circulation for judicial officers and staff; and unsecure parking for judicial officers. In addition to the operational side, the current facility infrastructure is near the end of its lifespan which is resulting in plumbing, electrical, and HVAC systems malfunctions.

To address these public health and safety issues, the new Criminal Courthouse consolidates 8 courtrooms into one building along with jury services. It will also locate public windows servicing Records, Traffic, Criminal, and Appeals to a convenient location on the street level for

ease of access by court users. This new arrangement will provide enhanced access for jurors, witnesses, litigants, attorneys, staff, and judicial officers that will be ADA compliant.

I was recently informed by staff that the funding stream for new courthouse construction is diminishing and the fund is being depleted. The decision on which construction projects should move forward given the projected challenges of the fund is critical for both the Committee and the communities that are being served. I appreciate your consideration of the unique challenges the Santa Barbara Community faces and how the new Courthouse will serve to address them.

Thank you for your consideration of funding for this much needed project.

Sincerely,

A handwritten signature in cursive script that reads "Salud Carbajal".

Salud Carbajal

First District Supervisor

# County Of Santa Barbara



**Mona Miyasato**  
*County Executive Officer*

105 East Anapamu Street, Room 406  
Santa Barbara, California 93101  
805-568-3400 • Fax 805-568-3414  
[www.countyofsb.org](http://www.countyofsb.org)

## Executive Office

August 8, 2016

Hon. Patricia M. Lucas  
Vice Chair, Court Facilities Advisory Committee  
Assistant Presiding Judge of the  
Superior Court of California, County of Santa Clara  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Judge Patricia Lucas,

This letter is in support of the New Criminal Courthouse in the Pueblo Viejo district in downtown Santa Barbara.

The new Santa Barbara Courthouse will replace a deteriorating 62 year old building no longer suitable for the needs of the criminal courts. The current courthouse suffers from inadequate courtroom sizes, small crowded lobby areas, non-ADA compliant jury boxes, restrooms and doors, inadequate holding cells for inmates, unsafe transports of inmates through public areas using one elevator and public cross walks, unsecure circulation for judicial officers and staff, and unsecure parking for judicial officers. In addition to the operational side of the court the facility's system's life cycles of the plumbing, electrical, and HVAC systems continue to expire on a daily basis.

The new Criminal Courthouse consolidates 8 courtrooms into one building along with jury services and public windows servicing Records, Traffic, Criminal, and Appeals conveniently located on the street level for ease of access by court users. The new building will offer easier access for jurors, witnesses, litigants, attorneys, staff, and judicial officers and will also be ADA compliant.

In addition, the new courthouse will bring various jobs to the downtown community for 2 to 3 years, provide additional customers for local businesses, and beautify the historic Pueblo Viejo district of Santa Barbara.

It was recently reported that the funding stream for new courthouse construction is diminishing and the fund is being depleted. The decision on which construction projects should move forward given the challenges of the fund is a critical one for this committee. As you make your decision, thank you for considering the safety, access, and security needs of the public servants who work in the Santa Barbara Courthouse as well as the members of our community that access it daily.

Sincerely,

Mona Miyasato *for*  
County Executive Officer

cc: Court Facilities Advisory Committee -[cfac@jud.ca.gov](mailto:cfac@jud.ca.gov)

Terri Maus-Nisich  
*Assistant County Executive Officer*  
[tmaus@countyofsb.org](mailto:tmaus@countyofsb.org)

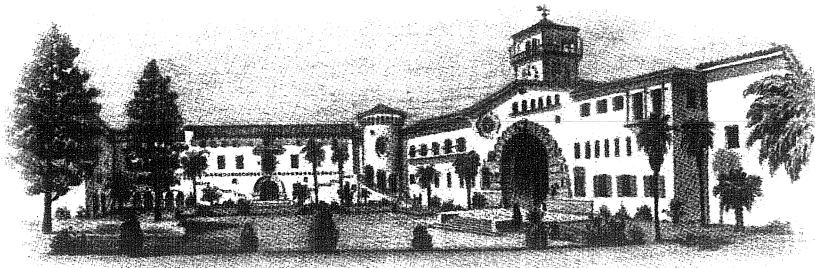
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**SALUD CARBAJAL**  
First District Supervisor

**JEREMY TITTLE**  
Chief of Staff

**ERIC FRIEDMAN**  
District Representative

**LISA VALENCIA  
SHERRATT**  
District Representative



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## COUNTY OF SANTA BARBARA

August 8, 2016

Hon. Patricia M. Lucas  
Vice Chair, Court Facilities Advisory Committee  
Assistant Presiding Judge of the  
Superior Court of California, County of Santa Clara  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

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Thank you for your consideration of funding for this much needed project.

Sincerely,

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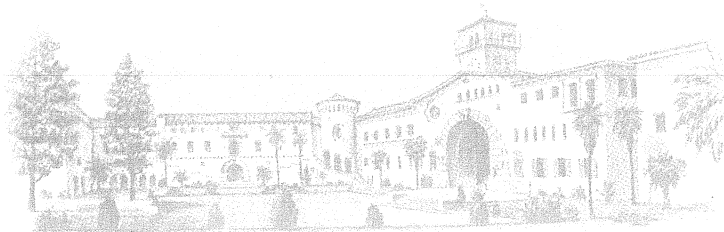
Salud Carbajal  
First District Supervisor

**JANET WOLF**  
County Supervisor, Second District

**MARY E. O'GORMAN**  
Chief of Staff

**NAOMI KOVACS**  
District Representative

**HILDA LOPEZ**  
Board Administrative Assistant



**BOARD OF SUPERVISORS**  
105 East Anapamu Street, 4<sup>th</sup> Floor  
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[www.countyofsb.org/bos/wolf](http://www.countyofsb.org/bos/wolf)

## SANTA BARBARA COUNTY

August 9, 2016

Hon. Brad R. Hill  
Administrative Presiding Justice of the Court of Appeal  
Fifth Appellate District  
Chair, Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Dear Honorable Justice Hill,

I am writing to you in my role as the Santa Barbara County Supervisor who sits on the AB 109 realignment committee and the Juvenile Justice Coordinating Council. I have taken the opportunity to visit our two courthouses on a regular basis and have seen first-hand the need for a new and better functioning criminal court.

Hence, this letter is in support of the much needed new Criminal Courthouse in downtown Santa Barbara.

The new Santa Barbara Courthouse will replace a 62 year old building that is no longer suitable for the needs of the criminal courts. The current courthouse suffers from inadequate courtroom sizes, small crowded lobby areas, non-ADA compliant jury boxes, restrooms and doors, inadequate holding cells for inmates, unsafe transports of inmates through public areas using one elevator and public cross walks, unsecure circulation for judicial officers and staff, and unsecure parking for judicial officers. In addition to the operational side of the court the facility's system's life cycles of the plumbing, electrical, and HVAC systems continue to expire on a daily basis.

The new Criminal Courthouse as designed will consolidate eight courtrooms into one building along with jury services and public windows servicing Records, Traffic, Criminal, and Appeals conveniently located on the street level for ease of access by court users. The new building will offer easier access for jurors, witnesses, litigants, attorneys, staff, and judicial officers and will also be ADA compliant.

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Sincerely,

Janet Wolf  
Second District Supervisor  
County of Santa Barbara

CC: Hon. Patricia M. Lucas, Vice Chair, Court Facilities Advisory Committee

**JANET WOLF**

County Supervisor, Second District

**MARY E. O'GORMAN**

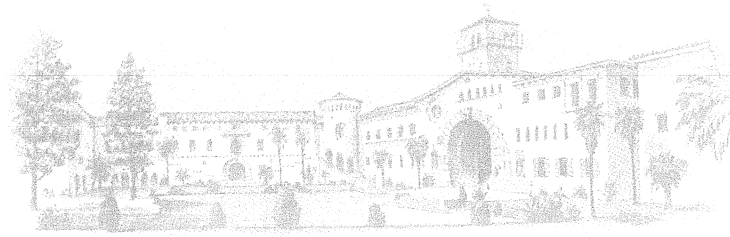
Chief of Staff

**NAOMI KOVACS**

District Representative

**HILDA LOPEZ**

Board Administrative Assistant



**BOARD OF SUPERVISORS**

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**SANTA BARBARA COUNTY**

August 9, 2016

Hon. Patricia M. Lucas

Vice Chair, Court Facilities Advisory Committee

Assistant Presiding Judge of the

Superior Court of California, County of Santa Clara

Judicial Council of California

455 Golden Gate Avenue

San Francisco, CA 94102

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Sincerely,

Janet Wolf  
Second District Supervisor  
County of Santa Barbara

CC: Hon. Brad R. Hill, Chair, Court Facilities Advisory Committee



CAPITOL OFFICE  
STATE CAPITOL, ROOM 2032  
SACRAMENTO, CA 95814  
TEL 916 651-4019  
FAX 916 651-4919

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222 E. CARRILLO STREET  
SUITE 309  
SANTA BARBARA, CA 93101  
TEL 805-965-0862  
FAX 805-965-0701

VENTURA COUNTY OFFICE  
300 E. ESPLANADE DRIVE  
SUITE 430  
OXNARD, CA 93036  
TEL 805-988-1940  
FAX 805-988-1945

# California State Legislature

SENATOR  
**HANNAH-BETH JACKSON**  
NINETEENTH SENATE DISTRICT



CHAIR  
SENATE JUDICIARY  
CALIFORNIA LEGISLATIVE  
WOMEN'S CAUCUS  
SELECT COMMITTEE  
ON PASSENGER RAIL  
VICE CHAIR  
JOINT LEGISLATIVE COMMITTEE  
ON EMERGENCY MANAGEMENT  
COMMITTEES  
BUSINESS, PROFESSIONS &  
ECONOMIC DEVELOPMENT  
ENVIRONMENTAL QUALITY  
LABOR & INDUSTRIAL  
RELATIONS  
NATURAL RESOURCES  
& WATER  
JOINT COMMITTEE ON ARTS

August 9, 2016

Hon. Brad R. Hill  
Administrative Presiding Justice of the Court of Appeal  
Fifth Appellate District  
Chair, Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Ave.,  
San Francisco, CA 94102

Dear Judge Hill,

This letter is to express my support for the construction of a new criminal courthouse in the Pueblo Viejo district of downtown Santa Barbara.

The Santa Barbara Superior Court currently maintains two courthouses in the historic downtown el Pueblo Viejo District of Santa Barbara California. One building is the beautiful historic courthouse at 1100 Anacapa Street. The other building is the Criminal Courthouse at Figueroa Street, which has been repeatedly remodeled to accommodate the changing demands of the criminal justice community. The Criminal Court building does not provide a sufficient number of courtrooms compelling the use of the National Historic Landmark for criminal calendars.

The current courthouse suffers from inadequate courtroom sizes, small crowded lobby areas, non-ADA compliant jury boxes, restrooms and doors, inadequate holding cells for inmates, unsafe transports of inmates through public areas using one elevator and public cross walks, unsecure circulation for judicial officers and staff, and unsecure parking for judicial officers.

The current criminal courthouse is deficient in other ways. For example, the jury operations for the Superior Court are housed in a building one block away from the Criminal Court's Building. Jury orientation takes place in this building and then jurors are escorted down the street to proceed through weapons screening. This two building process is inefficient. The current design for the new facility calls for jury services to be housed within the proposed new criminal court building. Jurors will be screened upon arrival at the court, receive their orientation and then directed to their courtroom in a more convenient and efficient manner. This operational

efficiency saves time for the jurors, judges, attorneys, staff and litigants while improving the juror's experience.

Additionally, currently judges park in an open accessible parking lot behind the existing criminal courthouse. With a new courthouse judges will be provided secure parking underground in a gated garage with direct access in a secure route to their chambers and courtrooms. The new building would also provide appropriate circulation routes for the public, staff and secure routes for movement of inmates making the facility safer for everyone tending to business in the court.

In addition to the operational side of the court the facility's system's life cycles of the plumbing, electrical, and HVAC systems continue to expire on a daily basis.

The new Santa Barbara Courthouse will replace a deteriorating 62 year old building no longer suitable for the needs of the criminal courts. A new criminal court building would mean a boost to the local economy as well. Contractors and suppliers will frequent local businesses and hotels during the 2-3 year construction phase.

As the State Senator representing the 19<sup>th</sup> district, which includes all of Santa Barbara County and western Ventura County and as chair of the Senate Judiciary Committee I am well aware that the funding stream supporting construction of new courthouses throughout California are dwindling. This decline in funding puts you and the committee in a difficult position in prioritizing projects and finding a mechanism to address these critical needs.

Santa Barbara Superior Court's proposed Criminal Courts Building was and remains one of the top critical projects identified in California's Court System's Infrastructure. The Court enjoys strong support from partners in government, the bar, the justice system and private business in Santa Barbara. I share their concern and urge you to find a way to ensure that this critical need be met before costs further escalate.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Hannah Beth Jackson". The signature is written in a cursive, flowing style with a long, sweeping underline.

Hannah Beth Jackson  
Senate District, 19

**Matthew P. Pontes**  
Director



105 East Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-2625

**COUNTY OF SANTA BARBARA  
GENERAL SERVICES DEPARTMENT**

August 8, 2016

Hon. Brad R. Hill  
Administrative Presiding Justice of the Court of Appeal  
Fifth Appellate District  
Chair, Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Honorable Judge Hill,

I'm writing to you in your roles as Chair and Vice Chair of the Judicial Council's Court Facilities Advisory Committee.

The Santa Barbara Superior Court currently maintains two courthouses in the historic downtown el Pueblo Viejo District of Santa Barbara California. One building is the beautiful historic courthouse at 1100 Anacapa Street. The other building is the Criminal Courthouse at Figueroa Street which has been repeatedly remodeled to accommodate the changing demands of the criminal justice community. The Criminal Court building does not provide a sufficient number of courtrooms compelling the use of the National Historic Landmark for criminal calendars.

Thousands of tourists a year pore through the halls of this landmark. On a daily basis they are exposed to shackled inmates in orange jumpsuits being paraded across the public street and through the storied halls. This leaves an inappropriate impression of the American Justice System and the City of Santa Barbara. Each day tour busses line up on Figueroa Street in between the Historic Courthouse and the current Criminal Court Building. As international tourists disembark the sounds of their camera shutters compete with the sounds of inmate waist and ankle chains they are photographing as defendants cross the street for their court appearances.

The current criminal courthouse is deficient in other ways. There are inadequate employee and public circulation routes, poor custody facilities, crowded narrow hallways, a porous sally-port for the transportation bus, no attorney client meeting spaces and no ADA compliance. Judges, staff and inmates move through public hallways and share elevators creating a safety hazard and exposing judicial officers and staff to increased risk.

The sally-port is secured by two electronic low level gates. This sally-port was recently modified as a defendant squeezing between the bus and the wall and jumping over the gate, escaping into downtown Santa Barbara. Once inmates are secured in the holding facility, custody deputies' safety is compromised by the tight housing units. The custody facility has been modified to accommodate an increasingly violent classification of defendants, many

of whom must be segregated from others. Single person cages, smaller than a phone booth, have been installed in order to secure these defendants and isolate them from other classifications.

There is one elevator in the building which is used to move inmates from the first floor to courtrooms on upper levels. Judges and public must be evacuated from the elevator and when the inmates are placed on the elevator along with the custody deputy. This is the only elevator in the building and it does not meet ADA requirements for those persons compelled to use a wheel chair. The bathrooms and narrow hallways also do not meet current ADA requirements.

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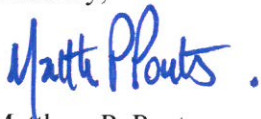
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The Court enjoys strong support from partners in government, the bar, the justice system and private business in Santa Barbara. I share the concern and urge you to find a way to ensure that this critical need be met before costs escalate further.

Thank you for your consideration.

Sincerely,



Matthew P. Pontes  
Director, General Services Department

**Matthew P. Pontes**  
Director



105 East Anapamu Street  
Santa Barbara, CA 93101  
(805) 568-2625

**COUNTY OF SANTA BARBARA  
GENERAL SERVICES DEPARTMENT**

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The Court enjoys strong support from partners in government, the bar, the justice system and private business in Santa Barbara. I share the concern and urge you to find a way to ensure that this critical need be met before costs escalate further.

Thank you for your consideration.

Sincerely,



Matthew P. Pontes  
Director, General Services Department



# Office of the Sheriff

## SANTA BARBARA COUNTY

### STATIONS

#### Buellton

140 W. Highway 246  
Buellton, CA 93427  
Phone (805) 686-8150

#### Carpinteria

5775 Carpinteria Avenue  
Carpinteria, CA 93013  
Phone (805) 684-4561

#### Isla Vista

6504 Trigo Road  
Isla Vista, CA 93117  
Phone (805) 681-4179

#### Lompoc

3500 Harris Grade Road  
Lompoc, CA 93436  
Phone (805) 737-7737

#### New Cuyama

70 Newsome Street  
New Cuyama, CA 93254  
Phone (661) 766-2310

#### Santa Maria

812-A W. Foster Road  
Santa Maria, CA 93455  
Phone (805) 934-6150

#### Solvang

1745 Mission Drive  
Solvang, CA 93463  
Phone (805) 686-5000

#### Sheriff - Coroner Office

66 S. San Antonio Road  
Santa Barbara, CA 93110  
Phone (805) 681-4145

#### Main Jail

4436 Calle Real  
Santa Barbara, CA 93110  
Phone (805) 681-4260

### COURT SERVICES CIVIL OFFICES

#### Santa Barbara

1105 Santa Barbara Street  
P.O. Box 690  
Santa Barbara, CA 93102  
Phone (805) 568-2900

#### Santa Maria

312 E. Cook Street, "O"  
P.O. Box 5049  
Santa Maria, CA 93456  
Phone (805) 346-7430

### HEADQUARTERS

P.O. Box 6427 • 4434 Calle Real • Santa Barbara, California 93160  
Phone (805) 681-4100 • Fax (805) 681-4322

[www.sbsheriff.org](http://www.sbsheriff.org)

August 8, 2016

**BILL BROWN**

Sheriff - Coroner

**BERNARD MELEKIAN**

Undersheriff

The Honorable Brad R. Hill  
Chair, Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Re: Santa Barbara Court Construction - SUPPORT

Dear Judge Hill:

I'm writing to you in your role as Chair of the Judicial Council's Court Facilities Advisory Committee in support of the Santa Barbara Court construction project.

The Santa Barbara Superior Court currently maintains two courthouses in the historic downtown el Pueblo Viejo District of Santa Barbara, California. One building is the beautiful historic courthouse at 1100 Anacapa Street, which is a designated National Historic Landmark. The other building is the criminal courthouse on Figueroa Street, which has been repeatedly remodeled to accommodate the changing demands of the criminal justice community. The criminal court building does not provide a sufficient number of courtrooms, compelling the use of the National Historic Landmark courthouse for criminal calendars.

Thousands of tourists visit the halls of this landmark every year. On a daily basis they are exposed to handcuffed inmates in jumpsuits being escorted across the public street and through the storied halls. This leaves an inappropriate impression of the American justice system and the City of Santa Barbara. Each day tour buses park on Figueroa Street in between the Historic Courthouse and the current criminal court building. As international tourists disembark, the sounds of their camera shutters compete with the sounds of inmate waist chains as defendants cross the street for their court appearances.

The current criminal courthouse is deficient in other ways. There are inadequate employee and public circulation routes, poor custody facilities, crowded narrow hallways, a poorly designed sally-port for the Sheriff's inmate transportation bus, no attorney client meeting spaces, and no ADA compliance. Judges, staff and inmates move through public hallways and share elevators, creating a safety hazard and exposing judicial officers, public and staff to increased risk.

The sally-port for inmate delivery is secured by two electronic gates. In response to a recent inmate escape attempt, this sally-port was modified to correct a critical design defect in the wall and fencing. Once inmates are secured in the holding facility, Custody Deputies' safety is compromised by the tight spaces in the holding units. The custody facility has been modified to accommodate an increasingly violent classification of defendants, many of whom must be segregated from others. Single person cells, smaller than a phone booth, have been installed to secure violent offenders and isolate them from other custody classifications. The custody facilities, as they currently exist, are inadequate for today's inmates and the security of Sheriff's staff.

There is one elevator in the building that is used to move inmates from the basement to courtrooms on upper levels. Judges and members of the public must be evacuated from the elevator when inmates are being escorted by a Custody Deputy. This is the only elevator in the building and it does not meet ADA requirements for people with mobility issues. The bathrooms and narrow hallways also do not meet current ADA requirements.

The jury operations for the Superior Court are housed in a building distant from the criminal court's building. Prospective jurors are required to park in one block, attend orientation in another, before walking to a third block for the jury selection process. This process involving multiple locations is inefficient and confusing. The new building design calls for jury services to be located within this new criminal court building. Jurors will be screened upon arrival at the court, receive their orientation, and then directed to their courtroom in a more convenient and efficient manner. This operational efficiency saves time for the jurors, judges, attorneys, staff and litigants while improving the juror's experience.

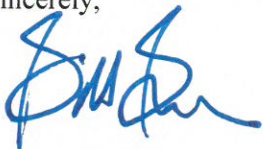
Currently, judges park in an open accessible parking lot behind the existing criminal courthouse. With the new building design, judges will be provided secure underground parking in a gated garage with direct access to a secure route to their chambers and courtrooms. The new building design also provides appropriate circulation routes for the public and staff, as well as secure interior corridors for movement of inmates, making the facility safer for everyone tending to business in the court.

I realize that the funding stream for the construction of new courthouses throughout California is dwindling. This puts you and the committee in a difficult position as you prioritize projects and find ways to address these critical needs. The Santa Barbara Superior Court's proposed criminal courts building was, and is one of these critical projects identified in California's Court System's Infrastructure. The Court enjoys strong support from its partners in government, the bar, the justice system and private business within Santa Barbara. I share their concern and urge you to find a way to meet this critical need before costs escalate further.

In my role as chief law enforcement officer of the county in which this building should be constructed I wish to express my strong support for this proposed project.

Thank you for your consideration.

Sincerely,



BILL BROWN  
Sheriff – Coroner



# Office of the Sheriff



## SANTA BARBARA COUNTY

### HEADQUARTERS

P.O. Box 6427 • 4434 Calle Real • Santa Barbara, California 93160  
Phone (805) 681-4100 • Fax (805) 681-4322

[www.sbsheriff.org](http://www.sbsheriff.org)

August 8, 2016

**BILL BROWN**

Sheriff - Coroner

**BERNARD MELEKIAN**

Undersheriff

### STATIONS

#### Buellton

140 W. Highway 246  
Buellton, CA 93427  
Phone (805) 686-8150

#### Carpinteria

5775 Carpinteria Avenue  
Carpinteria, CA 93013  
Phone (805) 684-4561

#### Isla Vista

6504 Trigo Road  
Isla Vista, CA 93117  
Phone (805) 681-4179

#### Lompoc

3500 Harris Grade Road  
Lompoc, CA 93436  
Phone (805) 737-7737

#### New Cuyama

70 Newsome Street  
New Cuyama, CA 93254  
Phone (661) 766-2310

#### Santa Maria

812-A W. Foster Road  
Santa Maria, CA 93455  
Phone (805) 934-6150

#### Solvang

1745 Mission Drive  
Solvang, CA 93463  
Phone (805) 686-5000

#### Sheriff - Coroner Office

66 S. San Antonio Road  
Santa Barbara, CA 93110  
Phone (805) 681-4145

#### Main Jail

4436 Calle Real  
Santa Barbara, CA 93110  
Phone (805) 681-4260

### COURT SERVICES CIVIL OFFICES

#### Santa Barbara

1105 Santa Barbara Street  
P.O. Box 690  
Santa Barbara, CA 93102  
Phone (805) 568-2900

#### Santa Maria

312 E. Cook Street, "O"  
P.O. Box 5049  
Santa Maria, CA 93456  
Phone (805) 346-7430

The Honorable Patricia M. Lucas  
Vice Chair, Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102

Re: Santa Barbara Court Construction - SUPPORT

Dear Judge Lucas:

I'm writing to you in your role as Vice Chair of the Judicial Council's Court Facilities Advisory Committee in support of the Santa Barbara Court construction project.

The Santa Barbara Superior Court currently maintains two courthouses in the historic downtown el Pueblo Viejo District of Santa Barbara, California. One building is the beautiful historic courthouse at 1100 Anacapa Street, which is a designated National Historic Landmark. The other building is the criminal courthouse on Figueroa Street, which has been repeatedly remodeled to accommodate the changing demands of the criminal justice community. The criminal court building does not provide a sufficient number of courtrooms, compelling the use of the National Historic Landmark courthouse for criminal calendars.

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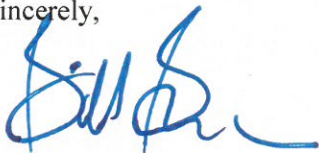
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Thank you for your consideration.

Sincerely,



BILL BROWN  
Sheriff – Coroner



# Superior Court of California County of Shasta

GREGORY S. GAUL  
*Presiding Judge*

GARY G. GIBSON  
*Asst. Presiding Judge*

August 2, 2016

Brad R. Hill, Presiding Justice  
Court of Appeal, Fifth District  
Chair, Court Facilities Advisory Committee  
2424 Ventura Street  
Fresno, CA 93721

Re: August 11, 2016 CFAC meeting

Dear Justice Hill:

We send this letter to express our thoughts on the ICNA revenue shortfall, and to voice our support for your steadfast leadership with respect to the Court Facilities Advisory Committee. Your role as chair exemplifies Theodore Roosevelt's expression that nothing in this world is worth doing unless it means effort, pain and difficulty. Every ground breaking for yet another California courthouse starting construction reflects your work, and none of it has been easy.

The upcoming August 11<sup>th</sup> meeting addresses yet another obstacle in the struggle to replace aging, unsafe court facilities. Shasta County's proposed new courthouse is a poster child for why SB 1407 was so desperately needed and long overdue in California. Like other projects in the Immediate Needs category, our operations are inefficient because we are constrained by facilities. The main courthouse is undersized and court staff is spread throughout multiple facilities and leased office space. Security is poor in most of our buildings, and non-existent in others. Providing access to justice in our community is a daily challenge.

The substandard conditions we face in Shasta are common issues in each of the other 16 projects that are now in jeopardy. We must press forward to find a correction to the dismal ICNA revenue projections and we support your efforts and that of your committee to identify solutions so that all of the SB 1407 projects are completed.

Replacing revenue taken from ICNA, or at the very least finding common ground with legislative leaders to compromise on general fund obligations that are depleting our construction revenue stream is critical. We must also ensure that our facilities are built by Judicial Council

August 2, 2017  
Page two of two

under the watchful eye and thoughtful review of CFAC, whose oversight and cost-cutting measures ensure prudent use of scarce SB 1407 funds. The public we serve deserves nothing less.

Very truly yours,

A handwritten signature in blue ink, appearing to read "G. S. Gaul". The signature is fluid and cursive, with a large initial "G" and a long, sweeping underline.

GREGORY S. GAUL  
Presiding Judge

A handwritten signature in blue ink, appearing to read "Gary G. Gibson". The signature is cursive and somewhat stylized, with a large initial "G" and a long, sweeping underline.

GARY G. GIBSON  
Asst. Presiding Judge



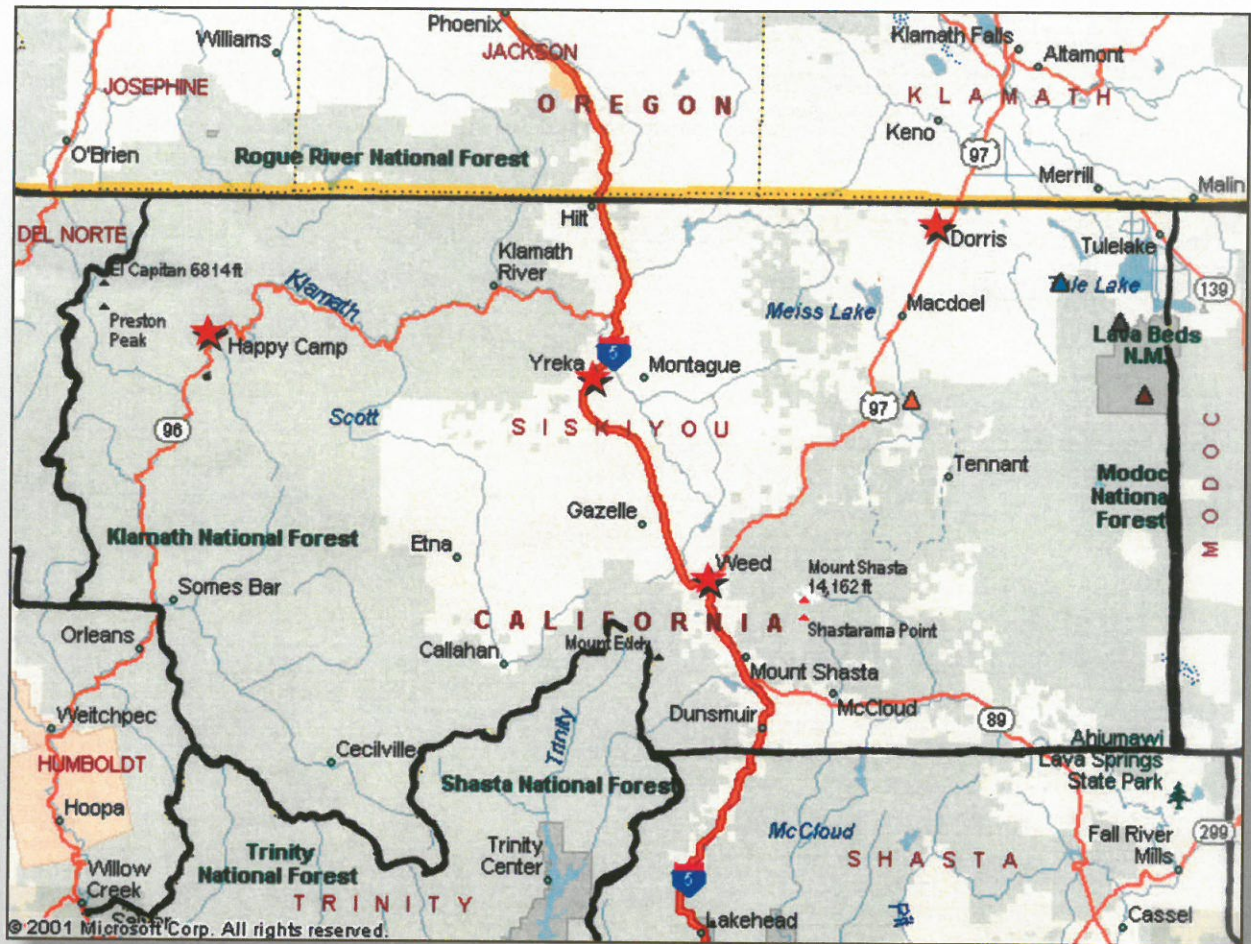
Superior Court of California  
County of Siskiyou

## Yreka Courthouse

SB 1407 Project Need Report - August 24, 2012



ABOVE: Siskiyou Daily News reporter Pat Arnold took this startling photo of Edward Lansdale firing at a witness in a sex abuse case inside the Siskiyou County Courthouse.



## Distance to Yreka

Montague	- 7 mi	McCloud	- 49 mi
Gazelle	- 21 mi	Macdoel	- 68 mi
Hilt	- 22 mi	Tennant	- 69 mi
Klamath River	- 25 mi	Cecilville	- 71 mi
Etna	- 29 mi	Happy Camp	- 71 mi
Weed	- 30 mi	Dorris	- 79 mi
Mount Shasta	- 38 mi	Tulelake	- 105 mi
Callahan	- 41 mi	Somes Bar	- 108 mi
Dunsmuir	- 46 mi		



**Superior Court of California  
County of Siskiyou  
New Yreka Courthouse**

SB 1407 PROJECT NEED REPORT

August 24, 2012

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## **INTRODUCTION**

Siskiyou Superior Court has a desperate need for a new courthouse in Yreka, the county seat. Out of necessity, the court continues to operate in extremely overcrowded, poorly secured conditions with inadequate access for the public, staff, and inmates. There was a shooting in the courthouse in 2000 resulting in one death and one serious injury. Burglars broke into the Courthouse in 2012 and stole a major portion of Siskiyou County's heritage gold collection, apparently gaining access through a window. Raw sewage inundated the court's basement space, including a courtroom and a multi-purpose room, in 2003 requiring emergency hazmat cleanup and three months of refurbishment before the court could resume its use. The basement continues to flood periodically. Bats occasionally fly in the hallways and water leaks from upstairs ceilings during heavy rainfalls. Inmates are commingled with the public and staff as they are escorted necessarily through public hallways and flights of stairs. Vacant jury rooms serve as the only holding cells. Staff and judges cannot move through the courthouse without potential contact with the public and jail inmates. The court functions in one-fifth of the space recommended by Trial Court Facilities Standards. The courthouse is out of compliance on virtually all of the trial court standards, including ADA.

Historically, there were numerous small town justice courts spread throughout the county. These were eventually consolidated in 1990 into three justice court districts, generally serving the northeastern, northwestern, and southeastern portions of Siskiyou County. The justice courts were operating in far flung areas of the county in substandard facilities. One justice court consisted of a room next to a fire station where the judge and attorneys would wait outside in vehicles while a jury deliberated. In 1996, pursuant to state legislation, the Siskiyou County Municipal Court District superseded the Western, Southeastern, and Dorris/Tulelake Judicial Districts to embrace the entire County of Siskiyou.

In June 1998 when California voters approved Proposition 220, a Constitutional Amendment permitting the judges in each county to unify their municipal and superior courts into a unified superior court, Siskiyou County aggressively pursued unification. The court quickly transitioned into a case management system that all departments, staff, and judges could utilize while consolidating processes, procedures, and financial matters. Steps were taken to equalize workloads and cross-train judges and staff so all assignments could be adequately and flexibly covered.

Siskiyou County Superior Court has never had a facility that could accommodate the unified superior court. In particular, the main courthouse in Yreka provides limited access to justice with its deficient jury space and crowded conditions as described later in the report.



*1857 courthouse*

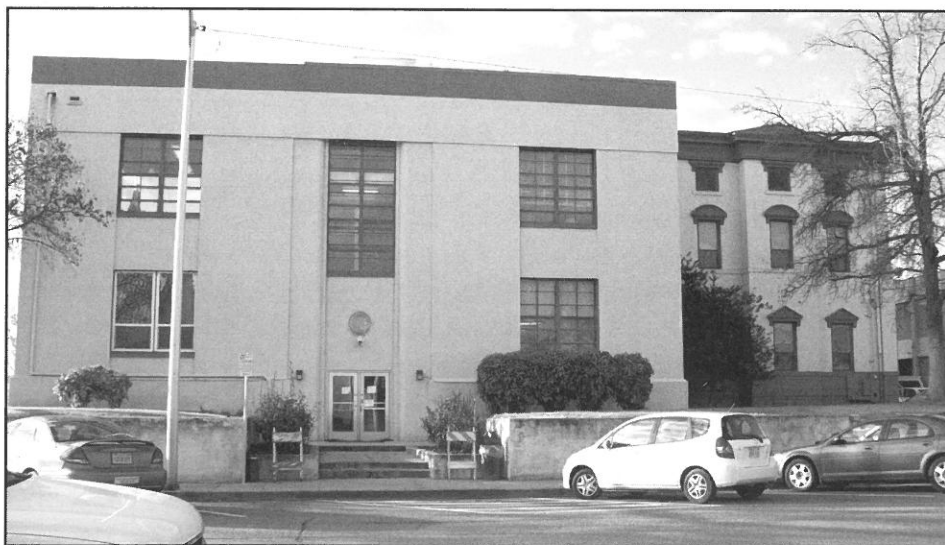


*1954 courthouse*



*Walkway between two courthouses*

*Side view of two courthouses*



## **CURRENT COURT OPERATIONS**

Siskiyou County, which is geographically the fifth largest county in California spread over 6,347 square miles, is located in the far northern region of California. It is bounded by the State of Oregon on the north, Modoc County on the east, Trinity County and Shasta County on the south, and Del Norte County and Humboldt County on the west.

Four court facilities serve the county of Siskiyou. Facilities include a historic but outmoded courthouse with three courtrooms in Yreka, and single courtroom facilities in the remote locations of Weed, Dorris, and Happy Camp. All case types are heard at the Yreka facility while typically only traffic and small claims cases are heard at the remote locations along with misdemeanor arraignments in Weed and Dorris.

The Yreka Courthouse is the main courthouse in Siskiyou County. It is a multi-functional facility, dealing with all types of civil and criminal cases. The facility also houses court support functions, including court administrative offices, as well as the offices of the District Attorney, County Assessor – Recorder, and County Tax Collector, and the Board of Supervisors' public hearings chamber. It is located in the downtown area of Yreka on 4th Street and is surrounded by small businesses, churches and residences. The courthouse is essentially multiple structures, ranging from wood frame to pour-in-place concrete, which are connected to one another by various means. The original structure dates from 1857 and is located to the rear of the primary entrance to the courthouse. The remaining structures were added through the years by means of various and unknown structural systems. In 1954, a rectangular structure was constructed directly in front of the historic 1857 courthouse, and the two buildings were joined by an internal bridge. The court structures cover the majority of the site, leaving very little space for landscaping and natural vegetation. Due to the fact that the site is fully developed, there is no on-site vehicular circulation. Service entry, as well as inmate entry, is directly from the street. There is no secure parking for Judicial Officers. This court facility has severe functional and access deficiencies that cannot be cost effectively remedied.

Due to the physical and functional deficiencies of the Yreka Courthouse, the superior court has been forced to decentralize its operations, thereby requiring an annex facility located one block from the main courthouse. This facility is referred to as the Eddy Street Annex and houses the court's Information Technology and Court Reporters staff. The fact that these facilities are not consolidated simply exacerbates their functional problems. This is one of the many conditions that impacts access to justice for all county residents and negatively impacts overall court operations, in terms of strain on resources, workload, and staffing.

The Weed satellite court facility is located in leased space in the City of Weed's city hall. Court is held one day per week in the city council hearing room. The structure was originally built in the early 1900s and has since been expanded with numerous additions. Renovated portions of the facility are in generally sound condition while non-renovated

portions are visibly deteriorated with obvious water leakage problems. Restrooms, public counters and hardware require upgrades to meet current ADA standards. HVAC and electrical systems are not adequate.

The Dorris satellite court facility is located in a residential area of Dorris adjacent to the foothill of the mountain range. Court is held here one day per month. This one courtroom facility was recently remodeled and serves the eastern area of Siskiyou County and Western area of Modoc County as a joint use facility.

The Happy Camp satellite court facility is located within a county-owned facility shared by the sheriff's and fire departments. The facility is approximately 70 miles (2 hour drive) west of Yreka. Utility of the facility for the Court is limited by the difficulty of winter travel to this site location. This satellite court serves the western part of Siskiyou County. Court is held here one day every other month. The facility only handles traffic, small claims, and fish and game violation cases.

**Existing Facilities Transfer Chart**

**Transfer Status**

Under the Trial Court Facilities Act, negotiations for transfer of responsibility of all trial court facilities from the counties to the state began July 1, 2004. Assembly Bill (AB) 1491 (Ch. 9 Statutes of 2008) (Jones) was enacted and extended the deadline for completing transfers to December 31, 2009. Transfer status for each existing facility affected by the proposed project is provided in the following table.

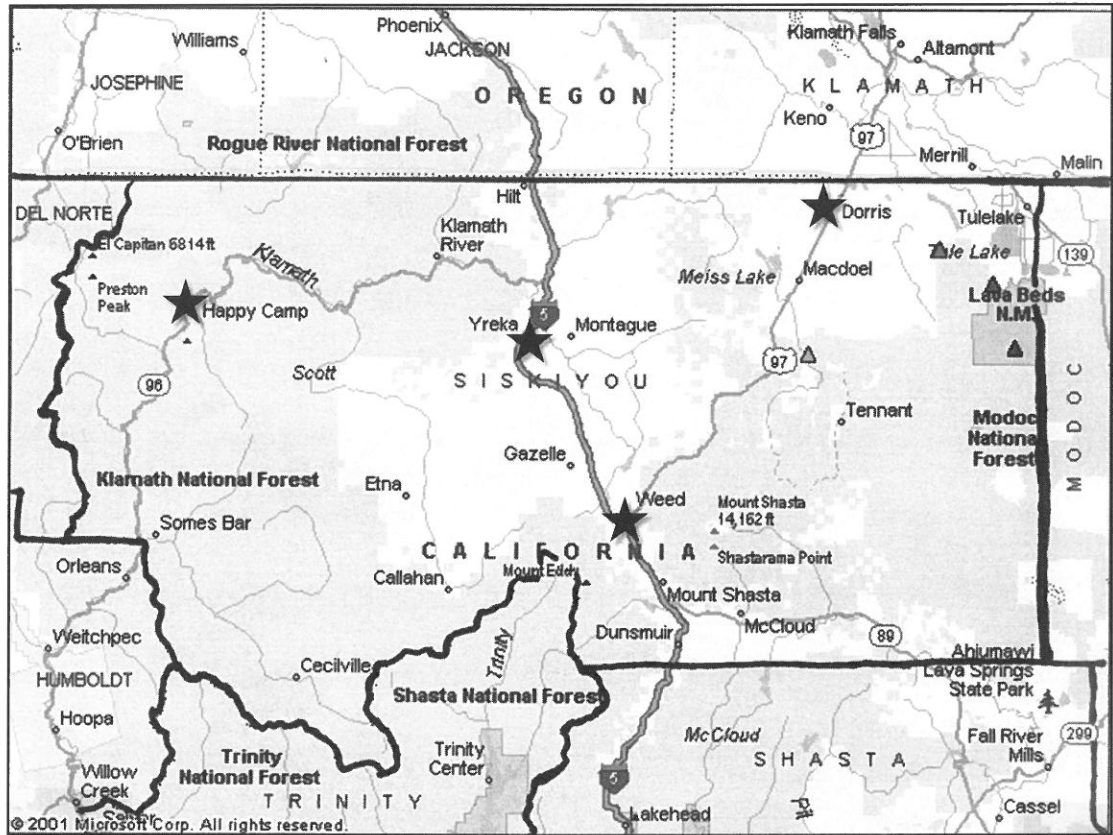
The main Yreka Courthouse did not transfer and is County owned.

**Existing Facilities Transfer Status**

Facility	Location	Owned or Leased	Type of Transfer	Transfer Status
Yreka Courthouse	311 4th Street, Yreka, CA 96097	County Owned	TOR	12/19/08
Weed Satellite	550 Main Street, Weed, CA 96094	Leased	TOR	04/01/07
Dorris Satellite	324 North Pine Street, Dorris, CA 96023	State Owned	TOR/TOT	12/01/08
Happy Camp	4th Street Happy Camp, CA 96039	County Owned	MOU Limited Use	09/15/08

### Siskiyou County Court Facilities' Location

★ Denotes Court Facilities



*As the above map of Siskiyou County illustrates, citizens must travel great distances to avail themselves of court services and to fulfill jury duty*

#### Distance to Yreka

Montague	- 7 mi	McCloud	- 49 mi
Gazelle	- 21 mi	Macdoel	- 68 mi
Hilt	- 22 mi	Tennant	- 69 mi
Klamath River	- 25 mi	Cecilville	- 71 mi
Etna	- 29 mi	Happy Camp	- 71 mi
Weed	- 30 mi	Dorris	- 79 mi
Mount Shasta	- 38 mi	Tulelake	- 105 mi
Callahan	- 41 mi	Somes Bar	- 108 mi
Dunsmuir	- 46 mi		

## 1. Security

In 2000, a defendant in a criminal case shot and wounded the victim and her fiancé and then shot and killed himself on the central interior stairway of the Yreka Courthouse. After this incident, security was improved in the courthouse as an x-ray machine, magnetometer, and more security officers were added. Nevertheless, despite these efforts, in February 2012, burglars gained access to the courthouse through a first floor window and stole the County's heritage gold collection. The following concerns cannot be improved due to deficiencies in the existing courthouse, and safety and security remain major issues:

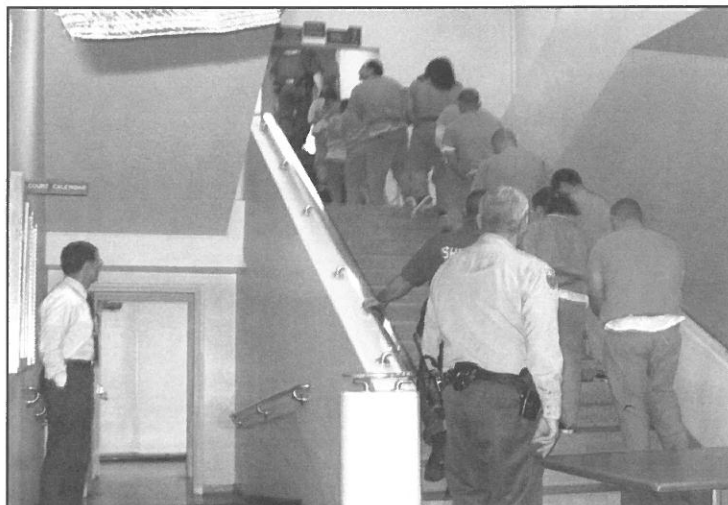
- *Jail inmates are brought to the courthouse in sheriff's vehicles which must park on the street. The inmates are then escorted in shackles over an open-air walkway up to the side entrance of building. The officers and inmates are vulnerable to assault from every direction with numerous hiding places for potential perpetrators to lie in wait. Once inside, the inmates must be escorted through the public corridors and stairways to reach the assigned courtroom. There is not a viable place to construct a secure sallyport on the courthouse property as the courthouse consumes most of the court site area.*
- *The building does not have separate and secure judicial, staff and public circulation. The public can easily access judges and staff as they circulate through the building.*
- *The facility does not have separate and secure corridors for inmate movement. There are substantial security risks posed by the lack of dedicated, secured corridors and elevators. Inmates are marched through the same hallways that the public, staff, and judges must use in order to move through the building to reach any department or courtroom. Anyone capable of secreting a weapon into the building would have the opportunity to hand the weapon to an inmate.*
- *There is no secure parking for the judicial officers. Judges park in an open parking lot behind the courthouse that is in plain view and easily accessible by the public.*
- *There are no designated holding areas for inmates or juvenile detainees. Vacant jury rooms and the multipurpose room in the basement are primarily used for this purpose. At times, inmates must be seated in the jury box for significant periods of time because there is no place available in the courthouse to hold them.*

- *In order to shield juvenile offenders from public view, a curtain was installed at the end of the hallway near the makeshift holding area in the jury room. When the curtain is closed, it prevents egress from the building in the event of an emergency evacuation as it obscures an emergency exit.*
- *The courtrooms were designed with the witness stand adjacent to the bench and no effective barrier between them. The bailiffs must be posted near the door and the attorneys' tables and therefore would need some time to respond to any threat a witness might pose for a judicial officer. Departments 1 and 2 in the courthouse are especially problematic, and they each are used for a high volume of felony cases.*
- *There are multiple doors and windows through which the public can enter undetected by security even though the building has security cameras. Throughout the work day there is constant concern about an intruder entering through a side door. In 2012, two burglars entered the courthouse at night and heisted a major portion of the County's gold collection. The court remains concerned that persons desiring to harm judges or staff could enter the building undetected and commit violent acts.*
- *There are no rooms to separate victims and witnesses from the public or inmates.*
- *There is no security in the Eddy Building where our IT staff and Court Reporters are located.*

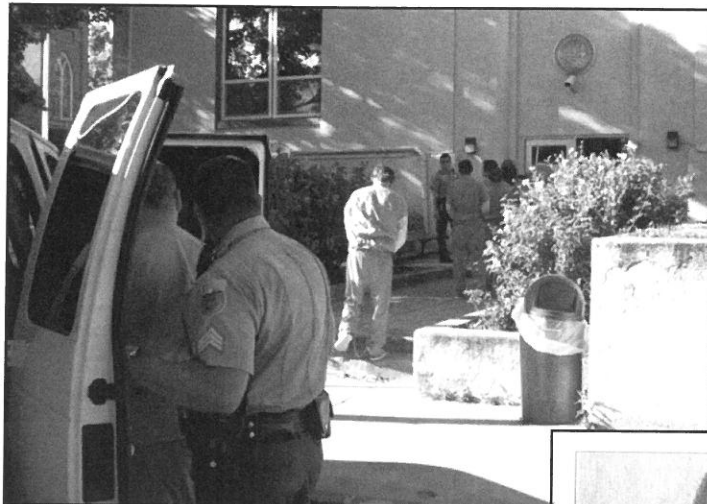
Various studies dating back to the 2002 Courthouse Master Plan have all concluded that the security issues cannot be resolved by remodeling the existing courthouse due to cost and design problems. The 2012 burglary and theft of a major portion of Siskiyou County's gold collection located in the lobby of the Courthouse indicates the deficiency in securing the building.

#### *Yreka Courthouse*

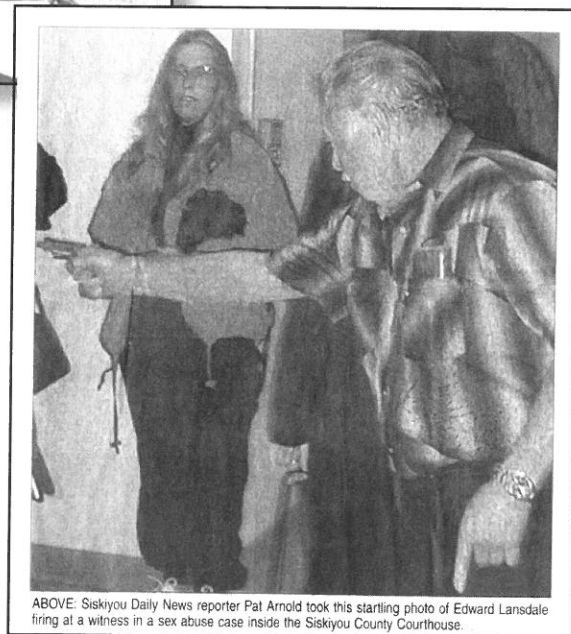
*Inmates traverse through public corridors and stairs with judge shown on the left*



*Inmates are offloaded curbside from vans*



*2000 shooting inside  
of courthouse*



ABOVE: Siskiyou Daily News reporter Pat Arnold took this startling photo of Edward Lansdale firing at a witness in a sex abuse case inside the Siskiyou County Courthouse

*2012 gold theft inside courthouse*





## 2. Overcrowding

Three (two combined courthouses & Eddy Building) existing facilities containing three courtrooms are directly affected by this project as shown in the table below. These facilities are currently unsafe, substandard in size, and overcrowded.

### Existing Facilities

Facility	Location	Number of Existing Courtrooms Affected by This Project	Building Gross Square Footage	Departmental Square Footage Occupied by the Court	Court Space as a Percentage of Total Building Square Footage
Siskiyou Courthouse	311 Fourth Street Yreka, CA 96097	3	13,123	9,449	33.63%
Eddy Building Annex	322 W. Center Street Yreka, CA 96097	0	3,093	2,227	100.0%
<b>Total Existing Courtrooms and DGSF</b>		<b>3</b>	<b>16,216</b>	<b>11,676</b>	

The Superior Court of Siskiyou County is located in the county seat, Yreka. The facility has three courtrooms and one shared use courtroom with the Siskiyou County Board of Supervisors. The second facility, Eddy Street Annex is located one block from the Yreka Superior Courthouse.

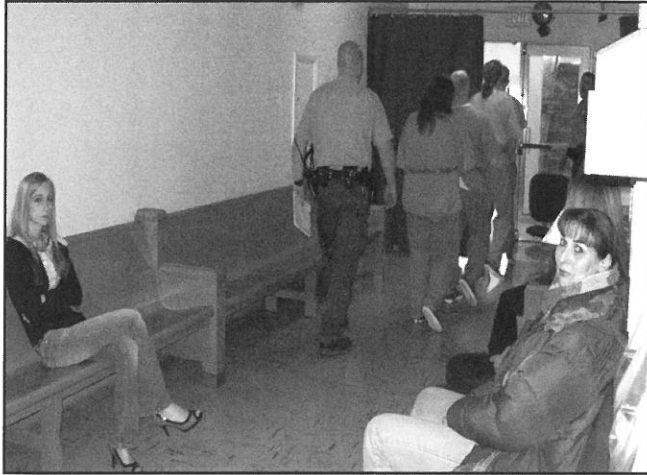
The functional square footage of space currently occupied by the court at these two facilities is 11,676. The square footage required for the project is 49,438 Departmental Gross Square Feet (DGSF) or 69,213 Building Gross Square Feet (BGSF). This represents a shortfall of 37,762 DGSF to meet the current and near-term needs of the court based on the space program developed by the AOC.

The existing facilities contain numerous deficiencies relative to access and efficiency, security, and Americans with Disabilities Act (ADA) accessibility which create impediments to the administration of justice. Specific issues with the existing facilities are summarized as follows:

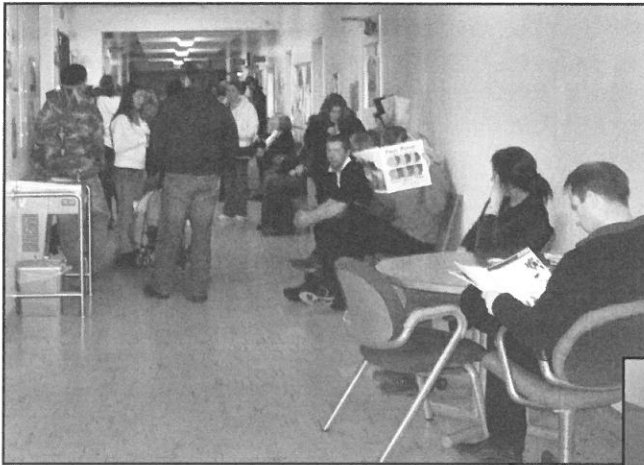
- *The court facilities serving Siskiyou County are decentralized, have severe security problems, are overcrowded, and have many physical condition problems. As the Yreka Courthouse cannot be renovated and expanded on site, the operations of this facility and those in the Eddy Building Annex need to be consolidated into a single, secure, and physically appropriate building.*
- *Approximately 90 percent of court staff are located in Yreka, and all of the judicial officers are headquartered in Yreka. All of the felony, unlimited civil, probate, family law and juvenile proceedings and trials (other than some infractions) are heard exclusively in Yreka. The jail is located in Yreka, and the District Attorney, Public Defender, and most of the private attorneys practice in Yreka exclusively. Probation, Human Services, and*

*the Sheriff's Office are also located in Yreka. In sum, the Yreka courthouse is integral and vital to the dispensation of justice in Siskiyou County. There are no viable alternative courthouses in our county.*

- *With approximately 13,123 gross square feet of space in the Yreka Courthouse, we currently operate in only 20% of the space that Trial Court Standards recommend (the Trial Court Standards specify that we need approximately 69,213 gross square feet). We are forced to convert broom closets into work areas, crowd staff into constricted areas, share converted courtrooms with the county, lease space, and do without basic secure space and other necessary space because it is either non-existent or unaffordable. It is important to note that many courts that scored higher than Siskiyou as immediate need courts did so based primarily on the criterion of needing new judges. Since we are not scheduled to receive any new judges in the foreseeable future, we did not score any points in this category. Ironically, many of the courts scoring high in this category have a significantly greater percentage of recommended space, even after the additional judges are factored in, than does Siskiyou. We are not aware of any other court that will be operating in a percentage of recommended space as low as ours, either before or after the need for new judges has been considered.*
- *There is no jury assembly room in the courthouse. Prospective jurors often must crowd in the hallway and wait their turn to be called into the courtroom for jury selection. There is no method of remedying this unpleasant situation within the existing overcrowded, inadequate courthouse.*
- *Our clerks are crammed into tight spaces within a labyrinth of file shelves, copy machines, file carts, cubicles, coffee cart, and freestanding coat racks. They are virtually on top of one another at times. Our Financial Officer works in a converted janitor's closet.*
- *As mentioned under security, many areas must serve dual and often non-optimal purposes. Our jury rooms serve also as conference rooms and holding cells. Our basement hearing room serves as a jury assembly room, training room, self-help work area, and storage area for criminal department filing cabinets. We often have to inquire about absent staff so we can find a seating area for an assigned judge.*
- *We cannot hold more than two juries on the same day because we have only two jury boxes and two jury rooms. Of course, on the days that we hold two juries, we have problems determining where to hold inmates and juvenile detainees since the jury rooms also serve as holding/detention rooms. An existing jury room is deficient lacking adequate ventilation, windows, and restrooms. Jurors must use public restrooms, and thus risk encountering parties or witnesses involved with the trial.*
- *Attorneys have no place other than crowded hallways and the back of the courtrooms to interview clients, often within earshot of other defendants or witnesses.*



*Commingling of inmates,  
public, staff and judges*



*Crowded hallway with  
summoned jurors*

*Crowded waiting area*

*Judge walking in only access hallway  
while inmates are being transported*



### 3. Physical Condition

#### Existing Yreka Courthouse

- *Siskiyou County has retained ownership of the Yreka Courthouse. The County recently acquired the court's right to occupy its current space in the courthouse in exchange for some property on the site of the proposed New Yreka Courthouse. As a result, the court remains in the existing courthouse with the understanding that it will vacate by 2016. After this point, terms of the purchase agreement allow the court to remain in the courthouse, but the duration is not stated, thus making the Court's continuing tenancy uncertain.*
- *The building is severely non-compliant with American with Disabilities Act (ADA) standards. In order for a non-ambulatory person to enter the courthouse, the person must find a way to the back of the courthouse, enter through the back door and navigate the various levels of the courthouse. If a person needs to go to the Criminal Department, he or she would have to take the elevator to the second floor; then seek assistance to travel through the locked door of the District Attorney's Office and then move around some files and boxes through another locked door to reach the Criminal Department's public counter. This circuitous journey is necessary because the 1954 addition was not built to the same levels as the 1857 courthouse. Thus, it is not possible for a person in a wheel chair to reach the Criminal Department without great effort and assistance. In a fire or other emergency, evacuation of a disabled person would be dangerously problematic.*
- *The building has a Level 5 seismic rating, which means that it cannot be transferred to the State without costly structural repairs, which in the case of the 1857 courthouse is not possible.*
- *The 1857 Courthouse, while eclipsed by the boxy looking 1954 Courthouse directly in front of it, would evoke substantial resistance in the community if attempts were made to demolish it.*
- *The lower level of the structure periodically floods causing damage to furniture, office equipment, and files. We have placed furniture and file cabinets on blocks to prevent water damage. One judge was flooded out of his chambers three times.*
- *In 2003, the basement of the courthouse, which houses a courtroom, jury room, judge's chambers, and storage/multi-purpose room, was inundated with raw sewage. The entire basement was evacuated and a hazardous materials company spent three months removing the waste and remodeling the area before the court was able to resume using the space.*
- *The building has outdated and inefficient electrical and mechanical systems. It is often cold in the winter and hot in the summer. Mysterious and very unpleasant odors infiltrate staff work areas at unpredictable intervals.*
- *Our multi-purpose room is too small to serve as a proper jury assembly room, but we have no other option. The Fire Marshall has voiced concerns about this*

- *arrangement, particularly when we hold significant trials requiring us to summons a large jury panel. There is poor ventilation in one of the jury rooms, and because heating and cooling is uneven and inadequate throughout the building juror comfort is virtually impossible. Long trials tend to frazzle even the most dedicated jurors under these undesirable conditions. The judges routinely have to inquire in jury trials about claustrophobia.*
- *The existing courthouse has asbestos and we have had to send asbestos warnings to staff per AOC advice and counsel.*
- *Bats are regularly spotted in the building. Recently, a bat was discovered attached to the pant leg of a bailiff as he rose from his desk to assist a jury exiting the courtroom.*

### **Eddy Street Annex**

- *This building has been under lease with a private owner for several years.*
- *There is not adequate space for court staff to function effectively.*
- *The court space is split between two floors. The lack of a building elevator is a major drawback to its continued use from the perspective of the court employees.*
- *The suite is not protected by the court security staff.*
- *The public can enter into the space without restriction.*



*Front entrance to courthouse is not in compliance with ADA*

*Eddy Street Annex is non-compliant with ADA & has no security*



*Court users in wheelchair must traverse locked District Attorney's Office to reach department 4*



*Crowded hallway for persons in wheelchair on way to department 4*



*Storage area that persons in wheelchairs must navigate on way to department 4*



*Persons in wheelchairs must have assistance with doors on way to department 4*



#### **4. Improved Access to Court Services by Constructing New Courthouse**

As demonstrated above, the existing courthouse's security problems, overcrowding, and poor physical conditions cannot be remedied according to the 2002 Master Plan, AOC Needs Assessment, Seismic Studies, and ADA reviews. Through the construction of a New Yreka Courthouse, access will be improved or expanded as follows:

##### **Security of Safe Access**

- *Separation of Judges and Staff from public and inmates.*
- *Separation of inmates from all court users.*
- *Holding cells for inmate security and safety.*
- *Efficient movement of inmates from sally port, holding cells, inmate elevators, and courtroom holding cells.*
- *Secured, separate parking for safety and security of judges.*
- *Secure entrances and exits.*

##### **Overcrowding**

- *Adequate space for judges, staff, inmates, and public.*
- *Public counters centrally located on the first floor.*
- *Waiting areas.*
- *Interview rooms.*
- *Witness separation areas.*
- *Adequate Jury Assembly Rooms.*
- *Efficient Court Calendars*
- *Five courtrooms with jury boxes and jury rooms.*

##### **Physical Conditions**

- *Seismic Compliance.*
- *Compliance with ADA standards.*
- *Compliance with Fire Marshall Reviews.*
- *No more floods, asbestos, bats, leaky ceilings, foul odors or raw sewage.*
- *Consolidation of court staff.*
- *Adequate heating, cooling and other mechanical systems.*

## 5. Summary of Economic Opportunities

In accordance with Chapter 311, Statutes of 2008, Government Code section 70371.5(e), in recommending a project for funding, the Judicial Council shall consider economic opportunities for the project. "Economic opportunity" includes, but is not limited to, free or reduced costs of land for new construction, viable financing partnerships with, or fund contributions by, other government entities or private parties that result in lower project delivery costs, cost savings resulting from adaptive reuse of existing facilities, operational efficiencies from consolidation of court calendars and operations, operational savings from sharing of facilities by more than one court, and building operational cost savings from consolidation of facilities.

Economic opportunities for this project are as follows:

1. *Free or Reduced Costs of Land*

*The project has benefited from a land cost reduction or land donation. The City of Yreka and Siskiyou County have donated \$25,000 each to purchase property in the downtown proposed site.*

2. *Donation of City and County Staff time*

*The County Counsel and City Attorney have contributed over 200 hours of time to the project.*

3. *Adaptive Reuse of Existing Facilities*

*The project does include adaptive reuse of existing facilities as the existing courthouse will be adapted for use as county offices.*

4. *Consolidation of Court Calendars and Operations*

*The project consolidates three existing facilities into one new courthouse; the 1857 Yreka Courthouse, the 1954 Yreka Courthouse and the Eddy Street Annex.*

## 6. Stage of Project Completion

Site Acquisition was completed and approved by the Publics Works Board in June 2012. Five private homes were acquired; the County exchanged these buildings, land and a parking area with the State for the Court's space in the joint Court-County Building, and the City sold a parking lot to the State. The footprint for the New Courthouse and parking area is 2.24 acres.

The project is now entering the pre-planning phase, and has local court construction funds (\$3.3 million) to pay for a substantial portion of this work.



## 7. Courtroom Usage

7.1 Courtroom Locations and Assignments. For its five judicial officers, Siskiyou Superior Court has only three courtrooms, one makeshift courtroom with no jury box, and a multipurpose room with no jury box. There are only two jury deliberation rooms, and one of these rooms is located in a dark basement and is very small with no windows, no attached restroom, and poor ventilation. The other jury room also serves as the primary holding area for inmates, and is thus not always available. The outlying courthouses are remote and have no jury boxes or jury rooms. Due to the remoteness of these courthouses, only small claims, traffic, and misdemeanor arraignments are conducted. As mentioned previously, it is not possible to expand the existing courthouse in Yreka since the deficiencies in terms of circulation, seismic issues, asbestos, and historical preservation make it cost prohibitive.

Calendar assignments in the Yreka courthouse are somewhat akin to a fire drill due to lack of holding cells, jury boxes and jury rooms. We are unable to hold more than two jury trials at a time, causing civil trials to be continued frequently. We are unable to make permanent assignments of judges to courtrooms, but must rotate as calendar matters change during the day. We have a full-time calendar coordinator who constantly makes changes to calendars as splits, settlements, continuances, and extended hearings occur. If we had five dedicated courtrooms, with at least three, or preferably four, jury boxes and jury rooms, our use of staff and judges would be considerably more efficient.

### Court Usage Information

Judicial Resources		FY 2009-10 Filings			FY 2009-10 Dispositions			FY 2008-09 Jury Trials			2011 Population		
5.0	5.6	25,256	4,510	18	24,630	4,398	12	22	3.9	20	45,084	8,051	30

#### 7.2 Estimated Population Served

County	Judicial position equivalents 2009-10	County Population Total	Per judicial position equivalent	Rank
Siskiyou	5.6	45,084	8,051	30

#### 7.3 Number of Filings

County	Judicial position equivalents 2009-10	Filings Total	Per judicial position equivalent	Rank
Siskiyou	5.6	25,256	4,510	18

**7.4 Number of Dispositions**

County	Judicial position equivalents 2009-10	Dispositions Total	Per judicial position equivalent	Rank
Siskiyou	5.6	24,630	4,398	12

**7.5 Number of Jury Trials**

County	Judicial position equivalents 2009-10	Jury Trials Total	Per judicial position equivalent	Rank
Siskiyou	5.6	22	3.9	20

**7.6 Weighted Filings Data**

The AOC will provide this information.

**8. Type of Courthouse**

The New Yreka Courthouse Project will be the Main Courthouse in Siskiyou County, and the only Courthouse that offers jury trials and hearings for all case types.

**9. Disposition of Existing Court Space**

The AOC, Court, and County were able to collaborate on a negotiated agreement that provided a county parking area, Public Defenders Building, Detective Office, and Stage Bus Office to the Courts in exchange for the Court's space in the shared County Courthouse. The County will relocate part of the Sheriff's Office, all of the County Counsel's office, and will expand the District Attorney's Office into the existing court space.

**10. Consolidation of Facilities**

As noted above, the 1857 Courthouse, 1954 Courthouse and leased space in the Eddy Building, all of which have inadequate space with numerous security, crowding, and physical problems, will be combined into a new courthouse to remedy these problems. The Yreka Courthouse handles well over 90% of the court's work, houses all of the judicial officers, and is the only courthouse that handles all matters, including juries.

**11. Extent to Which Project Solves Court's Facilities Problems**

Please see Item 4 for a list of general issues resolved by construction of the New Yreka Courthouse. It is likely that construction of the new courthouse would resolve all major court facility issues for Siskiyou Superior Court for 50-100 years.

## **12. Expected Operational Impact**

In general, preliminary reviews suggest that all of the impacts on our court will be positive with the exception of a few funding issues.

**Custodial Services**—Since the new courthouse will be substantially larger than the existing courthouse space, custodial services will be more expensive. However, this will be partially offset by having a newer, easier to clean building and the ability to have competitive bids for cleaning service. We will also consider custodial labor costs in selecting flooring and furnishings for the new courthouse.

**Security**—Since AB 109, the Sheriff's Office has been in charge of the security budget. It is anticipated that security costs will increase for the new building due primarily to supervising holding areas and operating a control center for the courthouse. We have held preliminary discussions with the Sheriff, and believe that we can mitigate some of these costs by careful scheduling of courtrooms and inmate transportation.

## **13. Qualitative Statement of Need to Replace a Facility**

Since 1998, the AOC has been engaged in a process of planning for capital improvements to California's court facilities. The planning initiatives began with a statewide overview, moved to county-level master planning, progressed to county level master planning, and proceeded to project specific planning in 2002.

The New Yreka Courthouse was initially ranked 14 out of 211 SB1732 projects in 2004 as one of the courthouses in the state with the worst conditions of overcrowding, poor security and inadequate physical conditions. When the criterion of space for Access, primarily to meet the demand for new judges, was added to the ranking criteria, the New Yreka Courthouse ranking was reduced even though the existing Yreka Courthouse remained one of the most overcrowded courthouses in the State, operating in one-fifth of the space needed. We believe that the total courtroom and courthouse inventory for a county should be considered in making determinations on access and crowding. Similarly other access issues for ADA compliance, public access without being in proximity to inmates or alleged perpetrators, and protection of witnesses should have been more fully considered for our courthouse in assigning points for access.

In October 2008, the Council also adopted an updated trial court capital-outlay plan (the plan) based on the application of the methodology. The plan identifies five project priority groups to which 153 projects are assigned based on their project score (determined by existing security, physical conditions, overcrowding, and access to court services). This project—ranked in the Critical Need priority group in the Trial Court Capital-Outlay Plan adopted by the Judicial Council in October 2008—is one of the highest priority trial court capital-outlay projects for the judicial branch, and was selected as one of 41 projects to be funded by SB 1407 revenues by the Judicial Council in October 2008 even without the additional considerations requested above.

#### **14. Courtroom and Courthouse Closures**

During the past six years, we have continued to move more of our court business to Yreka. Limited Civil cases were moved from Weed to Yreka about six years ago. Approximately one year ago, we moved Misdemeanor Pre-trials from Weed to Yreka. Similarly, about three years ago, we reduced our monthly calendar in Happy Camp to one day every two months. All of these actions continue to strain our already overcrowded conditions in Yreka, but needed to be taken as a result of budget reductions.

We discontinued leasing courtroom space in Tulelake approximately one year ago. This court was jointly operated by Modoc County Superior Court and Siskiyou County Superior Court one day per month on alternating months. The Tulelake Court Calendar has now been combined with the Dorris Calendar that is in session one day per month, and continues in Dorris as a joint Modoc and Siskiyou shared calendar. The Dorris Court is owned by the State, and was remodeled two years ago to resolve ADA and other compliance issues.

#### **15. Outside the Box**

During the site selection process, our Project Advisory Group selected the downtown site because it offered economic contributions from the City and County; was in proximity to the jail, Sheriff, private and public attorneys, and other agencies; and was close to shopping, restaurants, bus services, the freeway, and utilities. For the State, it represented a particularly creative plan as the existing court space was exchanged for County property, thus lessening project costs while unburdening the State from the difficult task of disposing of the Court's space in the existing courthouse in 2012, with its many deficits.

In 2012, Siskiyou Superior Court volunteered to reduce the size of its project by over 17,000 gross square feet, and has also agreed to look at lower cost construction options for its new courthouse project as SB 1407 funds were reduced.

In addition, Siskiyou Superior Court was approved by the Judicial Council Group to use its \$4.5 million local Court Construction Funds to purchase five homes on the project site, and use the remaining funds for pre-planning purposes in the amount of \$3.3 million. Consequently, if approved to proceed with its project, Siskiyou will be able to fund a major portion of pre-planning with local funds rather than SB 1407 funds. This plan also reduced total project costs by over \$6 million as the need for a multiple level parking structure was no longer necessary with the expanded size of the site.

#### **16. Expended Resources by AOC, Court, & Local Communities**

In 2010, the Project Advisory Group (PAG) was formed in Siskiyou County. The PAG was comprised of AOC, Court, City of Yreka, and Siskiyou County representatives. The PAG was very active in discussing site selection options, alternatives, and local contributions. In the early stages the committee met frequently, and has remained active through the site selection process.

The Yreka City Manager and Siskiyou County Administrative Officer have been active and have volunteered the use of their staff's time to assist in the project where needed. The City and County Planners have assisted in preparation of environmental and site impact matters, saving the state substantial time. The City Attorney and County Counsel were instrumental in working with AOC attorneys to complete the property acquisition agreements for the private and public property for the site. Court staff and judges and AOC staff have also contributed hundreds of hours to the project.

As noted previously, the PAG was able to overcome many obstacles to select an optimum plan for a court site while devising a plan to leverage \$4.5 million in local contributions and funds to reduce project costs.

Consequently, significant delays or discontinuing the New Yreka Courthouse would be devastating because:

- *Siskiyou will continue to operate in a substandard, ADA deficient, overcrowded, inadequately secured courthouse with no separation of the public, staff, judges, and inmates in space that is 20% of the size recommended by California Trial Court Facilities Standards.*
- *The downtown site, which is the priority site of the Project Advisory Group, would likely not be available in perpetuity if the project is eliminated.*
- *It is not clear how long Siskiyou Superior Court would be able to remain in the space it inhabits as the County now owns this space as part of the property exchange with the State. The county has developed plans for using the existing courthouse space occupied by the court.*
- *There are no other facilities in Yreka, or in the entire county for that matter, that could be suitably remodeled into a courthouse.*
- *The State would be saddled with managing or disposing of the five private homes, three County buildings, and two parking lots it purchased for the new courthouse site.*
- *If the downtown site is not used for the courthouse project, the City of Yreka and Siskiyou County as well as the community will be less supportive of any future collaboration with the State involving construction of a court facility. We have had a very active Project Advisory Group for over two years that strongly prefers the downtown site.*
- *If the downtown site, the primary site selected by the PAG, is not utilized, then the contributions of the City and County will not be available. Similarly, the remaining \$3.3 million in local Court Construction Funds would need to be turned over to the State Controller's Office and would not be available for any future project.*

## **CONCLUSION**

Siskiyou Superior Court and the representatives of the community have collaborated impressively for over ten years attempting to achieve a primary goal of court consolidation: the construction of a New Yreka Courthouse. For our county, this means having the first facility in the county that is equipped to handle all case types, safely holds inmates and juvenile detainees, and offers a secure, healthy environment for court users, inmates, staff, and judges. It is hard to conceive that our current facility, with such dire, irreparable security, crowding, physical, and access problems could or should remain in service much longer.

Major milestones have been completed for the project. Site acquisition in the optimum downtown location close to the jail, Sheriff's Office, public and private attorneys, other justice partners, public transportation, and other services has been approved and is widely supported in the community. As part of this transaction Siskiyou County and the City of Yreka have contributed substantial funds and in-kind staff services, while Siskiyou County will move into the court's space in the existing courthouse once the New Yreka Courthouse is constructed.

The New Yreka Courthouse project is now in the pre-planning phase, and Siskiyou County has encumbered \$3.3 million in local court construction funds to pay for a significant portion of this phase. These funds will not be available in the future if the New Yreka Project is eliminated.

We believe that the New Yreka Courthouse Project represents the pinnacle of court consolidation as embodied in SB 1732 and funded by SB 1407 by "ensur[ing] uniformity of access to all court facilities in California."

**Thank you for your consideration of the New Yreka Courthouse Project.**

## Courthouse Sewage Flood

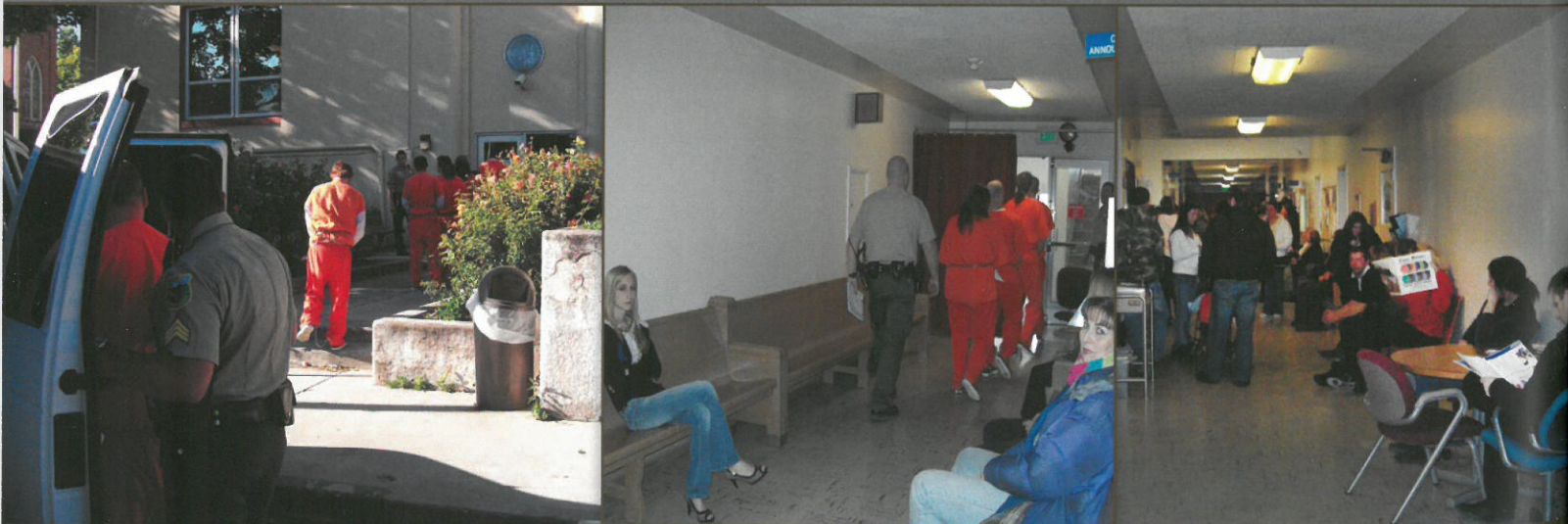


## ADA Challenges



Superior Court of California  
County of Siskiyou

311 4th Street • P.O. Box 1026 • Yreka, California 96097-1026





## PROJECT DELIVERY AGREEMENT

THIS AGREEMENT, made as of March 11, 2016 by and between the State Public Works Board of the State of California (the "Board") and the Judicial Council of California ("Judicial Council").

### WITNESSETH:

WHEREAS, pursuant to Chapters 10 and 11, Statutes of 2015, Item 0250-301-0668 (2), (the "Law"), the Legislature has authorized the Board to finance the construction of the Siskiyou County, New Yreka Courthouse project (the "Project") for the Judicial Council through the issuance of lease revenue bonds (the "Bonds"), and as such, the Board is contracting with the Judicial Council for all activities required to construct the Project; and

NOW, THEREFORE, the parties hereto agree as follows:

1. The Judicial Council hereby agrees to provide and perform all activities required to construct the Project on behalf of the Board in accordance with the applicable provisions of the Law and the State Building Construction Act of 1955, commencing at Section 15800 of the California Government Code, as amended (the "Act"), and in accordance with the State's established policies and procedures for the construction of major capital projects.
2. The Board does hereby authorize and direct the Judicial Council to execute and deliver a contract or contracts for the construction of the Project, provided that such contracts are within the cost and scope previously approved by the Board. Prior to the execution of any of the above referenced contracts, the Judicial Council shall timely ascertain whether the Board's staff wishes to review the contract and make all necessary arrangements for such review.
3. The Judicial Council agrees to take all reasonable actions necessary to maintain and retain documentation evidencing expenditures for the Project, including but not limited to contracts, payment of invoices, internal state transfers of funds and other related accounting records for a minimum of 30 years from the date of this agreement. Once the Bonds have been issued and sold, this retention schedule may be increased to allow for records to remain available for at least three years after all the Bonds have been paid.
4. The Judicial Council hereby agrees to construct the Project with all dispatch and, to the extent possible, to adhere to the latest legislatively approved project schedule, with construction starting June 2016 and concluding by June 2018, or such schedule subsequently recognized by the Board. In the event the Project schedule is extended, or anticipated to be extended, by more than ninety (90) days, the Judicial Council

ALBERT H. NEWTON, JR.  
MICHAEL P. NEWTON

LAW OFFICES OF  
**NEWTON & NEWTON**  
PROFESSIONAL CORPORATION  
300 FOURTH STREET  
P.O. BOX 188  
YREKA, CALIFORNIA 96097

JUDICIAL BRANCH  
CAPITAL PROGRAM  
SAN FRANCISCO

(530) - 842-4443  
FAX (530) - 842-5736

2016 AUG -8 P 2: 13

August 1, 2016

Court Facilities Advisory Committee  
Justice Brad R. Hill, Presiding Chair  
Justice Court of Appeal, Fifth District  
2424 Ventura Street  
Fresno, California 93721

Re: Siskiyou Courthouse Project

Honorable Chair and Committee members:

The Siskiyou Courthouse Project will be reviewed by the Court Facilities Advisory Committee (CFAC) on August 11, 2016. Siskiyou's project is shovel ready. All approvals required to proceed have been obtained. The State Fire Marshal and State Public Works Board have both approved the project. Bids have been received. Bids expire August 19, 2016. If Siskiyou is not approved by CFAC to proceed, it is dead. Our community has invested heavily in this project, and it is shovel ready. The county and City of Yreka paid over \$1.1 million for the site acquisition for this project. The County paid \$3.2 million for the preliminary plans. These were one time funds totaling ~\$4.3 million; an equivalent per capita support from Los Angeles County would exceed \$1 billion.

If CFAC directs, funding is set to be approved by the Pooled Money Investment Board (PMIB) on Wednesday August 17, 2016, but CFAC must direct keeping the matter on the calendar. The Judicial Council holds bids within the budget CFAC approved. **Bids expire Friday, August 19, 2016.** A 30 day extension of the bids will cost an additional \$150,000. No extension is realistic beyond that period of time. Bids become stale because of market conditions outside of our control. A 30 day delay adds costs to construction during the winter months. All the decisions are in place for this project to proceed, except the release of funds.

This law firm has served Siskiyou County for over 60 years. Our roots are generations deep in the community. Our offices are just across the street from the existing courthouse. We are very familiar with the deficiencies in the existing building, which interfere with citizens accessing justice safely. For instance, in 2002, a criminal defendant smuggled a gun into the courthouse, shot the young woman who was the accusing witness in the case and then turned the gun on himself. Additionally, disabled persons can only access one of the second floor courtrooms by transiting the office space of the District Attorney.

All the 23 pending courthouse projects CFAC will review have been confirmed repeatedly over the years in legislative and executive processes to be critical and necessary. Six of those projects have been constructed. All of the remaining projects have courthouses which profoundly fail to provide access to justice to their citizens. This is infrastructure at least as important as potholes on I-5 or bridges; courthouses are the citizens' front line access to government, and give daily meaning to the lofty ideal of "access to justice". All of the projects lack access to justice: jurors in stairwells waiting to serve; the hazards defendants in custody face while moving in public

hallways. People come to courthouses because they are compelled by law: they are summonsed for jury duty or to defend themselves in a case; they are subpoenaed as witnesses. When they come to courthouses, our citizens should see that their presence and participation is respected by being afforded an environment where they can safely do their business.

Delay of the project is waste. There will be costs of rebidding, increased materials cost, loss of time in construction. There is and will be Project site deterioration, transients' trespass, and liability. We risk losing the contractor and project architects. Delay means stale plans and costs to refresh/redesign when and if the project later approved. The consequence of not moving forward now must inevitably be that the project is dead. This would cause irreparable harm to this community.

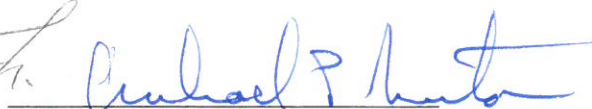
Siskiyou did all that was required of it to move forward promptly, and was never told to stop. Siskiyou was directed to shift its funding path from the Spring 2016 Bond sale to interim financing, and relied to its detriment. We urge this committee to approve the Siskiyou Project to proceed as planned and scheduled.

Very truly yours,

NEWTON & NEWTON  
Professional Corporation



Albert H. Newton, Jr.



Michael P. Newton

# Superior Court of California

## County of Siskiyou

311 4<sup>th</sup> Street, Room 206  
Yreka, California 96097

**William J. Davis**  
Presiding Judge

(530) 842-0199 Tel  
(530) 842-8339 Fax

August 2, 2016

Members of the Facilities Advisory Committee  
Honorable Justice Brad R. Hill, Chair  
455 Golden Gate Avenue, Third Floor – Malcolm M. Lucas Board Room  
San Francisco, California 94102-3688

RE: SISKIYOU COUNTY COURTHOUSE PROJECT

Honorable Chair and Members of the Committee:

On July 7, 2016, our Court was corresponding with Judicial Council staff to schedule the Chief Justice's attendance at the groundbreaking for the new Siskiyou County Superior Courthouse, the only state courthouse in Siskiyou County. Now things are not so certain. What is certain is that **the Siskiyou project is “shovel-ready” in all respects, and has been since July 1; in fact, bids for this project expire Friday, August 19, 2016.**

The ground shifted under our project when our loan application was taken off the Pooled Money Investment Board's agenda on July 20, 2016. The PMIB staff had recommended release of the funds for this project. The Siskiyou Courthouse Project will be reviewed by the Court Facilities Advisory Committee (CFAC) on August 11, 2016, only 8 days before those bids expire.

Siskiyou Project's Plans are approved by the State Fire Marshall<sup>i</sup> and the State Public Works Board<sup>ii</sup>, and funding is set to be approved by the Pooled Money Investment Board (PMIB)<sup>iii</sup> on Wednesday August 17, 2016. The Judicial Council holds bids within the budget CFAC approved. Bids expire Friday, August 19, 2016. A 30 day extension of the bids may cost an additional \$150,000. No extension is realistic beyond that period of time. Bids become stale because of market conditions outside of our control. A 30-day delay adds costs to construction during the winter months. All the decisions are in place for this project to proceed.

If Siskiyou is not approved by CFAC to proceed, the impact is irreversible and the project will suffer extreme prejudice. Assemblyman Dahle wrote: “Delaying the project at this advanced stage would be exceptionally disruptive to the local court, the community, and the contractors. Substantial public resources invested to prepare construction would be wasted.”<sup>iv</sup> There will be costs of rebidding, increased materials cost, loss of time in construction. There is and will be Project site deterioration and blight, transients' trespass, and liability. If there is delay, we risk losing the contractor and project architects. Delay means stale plans and costs to refresh/redesign when and if the project is later approved. Contractor's staff are relocating their families in anticipation of a start date in August, 2016. The consequence of not moving forward now must inevitably be that the project must start anew.

As demonstrated in the included correspondence<sup>v</sup>, this Project enjoys tremendous support in Siskiyou County, with good reason. We need a courthouse. In 2005, Siskiyou was ranked 14<sup>th</sup> for critical needs<sup>vi</sup>. Our community has invested heavily in this project, and it is shovel-ready. The County of Siskiyou and City of Yreka in combination paid over \$1.1 million for the site acquisition for this project. The County paid \$3.2 million for the preliminary plans. The County has leases expiring with project occupancy, so that that they can move offices into spaces in the old courthouse building now occupied by the court. The County is demolishing other buildings to make way for parking they will lose with this

project. These one-time funds and ancillary preparations for the project total ~\$5 million; an equivalent per capita support from Los Angeles County would exceed \$1 billion. Stopping the project would be a serious wound to this community because of the investment lost, and will cause damage to the heart of the town from deterioration of the project site or its sale, **without any opportunity for the County to recoup the funds which it has spent on the project.** A vibrant, urban community could perhaps absorb such a blow; **our economically depressed community would never recover.**

This project has repeatedly responded to requests to economize and has achieved cost savings. The Siskiyou project is a small one: 5 courtrooms, two floors and basement holding. The Court voluntarily eliminated a parking structure, reduced the building size, and reduced the number of courtrooms from 6 to 5. During cost reduction review, the Court further reduced holding facilities by 1700 square feet. Thus, the project was reduced in size from 86,000 sq.ft. to ~67,500 sq.ft., a 24% reduction. During finalization of the guaranteed maximum price (FGMP) after bids were received on April 21, 2016, in preparation for the PMIB hearing in July, the Court and its project team worked diligently to reduce the FGMP to within the construction budget of \$51,201,300.<sup>vii</sup>

Siskiyou did all that was required of it to move forward in good faith. The last published status of projects was in the March 31, 2016 Status of Active Judicial Branch Courthouse Construction Program Projects, and the Siskiyou project was described as: “in working drawings; start construction for FY 2015-2016”. In fact, working drawings were completed, the State Fire Marshal permit issued on February 20, 2016, and the working drawings had been approved by the State Public Works Board on March 11, 2016. These are significant thresholds of development that were achieved and well known by the Capital Projects Program.

Siskiyou was directed to shift its funding path from the Spring 2016 Bond sale to interim financing<sup>viii</sup>; this was approved by the State Public Works Board (SPWB) on March 11, 2016. Siskiyou shifted its funding path, and relied to its detriment. In Siskiyou’s experience, it takes nearly 21 months to move from the approval of preliminary plans to the issuance of a permit from the State Fire Marshal. A project cannot obtain approval of working drawings by the SPBW without a State Fire Marshal (SFM) permit. Obtaining that permit is a strenuous task and requires constant redesign along the process to meet the requirements of the SFM. After receiving approval of its preliminary plans in August 2014, Siskiyou submitted its working drawings to the SFM in early July 2015. It took nearly a year for this project to ready its working drawings for SFM review. There was an 8 month period of review by the SFM. The SFM issued its permit in late February 2016. The working drawings were approved on March 11, 2016 by the SPWB. Thereafter, bids were let on April 21, 2016. Under the terms of the bids, they are only viable for 120 days from receipt; **bids expire August 19, 2016.** This experience demonstrates the inevitable drag which attaches to projects in their development process – delays occur. Knowing precisely where these projects lie along their development schedule is crucial to prudent decision making, otherwise projects could be unconsciously but irreparably harmed.

Siskiyou urges it is reasonable and prudent for CFAC to approve all projects to proceed as currently scheduled and planned. If these projects are delayed indefinitely, the Judicial Branch is conceding that the sky is falling, when it may not be. If things stall here, we all lose all. We need to keep the forward momentum and Siskiyou is in the ready position to do so – the Siskiyou project can keep the path clear.

As you know, in its “Status of ICNA Projects”<sup>ix</sup>, the Legislative Analyst Office (LAO) recognized 4 projects as “Authorized to Begin Construction Pending Lease Revenue Bond Sale.” Those four projects are: Glenn, Lake, Siskiyou and Tehama. Tehama is being constructed. Glenn and Siskiyou both are in the construction phase. If CFAC approves projects completing the phases they are in, both of these projects should proceed with construction. Like a train on a track, many projects will be in the station awaiting the signal to move forward. Glenn and Siskiyou have already received the signal and are moving on the track. To stop these two projects now effectively pulls out the track from beneath them.

Siskiyou supports a more vigorous oversight process of CFAC. It should be noted that none of the reports to CFAC that have been submitted in the past year indicate status of projects with the State Fire Marshal. As far as Siskiyou is aware, of all the projects pending construction only Siskiyou holds a State Fire Marshal permit. In the future, the status of State Fire Marshal approval should be a threshold that is monitored by CFAC, along with completion of working drawings, since the State Fire Marshal permit and the approval of the State Public Works Board of working drawings are the final steps prior to bidding a project. Projects that are out to bid should be considered to be in the construction phase.

Finally, it is well-recognized that business decisions create a certain amount of risk and that those to whom the decision making has been entrusted are the best able to judge whether a particular act or transaction is helpful to the conduct of an organization's affairs or expedient for the attainment of its purposes. This is the well-known business judgment rule. The decision at issue is twofold: whether Siskiyou may proceed, and whether other projects can proceed. Certainly there is risk in proceeding if the ICNA fund will be rendered insolvent in seven to ten years and no solution has been found by then. But no information has been provided to demonstrate that the existing fund is not enough to carry all the pending courthouse projects for that period, and it is only reasonable to assume that work will be done to solve the problem. Siskiyou's debt service is estimated to be approximately \$4 million annually. There is no information before the Committee that shows this debt service will cause ICNA insolvency at all. There is every reason to believe concerns about funding streams are going to be addressed since the budget trailer bill for FY2016-17 mandates a report for resolution of this concern by January 2017. But Siskiyou cannot wait on this solution. If it is argued that the condition of the funding stream in seven years warrants suspension of this project now, then by that logic no courthouse can be built until the problem is confirmed and a solution is identified. We have 7-10 years to solve the challenge, but only 8 days to save Siskiyou's project.

Placing all projects on indefinite hold means that the Judicial Council will lose its leverage in a crucial political discussion. If the problem of funding these projects is no longer pressing, the problem will not be solved. In its "Status of ICNA Projects"<sup>x</sup>, at page 37, the Legislative Analyst Office (LAO) recognized that "if all projects that are not currently cancelled or indefinitely delayed completed construction as planned" the ICNA would become insolvent by 2023-24. That is seven years from this point in time. Surely a solution can be found within that time.

We urge the imperative and sustained application of effort to solve the funding shortfalls predicted for the ICNA so that the state can meet its obligations to provide safe, secure courthouses for its citizens, but we also urge that the Siskiyou project not be sacrificed in this effort.

Very truly yours,

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SISKIYOU

By: William J. Davis  
William J. Davis, Presiding Judge

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SISKIYOU

By: Mary Frances McHugh  
Mary Frances McHugh, Court Executive Officer

WJD/mfm

cc: Chief Justice; Members of the Judicial Council; Assemblyman Dahle; Senator Gaines; Siskiyou County Board of Supervisors Chair Grace Bennett; City of Yreka; City of Etna; City of Tulelake; Siskiyou County Bar Association; Governor Brown

<sup>i</sup> SFM Permit-attached

<sup>ii</sup> State Public Works Board Minutes From 3-11-16-attached

<sup>iii</sup> 7-20-16 PMIB Agenda-attached

<sup>iv</sup> Letter Assemblyman Dahle/Senator Gaines-attached

<sup>v</sup> Community Support letters: -attached

- a. Siskiyou County Supervisor Bennett Letter
- b. City Of Etna Letter
- c. City Of Yreka Letter
- d. City Of Tulelake Letter
- e. Newton Letter

<sup>vi</sup> Superior Court of California, County of Siskiyou, Yreka Courthouse, *SB1407 Project Need Report, p19 – August 24, 2012 (previously filed with Committee)*

<sup>vii</sup> Final Bid Summary, June 22, 2016, McCarthy-attached

<sup>viii</sup> 4-6-16 Memo From M. Tidwell To M. Hoshino Re Loan Application-attached

<sup>ix</sup> Legislative Analyst Office Status Of ICNA Projects, Page 36 Legislative Analyst's Report 2016-attached

<sup>x</sup> Legislative Analyst Office Status Of ICNA Projects, Page 37 Legislative Analyst's Report 2016



DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
OFFICE OF THE STATE FIRE MARSHAL  
Fire & Life Safety Division  
1131 S Street  
Sacramento, CA 95811  
(916) 445-8550  
Website: www.osfm.fire.ca.gov



### PLAN REVIEW APPROVAL

To: Judicial Council of California  
2860 Gateway Oaks Dr, Suite 400  
Sacramento, CA 95833

CSFM #: 01-47-11-0032

DATABASE #: 16-N-0216-CP

ATTN: Leland Roberts 916-643-8008

APPROVAL DATE: February 20, 2016

FACILITY NAME: JCC/New Yreka Courthouse

FACILITY ADDRESS: 411 4th Street, Yreka, CA 96097

PROJECT DESCRIPTION: New 2 story courthouse- Construction Plans

Reproducible plans and specifications for the project described and included in the plan review transmittal February 20, 2016 are stamped and approved by this office.

Nothing in our review shall be construed as encompassing structural integrity. Approval of this plan does not authorize or approve any omission or deviation from applicable regulations. Final approval is subject to field inspection.

One set of approved plans shall be available on the project site at all times.

If you have any questions, please contact the reviewing Deputy at, 916-322-2928.

**NOTE: Please send a copy of the approved drawings on a CD, in a pdf format to our office.**

Crystal L. Sujeski  
Deputy State Fire Marshal III

cc:  Fire & Life Safety - North  
 Fire & Life Safety - South  
 Field File

RECEIVED DATE: February 9, 2016  
 OTC  
 BC



DEPARTMENT OF FORESTRY AND FIRE PROTECTION  
OFFICE OF THE STATE FIRE MARSHAL  
FIRE AND LIFE SAFETY- NORTH DIVISION  
1131 S Street  
SACRAMENTO, CA 95811  
T: (916) 445-8550 F: (916) 324-3784  
Website: www.fire.ca.gov



# PLAN REVIEW APPLICATION

**(Must be submitted with all plans, specifications and deferred approvals)**  
**Please Print or Type**

Application Date: 2/8/2016

State Department: JCC

Building / Project Name: NEW YREKA COURTHOUSE

Agency's Project #: \_\_\_\_\_ Bill To: SRF  ARF  Agency  County   
(For DGS and BSCC Projects- please check one of the boxes above)

Project Address: 411 FOURTH STREET

City: YREKA Zip Code: 96097 County: SISKIYOU

Scope of Project: New Courthouse - CP

Estimated Contract Cost: \$ 46m

Submitting Firm/Agency: JCC

Address: 2860 Gateway Oaks Dr. Sacramento

Contact Person: Leland Roberts

Telephone Number: 643-8008 Email: leland.roberts@jcc.ca.gov

-----SFM USE ONLY-----

SFM File #: 01-47-11-0032

Control ID#: 16-N-0216-CP

Date Received: 2/8/2016

REC  
BY: \_\_\_\_\_

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Fire & Life Safety Division  
1131 S Street  
Sacramento, CA 95811  
(916) 445-8550  
Website: www.osfm.fire.ca.gov



### PLAN REVIEW APPROVAL

To: Judicial Council of California  
2860 Gateway Oaks Dr, Suite 400  
Sacramento, CA 95833

CSFM #: 01-47-11-0032

DATABASE #: 16-N-0216-SC

ATTN: Leland Roberts 916-643-8008

APPROVAL DATE: February 20, 2016

FACILITY NAME: JCC/New Yreka Courthouse

FACILITY ADDRESS: 411 4th Street, Yreka, CA 96097

PROJECT DESCRIPTION: New 2 story courthouse- Smoke Tenibility

Reproducible plans and specifications for the project described and included in the plan review transmittal February 20, 2016 are stamped and approved by this office.

Nothing in our review shall be construed as encompassing structural integrity. Approval of this plan does not authorize or approve any omission or deviation from applicable regulations. Final approval is subject to field inspection.

One set of approved plans shall be available on the project site at all times.

If you have any questions, please contact the reviewing Deputy at, 916-322-2928.

**NOTE: Please send a copy of the approved drawings on a CD, in a pdf format to our office.**

Crystal L. Sujeski  
Deputy State Fire Marshal III

cc:  Fire & Life Safety - North  
 Fire & Life Safety - South  
 Field File

RECEIVED DATE: February 9, 2016  
 OTC  
 BC



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# PLAN REVIEW APPLICATION

**(Must be submitted with all plans, specifications and deferred approvals)**  
**Please Print or Type**

Application Date: 2/8/2016

State Department: JCC

Building / Project Name: NEW YREKA COURTHOUSE

Agency's Project #: \_\_\_\_\_ Bill To: SRF  ARF  Agency  County   
(For DGS and BSCC Projects- please check one of the boxes above)

Project Address: 411 FOURTH STREET

City: YREKA Zip Code: 96097 County: SISKIYOU

Scope of Project: New Courthouse - Smoke Tenability

Estimated Contract Cost: \$46m

Submitting Firm/Agency: JCC

Address: 2860 Gateway Oaks Dr. Sacramento

Contact Person: Leland Roberts

Telephone Number: 643-8008 Email: leland.roberts@jcc.ca.gov

-----SFM USE ONLY-----

SFM File #: 01-47-11-0032

Control ID #: 16-N-0216-SC

Date Received: 2/8/2016



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**CALIFORNIA STATE  
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

915 L STREET ■ NINTH FLOOR ■ SACRAMENTO CA ■ 95814-3706 ■ (916) 445-9694

STATE PUBLIC WORKS BOARD  
March 11, 2016

**MINUTES**

**PRESENT:**

Ms. Eraina Ortega, Chief Deputy Director, Department of Finance  
Mr. Malcolm Dougherty, Deputy Director, Department of Transportation  
Mr. Daniel Kim, Director, Department of General Services  
Mr. Blake Fowler, Director, Public Finance Division, State Treasurer  
Mr. Tom Yowell, Chief Deputy Director, State Controller

**CALL TO ORDER AND ROLL CALL:**

Ms. Eraina Ortega, Chairperson of the Board called the meeting to order at 10:00 a.m.  
Ms. Karessa Belben, Executive Secretary for the Board, called the roll. A quorum was established.

**BOND ITEM:**

Bond Item 1: If approved would adopt a resolution to authorize interim financing and other related actions for the Judicial Council, New Yreka Courthouse in Siskiyou County.

There were no questions or comments from the public or the Board.

**A motion was made by Mr. Kim and seconded by Mr. Fowler to approve and adopt the resolution for the Bond Item. The motion was passed unanimously (Ms. Ortega, Mr. Kim, Mr. Dougherty, Mr. Fowler, and Mr. Yowell all voting aye).**

Bond Item #2: If approved would adopt a resolution and would approve the execution of documents and other related actions to authorize the sale of the State Public Works Board Lease Revenue Refunding Bonds Series 2016 B for the Department of General Services (DGS), San Diego Office Building Complex.

There were no questions or comments from the public or the Board.

**A motion was made by Mr. Dougherty and seconded by Mr. Yowell to approve and adopt the resolution for the Bond Item. The motion was passed unanimously (Ms. Ortega, Mr. Kim, Mr. Dougherty, Mr. Fowler, and Mr. Yowell all voting aye).**

**MINUTES:**

The next order of business was approval and adoption of the February 12, 2016 minutes. Ms. Lukenbill reported that staff had reviewed and recommended approval and adoption of the minutes.

**POOLED MONEY INVESTMENT BOARD**  
State Treasurer's Office  
915 Capitol Mall, Room 587  
Sacramento, California 95814

**Public Participation Call-In Number\*\***  
**(877) 810-9415**  
**Participant Code: 6535126**

**BOARD MEMBERS**  
State Treasurer John Chiang  
State Controller Betty T. Yee  
Director of Finance Michael Cohen

**EXECUTIVE SECRETARY**  
Grant Boyken

**Regular Meeting – Open Session**  
**Wednesday, July 20, 2016 – 10:00 a.m.**

**AGENDA**

1. Roll Call
2. Minutes
3. PMIB Designation
4. Surplus Money Declarations
5. Surplus Money Investment Fund Requests
6. AB 55 Loan Applications (Government Code §16312), as referenced below:

**NEW LOAN REQUEST**

	<u>PMIB</u> <u>Loan No.</u>	<u>Department</u>	<u>Amount</u>
a.	1670001	Judicial Council of California SPWB Lease Revenue Bonds Siskiyou County, New Yreka Courthouse	\$28,958,000.00

7. Public Comment
8. Adjournment

**FOR ADDITIONAL INFORMATION:**

Jeff Wurm  
State Treasurer's Office  
915 Capitol Mall, Room 106  
Sacramento, California 95814  
(916) 653-3147/jwurm@treasurer.ca.gov

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This agenda is also available at the State Treasurer's web site:  
<http://www.treasurer.ca.gov>

\*\* Interested members of the public may use this number to call in to listen to and/or comment on items before the Pooled Money Investment Board. Additional instructions will be provided to callers once they call the indicated number. This call-in number is provided as an option for public participation but the Board is not responsible for unforeseen technical difficulties that may occur. The Board is under no obligation to postpone or delay its meeting in the event such technical difficulties occur during or before the meeting.

The Pooled Money Investment Board complies with the Americans with Disabilities Act (ADA) by ensuring that the facilities are accessible to persons with disabilities, and providing this notice and information given to the members of the Pooled Money Investment Board in appropriate alternative formats when requested. If you need further assistance, including disability-related modifications or accommodations, you may contact Jeff Wurm no later than five calendar days before the meeting at 916-653-3147 and Telecommunication Device for the Deaf (TDD) at 916-654-9922.

**POOLED MONEY INVESTMENT BOARD**

**July 20, 2016**

**Staff Report – Agenda Item**

**AB55 LOAN RECOMMENDATIONS**

1. **New Loan Request.** Staff recommends approval of the following new loan request:

**Item 6.a**      **Judicial Council of California - \$28,958,000**  
SPWB Lease Revenue Bonds  
Siskiyou County, New Yreka Courthouse  
Loan proceeds will be used to begin construction.

The above loan request is in compliance with the current AB55 Loan Policy and, if approved, the impact on the pool will result in an increase of \$28,958,000.

Exhibit A

POOLED MONEY INVESTMENT BOARD  
 LOAN REQUESTS (AB 68 LOANS)  
 For the July 20, 2018 PMIB Meeting

Agenda Item	New or Renewal	Old Loan No.	New Loan No.	Fund No.	Department/Program	(A)	(B)	(C)	(D)		(E)		(F)
						New Loan Amount per Loan Application	Original Amount of Existing Loan	Impact on the Pool	Amount of loan paydown (B)-(C)	Current Loan Amount Outstanding (B - D)	Recommended Adjusted Loan Amount	Impact on the Pool (for recommended loan amount)	Interest Paid by
<b>NEW LOAN REQUEST</b>													
a	New	N/A	1670001	N/A	Judicial Council of California SPMG Lease Revenue Bonds Stakyou County, New York Courthouse	\$ 28,958,000.00	\$ -	\$ 28,958,000.00	N/A	N/A	\$ 28,958,000.00	\$ 28,958,000.00	BF
						<u>\$ 28,958,000.00</u>	<u>\$ -</u>	<u>\$ 28,958,000.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 28,958,000.00</u>	<u>\$ 28,958,000.00</u>	

Total amount of outstanding PMIA loans as of June 30, 2018  
 Impact on the Pool from this meeting's actions  
 Outstanding PMIA loans after this meeting's actions

	Requested	Recommended
	\$ 502,313,000.00	\$ 502,313,000.00
	\$ 28,958,000.00	\$ 28,958,000.00
	<u>\$ 531,271,000.00</u>	<u>\$ 531,271,000.00</u>

PART I. LOAN REQUEST/BOND PROGRAM INFORMATION

(Completed by Requesting Department)

28,958,000

Department Name: Judicial Council of California		Total Project Appropriation: \$56,936,000.00	Amount Requested: \$55,132,000.00
Appropriation(s) to be Funded: CH/YR 10 & 11/2015, Item 0250-301-0668 (2)			Date Funds Needed: 7/22/2016
Department Contact: Angela Guzman	Title: Manager	Phone: 916-643-8041	
Department Director's Name (please print):	Signature	Date: 5/23/2016	
Name of SPWB Project: Siskiyou County, New Yreka Courthouse	Project Contact: Kim Davis	Phone: 559-445-5369	
SCO Fund # (for renewals only):	Phase of Project (select all that apply): <input type="checkbox"/> A <input type="checkbox"/> PP <input type="checkbox"/> WD <input checked="" type="checkbox"/> C <input type="checkbox"/> E - or - <input type="checkbox"/> PCCD <input type="checkbox"/> D-B	Estimated Project Completion Date: 9/1/2018	

Use of Loan Proceeds:

- Will any of the loan proceeds be used (Please check if answer is yes to any of the following)
  - To pay vendors directly?
  - To make advances to other state funds\*?
    - \*If Yes, specify: Court Facilities Architectural Revolving Fund
  - To reimburse local government for vendor payments?
  - To make advances to State Architect Revolving Fund\*?
    - \*If Yes, specify: DGS-PMB Project No.
- Will any part of the debt service on the bonds that secure this loan be either secured by or paid from property used in a private business or from federal funds? Yes  No
- Will any of the loan proceeds be used to fund Construction or Design-Build project costs? Yes  No 
  - \*If Yes, include a completed real estate "due diligence" memo.

PROVIDE DATE(S) THE STATE PUBLIC WORKS BOARD AUTHORIZED INTERIM FINANCING (LOAN REQUESTS) FOR THIS PROJECT INCLUDING AUTHORIZING THE REPAYMENT OF THE LOAN FROM THE SALE OF BONDS:

Date Action(s) Taken	Type of Authorization
3/11/2016	<input checked="" type="checkbox"/> Loan <input checked="" type="checkbox"/> Sale
	<input type="checkbox"/> Loan <input type="checkbox"/> Sale
	<input type="checkbox"/> Loan <input type="checkbox"/> Sale

PART II. RECOMMENDATION AND CONDITIONS

(Completed by Public Finance Division of the State Treasurer's Office)

This application is recommended for approval

This application is recommended for approval subject to the following conditions:

- First \$ \_\_\_\_\_ to be used to pay/reduce existing PMIB loan # \_\_\_\_\_
- Reduce amount of loan to \$ \_\_\_\_\_

Conditions (if applicable):

This application is not recommended for approval by the Public Finance Division, per the PMIB Staff Report.

Signature: Director, Public Finance Division \_\_\_\_\_ Date: \_\_\_\_\_

PART III. RECOMMENDATION

(Completed by Pooled Money Investment Board Executive Secretary)

This request is recommended for:  approval  rejection  modification

Approved loan amount \$: \_\_\_\_\_ Loan to be made no sooner than \_\_\_\_\_

Signature: Executive Secretary of the Pooled Money Investment Board \_\_\_\_\_ Date: \_\_\_\_\_



PART IV. LOAN AGREEMENT for Pooled Money Investment Account Loans for State Public Works Board Bond Programs

FOR STO USE ONLY  
PMIB NO.

This agreement is entered into by and between the undersigned Department and the Pooled Money Investment Board. The Department borrows and the Pooled Money Investment Board (the "Board") lends funds as specified below.

Total Project Appropriation: \$56,936,000.00 Proposed Funding Date: 7/22/2016  
 Loan Amount: \$55,132,000.00  
*\$28,958,000*

At the discretion of the Board and upon notice to the Department, this loan may be wholly or partially repaid using unexpended loan proceeds at any time prior to the date the loan is due. Repayment of the loan principal shall be due on or before 364 days (or the next preceding business day if the due date falls on a state holiday, a Saturday or Sunday) from the date the loan is funded. The interest rate shall be the last available daily interest rate of return earned by the Pooled Money Investment Account at the time the loan is funded. The interest shall be paid at the time the principal is repaid. The proceeds of the loan are to be used only for the purposes authorized for use of the proceeds of the sale of bonds ("Bonds") authorized by the following statutes ("Act"):

- Public Safety and Offender Rehabilitation Services Act of 2007, as amended (AB 900)       State Building Construction Act       Other, specify: Senate Bill 1407 (Ch. 311, Statutes of 2008)

SPWB AUTHORIZATION(S)

This loan, including repayment from bond sales was authorized by the SPWB on the following date(s): 3/11/2016, \_\_\_\_\_, \_\_\_\_\_

The department consents to have the proceeds of the sale of these Bonds used to repay the loan principal and interest to the Pooled Money Investment Account. From the time the loan is funded until the loan proceeds are expended by the Department, the loan proceeds shall be invested in the Surplus Money Investment Fund and earnings on this investment shall be used to pay interest on the loan. If the loan becomes due before the Bonds to repay this loan are sold, the Department shall agree to a new loan to repay the principal and interest of this loan. Repayment of the principal of and interest on this loan is a special limited obligation to be paid from the proceeds of bonds when issued or from the proceeds of a new loan, and repayment from any other source is subject to appropriation by the Legislature. If bond proceeds are not available because the project is canceled or bonds will not be issued, the Department will cooperate with the SPWB in providing an alternate plan for repayment from other lawfully available funds, including repayment from the Department's support appropriation for this current fiscal year, as authorized by the Legislature in the Budget Act.

LOAN RECIPIENT SIGNATURES: The Director attests, by the signature below, this loan request and the department's use of the funds complies with all of the terms, conditions and requirements of the State Public Works Board bond program. The Department agrees to pay administrative fees in connection with this loan from any appropriation available for such purpose.

The Department further certifies by the signature below: (i) The appropriation(s) listed in Part I of the Loan Request are valid and current; (ii) it will seek a re-appropriation for any expiring unencumbered appropriations during the life of the requested loan, and (iii) Check one of the following ~  No litigation exists relating to this project -OR-  Litigation exists and a written explanation disclosing such litigation is attached in conjunction with this Loan Agreement for evaluation by the SPWB, bond counsel and the Attorney General's Office.

Department Name: Judicial Council of California  
 Signature: Department Director Date: 5-19-16

The State Public Works Board certifies by the signature below: (i) it will provide a written plan for paying off a loan, within 60 days, should this project be cancelled or a determination is made that bonds will not be sold, and (ii) all necessary documentation for this loan application to be considered is attached (see instructions).

Signature: State Public Works Board Executive Director or Deputy Director Date: 5-24-16

POOLED MONEY INVESTMENT BOARD EXECUTIVE SECRETARY'S CERTIFICATION		
The Pooled Money Investment Board approved this loan pursuant to Government Code Section 16312 in the amount of \$ _____ and the vote was as follows:		
MEMBER	AYE	NO
Treasurer of the State of California		
Controller of the State of California		
Director of Finance of the State of California		
Conditions (if applicable):		
Signature: Executive Secretary of the Pooled Money Investment Board		Date

For STO Use Only  
PMIB No. \_\_\_\_\_

## PMIA Loan Request for SPWB Bond Programs Cashflow Statement

Department Name: Judicial Council

Project Name: Siskiyou County, New Yreka Courthouse

Date: 5/18/2016

Loan Amount <sup>(1)</sup>: \$ 28,958,000

Estimated Project

Completion Date: 8/31/2018

Estimated Phase

Completion Dates:	<u>6/8/2012</u>	Acquisition (A)	Performance Criteria & Concept Drawings (PCCD)
	<u>8/13/2014</u>	Prelim Plans (PP)	
	<u>3/13/2016</u>	Work Draw (WD)	Design-Build (D-B) <sup>(2)</sup>
	<u>8/31/2018</u>	Construction (C) <sup>(2)</sup>	
		Equipment (E)	

Month and Year	Actual Project Disbursements	Project Disbursements for the Next 12 Months	Cumulative Disbursements	Phase of Project
Prior Loan(s)			-	
Current Loan			-	
Prior Interest				
Current Interest				
Administrative <sup>(3)</sup>		7,500.00	7,500	
1 July, 2016		2,254,500.00	2,262,000	Construction
2 August, 2016		1,330,500.00	3,592,500	Construction
3 September 2016		1,372,500.00	4,965,000	Construction
4 October 2016		1,920,500.00	6,885,500	Construction
5 November 2016		1,851,500.00	8,737,000	Construction
6 December 2016		2,094,500.00	10,831,500	Construction
7 January 2017		2,331,500.00	13,163,000	Construction
8 February 2017		2,819,500.00	15,982,500	Construction
9 March 2017		2,816,500.00	18,799,000	Construction
10 April 2017		3,060,500.00	21,859,500	Construction
11 May 2017		3,302,500.00	25,162,000	Construction
12 June 2017		3,795,500.00	28,958,000	Construction

<sup>(1)</sup> Rounded up to nearest thousand

<sup>(2)</sup> Any project requesting Construction or Design-Build funds for the first time refer to the current PMIA Loan Policy for specific requirements

<sup>(3)</sup> \$7,500 figure is estimate of fees for STO, SCO and DOF for the next 12 months



## COUNTY OF SISKIYOU

### Board of Supervisors

P.O. Box 750 • 1312 Fairlane Rd  
Yreka, California 96097  
www.co.siskiyou.ca.us

(530) 842-8005  
FAX (530) 842-8013  
Toll Free: 1-888-854-2000, ext. 8005

July 12, 2016

The Honorable John Chiang  
The Honorable Betty T. Yee  
The Honorable Michael Cohen  
POOLED MONEY INVESTMENT BOARD  
State Treasurer's Office  
915 Capitol Mall, Room 587  
Sacramento, California 95814

Re: State Courthouse in Siskiyou County, California

Dear Members of the Board:

Siskiyou County has a fully developed, fully approved, construction-ready project to build a state courthouse in the City of Yreka. This project should be allowed to proceed as currently proposed. Over approximately eight years of intense effort, the Siskiyou County Superior Court, the County of Siskiyou, and the City of Yreka followed a path which was determined for us by the State. Now the State is pulling up the track in front of the train. Because of the myriad of complex legal and practical realities involved, derailing the project at this point will destroy it.

This project is truly "shovel ready." This project is the only courthouse which could feasibly be built in the State of California in the next two years. It has received all required approvals. Our hard-won construction bids expire August 19, 2016. The 8 houses and buildings which are on the project site are vacant and ready for removal. The community has invested nearly \$5,000,000 in the project. (An equivalent, per capita, contribution in Los Angeles County would be over \$1 billion.) Funding approval is currently scheduled on the July 20, 2016 Pooled Money Investment Board agenda.

This would be the only state courthouse in Siskiyou County. Courthouse projects are, of course, "infrastructure." This infrastructure is as important as, or more important than, potholes or bridges on I-5, as courthouses are the front line access to justice, and our government has an obligation to provide safety to those who enter a courthouse seeking it, something that we cannot ensure in our current facility.

This Board emphatically urges you to allow the Siskiyou County Courthouse Project to proceed as currently proposed and scheduled, without any delay.

Sincerely,

Grace Bennett, Chair  
Board of Supervisors

cc: Assemblyman Brian Dahle  
Senator Ted Gaines  
CSAC  
RCRC

---

Brandon Criss  
District 1

Ed Valenzuela  
District 2

Michael N. Kobloff  
District 3

Grace Bennett  
District 4

Ray A. Haupt  
District 5

STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0001  
(916) 319-2001  
FAX (916) 319-2101

DISTRICT OFFICE  
280 HEMSTED DRIVE, SUITE 110  
REDDING, CA 96002  
(530) 223-6300  
FAX (530) 223-6737

E-MAIL  
Assemblymember.Dahle@assembly.ca.gov

# Assembly California Legislature



**BRIAN DAHLE**  
ASSEMBLYMAN, FIRST DISTRICT

COMMITTEES  
VICE CHAIR: ENVIRONMENTAL  
SAFETY AND TOXIC MATERIALS  
VICE CHAIR: REVENUE AND TAXATION  
WATER, PARKS, AND WILDLIFE  
AGRICULTURE

July 14, 2016

Governor Jerry Brown  
c/o State Capitol Suite 1173  
Sacramento, CA 95814

Re: Courthouse replacement projects in Shasta and Siskiyou counties

Dear Governor Brown:

We write to express concern for the potential disruption of two courthouse-construction projects: long-needed new courthouses for the Siskiyou County Superior Court in Yreka and the Shasta County Superior Court in Redding.

Financial projections show current funding is inadequate for the courts' capital-improvement plans. Faced with that reality, the Department of Finance and the Judicial Council's Court Facilities Advisory Committee are working to reprioritize the court construction schedule. This will inevitably delay some worthy projects.

Not all projects, however, can be delayed without grave harm.

Most critical is the planned Yreka courthouse. The project has already been bid and awarded to a contractor, who has moved ahead with construction planning. The project is teed up and ready to break ground as soon as funding is released, which the Pooled Money Investment Board could do as soon as its July 20 meeting. Delaying the project at this advanced stage would be exceptionally disruptive to the local court, the community, and the contractors. Substantial public resources invested to prepare construction would be wasted.

The Shasta County Superior Court's planned Redding courthouse is nearly as far advanced. The Judicial Council has acquired the site as part of a series of property exchanges and agency moves that uprooted the Shasta County Sheriff's Office and Probation Department. At this moment, the Judicial Council owns a block of vacant buildings that attracts transients and promotes blight in the heart of the city. As a transitional phase in a vital public-works project, this is unsurprising. In the face of indefinite delays, it is unacceptable.

It is clear the court construction program and its financing need an overhaul that will allow long-term sustainability. We hope all three branches of state government can work together to craft a long-term plan that will ensure safety, security and access to the courts for all Californians.

It is equally clear, though, that short-term efforts to balance the program must be carefully targeted to avoid community disruption and downright chaotic project delivery. In that light, it is imperative that the Siskiyou County and Shasta County projects move forward.

Thank you for your attention. If you'd like to further discuss this urgent issue, please don't hesitate to contact our offices.

Sincerely,



**BRIAN DAHLE**  
Assemblyman, 1<sup>st</sup> District



**TED GAINES**  
Senator, 1<sup>st</sup> District

CC:

Hon. Brad R. Hill, Chair, Court Facilities Advisory Committee  
Michael Cohen, Director, California Department of Finance  
John Chiang, State Treasurer  
Betty Yee, State Controller



## COUNTY OF SISKIYOU

---

### Board of Supervisors

P.O. Box 750 • 1312 Fairlane Rd  
Yreka, California 96097  
[www.co.siskiyou.ca.us](http://www.co.siskiyou.ca.us)

(530) 842-8005  
FAX (530) 842-8013  
Toll Free: 1-888-854-2000, ext. 8005

July 25, 2016

Chair Court Facilities Advisory Committee  
Brad R. Hill, Presiding Justice  
Court of Appeal, Fifth District  
2424 Ventura Street  
Fresno, CA 93721

Dear Justice Hill:

I recently attended the July 20, 2016 PIMB meeting in Sacramento and was very concerned when the item for the Yreka Siskiyou County Court house construction was deferred to the next meeting scheduled for August 17, 2016. This date leaves only two days before the signed bid documents expire. We are very surprised to learn of this action considering this is the only project slated for construction this cycle and has fund approval in the Governor's budget.

As you know this project is of enormous importance to Siskiyou County. Over the last ten years Siskiyou County, the City of Yreka and the Courts have been working diligently to bring a new court house to Siskiyou County. We have identified a site, purchased homes, moved county departments, rearranged parking and razed buildings to prepare for the new court house, spending nearly \$5 million in taxpayer dollars.

Our current court house was built in 1854, a grand building in the center of a small gold rush city. We still use that building as well as the remodeled portions that houses our court system as well as several county departments.

The safety of our citizens, court staff judges and county employees are all at the center for the need for a new court house. Judges, inmates, witnesses, attorneys, the public and county employees frequently are all in the same hall way. This presents a service risk and safety risk to all courthouse users.

---

Brandon Criss  
*District 1*

Ed Valenzuela  
*District 2*

Michael N. Kobseff  
*District 3*

Grace Bennett  
*District 4*

Ray Haupt  
*District 5*

The county has been preparing for the restructuring of the departments when the courts move into the new building. Several of our site leases for building have been designed to expire on the date for the completion of the new court facilities in 2018. As you can see this is much like a puzzle and we have been diligently working to keep all of the pieces together.

We are very concerned about the project moving forward in a timely manner to ensure that we meet all time lines and don't lose the momentum that has been developed. Once again I would like to reiterate the fact that our bid documents expire on August 19, 2016 and we would like to break ground before then, as initially planned. With deferment of the funding it has put undue stress on the many people that have worked very diligently to make the project happen. We are asking that the funding for this project be approved since it has already been included in the Governors budget.

Sincerely,

A handwritten signature in blue ink that reads "Grace Bennett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Grace Bennett, Chair  
Board of Supervisors.

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# Siskiyou Daily News

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YREKA

Tuesday, July 19, 2016

www.siskiyoudaily.com

One dollar



SPORTS PAGE 9



## On the Edge of Common Sense

In feast or famine, at least examine the game we came to play. Cause win or lose, it's how we use the card that come our way

3

Valley View ..... 10  
Calendar ..... 5  
Class ..... 78  
Columns ..... 5  
Opinion ..... 5  
Records ..... 4  
Sports ..... 3



3

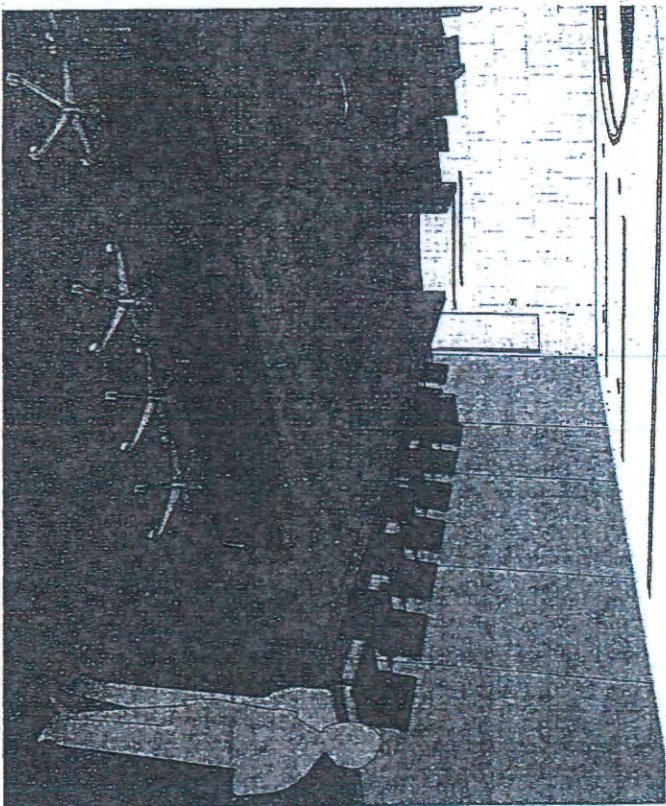
## Siskiyou courthouse project could be in jeopardy

By Sarah Kirby  
skirby@siskiyoudaily.com

YREKA — The Siskiyou County Board of Supervisors were informed in an urgent message at the beginning of the meeting on July 12 that the Siskiyou County Courthouse project may be at risk. The board unanimously voted to add the urgency item to the meeting's agenda. Siskiyou County Superior Court Judge William Davis and Siskiyou County Court Executive Officer Mary Frances McHugh addressed the board about recent changes in funding that could place construction on hold indefinitely.

In a letter that McHugh wrote to different state representatives she explained how the shortage in funding occurred.

"The crisis is driven by events outside of Siskiyou's control. The funds for courthouse projects come from traffic fines, which go into a special fund used to pay the debt service on courthouse projects only. Between 2010 and 2013, when the state was in fiscal crisis, the governor took \$1.4 billion of the fund. It has not been repaid. This amount would be sufficient to pay for all 23 current projects," McHugh said.



This conceptual drawing depicts a courtroom in the planned courthouse facility for Siskiyou County.

SUBMITTED PHOTO

McHugh and Davis explained that penalties and prices of development interruption comprise the local funds invested and that those were a one-time deal, and can-

not be used again to counteract the costs roiled under the project. McHugh's letter lists the rehabbing, amplified materials cost, and loss of time in construction as other

Court, 2

## Pony Fire since June 22

HAPPY CAMP — The Pony Fire, which is on the Klamath National Forest, about 15 miles southwest of Happy Camp and west of Highway 96, remains at 2,858 acres and is 90 percent contained. No significant growth has occurred since June 22.

An Infrared (IR) flight on Friday, July 15, showed no heat coming off the fire. On Sunday, July 17, smoke was reported by folks traveling up the G-O road from Orleans. That smoke was from one of the three fingers of the un-contained fireline that are slowly dropping down toward Dillon Creek. That finger slowly burned down the slope another 100 feet. Any public traveling up that road can expect to see smoke coming from that area as the fire burns through the dead and down fuels on that slope from the 2008 Three Fire.

The public can also expect to continue to see occasional smokes in Aubrey and Elliott creeks from Highway 96. Those smokes are likely to be well within the fire containment lines.

There are crews that will continue to patrol the fire containment lines and put in

Fire, 2



# News and Views

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## COURT

Continued from 1

issues with the loss of contracts and project architects, out of date plans and costs to redesign when and if the project is later permitted. Finally, the contractor's staff members have been moving their families with the expectation that the courthouse project would be starting in August.

McHugh explained that the community has already made huge investments for the project.

"The community has invested nearly \$5,000,000 in the project. (An equal per capita contribution in Los Angeles County would be \$1 billion). In March 2016 the State asked Siskiyou to take interim financing instead of having a bond sale for just a single project. Siskiyou agreed. Four months later, Siskiyou is being

told the path the State asked us to take will mean no funding at all. It will mean the death of the project, the waste of a community contribution of nearly \$5,000,000, and it will create a blight in the center of the community," McHugh said.

Davis and McHugh expressed the issue upon the board that funding for the Siskiyou County Courthouse project is on the Pooled Money Investment Board agenda for July 20; however, the two recently learned that the Department of Finance has been refusing to accept any projects due to the wanting traffic fines, which is the basic revenue that will pay for the Siskiyou County Courthouse project. In response to these new developments, Davis and McHugh asked the board members to prepare a letter that would be sent to state senators and representatives. Board Chair Grace Bennett presented a

first draft of a letter. An excerpt from her letter is as follows.

"Siskiyou County has a project to build a state courthouse. This project should be allowed to proceed as currently proposed and approved. This is a project that is on a path which was determined for us by the State. Now the State is pulling up the track in front of the train. Demanding the project at this point will destroy this project. This project is truly shovel ready. This project is the only courthouse which could feasibly be built in the next two years. It has received all required approvals. Bids expire August 19, 2016. The 8 houses and buildings which are on the project site are vacant and ready for removal. This would be the only courthouse in Siskiyou County. Courthouses projects are infrastructure. This infrastructure is as important, or more important than potholes on I-5 or bridges, as Courthouses are the front line access to justice and gives this lofty ideal daily meaning," Bennett said.

The rest of the board was appalled that a project that has almost been a decade in

the making would be cut short when ground breaking was planned to take place in a matter of weeks. District 1 Supervisor Brandon Criss explained that he had recently spoken with a woman who worked for the Department of Finance for the state, and she had told him that Siskiyou County was getting a courthouse. "Her words shocked that the project could so quickly be at risk of failing entirely. District 3 Supervisor Michael Kobseff expressed frustration at the Governor leaving for summer vacation while leaving this project in ambiguity, and District 5 Supervisor Ray Haupt shared Kobseff's outrage.

All supervisors informed McHugh and Davis that not only would they be happy to submit letters to state representatives, but they would also be happy to physically go down to Sacramento and talk to whomever they needed to speak to in order to keep the project alive. McHugh, Davis and the supervisors also encouraged any and all citizens to write to their state representatives to help keep the Siskiyou County Courthouse project alive and well.

## COP

Continued from 1

The community itself has played a large role in making such events possible, he explained, with local business owners helping in many ways.

In particular, Bowles acknowledged the financial assistance of the Labaron family for such community events, as well as help from Steve DeClerck for events like Shop With A Cop, Martha Tickle for her help with teen focused programs and for the Chill With A Cop event, and others. He said that the Chill With

What's eating you? Your girlfriend doesn't care that you're an omnivore. She has said - and I quote - "I don't mind." You're projecting. On some level, you must feel bad about eating meat. Maybe that's your conscience nagging at you." [dearammie@creators.com](http://dearammie@creators.com). To find out more about Annie Lane and read features by other Creators Syndicate columnists and cartoonists, visit the Creators Syndicate website at [www.creators.com](http://www.creators.com).

A Cop event received a large boost from Yreka Grocery Outlet owners Billy and Liz Mizko, who donated all of the ice cream that will be available.

The event takes place on July 21 from 3-5 p.m. at the Karuk Tribes Kalitishram Wellness Center, 1403 Kalitishram St. in Yreka. Bowles noted that the tribe offered the use of the center after he told them about the Chill With A Cop event.

The event is for "kids of all ages," Bowles said, and is free to anyone who wishes to show up and get to know the police officers in the Yreka area.

## FIRE

Continued from 1

waterbars to help prevent soil erosion on those containment lines.

To be on the safe side, a temporary closure order has been issued for lands within and adjacent to the Pony Fire. The closed area includes National Forest land west of Highway 96, north of the Ukonom Ranger District boundary, east of Siskiyou

Wilderness, and south of a line defined along Crawford Creek, Forest Road 15N19, and Bear Creek/Kelsey Trail, Dillon Creek Campground remains open.

More information and maps of the closure area are available on the Klamath National Forest website at [www.fs.usda.gov/klamath](http://www.fs.usda.gov/klamath). Information, maps and closures are also posted on Incidentweb.nwgc.gov/incident/4769/.

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---

# CITY OF ETNA

July 19, 2016

To: Governor Brown, the Pooled Money Investment Board, the Department of Finance,  
and the California State Legislature

On behalf of the Etna City Council and Scott Valley citizens, I am writing to strongly protest the proposed plans to cancel the Siskiyou County 'new Courthouse' project in Yreka because of 'lower traffic fines'. I would like to remind you that, during the recent financial crisis (2010-13) our governor 'borrowed' 1.4 billion dollars from that fund. That loan has not been repaid, in spite of increased state income and the repayment of other borrowed funds. The repayment of that money would easily cover not only the Siskiyou County project, but all the other pending projects as well.

This project is within two weeks of starting time. Every permit, plan, and the contractor is in place – including the site where eight empty homes are ready to be razed. This project has been confirmed again and again as being of high priority, critical, and necessary, by the Legislature and the executive branch of the state. **Almost \$5,000,000 of local funds have been expended to bring this project to being "shovel ready". There is an August 19, 2016 bid expiration date. If these funds are denied, it means the death of this project.**

That denial also adds one more log to the political fire which has caused a considerable segment of Siskiyou County and nearby northern California counties to press for breaking ties with the rest of the state. There is a strong sense of disillusionment and lack of trust in our state government, combined with the sense that, because of our low population and isolated location, we do not matter to our state leaders. **In the light of this present expected denial of the Courthouse project at this last minute, the Etna City Council certainly understands their frustration.**

**Integrity** is an essential quality for our government - and our citizens. When the County was asked to – and agreed to – take Interim Financing instead of going for a bond issue, they agreed, only to discover four months later, that they were led down a path that ended with the death of this long-awaited project. That is not an example of the integrity which we expect from our governing bodies. **Please see that the borrowed funds are paid back, and that the Siskiyou County Courthouse project is completed. Otherwise, a large area of empty houses and a disillusioned, disappointed, and rightly angry population will testify to the fact that, once more, integrity lost the battle.**

Sincerely,



Marilyn Seward, Etna Mayor, for  
The Etna City Council

---

Mayor – Marilyn Seward

City Clerk – Sarah Griggs

(530) 467-5256 ■ FAX (530) 467-3217 ■ P.O. Box 460, 442 Main Street ■ Etna, California 96027



## City of Yreka

701 Fourth Street • Yreka, CA 96097  
(530) 841-2386 • FAX (530) 842-4836



July 14, 2016

Governor Jerry Brown  
c/o State Capitol, Suite 1173  
Sacramento, CA 95814

Re: State Courthouse in Siskiyou County, California

Dear Governor Brown:

We are writing to request your assistance in releasing funding for the new Yreka Courthouse here in Siskiyou County

The Yreka Courthouse is a fully developed, fully approved, construction-ready project. This project should be allowed to proceed as currently proposed. After over approximately eight years of intense effort, the Siskiyou County Superior Court, the County of Siskiyou, and the City of Yreka followed a path which was determined for us by the State. Now the State is pulling up the track in front of the train. Because of the myriad of complex legal and practical realities involved, derailing the project at this point could destroy it.

This project is truly "shovel ready." This project is the only courthouse which could feasibly be built in the State of California in the next two years. It has received all required approvals. The hard-won construction bids expire August 19, 2016. The 8 houses and buildings which are on the project site are vacant and ready for removal. The community has invested nearly \$5,000,000 in the project. (An equivalent, per capita, contribution in Los Angeles County would be over \$1 billion.) Funding approval is currently scheduled on the July 20, 2016 Pooled Money Investment Board agenda.

This would be the only state courthouse in Siskiyou County. Courthouse projects are, of course, "infrastructure." This infrastructure is as critical as courthouses are the front line access to justice, and our government has an obligation to provide safety to those who enter a courthouse seeking it, something that we cannot ensure in our current facility.

The City of Yreka emphatically urges you to allow the Siskiyou County Courthouse Project to proceed as currently proposed and scheduled, without any delay.

Sincerely

John Mercier  
Mayor

c: Senator Ted Gaines  
Assemblyman Brian Dahle



## CITY OF TULELAKE

591 Main Street  
P. O. Box 847, Tulelake, CA 96134  
Phone 530-667-5522 - FAX 530-667-5351  
[cityoftulelake@cot.net](mailto:cityoftulelake@cot.net)



July 19, 2016

Governor Jerry Brown  
c/o State Capitol, suite 1173  
Sacramento, CA 95814

Dear Governor Brown, I am writing this letter, for the City of Tulelake in support of the Siskiyou Court project. This project needs to move forward while the Legislature and yourself work on "Item 0250-301-3138" in the Trailer Budget Bill approved in June 2016. Any delay at this critical juncture risks derailing this important project. The critical importance in building this state courthouse has been acknowledged and received all required approvals. This project is "shovel ready", bids expire on August 19, 2016 and they are ready to start in two weeks. The community has invested nearly \$ 5,000,000 in the project.

We need to have funding restored immediately. When the State asked Siskiyou to take Interim Financing instead of having a bond sale for just a single project, Siskiyou agreed. Now, four months later, Siskiyou is being told the path the State asked us to take will mean no funding at all. This will kill the project, waste the community contribution of nearly \$5,000,000 and create blight in the community where the project was to be located.

Funding approval is currently on the July 20, 2016 Pooled Money Investment Board agenda. This project is seriously needed, the old courthouse serves a rural constituency with some needing to travel over 100 miles to Court. The lack of a new courthouse will be very detrimental to this County's citizens receiving adequate servicing of their judicial needs. Because of it's current status, this is the only courthouse which could feasibly be built in the next two years. Between 2010 and 2013 the Governor took \$1.4 billion of the fund and it has not been repaid. The amount taken would be sufficient to pay for all 23 current projects.

These projects have all been confirmed repeatedly through the legislative and executive processes and further delay will increase consequences and costs with the disruption of the project. Courthouses are the front line access to justice and failure to do this project will impede that access for many.

Respectfully,

Henry A. Ebinger  
Mayor, City of Tulelake

ALBERT H. NEWTON, JR.  
MICHAEL P. NEWTON

LAW OFFICES OF  
**NEWTON & NEWTON**  
PROFESSIONAL CORPORATION  
300 FOURTH STREET  
P.O. BOX 188  
YREKA, CALIFORNIA 96097

(530) - 842-4443  
FAX (530) - 842-5736

August 1, 2016

Court Facilities Advisory Committee  
Justice Brad R. Hill, Presiding Chair  
Justice Court of Appeal, Fifth District  
2424 Ventura Street  
Fresno, California 93721

Re: Siskiyou Courthouse Project

Honorable Chair and Committee members:

The Siskiyou Courthouse Project will be reviewed by the Court Facilities Advisory Committee (CFAC) on August 11, 2016. Siskiyou's project is shovel ready. All approvals required to proceed have been obtained. The State Fire Marshal and State Public Works Board have both approved the project. Bids have been received. Bids expire August 19, 2016. If Siskiyou is not approved by CFAC to proceed, it is dead. Our community has invested heavily in this project, and it is shovel ready. The county and City of Yreka paid over \$1.1 million for the site acquisition for this project. The County paid \$3.2 million for the preliminary plans. These were one time funds totaling ~\$4.3 million; an equivalent per capita support from Los Angeles County would exceed \$1 billion.

If CFAC directs, funding is set to be approved by the Pooled Money Investment Board (PMIB) on Wednesday August 17, 2016, but CFAC must direct keeping the matter on the calendar. The Judicial Council holds bids within the budget CFAC approved. **Bids expire Friday, August 19, 2016.** A 30 day extension of the bids will cost an additional \$150,000. No extension is realistic beyond that period of time. Bids become stale because of market conditions outside of our control. A 30 day delay adds costs to construction during the winter months. All the decisions are in place for this project to proceed, except the release of funds.

This law firm has served Siskiyou County for over 60 years. Our roots are generations deep in the community. Our offices are just across the street from the existing courthouse. We are very familiar with the deficiencies in the existing building, which interfere with citizens accessing justice safely. For instance, in 2002, a criminal defendant smuggled a gun into the courthouse, shot the young woman who was the accusing witness in the case and then turned the gun on himself. Additionally, disabled persons can only access one of the second floor courtrooms by transiting the office space of the District Attorney.

All the 23 pending courthouse projects CFAC will review have been confirmed repeatedly over the years in legislative and executive processes to be critical and necessary. Six of those projects have been constructed. All of the remaining projects have courthouses which profoundly fail to provide access to justice to their citizens. This is infrastructure at least as important as potholes on I-5 or bridges; courthouses are the citizens' front line access to government, and give daily meaning to the lofty ideal of "access to justice". All of the projects lack access to justice: jurors in stairwells waiting to serve; the hazards defendants in custody face while moving in public

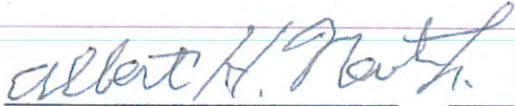
hallways. People come to courthouses because they are compelled by law: they are summonsed for jury duty or to defend themselves in a case; they are subpoenaed as witnesses. When they come to courthouses, our citizens should see that their presence and participation is respected by being afforded an environment where they can safely do their business.

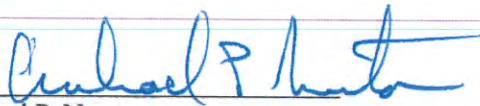
Delay of the project is waste. There will be costs of rebidding, increased materials cost, loss of time in construction. There is and will be Project site deterioration, transients' trespass, and liability. We risk losing the contractor and project architects. Delay means stale plans and costs to refresh/redesign when and if the project later approved. The consequence of not moving forward now must inevitably be that the project is dead. This would cause irreparable harm to this community.

Siskiyou did all that was required of it to move forward promptly, and was never told to stop. Siskiyou was directed to shift its funding path from the Spring 2016 Bond sale to interim financing, and relied to its detriment. We urge this committee to approve the Siskiyou Project to proceed as planned and scheduled.

Very truly yours,

NEWTON & NEWTON  
Professional Corporation

  
Albert H. Newton, Jr.

  
Michael P. Newton



ADMINISTRATIVE OFFICE  
OF THE COURTS

OFFICE OF COURT CONSTRUCTION  
AND MANAGEMENT

Project Cost Summary

Siskiyou - New Yreka Courthouse

New Capital Outlay

Date Estimated: 8/4/2014

Prepared by: G. Corrie

15/16

Location: Siskiyou

Project ID: 91.47.001

Site - Building ID: 47-H1

AOC Project Manager: L. Roberts

AOC Planner: B. Newman

Project Description:

CCCI (Cost Estimate Basis): 5296

CCCI (Basis for Adjustment): 5949

Construction Start: 8/1/2016

Construction End: 9/1/2018

Apr-09

Jul-14

New courthouse building to be occupied by the Superior Court of California, County of Siskiyou. The proposed project will be located on a new site of approximately 2.5 acres in the City of Yreka. The new courthouse is estimated to be 67,459 building gross square feet (BGSF) in area with 5 courtrooms and will include 6 secure underground parking spaces for judicial officers. CMAR is the project delivery method expected for this project.

Cost Estimate	Unit Cost	Quantity	Cost	Remarks	
<b>Construction Costs</b>					
Off Site Improvements		1 LS	\$177,616		
<b>Site Development</b>					
Site Preparation	\$9.59 /sf	108,900 sf	\$1,044,351		
Site Improvements & Short Term Parking	\$9.51 /sf	108,900 sf	\$1,035,639		
Surface Loading Area, Vehicle Sally Port	N/A				
Below Grade Loading/Service Area	\$249.96 /sf	1,828 sf	\$456,927		
Site Utilities (Mechanical and Electrical)	\$7.72 /sf	108,900 sf	\$840,708		
Site Security	N/A				
Other Site Construction	N/A				
<b>Parking</b>					
Site Preparation	\$9.59 /sf	30,000 sf	\$287,700		
Site Utilities (Mechanical and Electrical)	\$7.72 /sf	30,000 sf	\$231,600		
Parking Structure					
<b>Building Construction</b>					
Superstructure and Shell	\$161.05 /sf	67,459 sf	\$10,864,272		
Interiors	\$119.99 /sf	67,459 sf	\$8,094,405		
Equipment and Vertical Transportation	\$65.27 /sf	67,459 sf	\$4,403,049		
Mechanical and Electrical	\$180.28 /sf	67,459 sf	\$12,161,509		
Insurance Savings <sup>1</sup>			-\$791,956		
Unallocated Reduction <sup>2</sup>			-\$791,956		
Unallocated Reduction <sup>4</sup>			-\$3,959,778		
<b>Construction Cost Subtotal</b>			<b>\$34,054,087</b>		
<b>Miscellaneous Construction Costs</b>					
Furniture, Fixtures & Equipment	\$43.00 /sf	67,459 sf	\$2,900,737		
Data, Communications & Security	\$17.00 /sf	67,459 sf	\$1,146,803		
<b>Miscellaneous Construction Cost Subtotal</b>			<b>\$4,047,540</b>		
<b>Estimated Total Current Construction Costs</b>			<b>\$38,101,627</b>		
Adjust CCCI	from	5296	to	5949	\$4,697,954
Market Conditions	38	months	@	0.00%	\$0
Escalation to Start of Construction	25	months	@	0.42%	\$4,493,956
Escalation to Midpoint	12.5	months	@	0.42%	\$2,482,911
Contingency (Including Escalations)				5.00%	\$2,488,822
Redirect Insurance Budget to "Other Project Costs" <sup>5</sup>					-\$1,063,972
<b>Estimated Total Construction Cost</b>					<b>\$51,201,298</b>

Footnotes:

- 1) Insurance savings: per Dec. 2011 Judicial Council direction, reduce construction hard costs budget by 2% of current Construction Cost budget.
- 2) Unallocated Reduction: per Dec. 2011 Judicial Council direction, reduce construction hard costs budget by 2% of current Construction Cost budget.
- 3) Square footage reduced from 86,163 to 67,459 BGSF.
- 4) Unallocated Reduction: per April 2012 Judicial Council direction, reduce construction hard costs budget by 10% of current Construction Cost budget.
- 5) Insurance budget, estimated at 2.25 percent for Owner Controlled Insurance Program "OCIP" moved to "Other Project Costs", estimated cost based upon Construction Cost Subtotal, FF&E, Data, Comm. & Security, CCCI, and escalation.

# New Yreka Courthouse

Bid Date: 4/21/2016 at 1:00 PM



## SECTION 2 - Final Bid Summary

8/2/2016 9:38

rev. 3

Work Categories	Work Package Description	Subcontractor	DVBE %	Scoped Bids	OCIP Credit	Bond Cost	Total Scoped Bid
WC#1	HAZARDOUS MATERIAL ABATEMENT	Infinity Abatement	None	\$ 58,670	N/A	\$ 1,173	\$ 59,843
WC# 2	DEMOLITION & CLEARING	M. Peters, Inc.	None	\$ 193,500	Included	\$ 3,870	\$ 197,370
WC #3	OFFSITE ELECTRICAL UTILITY	w/Electrical		w/Electrical			w/Electrical
WC#4	EARTHWORK & AC PAVING	M. Peters, Inc.	None	\$ 1,336,000	Included	\$ 26,720	\$ 1,362,720
WC#5	UNDERGROUND UTILITIES & SD	M. Peters, Inc.	None	\$ 278,500	Included	\$ 5,570	\$ 284,070
WC#6	SITE CONCRETE	Concrete North	None	\$ 1,030,917	Included	\$ 12,629	\$ 1,043,546
WC#7	LANDSCAPING & IRRIGATION	McEntire landscape	None	\$ 145,479	Included	N/A	\$ 145,479
WC#8	FENCING, GATES & PARKING CONTROL	Pisor Fence	None	\$ 374,115	Included	\$ 4,583	\$ 378,698
WC#9	BUILDING CONCRETE	Concrete North	None	\$ 3,528,478	Included	\$ 43,224	\$ 3,571,702
WC#10	PERMANENT SHORING	AVAR	None	\$ 469,500	Included	\$ 5,751	\$ 475,251
WC#11	BUILDING CONCRETE REINFORCING	Harris Rebar	None	\$ 734,479	Included	\$ 8,997	\$ 743,476
WC#12	ARCHITECTURAL PRECAST	John Jackson Masonry	None	\$ 398,252	Included	\$ 4,879	\$ 403,131
WC#13	STONE CLADDING	Northern Cal Tile & Stone	28%	\$ 678,641	Included	\$ 8,313	\$ 686,954
WC#14	STRUCTURAL & MISC METALS	Metal Works	None	\$ 2,254,309	Included	\$ 24,797	\$ 2,279,106
WC#15	METAL DECKING	JD2, Inc.	None	\$ 363,545	Included	\$ 3,926	\$ 367,471
WC#16	COMPOSITE WOOD CEILINGS	C.G. Chaney	None	\$ 275,000	Included	\$ 2,970	\$ 277,970
WC#17	ARCHITECTURAL WOODWORK & CASEWORK	ISEC	None	\$ 1,288,063	Included	\$ 15,779	\$ 1,303,842
WC#18	WATERPROOFING & SEALANTS	FD Thomas	None	\$ 442,950	Included	\$ 5,426	\$ 448,376
WC#19	FLASHING & SHEETMETAL	Sierra Single Ply/Lawson	None	\$ 260,400	Included	\$ 5,208	\$ 265,608
WC#20	INSULATION	Sac Building Products	None	\$ 153,141	Included	N/A	\$ 153,141
WC#21	PVC ROOFING	Sierra Single Ply	None	\$ 470,400	Included	\$ 9,408	\$ 479,808
WC#22	DOORS, FRAMES & HARDWARE	ISEC	None	\$ 471,065	Included	\$ 5,771	\$ 476,836
WC#23	OVERHEAD COILING DOORS	Capitol Builders Hardware	None	\$ 97,475	Included	N/A	\$ 97,475
WC#24	ELEVATOR SMOKE DOORS	Smoke Guard	None	\$ 27,324	Included	N/A	\$ 27,324
WC#25	GLASS & GLAZING SYSTEMS	Montez Glass	None	\$ 2,789,000	Included	\$ 50,202	\$ 2,839,202
WC#26	PLASTER, FRAMING & DRYWALL	Performance Contracting	None	\$ 4,991,064	Included	\$ 61,141	\$ 5,052,205
WC#27	CERAMIC TILE	Northern California Tile	33%	\$ 730,560	Included	\$ 8,949	\$ 739,509
WC#28	ACOUSTICAL CEILINGS	Performance Contracting	None	\$ 754,350	Included	\$ 9,241	\$ 763,591
WC#29	FLOOR COVERINGS	ProSpectra	None	\$ 473,570	Included	\$ 5,801	\$ 479,371
WC#30	EPOXY COATINGS	w/Painting	N/A	w/Painting			w/Painting
WC#31	PAINTING & COATINGS	Sac Building Products	None	\$ 258,109	Included	\$ 1,291	\$ 259,400
WC#32	SIGNAGE	Vomar Products	None	\$ 146,265	Included	N/A	\$ 146,265
WC#33	SPECIALTIES	American Sheet Metal	None	\$ 86,735	Included	N/A	\$ 86,735



# New Yreka Courthouse

Bid Date: 4/21/2016 at 1:00 PM



## SECTION 2 - Final Bid Summary

8/2/2016 9:38

rev. 3

Work Categories	Work Package Description	Subcontractor	DVBE %	Scoped Bids	OCIP Credit	Bond Cost	Total Scoped Bid
WC#34	MOBILE STORAGE SHELVING	Systems & Space	None	\$ 73,895	Included	N/A	\$ 73,895
WC#35	FLAG POLES	Waving at You	None	\$ 11,982	Included	N/A	\$ 11,982
WC#36	BIRD CONTROL DEVICES	Western Exterminators	None	\$ 22,625	Included	N/A	\$ 22,625
WC#37	MISCELLANEOUS SPECIALITIES	w/Drywall		w/Drywall			w/Drywall
WC#38	DETENTION	Cornerstone Detention	None	\$ 730,479	Included	\$ 7,305	\$ 737,784
WC#39	RESIDENTIAL APPLIANCES	Deleted		Deleted	Deleted	N/A	Deleted
WC#40	WINDOW COVERINGS	Contract Décor	None	\$ 85,302	Included	N/A	\$ 85,302
WC#41	ENTRANCE FLOOR GRILLES	DLE Manufacture's Rep	None	\$ 12,885	Included	N/A	\$ 12,885
WC#42	FIXED SEATING	TBD	None	\$ 96,224	TBD	N/A	\$ 96,224
WC#43	SITE FURNISHINGS	TBD	None	\$ 11,350	TBD	N/A	\$ 11,350
WC#44	ELEVATORS	Otis Elevator	None	\$ 910,765	Excluded	\$ 11,157	\$ 921,922
WC#45	DIVISION 21 - FIRE SUPPRESSION	Frontier Fire Protection	None	\$ 283,976	Included	\$ 4,260	\$ 288,236
WC#46	DIVISION 22 - PLUMBING	Lawson Mechanical	None	\$ 1,712,277	Included	\$ 20,975	\$ 1,733,252
WC#47	DIVISION 23 - HVAC	Lawson Mechanical	3%	\$ 4,208,723	Included	\$ 51,557	\$ 4,260,280
WC#48	ELECTRICAL/TELECOM/FIRE ALARM/SNOW MELT & ROUGH-IN FOR AV & SECURITY	Pacific Electrical	None	\$ 4,639,000	Included	\$ 46,390	\$ 4,685,390
WC#49	AUDIO VISUAL SYSTEMS/DIGITAL SIGNAGE/QUEUING INFAX & Rise Display	Exhibit 1	None	\$ 1,137,605	Included	\$ 138,666	\$ 1,276,271
WC#50	DIVISION 28 - ELECTRONIC SAFETY & SECURITY	World Telecom	None	\$ 560,782	Included	\$ 14,020	\$ 574,802
WC#51	GENERAL WORKS	McCarthy	None	\$ 298,500	Included	N/A	\$ 298,500
WC#52	SCAFFOLDING	PCI	None	\$ 180,999	Included	N/A	\$ 180,999
WC#53	SURVEYING	Bray	None	\$ 61,337	Included	N/A	\$ 61,337
WC#54	DATA/COMM/SECURITY	by JCC	None	by JCC	N/A	N/A	by JCC
WC#55	FF&E (Allowance)	JCC/McCarthy	None	\$ 1,197,436	N/A	N/A	\$ 1,197,436
WC#56	FINAL CLEANING	TBD	None	w/Allowances	N/A	N/A	w/Allowances
	Allowances not included in Cost of Work	Cost of Work	None	\$ 482,986	Included	N/A	\$ 482,986
	Selected Alternates						\$ (1,276,265)
	<b>DIRECT COST SUBTOTAL</b>		<b>1.32%</b>	<b>\$ 42,278,984</b>		<b>\$ 629,948</b>	<b>\$ 41,632,667</b>
	General Conditions (Base Bid)			\$ 2,881,000			\$ 2,881,000
	General Conditions (Schedule Increase)			\$ 263,281			\$ 263,281
	<b>CONSTRUCTION ADMINISTRATION TOTAL</b>			<b>\$ 3,144,281</b>			<b>\$ 3,144,281</b>
	Insurance & Bonding (= \$39,961,000)						w/GC's Base Bid

# New Yreka Courthouse

Bid Date: 4/21/2016 at 1:00 PM



## SECTION 2 - Final Bid Summary

8/2/2016 9:38

rev. 3

Work Categories	Work Package Description	Subcontractor	DVBE %	Scoped Bids	OCIP Credit	Bond Cost	Total Scoped Bid
Insurance (>\$39,961,000)							\$ 68,471
Bonding (>\$39,961,000)							\$ 59,745
Preconstruction						Separate Contract	
Fee (= \$36,000,000)							\$ 1,080,000
Fee (>\$36,000,000)							\$ 168,980
<b>INSURANCE &amp; FEE</b>							<b>\$ 1,377,196</b>
<b>TOTAL INDIRECT COSTS</b>							<b>\$ 4,521,477</b>
<b>SUBTOTAL PROJECT COST</b>							<b>\$ 46,154,144</b>
LEED Premium							None
Estimating Contingency							None
Contracting Contingency 3% of Direct Cost							\$ 1,248,980
<b>GMP TOTAL PROJECT COST</b>							<b>\$ 47,403,124</b>
JCC Data/Com/Tele							\$ 1,309,350
Owner Contingency							\$ 2,488,822
<b>ESTIMATED TOTAL CONSTRUCTION COST</b>							<b>\$ 51,201,296</b>

**Key Notes:**

Reference OCIP Credit Column:

"Included" means the OCIP credit has been applied to the work category.

"Excluded" means the OCIP deduct has not been taken into consideration.

"N/A" means the OCIP deduct has not been taken into consideration.



## JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue • San Francisco, California 94102-3688  
Telephone 415-865-4200 • Fax 415-865-4205 • TDD 415-865-4272

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### MEMORANDUM

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**Date**

April 6, 2016

**Action Requested**

Please Review

**To**

Millicent Tidwell  
Chief Operating Officer

**Deadline**

April 8, 2016

**From**

Leslie G. Miessner, Supervising Attorney  
Charles R. Martel, Attorney  
Legal Services

**Contact**

Charles R. Martel  
415-865-4967 phone  
charles.martel@jud.ca.gov

**Subject**

Capital Program - New Yreka Courthouse -  
Project Development Agreement

---

At its March 11, 2016, meeting, the State Public Works Board (SPWB) considered the financing of the construction of the New Yreka Courthouse (total bond appropriation \$56,936,000) and authorized the sale of lease revenue bonds as the ultimate source of funds for the project, but also authorized an interim financing prior to the bond sale. The SPWB further authorized execution and delivery of a Project Delivery Agreement (PDA) between the Judicial Council and the Board as a necessary step for the interim financing.

This memorandum summarizes (1) the interim financing and lease-revenue bond financing structure and (2) the PDA. We provide this memorandum in advance of the request that Finance will soon make of Martin Hoshino to execute the PDA on behalf of the Judicial Council.

## **Background**

At its August 27, 2010, meeting, the Judicial Council (1) authorized the execution of documents in connection with issuances of bonds by the SPWB for the financing of court facilities projects, (2) “delegated to the Administrative Director of the Courts or his designee the authority to execute bond documents on behalf of the Judicial Council,”<sup>1</sup> and (3) directed the Administrative Director of the Courts to report to the council at least once a year on actions taken under that authority.<sup>2</sup>

The SPWB usually issues bonds at least twice a year, in one or more spring bond sales and one or more fall bond sales. In connection with a typical bond sale, the Administrative Director or his designee must sign a number of documents, including a PDA, prepared by bond counsel retained by the State Treasurer’s Office. In this case, rather than issue bonds this spring to finance the construction of the new Yreka courthouse, SPWB decided that the Judicial Council should instead apply for interim financing in advance of a future bond issuance. The PDA is the sole document that must be executed now in conjunction with the application for the interim financing.

## **Lease-Revenue Bond and Interim Financing Structure**

As bond issuer, the SPWB issues bonds on behalf of state departments and agencies in order to finance the construction of capital projects, and on behalf of the Judicial Council to finance the construction of court facilities. Lease-revenue bonds are a form of long-term borrowing in which the debt obligation is secured by a revenue stream created from lease payments made by the occupying entity to the SPWB, which retains title to the facility until the debt is retired.

Lease-revenue bonds do not require voter approval because the transaction is set up to mirror a typical financing lease, i.e., lease payments are due on a year-to-year basis and required only if the facility can be occupied. The California Supreme Court has determined that the lease-revenue financing mechanism does not create constitutional debt. (*City of Los Angeles v. Offner* (1942) 19 Cal.2d 483; *Dean v. Kuchel* (1950) 35 Cal.2d 444.) The court’s decisional framework is referred to as the *Offner-Dean* rule.

In addition to its authority to issue lease-revenue bonds, the SPWB also has authority under Government Code sections 16312 and 16313 to provide interim financing for construction of capital projects including court facilities from the Pooled Money Investment Account (PMIA) to be paid off by lease-revenue bonds that will be issued in the future. As noted above, in this case,

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<sup>1</sup> Judicial Council of Cal., mins. (Aug. 27, 2010), item 9, [www.courts.ca.gov/documents/min20100827.pdf](http://www.courts.ca.gov/documents/min20100827.pdf).

<sup>2</sup> The Administrative Director of the Courts first submitted such a report to the Judicial Council on October 9, 2012.

Millicent Tidwell  
April 6, 2016  
Page 3

the SPWB has chosen to avail itself of this option, likely to take advantage of a lower interest rate available on interim loans from the PMIA as compared with the market rate payable on bonds issued by the SPWB.

### **Project Development Agreement**

As the issuer of the bonds that will be used to pay off the interim financing, the SPWB will be responsible (in the eyes of the bond investors) for having constructed the courthouse. The Judicial Council, however, is the entity actually letting the construction contract and overseeing construction of the courthouse. The PDA between the SPWB and the Judicial Council obligates the Judicial Council to provide and perform all activities required to construct the courthouse on behalf of the SPWB so that the SPWB will be able to meet its obligations to the bond investors.

If you or Martin have any questions about the PDA or the interim financing process, please let us know.

LGM/CRM/zb

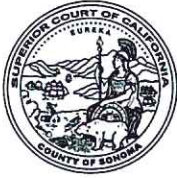
cc: Martin Hoshino, Administrative Director  
Jody Patel, Chief of Staff  
Zlatko Theodorovic, Chief Financial Officer and Director, Finance  
Deborah C. Brown, Chief Counsel, Legal Services  
William J. Guerin, Director, Capital Program  
Robert C. Buckley, Deputy Chief Counsel, Legal Services  
Lucy Fogarty, Deputy Director, Finance  
Kelly Quinn, Assistant Director, Capital Program  
Angela Guzman, Manager, Finance

**Figure 15**  
**Status of ICNA Projects**

*As of January 2016*

<p><b>Canceled (4 Projects)</b></p> <p>Los Angeles—Lancaster Courthouse<sup>a</sup>                  Los Angeles—Mental Health Courthouse<sup>b</sup>                  Alpine—Markleeville Courthouse                  Sierra—Downieville Courthouse</p>	<p><b>Complete (6 Projects)</b></p> <p>Butte—North Butte County (Chico) Courthouse                  Kings—Hanford Courthouse                  San Joaquin—Juvenile Justice Center                  Solano—Fairfield Old Solano Courthouse                  Sutter—Yuba City Courthouse                  Yolo—Woodland Courthouse</p>
<p><b>Indefinitely Delayed (11 Projects)</b></p> <p>Fresno—County Courthouse                  Kern—Delano Courthouse                  Kern—Mojave Courthouse                  Los Angeles—Glendale Courthouse                  Los Angeles—Santa Clarita Courthouse                  Los Angeles—Southeast Los Angeles Courthouse                  Monterey—South Monterey County Courthouse                  Nevada—Nevada City Courthouse                  Placer—Tahoe Area Courthouse                  Plumas—Quincy Courthouse                  Sacramento—Criminal Courthouse<sup>c</sup></p>	<p><b>In Construction (4 Projects)</b></p> <p>Alameda—East County Courthouse                  Merced—Los Banos Courthouse                  San Diego—Central San Diego Courthouse                  Santa Clara—Family Justice Center</p>
	<p><b>Authorized to Begin Construction Pending Lease Revenue Bond Sale (4 Projects)</b></p> <p>Glenn—Willows Courthouse                  Lake—Lakeport Courthouse                  Siskiyou—Yreka Courthouse                  Tehama—Red Bluff Courthouse</p>
	<p><b>Requesting Authority to Enter Construction Phase (4 Projects)</b></p> <p>Imperial—El Centro Family Courthouse                  Riverside—Indio Juvenile and Family Courthouse                  Shasta—Redding Courthouse                  Tuolumne—Sonora Courthouse</p>
	<p><b>In Preconstruction Activities (5 Projects)</b></p> <p>El Dorado—Placerville Courthouse                  Inyo—Inyo County Courthouse                  Los Angeles—Eastlake Juvenile Courthouse                  Santa Barbara—Criminal Courthouse                  Sonoma—Santa Rosa Criminal Courthouse</p>
	<p><b>Requesting Funding for Additional Preconstruction Activities (3 Projects)</b></p> <p>Mendocino—Ukiah Courthouse                  Riverside—Mid County Civil Courthouse                  Stanislaus—Modesto Courthouse</p>

<sup>a</sup> Original construction project has been cancelled, and 2016-17 budget proposes a facility modification project instead.  
<sup>b</sup> Original construction project has been cancelled, but was replaced with a renovation of another existing courthouse to house this facility.  
<sup>c</sup> One-time funding provided to complete certain preconstruction activities only.  
 ICNA = Immediate and Critical Needs Account.



# Superior Court of California County of Sonoma

Raima Ballinger  
Presiding Judge

ACCESS, SERVICE, JUSTICE

José Octavio Guillén  
Court Executive Officer

August 3, 2016

Honorable Brad R. Hill, Presiding Justice  
Chair, Court Facilities Advisory Committee  
Judicial Council of California  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, California 94102

Dear Justice Hill:

Thank you for your email of July 28<sup>th</sup> and inviting courts with Immediate and Critical Needs Account (ICNA) funded courthouse construction projects to address the Court Facilities Advisory Committee at your upcoming meeting, August 11<sup>th</sup>.

On July 6, 2016, we provided a joint letter to highlight the unique collaborative and substantial financial investment made by the County of Sonoma to further the Sonoma Court's courthouse construction project. As noted in this joint letter, our County has already committed \$26,775,445 toward our project. Further delays in our project will jeopardize this good-faith investment and exposes our judicial branch to greater risks and costs by remaining in our aging and substandard court facility. We expect to address this on August 11<sup>th</sup>.

In addition to the foregoing, we are obliged to address one further serious concern which would result from delay. With respect to our County's project, the Preliminary Plans were approved by the CCRS at its 50% Design Development completion phase. The Committee directed Project Management to proceed to 100% Design Development without any further changes, and to stay within the budgeted amount. The 100% Design Development plans were completed in late March, 2016. As of early April, 2016, these plans only needed to be presented to CCRS and to then obtain approval from the Department of Public Works. During the month of April, we learned that due to concerns about the declining ICNA revenues and sudden resignation of the Director of the Judicial Branch Capital Program Office, leadership directed that no action be taken on this completed matter until the CFAC's meeting of June 28, 2016. This was purely an administrative function and not a policy decision, since the work had already been completed and the project stayed within the established budget. We urge the Committee to permit Sonoma County to complete this phase as was anticipated. If the CFAC decides that the projects should complete the phase they are currently in, Sonoma courthouse should be permitted to proceed to Working Drawings phase as we have already completed the Preliminary Plans phase, awaiting final approvals.

There is one additional serious concern for our Court regarding the delay of our Preliminary Plans phase and subsequently not proceeding to its next Working Drawings phase. The Budget Act of 2015 included \$7,670,000 for the Preliminary Plans. The Budget Act of 2016 approved \$11.252 million to complete the Working Drawings phase. In our view, Sonoma County should not be penalized for inaction by Capital Program Office leadership's decision. To not complete the 100% Preliminary Plans and not proceed with Working Drawings would be unfair to all parties concerned, and would not constitute an efficient use of the resources already expended.

Our Court continues to appreciate your leadership in responsibly addressing the judicial branch's court facilities' past and present challenges, but we are also deeply concerned about the potential for further delays of not just our Court's project, but the other 22 current ICNA projects. Suffice it to say, all 23 courthouse construction projects have been fully vetted and reprioritized at least twice and have undergone careful scrutiny and reductions. Subjecting these projects to yet another round of prioritization would be pitting projects against each other and in our view, an irresponsible way to address the real issue of securing a more stable source of funding for infrastructure, instead of relying on fees and fines.

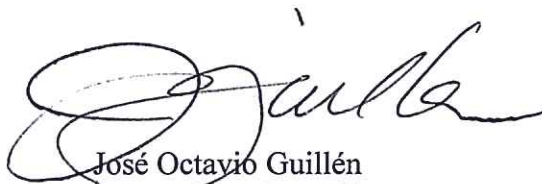
While we recognize the fiscal and political realities surrounding the revenue shortfall to the ICNA and the mandate from the Budget Trailing Bill language<sup>1</sup>, we respectfully urge your committee and Judicial Council not to fall into this proverbial rabbit hole by stopping any project based on less than optimal revenue projections. We also urge you to first work earnestly with our other two branches to secure repayment of the \$1.4 billion of redirections or to find other alternative sources of stable funding not susceptible to the volatility of revenue derived from fees and fines.

We recognize that the task before your committee is perhaps the most important decision in determining the fate of our judicial branch's courthouse construction program.

Sincerely,



Raima Ballinger  
Presiding Judge

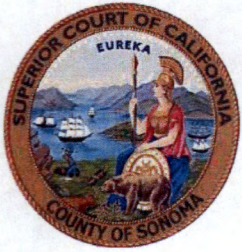


José Octavio Guillén  
Court Executive Officer

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<sup>1</sup> Budget item 0250-301-3138-Requires the Judicial Council to report to the Joint Legislative Committee and DOF by 1-10-17 with a long-term solvency plan and staying within existing resources; increase revenues or reduce expenditures. Assess which construction projects will move forward, explain why for each project, and any alternative financing agreements to fund projects; report on the long-term fund condition to fund the recommended projects; and revenues and expenditures by project to be submitted annually until debt service on the proposed projects are fulfilled.





# Superior Court of California, County of Sonoma

## Sonoma County



July 6, 2016

**Honorable Brad R. Hill, Presiding Justice**  
**Chair, Court Facilities Advisory Committee**  
**Judicial Council of California**  
**Administrative Office of the Courts**  
**455 Golden Gate Avenue**  
**San Francisco, California 94102**

Dear Justice Hill:

Our Court and our justice partner, the County of Sonoma are writing to confirm our appreciation for the unwavering leadership exhibited by you and the Court Facilities Advisory Committee. Our court construction projects have faced, and overcome, continuous challenges over time. We know your committee is now faced with the challenge of potentially insufficient revenue projections to meet the long-term funding needs of the Santa Rosa Courthouse and the other (23) remaining courthouse construction projects.

While we appreciate that all 23 projects are deserving as immediate and critically needed courthouse construction projects, we would like to highlight what we believe are unique issues concerning our Santa Rosa Criminal Courthouse Project. As we collectively face these present challenges, we ask that these issues be considered when evaluating the efficacy of moving forward with this project.

- We have completed complicated land acquisition agreements. The three acres upon which the courthouse is to be built is situated in the middle of the County Administration Campus between the existing Hall of Justice and adjacent to the Main Jail. In accordance with the purchase/sale agreements, the County has expended \$3,343,295 to remove the existing old jail building. Given the physical challenges and necessary environmental obligations, this represented a substantial monetary commitment by the County and was made during challenging economic times.
- Those same agreements required the County to invest in relocation of its fleet maintenance operations, which had formerly been located on land that was purchased for the courthouse project. The County has invested \$9,474,093 and is in the final phase of construction. Furthermore, an additional; \$328,600 is budgeted for relocating the Motor Pool Parking lot.

- After engaging in numerous public discussions, the County Board of Supervisor approved funds in the amount of \$5,731,000 through fiscal year 2016-17 and recognized the requirement of an additional \$6,333,057 in fiscal year 2017-18 for a total cost of \$12,064,057, to design and construct the inmate movement tunnel in anticipation of the construction of the new criminal courthouse. Furthermore, the County has committed an additional \$1,566,000 for a well relocation and site drainage improvements in support of the new courthouse. As you can imagine, our County has many competing infrastructure needs and the commitment of these funds reduces our ability to improve our service delivery to the public at existing facilities.
- Increased deferred maintenance on Hall of Justice will increase costs from an already underfunded program. Our original move in date was March 25, 2015 and the Court and County have delayed shared maintenance due to the expected completion of a new courthouse. Further delays have and will create increased costs for our facility as we try to catch up on deferred maintenance.
- As a result of the new criminal courthouse project, the County has completely restructured its Criminal Justice Master Plan, County Facilities Master Plan, and Parking Master Plan. All these plans have been evaluated to better align with the new criminal courthouse construction project and established schedule. Therefore, further delays will adversely impact overall efficacy and ongoing operational costs for both the Court and County.
- Delaying construction of the new criminal courthouse would jeopardize funding to complete the jail/court connection; prevent the County from optimizing use of surrounding space and facilities; the condition of the current Hall of Justice facility will continue to worsen, and additional costs will be incurred by the County and Judicial Council to stop and restart the next phases.
- Court and County would lose credibility and public support if the new criminal courthouse project is further delayed. With focus by the public on other desperately needed infrastructure such as roads, the perceived “waste” of the previously allocated County funds for this project will erode public trust and confidence.

For these reasons, the Sonoma County Superior Court and the County of Sonoma urge your committee to direct Judicial Council staff to move forward with completion of 100% design development, previously approved by the Courthouse Cost Reduction Subcommittee and with subsequent pre-construction phases, such as working drawings, authorized under the 2016 Budget Act.

We fully support the pursuit of alternative and stable sources of funding from our two other branches of government. However, the consequences of delaying the Santa Rosa Courthouse project will result in higher costs for both the Court and County, and continue to impact the delivery of justice services.

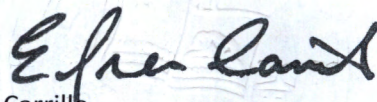
Although a reassessment is prudent given potential funding shortages, we urge the judicial branch and the Department of Finance to complete the task of modernizing statewide court facilities by replacing aging infrastructure with much more cost effective new construction.

We urge your committee to continue its steadfast leadership and maintain the course for the remaining courthouse construction projects and completing pre-construction phases within budgeted appropriations.

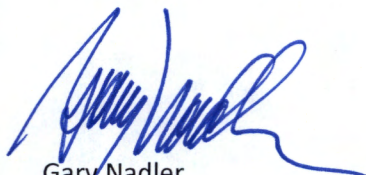
Sincerely,



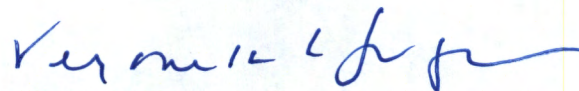
Raïma Ballinger  
Presiding Judge



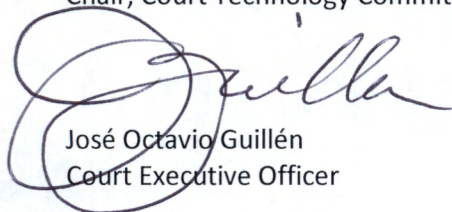
Efrén Carrillo  
Chair of the Sonoma County Board of  
Supervisors



Gary Nadler  
Assistant Presiding Judge  
County  
Chair, Court Technology Committee

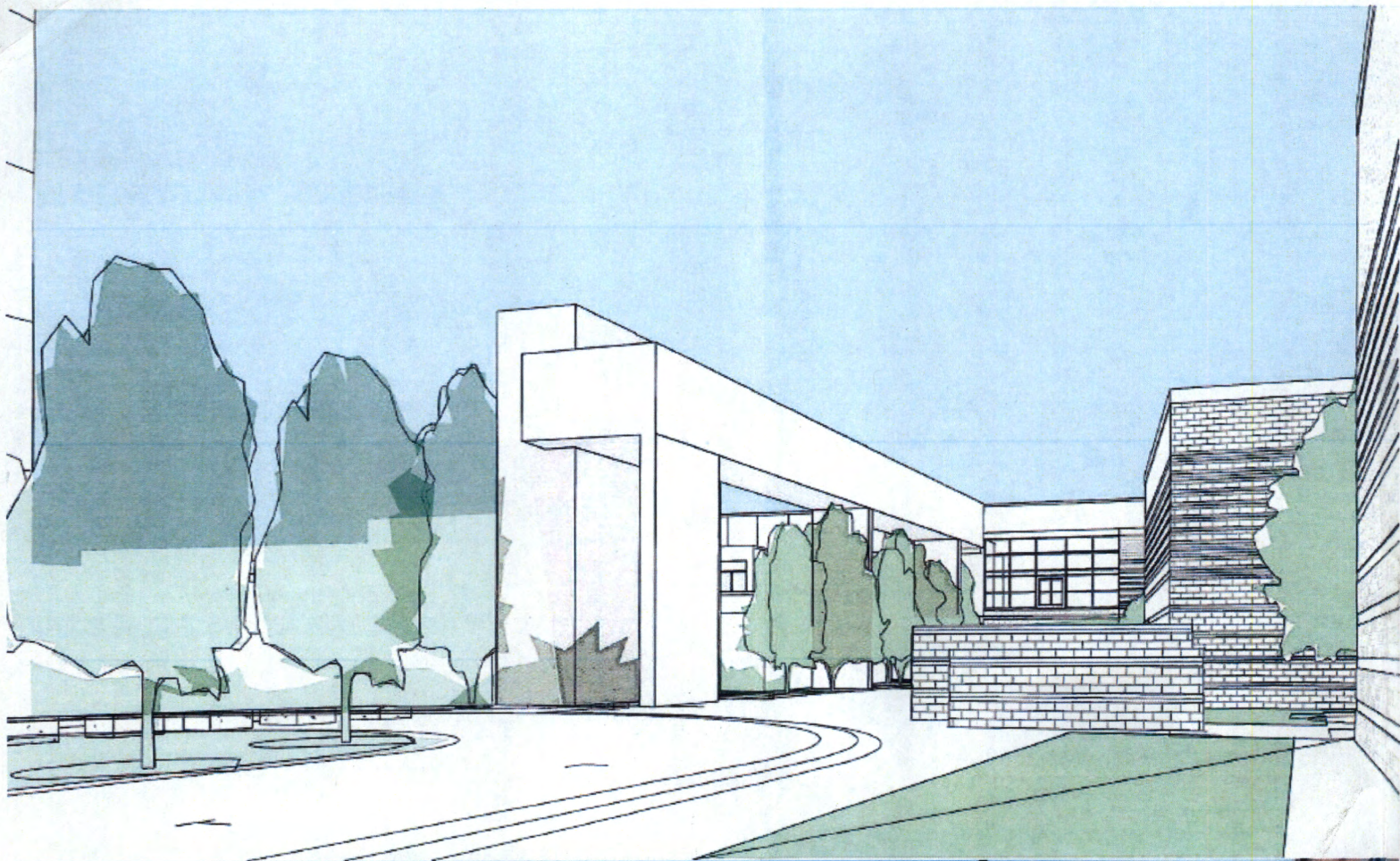


Veronica Ferguson  
County Administrative Officer of Sonoma



José Octavio Guillén  
Court Executive Officer





**New Santa Rosa Criminal Courthouse**  
**Presented to the Court Facilities Advisory Committee**  
**August 11, 2016**

**Seismic Risk for Hall of Justice is Level V**

- Sonoma County is situated near numerous major seismic faults, including the San Andreas, Hayward, and Rodgers Creek;
- A USGS report recently concluded that there is a 63% probability of at least one Magnitude 6.7 or greater earthquake striking before 2032;
- As shown by a ground shaking study, the courthouse is located in an area expected to cause the maximum damage, referenced as violent shaking, and would result in serious damage to buildings, facilities and infrastructure; and
- Judicial Council studies conducted in 2003 determined the existing court was a Level 5 seismic risk. There have been no subsequent structural improvements.

**Crowded and Inefficient Space Throughout Existing Court Facility-HOJ**

- The existing conditions in our present courthouse render it unfit;
- Of course, our sister counties in line for new construction suffer from similar problems; however, the fact that others share the burden of these problems does not make it easier for any one of us;
- The photos represent the need of members of the public to crowd into hallways, to line up outside, and to be exposed to the elements and discomfort when we ask them to fulfill their civic duty and transact court business at the courthouse.

**In-Custody Defendants Are Transported Through Public and Staff Areas**

- There is, of course, limited or no security under these conditions;
- These type of escorts pose a significant security risk to the public, inmate, civilian staff and Sheriff's deputies;
- Whether it's a sympathetic person that wants to assist the inmate, or a victim that may want to lash-out toward the inmate; these type of escorts happen multiple times every day and put everyone at risk;
- Inmates are often transported through internal "security" areas to be brought to certain courts;
- Inmates are transported past the public, past judges' chambers without a secure passageway, past family members and friends of sentenced defendants; and
- Past court staff at their workplace through internal "secure" hallways.

### **First and Second Floors at Hall of Justice**

- The entire second floor area is open to the public view. A bullet was fired into this glass several years ago, and concerns remain for security of judicial officers and court staff. These concerns are increasing due to the transport of high risk and prisoners through the public hallways to the courtrooms;
- Recent statistics reflect a 20% increase in gang-related cases in Sonoma County, thus making segregation and transportation an increasingly dangerous and challenging security risk. More than 30% of our current jail population appearing in court are suffering from some form of mental illness; and as a result of criminal realignment, in-custody population has become more challenging to control, as evidenced by increased incidents of attempted escapes and altercations inside and outside the courtrooms; and
- The courtyard is open on multiple sides, allowing unfettered and unsecure public access. Two of the criminal courtrooms must be accessed from the outside, or through this courtyard area. This courtyard is accessed from three sides by the general public.

### **Recurring Termite Infestation**

- Recurring termite infestation- Despite our aggressive preventive pest control measures, the colonies of termites dwelling under the slab have entered through floor penetrations at electrical conduits and plumbing; and
- Every year during early spring, termite populations explode, causing an infestation in most offices located on the first floor.
- There continues to be damage from such infestation despite the aggressive attempts at abatement.

### **Recurring HVAC & Elevator Failures, Plumbing and Water Leaks**

- Deferred maintenance of the existing facility totals more than \$18 million;.
- The existing HVAC units are not capable of appropriately heating the building and require complete replacement;
- One of the three elevators is not operational;
- A rapidly spreading plumbing leak from an unknown source, later determined to be sewage, occurred during business hours in the midst of a critical court operations unit. VCT floor tiles buckled under the carpet. Repairs required asbestos abatement protocols; and
- On numerous occasions, leaking at the deliberation room ceiling on the second floor has passed through to the first floor, soaking court furniture, files, and equipment in the civil public service lobby.

### **County Demolishes Old Jail to Make Room for Our New Courthouse**

- Sonoma County spent \$3.48 million during the challenging financial times caused by the recession to demolish the old jail and make certain site improvements pursuant to our sales site acquisition agreement with the State.

#### **Site Acquired Adjacent to New Jail and Existing Hall of Justice**

- As part of the site acquisition agreement, the County committed to installation of a new storm drain and the relocation of the well that serves the Emergency Operations Center. The County has budgeted \$1.28 million for these projects, which are underway.

#### **Property Acquired From County**

- The Court and County Board of Supervisors recognize the importance of improving justice services, and have worked collaboratively to make the new facility a reality;
- The County sold the property highlighted in yellow to the State in 2008 in order to construct the new Court facility;
- Subsequently, the County has invested over \$13 in specific actions to ready the site; and
- The County's long deferred development of the County Government Center is impacted by the timing of the Court construction.

#### **County's Relocation and Construction of Fleet Operations**

- Sonoma County has almost completed construction of the new Light Fleet Facility (shown) and re-location of the motor pool lot, at a total cost of \$9.8 million; and
- This move was necessary in order to support the construction of the new Criminal Courthouse, and was done in order to vacate the property sold to the State, pursuant to the sales agreement.

#### **County Funds Jail Inmate Connector**

- To provide the most efficient, cost-effective transfer of inmates from the Main Adult Detention Facility to the new Sonoma County Criminal Courthouse, it is necessary to construct a connector;
- The connector is currently in the design phase and preliminary site work has begun;
- 150 – 200 inmates are transferred daily from detention to the Court. There are limited holding facilities at the existing Court building, requiring Sheriff's Deputies to accompany inmates including those with mental health issues and those with limited mobility;
- The new Inmate Connector will create a secure, ADA compliant transfer to holding facilities in the new Court;
- The County has spent over \$13 million to date to prepare our site for the new Court;
- We have dedicated another \$13 million in discretionary General Fund dollars for the remaining site work and construction of the new Inmate Connector;



- Furthermore, we have dedicated space within our County Government Center campus that could have otherwise been used to replace our existing, aging facilities;
- In total, the County will have contributed \$26.7 million to support the construction of the new Court facility. If the Court project is delayed, we anticipate annual escalation at 6 – 10 %, requiring a further commitment from our Board;
- The County has committed to the Court project, reflecting the Board of Supervisors’ and the Court’s shared vision of improved justice services; and
- We respectfully request that the Judicial Council consider our commitment when reviewing this project.

### **Current Project Status**

- In terms of the status of the Sonoma project, I think it is important to better understand what was achieved already before certain projects were put on hold:
  - Our project team had completed 100% design development. We appeared before CCRS, and were told to proceed so long as we kept the project within budget. In fact, we were within budget.
  - The next step would have been formal internal approval by our own Capital Programs Division. Given our timeline, and the attention and diligence that we have been applying, we expected approval internally during early April of this year. We expected approval by the Department of Public Works by the end of April of this year. We expected approval by the Department of Finance by mid-May of this year.
  - We have come to learn that although the completed 100% design development package was provided to the JC management internally, it was held without action. Again, at this point the architects were paid, the construction manager was paid, the design development package was complete, it had been submitted for approval of this committee, and then held up.
  - It is highly likely that we would have had, or had been close to receiving, working drawings for our project by now; if so, it would have been ready for timely submission for bond sale.
  - I reiterate, the time and resources have already been expended and product received by our professionals; and the only reason for delay of this stage seems be internal decisions.
  - Clearly, every court here will be seeking approval for their project to be completed. Of course, we are in that category.
  - However, from a financial standpoint it makes no sense to refrain from proceeding on a portion of the phase that has already been completed and, in essence, paid for. It makes no sense, what has been done, to delay going forward with working drawings for this project.
  - I speak not only for Sonoma, but for other counties, to remind all of us that to the extent that we delay, there are serious economic consequences due to escalation of

material cost and general project costs. Such delay also impacts the readiness of the project for the bond cycle, which I believe is twice yearly.

- From the standpoint of Sonoma County, I request that our project continue through the working drawings phase at a minimum, and to explore going forward with the project as a whole at the earliest possible date.

# SANTA ROSA CRIMINAL COURTHOUSE PROJECT

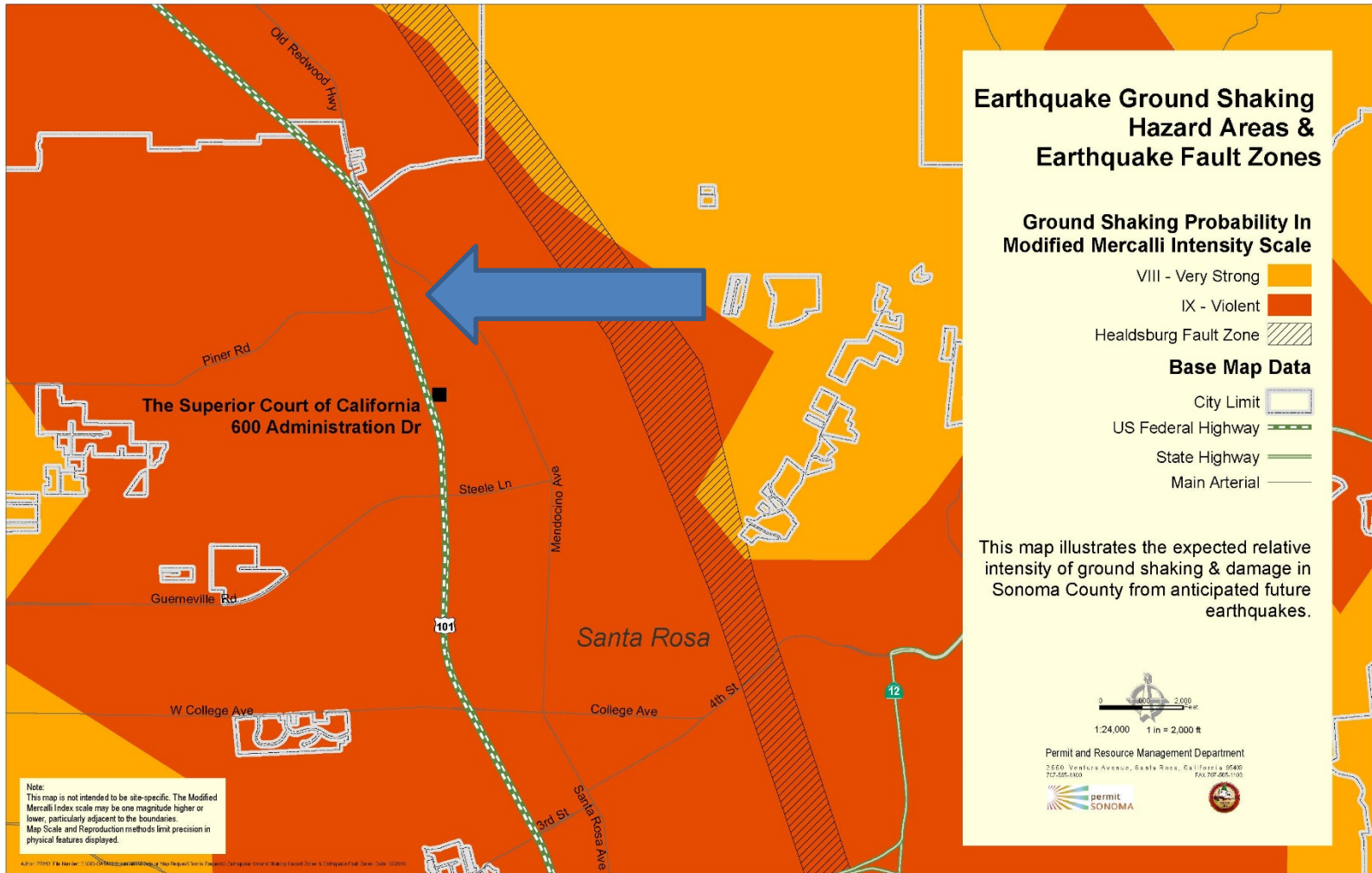
## *A Collaboration Between Court and County*

Honorable Gary Nadler  
Assistant Presiding Judge

Honorable Efren Carrillo  
Chairman, Board of Supervisors



# LEVEL 5 SEISMIC RISK



Santa Rosa Criminal Courthouse

# CROWDED AND INEFFICIENT SPACE THROUGHOUT COURT FACILITIES



# IN-CUSTODY DEFENDANTS TRANSPORTED THROUGH PUBLIC AND STAFF AREAS



# IN-CUSTODY DEFENDANTS TRANSPORTED THROUGH PUBLIC AND STAFF AREAS



# FIRST AND SECOND FLOORS HALL OF JUSTICE





# RECURRING TERMITE INFESTATION



Termite Damage

**Below:** Termite swarm migration  
onto office carpet area



# RECURRING HVAC & ELEVATOR FAILURES, PLUMBING AND WATER LEAKS



Other work areas, behind and parallel to the asbestos abatement were in full function during this process.



# COUNTY DEMOLISHES OLD JAIL TO MAKE ROOM FOR OUR NEW COURTHOUSE



# SITE ACQUIRED ADJACENT TO NEW JAIL AND EXISTING HALL OF JUSTICE



# PROPERTY ACQUIRED FROM COUNTY

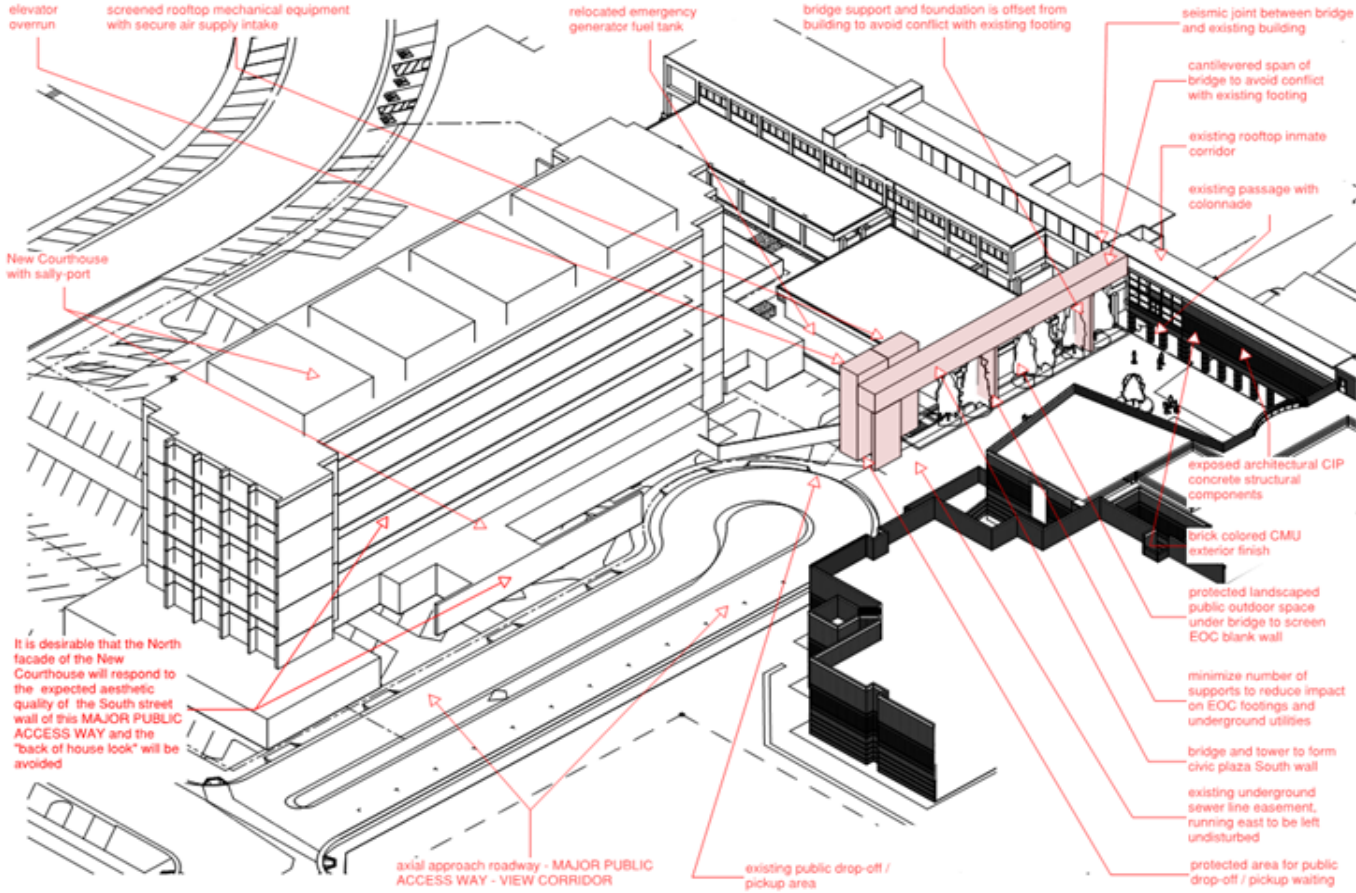


# COUNTY'S RELOCATION AND CONSTRUCTION OF FLEET OPERATIONS



Santa Rosa Criminal Courthouse

# COUNTY FUNDS JAIL INMATE CONNECTOR



DESIGN CONSIDERATIONS OVER AERIAL VIEW

# CURRENT PROJECT STATUS





# Stanislaus County Superior Court

Modesto, CA

Population  
525,491





# Operational Limitations

Storage Space at  
Capacity

Transcripts  
stored in morgue  
room





# Health and Safety

Exposed  
asbestos tile  
in public  
areas





Compliance

No ADA  
Compliant  
Criminal/Family  
Law  
Courtrooms





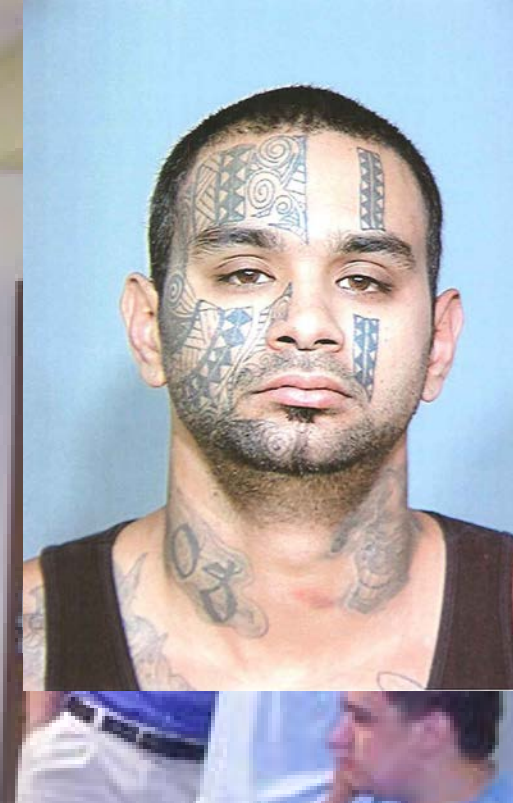
Judge



# Security

Presiding  
Judge on the  
way to her  
chambers...





## **Security**

**Inmates  
crossing  
public  
hallways  
multiple times  
daily**

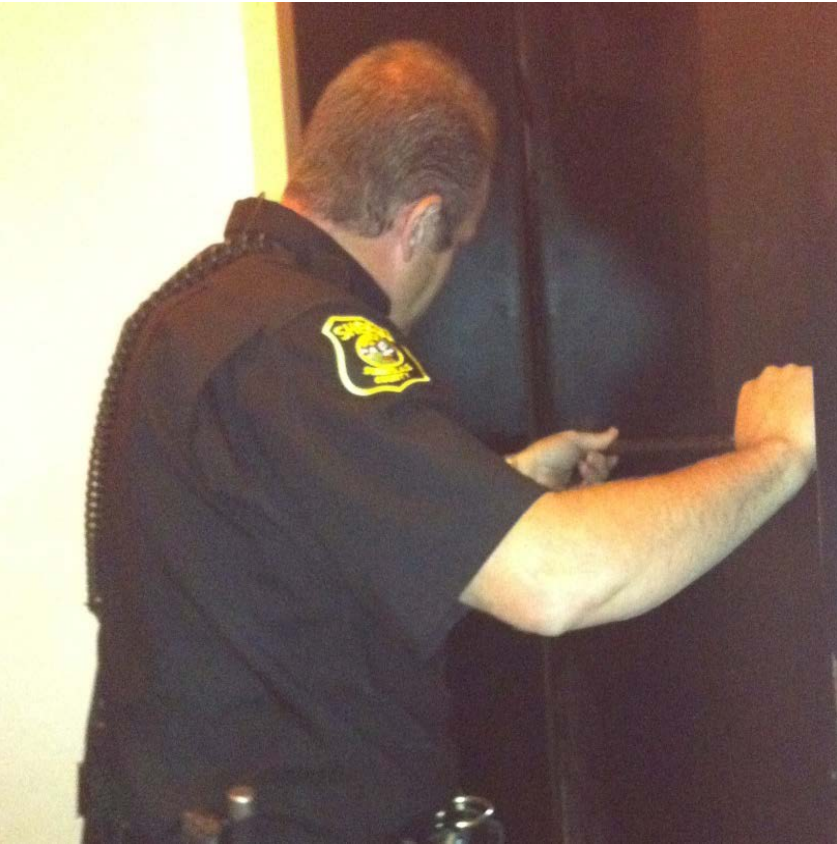




**Security**

**Unsecured  
hallways....**



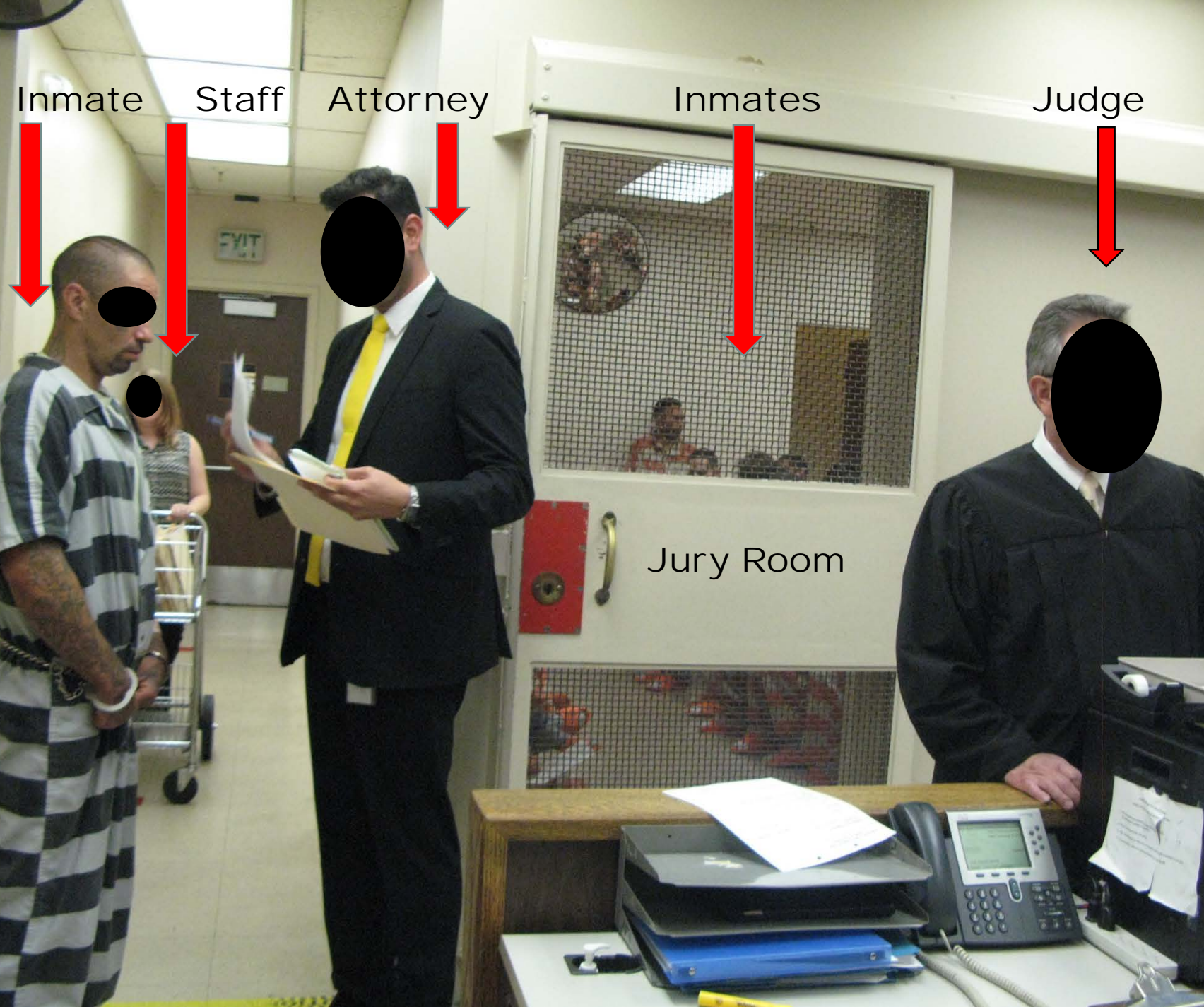


**Security**

**Inmate  
Elevator  
issues**







Security & Operations

Chamber & Jury Rooms

The judge, jury, attorneys, inmates and staff share the same square footage.





Public



Inmates



# Security

## Criminal Courtroom

Volume of inmates requires them to be seated in the public audience area.



Room 1



## Security & Operations

### Multi-Defendant Trials

8	Defendants
6	Deputies
3	Interpreters
10	Defense Attys
2	DA's
1	Crt Reporter
1	Crtrm Clerk
1	Judge
18	Juror Seats
63	Audience

113 People

1600 SqFt Courtroom



# The Bee's 2016 '20 under 40' class

BY JOSEPH KIETA  
kieta@modbee.com

Nearly two months ago, The Bee asked the community to nominate rising stars under the age of 40 who are making an impact.

Today, we're thrilled to announce the first class of the "20

under 40" program, which garnered more than 70 nominations reflecting the area's depth of developing young talent.

As you can see, the winners form a diverse and impressive group of people who are an asset to our region and are helping chart its future. We wanted to share the full

For the complete list of The Bee's 2016 '20 under 40' class, see 7A.

list today and to invite community members to attend a special event at 6 p.m. Aug. 24 at the Gallo Center for the Arts, where we'll introduce the first class to the community. Tickets are \$25 and are available through the Gallo Center box office.

Profiles and photos of the winners - written in their own words - will appear in a special

The judges were Dan Costa, CEO, Innov8 Partners LLC; David Darmstandler, CEO and co-founder, Datapath; Ron Foster, Foster Farms; Stephanie Gallo, vice president of marketing, E.&J. Gallo Winery; Jeff Grover, president and owner, Solecon Industrial Contractors; Marian Kaanon, president and CEO, Stanislaus Community Foundation, and Yamilet Valladolid, Modesto site supervisor, El Concilio.



## SPORTS

### KICKING OFF RIO

Kevin Durant picked up where he left off in the 2012 Olympics with 25 points, and the U.S. men's basketball team routed China 119-62 Saturday night in its opening game. 1C



## LOCAL

### AN UPDATE ON POLICE DRONES

Modesto police officials are set to brief a City Council committee on the department's new drone program. 1B



## EXPLORE

### KIDS DIGGIN' IN

## COUNTY COURTHOUSE CONSTRUCTION

# Judgment day at hand for Modesto and Sonora sites



JOAN BARNETT LEE | joan@modbee.com

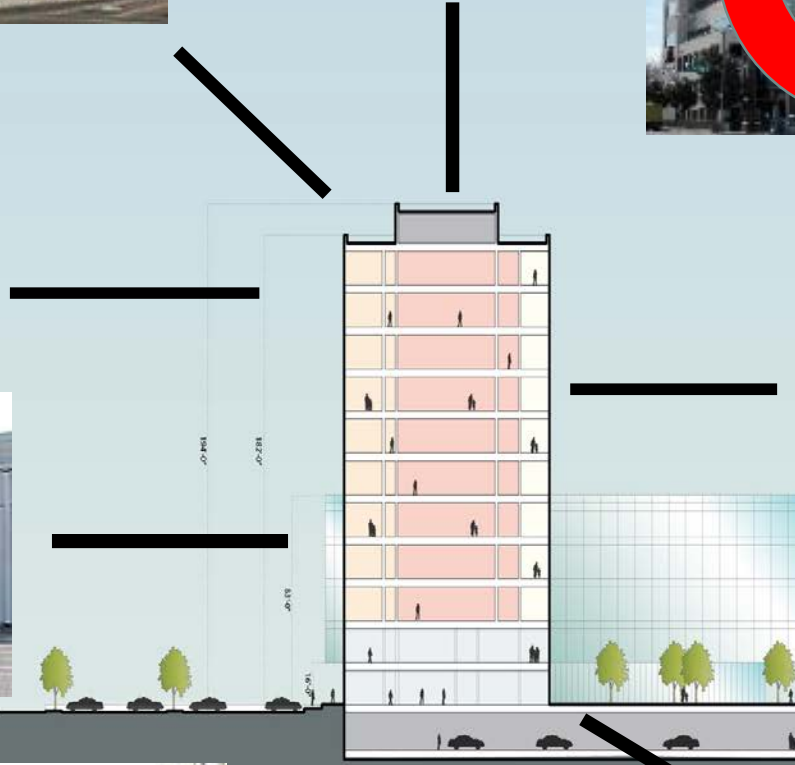
An inmate is taken to court through a public hallway Thursday morning at the Stanislaus County Courthouse in downtown Modesto. Deputies regularly halt foot traffic in the busy corridors to make way for the inmates for lack of separate, secure passageways.

Amid concerns of current facilities being substandard and dangerous, whether new courthouses are built to serve Stanislaus and Tuolumne counties may be decided at a hearing this week.

## The costs of justice

# Community need and expectation





# Unintended Consequences





# Stanislaus County Superior Court

## Courtroom Stats

124 - 187 Cases

35 - 187 Multi-Deft Cases

7- Death Penalty Cases

879 - Non-187 Multi-Def  
Cases

3,491- Defendants

Double & Triple Clerked  
Courts-Avg of 7  
crtrms/day double/triple  
clerked due to volume





# Budget of Efficiency

27 Courtrooms

308,964 Square Footage

\$144,000,000  
Construction Cost

\$466/Square Foot





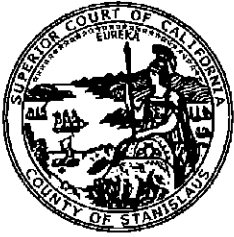
We must find a  
solution.....

If we stop this  
project now,

this is  
what we have  
accomplished.







# SUPERIOR COURT OF CALIFORNIA COUNTY OF STANISLAUS

**Rebecca J. Fleming**  
Executive Officer  
Jury Commissioner

800 - 11th Street  
Modesto, California 95354  
Telephone (209) 530-3111  
Fax (209) 236-7797  
[www.stanct.org](http://www.stanct.org)

August 8, 2016

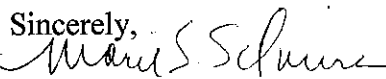
Court Facilities Committee  
c/o Justice Brad Hill


Please accept this letter as a plea for support for the New Stanislaus County Courthouse. We acknowledge the message that has been delivered by Judicial Council Staff regarding the shortfall of revenues for the facilities fund. We also express concern that there does not appear to be a plan to overcome these issues given the awareness of the critical situation by the staff and/or committee.


Stanislaus County is not a well-resourced court. It never has been. It has taped together resources in order to operate for years. There is no better illustration to represent these circumstances than the existing courthouse. On a daily basis we are facing unhealthy, unsafe, deficient surroundings. This is defined by discolored water, exposed asbestos materials, lack of accessibility for the handicapped, and homemade security structures. This situation, by your own definition is critical. We have no other options but to use these facilities every day. We use every room, every courtroom, and every closet in order to try and meet the needs of our community.


We implore you to not only address this fiscal crisis of this facilities fund, but also create a path forward for the Stanislaus Courthouse. Your support is critical to the more than 500,000 people in the community who have placed their trust and confidence in our ability to provide services in a safe, effective manner.

We remain willing to assist and support all effort in this direction.

Sincerely,  
  
Hon. Marie Silveira  
Presiding Judge

  
Hon. Ricardo Cordova  
Assistant Presiding Judge

  
Rebecca Fleming  
Court Executive Officer

  
Hon. Jack Jacobson  
Courthouse Facilities Chair

  
Hon. Loretta Begen  
Courthouse Facilities Committee

STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0012  
(916) 319-2012  
FAX (916) 319-2112

# Assembly California Legislature



**KRISTIN OLSEN**  
ASSEMBLYMEMBER, TWELFTH DISTRICT

DISTRICT OFFICE  
3719 TULLY ROAD, SUITE C  
MODESTO, CA 95356  
(209) 576-6425  
FAX (209) 576-6426

JUDICIAL COUNCIL  
CAPITAL PROGRAM  
SAN FRANCISCO

2016 AUG 10 1 P 3:27

August 4, 2016

Court Facilities Advisory Committee  
C/O Judicial Council  
455 Golden Gate Avenue  
San Francisco, CA 94102

To Whom It May Concern:

The purpose of this letter is to express my strong support for the continued funding of the proposed Stanislaus County-New Modesto Courthouse. The announcement that it may be jeopardized due to lack of funding raises serious concerns and threatens to undermine our community's access to justice.

As you are aware, the 2016-17 State Budget was finalized in June. In it, the Judicial Council was granted \$2.1 million in funding specifically for pre-construction costs of the New Modesto Courthouse. However, on June 28, just one day after the State Budget was signed, the Judicial Council announced that it may delay the New Modesto Courthouse, due to a funding gap that began in 2008 – thus creating confusion and concern throughout Stanislaus County.

A solution must be found so that the construction of the New Modesto Courthouse can continue on schedule. Our current courthouse is no longer capable of meeting the needs of our community. Courtrooms are constantly filled to capacity, and criminal defendants are held in jury rooms because no holding cells are available. The magnitude of these problems delays justice and creates public safety risks.

The proposed New Modesto Courthouse would be nearly double the size of the existing courthouse, and include 27 courthouses for potential new judgeships that may be funded in the future.

I urge you to act swiftly, working with the Department of Finance and all stakeholders, to forge a realistic path forward to ensure that the Stanislaus County-New Modesto Courthouse is fully funded and built on time. My legislative colleagues from Stanislaus County and I stand ready to assist in any way we can.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kristin Olsen".

Kristin Olsen  
Assemblymember, 12<sup>th</sup> District



August 8, 2016

**Modesto Means Business**

*Chairman of the Board*  
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David Boring  
Kristopher Helton  
Jim Holgersson  
David White  
Melissa Williams

*President & CEO*  
Cecil Russell

1114 J Street  
Modesto, CA 95354  
(209) 577-5757  
FAX (209) 577-2673



Court Facilities Advisory Committee  
c/o JUDICIAL COUNCIL OF CALIFORNIA  
Attn: Chris Magnusson  
455 Golden Gate Avenue  
San Francisco, CA 94102

**RE: Support for New Stanislaus County Superior Court Courthouse**

Dear Justice Brad R. Hill & Committee:

I am writing to you today on behalf of the Greater Modesto Chamber of Commerce to support the previously-approved and committed new Stanislaus County courthouse in downtown Modesto, and to submit these comments to the Court Facilities Advisory Committee at its next meeting on August 11, 2016 pursuant to CRC 10.75(k)(1).

The original Stanislaus County Courthouse was built in 1871, and remodeled in 1939 and 1960. It is dilapidated, out-of-date, and dangerous. Criminal defendants and prisoners are paraded through public hallways and kept in jury rooms due to the lack of adequate holding cells. The building is no longer up to code and has numerous violations of the Americans with Disabilities Act in the courtrooms, hallways, and bathrooms. Toilets do not flush, sinks back-up, heat does not work in winter – the facility is falling apart. A 2010 study found severe “security problems, physical and functional problems” that compromise the safety of those working in and visiting the courthouse. Due to overcrowding, there are even more “off-site” courtrooms scattered in various cities throughout the County, making attending court difficult for many of our citizens.

We represent over 1,000 businesses and organizations in Modesto and the greater County. The land in downtown Modesto has now been prepped for this new courthouse, resulting in boarded up buildings on an entire city block that borders the heart of downtown, across the street from the police station, the temporary civil courtrooms, and the world-class Gallo Center for the Arts. This blighted city block now invites even more homelessness, vagrancy, and crime into our downtown community. Stanislaus County has one of the highest poverty and unemployment rates in the state. The economy has not rebounded here. This new courthouse will greatly assist the current revitalization efforts for downtown Modesto, and is a key factor in bringing downtown new retail and tourism, mixed use and residential units, and a new ACE train station right across the street. It will provide local jobs, economic growth, and civic pride.

Stanislaus County seems to always be the last in line, suffering setbacks and delays on this project over the years. We are now at a state of emergency. For both our justice system, and our County economy, the Modesto Chamber of Commerce is urging you to find a way to fund the construction of this courthouse.

Sincerely,

Cecil Russell



**MODESTO CITY COUNCIL  
RESOLUTION NO. 2016-314**

**RESOLUTION APPROVING SUPPORT FOR THE STANISLAUS COUNTY SUPERIOR  
COURTHOUSE IN DOWNTOWN MODESTO**

WHEREAS, the Judicial Council of California is planning to build a new \$267,000,000 Superior Courthouse for Stanislaus County; and

WHEREAS, current court facilities and operations in Stanislaus County are fragmented, overcrowded and in need of improvement; and

WHEREAS, the purpose of this Courthouse is to consolidate all court operations into a functional and efficient facility for the Court; and

WHEREAS, the location of the Courthouse is proposed in Downtown Modesto the County Seat for Stanislaus County; and

WHEREAS, the specific location of this Courthouse facility would greatly stimulate existing and planned efforts to revive 10th Street and the downtown Modesto core; and

WHEREAS, the construction of the this facility will provide hundreds of construction jobs, plus other positive economic multiplier benefits for Modesto and the entire region; and

WHEREAS, the construction and consolidation of the Courthouse facility in Downtown Modesto is expected to result in greater operational efficiencies for the court and greater access and convenience for the citizens of Stanislaus County;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby supports the immediate funding for the Stanislaus Superior Courthouse and any efforts that can expedite its funding and construction.

The foregoing resolution was introduced in a special meeting of the Council of the City of Modesto held on the 3<sup>rd</sup> day of August, 2016, by Councilmember Kenoyer, who moved its adoption, which motion being duly seconded by Councilmember Madrigal, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST:   
STEPHANIE LOPEZ, City Clerk

(SEAL)

APPROVED AS TO FORM:

By:   
ADAM U. LINDGREN, City Attorney

THIS IS TO CERTIFY THAT THIS  
IS A TRUE COPY OF THE DOCUMENT ON  
FILE WITH THIS OFFICE.

DATE August 4, 2016



SIGNATURE  
CITY CLERK  
CITY OF MODESTO, CA



**Office of the District Attorney  
Stanislaus County**

**Birgit Fladager  
District Attorney**

**Assistant District Attorney  
Dave Harris**

**Chief Deputies  
Doug Raynaud  
Annette Rees  
Marlisa Ferreira**

**Chief Investigator  
Kevin Bertalotto**

Court Facilities Advisory Committee  
c/o Judicial Council of California  
Attn: Chris Magnusson  
455 Golden Gate Ave.  
San Francisco, CA 94102

August 10, 2016

Dear Committee Members:

As the District Attorney of Stanislaus County, I am writing to express my deep concern for the future of the Stanislaus County courthouse. Providing safe and secure access to all aspects of the justice system is one of the most profoundly important obligations that government provides to its citizens.

The current courthouse is antiquated, in disrepair and unsafe for crime victims, witnesses and the legal professionals who work there. The conditions have degraded over time and are no longer professional, inspiring or even remotely amenable to modern technology. A courthouse should be a place of dignity where plaintiffs, defendants, jurors, victims, witnesses, lawyers and court staff are reminded by the mere structure itself that they are in hallowed halls of justice. The citizens of Stanislaus County deserve no less.

I urge you to work with the Governor and the Legislature to quickly find a solution to the current untenable situation that has placed our new courthouse at risk of delay or even never being built. There must be a solution if everyone is willing to work together to find it. This is not simply a "money problem;" this is a very real public safety threat for our county and it must be immediately addressed. I am ready to assist in any way possible.

Very respectfully,

**Birgit Fladager  
District Attorney**



## SHERIFF'S DEPARTMENT

ADAM CHRISTIANSON  
Sheriff-Coroner

ADMINISTRATION  
DIVISION

August 9, 2016

Court Facilities Advisory Committee  
c/o Judicial Council of California  
Attn: Chris Magnusson  
455 Golden Gate Avenue  
San Francisco, CA 94102

**Re: Support for Stanislaus County – New Modesto Courthouse**

This letter serves to express my support for the new Modesto Courthouse and urge the Judicial Council to work diligently in providing a solution that will continue to fund this project. Our community has invested a considerable amount of time and resources in anticipation of the new courthouse.

The existing courthouse no longer provides a safe environment for our community to access justice. The building is constantly under major repair and appropriate accessibility has been extremely difficult. Courtrooms are constantly filled to capacity and provide inadequate space to safely house inmates during criminal proceedings. Inmates are frequently transported through open hallways exposing the public to safety risks. The existing courthouse is no longer capable of meeting the needs of our community.

While realizing the budget constraints that the Judicial Council must adhere to, halting the construction of a new courthouse for Stanislaus County will have a devastating affect on our entire community. For these reasons, I support the continued funding of this project and urge the Judicial Council to move forward with the plan to construct a new courthouse in Modesto.

Sincerely,

A handwritten signature in black ink, appearing to read "A Christianson".

ADAM CHRISTIANSON  
Sheriff – Coroner  
Stanislaus County





Tim Ragsdale  
3436 Dragoo Park Drive  
Modesto, CA 95350  
209-596-0274  
[timragsdale@comcast.net](mailto:timragsdale@comcast.net)

August 10, 2016

Court Facilities Advisory Committee  
Honorable Brad R. Hill, Chris Magnusson, Mike Cortney  
455 Golden Gate Avenue  
San Francisco, CA 94102

Re: New Stanislaus County Courthouse

Gentlemen;

This is being written to express the importance of a new Stanislaus County Courthouse and to share my perspective on living in California for 73 years and Stanislaus County for 41 years.

Stanislaus County was a land of optimism when we arrived in 1975. The optimism waned as coastal and more urban areas garnered the lion's share of Sacramento's attention. Those areas got infrastructure and Stanislaus County got neglect.

The existing courthouse is handling a crime load that greatly exceeds its capacity. Its antiquated construction does not provide for ADA compliance or the safety of prisoners and the public. Maintenance costs are exacerbated by antiquated systems that require custom made replacement parts. It is truly a train wreck in progress.

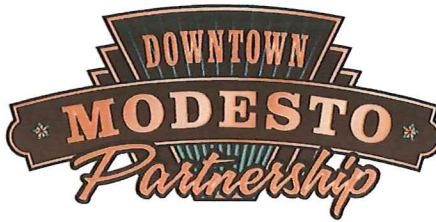
The courthouse construction will be a shot in the arm for our languishing economy. It will provide for safe access for all citizens. It will be a step towards righting the wrong of decades of Sacramento's infrastructure neglect of Stanislaus County.

There cannot possibly be another area of California more deserving and more in need of a new courthouse than Stanislaus County. It is requested that you give the Stanislaus County Courthouse top priority and provide the funds necessary to get this project done.

Sincerely



Tim Ragsdale



*Josh Bridegroom,*  
*CEO*

***Officers:***

*David L. Gianelli,*  
*Chair*

*Ryan Swehla, Vice*  
*Chair*

*Gregory Reed,*  
*Secretary*

*Hank Barrett,*  
*Treasurer*

***Directors:***

*Bart Barringer*

*Elliot Begoun*

*George*  
*Boodrookas*

*Wayne*  
*Bridegroom*

*Patrick Burda*

*Lynn Dickerson*

*Mike Goss*

*Neal Khatri*

*Barrett Lipomi*

*Rose Louis*

*Chris Murphy*

*Kole Siefken*

*Craig Stott*

*David White*

*Terrance Withrow*

*David Boring*

*Susan Richardson*

*Belinda Rollicheck*

*Robert Wirth*

Court Facilities Advisory Committee  
c/o JUDICIAL COUNCIL OF CALIFORNIA

Attn: Chris Magnusson  
455 Golden Gate Avenue  
San Francisco, CA 94102

**RE: Support for New Stanislaus County Superior Court Courthouse**

Dear Justice Brad R. Hill & Committee:

I am writing to you today on behalf of the Modesto Improvement Partnership, Inc., also known as the Downtown Modesto Partnership. Our organization administers the newly formed Downtown Modesto Community Benefit District. We strongly support the previously-approved and committed new Stanislaus County courthouse in downtown Modesto, and would like to submit these comments to the Court Facilities Advisory Committee at its next meeting on August 11, 2016 pursuant to CRC 10.75(k)(1).

You have already received comments from the Chamber of Commerce about the dilapidated condition of our current Courthouse. That is reason enough to make this Courthouse your highest priority.

But because purchases have taken place and previous business owners have left the new site, a block that is in the heart of downtown Modesto and was in decaying condition is now in a far worse condition. All the tenants have left and all the buildings are boarded up. It is now blight in our downtown. This blighted city block brings more homelessness, vagrancy, and crime into our downtown community. Our County has one of the highest poverty and unemployment rates in the state. Unlike most of the State, the economy has not rebounded in Stanislaus County. This new courthouse will greatly assist the current revitalization efforts for downtown Modesto, and is a key factor in bringing downtown new retail and tourism, mixed use and residential units, and a new ACE train station right across the street. It will provide local jobs, economic growth, and civic pride.

Stanislaus County always seems to be the lowest priority. We can no longer stand for that. We are in a desperate situation. Please find a way to fund the construction of this courthouse.

Very Truly Yours,

A blue ink handwritten signature, appearing to read "David L. Gianelli", is written over a blue horizontal line.

David L. Gianelli,  
Chairman of the Downtown Modesto Partnership

**From:** [scottm95350@comcast.net](mailto:scottm95350@comcast.net) [mailto:[scottm95350@comcast.net](mailto:scottm95350@comcast.net)]

**Sent:** Tuesday, August 09, 2016 5:12 PM

**To:** [cfac@jud.ca.gov](mailto:cfac@jud.ca.gov)

**Cc:** assemblymember olsen; Mayor; COUNCIL; chiesa, vito; obrien, william; Terry Withrow; Dick Monteith

**Subject:** Stanislaus County - Modesto Courthouse Project

## Court Facilities Advisory Committee

Attn:Chris Magnusson

455 Golden Gate Avenue

San Francisco, CA 94102

To the Judicial Council,

I'm writing in support of construction of the new Stanislaus County - Modesto Courthouse project. The current courthouse building serving this county of over a half million in population is a disgrace, and is not in compliance with many of the state regulations regarding access and safety.

It is no surprise at all that "state officers", in order to balance a state budget that favors the "left coast" counties of California over the inland poorer and less represented inland counties, would loot the courthouse construction fund just as they shamelessly raid the transportation funds and redirect the money to more lavish projects in LA County and the SF Bay Area counties. Why do they do it? Just because they can. And then the progressive left can't understand - and continue to remain totally clueless to - the popularity of Donald Trump.

These "budget officers" that laundered the \$1.8 billion dollars out of the courthouse fund need to be jailed and the money returned where it belongs. You can take it back from Gov. Brown who is sitting on it in his "rainy day fund".

This whole situation is disgraceful and the Judicial Council needs to make this right.

The City of Modesto in good faith worked with the state to assemble an entire city block - purchased the parcels from individual landowners, creating local controversy about the process as directed by the state and which was then sold back to the state, and now will end up with a blighted non-tax producing wasteland in the heart of the city well into the 2030's as this situation seems to be unfolding. All because, once again, the state will not live up to the promises of the hopes and schemes that it continues to try to sell to its citizens.

Stanislaus County has been a have-not county and ignored by the state for far too long. Get this structure built as promised and on time.

Thank-you,

Scott Murray

2320 Sharon Way

Modesto, CA 95350

**From:** [Gwenlyn Larsen](#)  
**To:** [CFAC](#)  
**Subject:** Modesto Courthouse  
**Date:** Monday, August 08, 2016 6:11:31 PM

---

WE URGE YOU TO RELEASE FUNDS FOR THE MODESTO COURTHOUSE. OUR COMMUNITY HAS INVESTED A HUGE AMOUNT OF MONEY TO BUY

PROPERTY ON WHICH TO BUILD AND ALL THIS WILL FALL ON TAXPAYERS BACKS IF THE STATE BACKS OUT. THIS IS TRULY AN UNJUSTIFIED TWIST

OF PLANS AND PROMISES. THERE WILL PROBABLY BE COSTLY CONSEQUENCES FOR BOTH THE CITY AND STATE IF THIS IS APPEALED.

GWENLYN K. LARSEN

LESLIE LARSEN

2501 PORTOFINO DRIVE  
MODESTO, CA 05356

**From:** [Richard](#)  
**To:** [CFAC](#)  
**Subject:** Stanislaus Courthouse  
**Date:** Monday, August 08, 2016 6:18:38 PM

---

We need a new Courthouse funded.

Sent from [Mail](#) for Windows 10

**From:** [Denny Wraske](#)  
**To:** [CFAC](#)  
**Subject:** Stanislaus County Court House  
**Date:** Monday, August 08, 2016 7:13:41 PM

---

To Whom it may concern, I am a resident of Stanislaus County, I am asking you to support the financial funding we need for a much needed new court house. It is a very worn out facility that needs to be replaced. Many in our county have counted on you to help us.

Thank you,  
Denny Wraske  
2404 Howe Way  
Modesto Ca. 95355

**From:** [paul liu](#)  
**To:** [CFAC](#)  
**Subject:** New courthouse  
**Date:** Monday, August 08, 2016 7:48:07 PM

---

Dear Committee members,  
Stanislaus County is in desperate need of a new courthouse. The current one is old, in disrepair and too small. This county seems to be overlooked on a frequent basis. Trials here are postponed for way too long-sometimes years because space is so limited.

Sincerely, your law abiding citizen, Donna Liu  
Sent from my iPad

**From:** [rrdnds@gmail.com](mailto:rrdnds@gmail.com) on behalf of [Ray Dias](#)  
**To:** [CFAC](#)  
**Subject:** Stanislaus County Modesto Courthouse  
**Date:** Monday, August 08, 2016 8:45:05 PM

---

Court Facilities Advisory Committee,

I have had the opportunity to review portions of the existing Stanislaus County Modesto Courthouse. Being an engineer with over forty years experience in global Facilities Management, my professional assessment of the condition of this Courthouse is that the facility is substandard in which to provide required services of all parties involved in litigation managed within this facility.

I have witnessed defendants mixed with the public as they are processed to their respective court proceedings, infrastructure which is minimal and in some cases beyond reasonable repair, and a general decay of the courthouse's furnishings required to meet current demands.

It is realized that we must adhere to budget constraints. However, the responsibility to adequately plan for critical improvements is a fundamental fiduciary responsibility of your Committee with associated liability implications if planning requirements are mismanaged. The Committee must ensure the litigants, staff and public are properly supported to streamline processing while providing a safe environment for all individuals from both the courthouse facilities and individuals present within the structure.

It is critical that construction prioritization be adjusted to ensure the planned Modesto facility is properly funded without further delays.

Thank you.

Raymond Dias, P.E.



**From:** [dls54@att.net](mailto:dls54@att.net)  
**To:** [CFAC](#)  
**Subject:** Modesto courthouse  
**Date:** Tuesday, August 09, 2016 8:18:58 AM

---

I'm requesting funds be made available to build a new courthouse in Modesto.  
This is a much needed project for Stanislaus County.

Respectfully;

David Spurgin  
58 Willowood Dr  
Oakdale, Ca 95361

**From:** [dave.murphy@sbcglobal.net](mailto:dave.murphy@sbcglobal.net)  
**To:** [CFAC](#)  
**Subject:** New Stanislaus County - Modesto Courthouse  
**Date:** Tuesday, August 09, 2016 9:01:44 AM

---

Dear; Judicial Council

The new Modesto Courthouse is a critical need that needs the funding so the project can be completed on time. The court rooms are filled to capacity, criminal defendants are being held in jury rooms because no holding cells are available, and the building infrastructure is in disrepair and below standards.

I'm a tax payer and retired firefighter from Turlock that is asking to start the construction and funding for the New Modesto Courthouse so the project can be completed on time. My nephew is a deputy with Stanislaus County Sheriff's Department and moves inmates to and from court, he says that it is not safe in the courthouse when he has to put inmates in jury rooms rather than holding cells waiting for court.

Thank You;

Mr. Dave Murphy

Sent from [Mail](#) for Windows 10

**From:** [matador1960@comcast.net](mailto:matador1960@comcast.net)  
**To:** [CFAC](#)  
**Subject:** Modesto Courthouse  
**Date:** Tuesday, August 09, 2016 9:01:46 AM

---

Hello,

I am writing to express my displeasure with our situation with the proposed Modesto courthouse. It's not acceptable to have the funding pulled after we expected the new courthouse to be built. The conditions of the existing courthouse are un-safe for our safety officers, courthouse employee's and citizens. I hope you can see this building needs to be replaced NOW. With the funds being moved around, you need to see that Modesto gets the new courthouse. It's un-acceptable for this to happen after much planning and ex[pectation was put into having everything ready to start construction.'

Please see that this needs to be built today, not 20 years from now as we have expected from our government people.

Timothy Matalone  
209 484-5509

**From:** [Rosemary Cortez](#)  
**To:** [CFAC](#)  
**Subject:** New Modesto Courthouse  
**Date:** Tuesday, August 09, 2016 9:01:48 AM

---

To Whom It May Concern:

Please, fund the new Modesto Courthouse so that the project may be completed in a timely manner.

Sincerely,  
Rosemary Cortez

Sent from my iPad

**From:** [goldie Locks](#)  
**To:** [CFAC](#)  
**Cc:** [assemblymember.olsen@assembly.ca.gov](mailto:assemblymember.olsen@assembly.ca.gov)  
**Subject:** New Modesto Courthouse  
**Date:** Tuesday, August 09, 2016 10:32:16 AM

---

Esteemed New Courthouse Committee, I understand that you will be meeting Thursday to decide whether to fund a new courthouse for Modesto, CA. This courthouse is in disrepair, the jury rooms have to be used for criminals because of over crowding and the courts are also filled past comfortable. Modesto really needs a new courthouse.

Please approve the funding.

Sincerely, Patricia Cantley

Modesto, California

Sent from my iPhone

**From:** [Patricia Cochran-Campbell](#)  
**To:** [CFAC](#)  
**Subject:** Courthouse funding  
**Date:** Tuesday, August 09, 2016 11:12:57 AM

---

Dear Chris Magnusson

Recently, I was surprised to hear the state Judicial Council announce that funding for the New Stanislaus County - Modesto Courthouse may be jeopardized due to a lack of funding. This announcement raises serious concerns related to public safety and our community's ability to access justice in a safe and timely manner.

I have seen and know first-hand the condition of our current courthouse. Courtrooms are filled to capacity, criminal defendants are held in jury rooms because no holding cells are available, violent offenders require bailiffs to clear courthouse hallways to take them to courtrooms, and the building infrastructure is in disrepair and below standards.

I am a native of Modesto and this courthouse was in existence from the time I was an infant 71 years ago. Our population growth necessitates a larger and safer facility than one built for a much smaller community.

I am sending you a letter of support for The Judicial Council, telling them of the critical need for the New Modesto Courthouse, and urge them to prioritize funding so that the project may be completed on time.

Respectfully,

Patricia Cochran-Campbell

Sent from my iPad

**From:** [Pat Gillum](#)  
**To:** [CFAC](#)  
**Subject:** City of Modesto-Stanislau County Courthouse  
**Date:** Tuesday, August 09, 2016 4:24:02 PM

---

Court Facilities Advisory Committee  
Attn: Chris Magnusson

This email is to strongly urge you to include the Stanislaus County Courthouse, in your funding. The City of Modesto has displaced several businesses and the design phase is started in this process after the current site was selected. Money has been spent in what will be a transformation of a blighted area into a much needed new facility. The old courthouse is basically uninhabitable from my standards, dangerous with criminals being transported in the public hallways and definitely not handicapped accessible. It would be a travesty of justice to put this project on hold. Please do not leave the City/County in the lurch. Please include this facility in the current allocated funding

*SUMMER IS HERE - HAVE A GREAT ONE!*

**Patricia A. Gillum**

**Certified Public Accountant**

1801 Tully Road, Suite C-2

Modesto, CA 95350

(209) 525-9211 (office) e-mail address: [patricia\\_gillum@sbcglobal.net](mailto:patricia_gillum@sbcglobal.net)

(209) 525-9292 (fax)-(209) 765-7897 (cell)

**From:** [scottm95350@comcast.net](mailto:scottm95350@comcast.net)  
**To:** [CFAC](#)  
**Cc:** [assemblymember olsen](#); [mayor](#); [COUNCIL](#); [chiesa, vito](#); [obrien, william](#); [withrowt](#); [monteithd](#)  
**Subject:** Stanislaus County - Modesto Courthouse Project  
**Date:** Tuesday, August 09, 2016 5:12:42 PM

---

Court Facilities Advisory Committee  
Attn:Chris Magnusson  
455 Golden Gate Avenue  
San Francisco, CA 94102

To the Judicial Council,

I'm writing in support of construction of the new Stanislaus County - Modesto Courthouse project. The current courthouse building serving this county of over a half million in population is a disgrace, and is not in compliance with many of the state regulations regarding access and safety.

It is no surprise at all that "state officers", in order to balance a state budget that favors the "left coast" counties of California over the inland poorer and less represented inland counties, would loot the courthouse construction fund just as they shamelessly raid the transportation funds and redirect the money to more lavish projects in LA County and the SF Bay Area counties. Why do they do it? Just because they can. And then the progressive left can't understand - and continue to remain totally clueless to - the popularity of Donald Trump.

These "budget officers" that laundered the \$1.8 billion dollars out of the courthouse fund need to be jailed and the money returned where it belongs. You can take it back from Gov. Brown who is sitting on it in his "rainy day fund".

This whole situation is disgraceful and the Judicial Council needs to make this right.

The City of Modesto in good faith worked with the state to assemble an entire city block - purchased the parcels from individual landowners, creating local controversy about the process as directed by the state and which was then sold back to the state, and now will end up with a blighted non-tax producing wasteland in the heart of the city well into the 2030's as this situation seems to be unfolding. All because, once again, the state will not live up to the promises of the hopes and schemes that it continues to try to sell to its citizens.

Stanislaus County has been a have-not county and ignored by the state for far too long. Get this structure built as promised and on time.

Thank-you,

Scott Murray  
2320 Sharon Way



Modesto, CA 95350

STATE CAPITOL  
SACRAMENTO, CA 95814  
(916) 651-4012

2561 THIRD STREET  
SUITE A  
CERES, CA 95307  
(209) 581-9827

1640 N STREET  
SUITE 210  
MERCED, CA 95340  
(209) 726-5495

369 MAIN STREET  
SUITE 208  
SALINAS, CA 93901  
(831) 769-8040

# California State Senate

SENATOR  
**ANTHONY CANNELLA**  
TWELFTH SENATE DISTRICT

JUDICIAL BRANCH  
CAPITAL PROGRAM  
SAN FRANCISCO

2016 AUG -8 P 2:13



COMMITTEES  
RULES  
VICE-CHAIR  
AGRICULTURE  
VICE-CHAIR  
TRANSPORTATION  
& HOUSING  
VICE-CHAIR  
ENERGY, UTILITIES &  
COMMUNICATIONS

August 4, 2016

Hon. Brad R. Hill, Chair  
Court Facilities Advisory Committee  
c/o Judicial Council  
455 Golden Gate Avenue  
San Francisco, CA 94102

## Re: Support for Stanislaus County-New Modesto Courthouse

Dear Justice Hill,

This letter is to express my support for the proposed Stanislaus County-New Modesto Courthouse.

As you know, the Judicial Council announced in June that it lacks sufficient court construction funds and may delay the New Modesto Courthouse as a result of this shortfall. Regardless of the current funding challenges, a solution must be found so that the construction of the New Modesto Courthouse can continue on schedule. The current Modesto courthouse is no longer capable of meeting the needs of our community. Courtrooms are constantly filled to capacity, and criminal defendants are held in jury rooms because no holding cells are available. The magnitude of these problems only serves to delay justice.

The proposed New Modesto Courthouse would be nearly double the size of the existing courthouse, with 27 courtrooms. It will also plan for the region's continued growth by providing five unfinished courtrooms for potential new judgeships that may be funded in the future.

Stanislaus County deserves a modern courthouse to serve the diverse needs of our growing community. Our community has worked together for over a decade to make this new courthouse a reality.

For these reasons, I support a fully-funded Stanislaus County-New Modesto Courthouse. Thank you for your consideration and work on this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "AC", written over a faint circular stamp.

Anthony Cannella  
Senator, 12th District



**BOARD OF SUPERVISORS**

JUDICIAL BRANCH  
CAPITAL PROGRAM  
SAN FRANCISCO

2016 AUG -8 P 2:13

**William O'Brien**, 1<sup>st</sup> District  
**Vito Chiesa**, 2<sup>nd</sup> District  
**Terry Withrow**, 3<sup>rd</sup> District  
**Dick Monteith**, 4<sup>th</sup> District  
**Jim DeMartini**, 5<sup>th</sup> District

1010 10th Street, Suite 6500  
Modesto, CA 95354  
Phone: 209.525.4494 Fax: 209.525.4410

July 19, 2016

Court Facilities Advisory Committee  
c/o Judicial Council of California  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, CA 94102

RE: Modesto Courthouse in Stanislaus County

Please accept this letter urging the support of continued forward movement for the New Courthouse Project in Stanislaus County. This project has been in some form of planning for more than ten years. A decision to now halt this project would have a devastating effect on our entire community.

Stanislaus County is located in Central California, with an estimated population of 538,000. It is located within 90 minutes of the San Francisco Bay Area. As a low property tax county, Stanislaus County has consistently struggled with high poverty rates (in excess of 22% according to the latest census), high unemployment and significant crime issues. In spite of our fiscal condition, the County made a considerable commitment to restore public safety services to enhance the criminal justice system. It is time for the State to do their part.

The existing main court facility was built in 1939. The building is now the responsibility of the state and, as the committee is aware, the building is constantly under major repair. The courthouse is without holding facilities, appropriate accessibility and even expansion options. The facility does not provide safe conditions for inmates to wait for their time in court. As the crime rate continues to grow as a result of population growth, AB 109 and Proposition 47, more and more inmates need to be transported to the courthouse. The holding areas are in the same proximity as the Judge's Chambers, creating a threatening environment. By putting this project on hold, the Facilities Committee is knowingly placing judges, staff, inmates and public at risk.

While the funding issues that the Court Facilities Advisory Committee are indeed worthy of addressing, please recognize that the halting of this critically needed facility in Stanislaus County is not the solution. It is important to recognize that this project is the lowest cost per square foot project on the list and is both on time and on budget.

The community has also invested considerable time and resources in the planning and procurement of the new Courthouse project. Businesses have already relocated to accommodate the new courthouse facility. The City of Modesto has incurred significant costs to make this project become a reality. Stanislaus County Superior Court is one of the five lowest funded courts in the state without the resources to absorb lease costs or generate other facility options. Without the Judicial Council's commitment to follow through, there simply is no alternative option available.

The Stanislaus Board of Supervisors are concerned about the potential impacts to the Community should the Courthouse project be cancelled or delayed. It is absolutely critical that this project be allowed to continue.

On behalf of the Board of Supervisors of Stanislaus County, I urge you to continue to move the Stanislaus County Superior Courthouse Plan forward.

Sincerely,

A handwritten signature in black ink, appearing to read "Dick Monteith". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Dick Monteith, Chairman  
Stanislaus County Board of Supervisors

**From:** [Leslie Klinger](#)  
**To:** [CFAC](#)  
**Subject:** Modesto Courthouse  
**Date:** Monday, August 08, 2016 4:35:14 PM

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Our courthouse in Modesto is more than just inadequate; it is falling apart. People with mobility issues cannot easily maneuver, it is dangerous for the general public, and it is a tort action waiting to happen.

We need a new courthouse. Please help us achieve this goal.

Thank you.

Leslie Shaw Klinger  
Sent from my iPhone

**From:** [hondian@aol.com](mailto:hondian@aol.com)  
**To:** [cfac@jud.ca.gov](mailto:cfac@jud.ca.gov)  
**Cc:** [.Olsen@outreach.assembly.ca.gov](mailto:.Olsen@outreach.assembly.ca.gov)  
**Subject:** Modesto Court House  
**Date:** Monday, August 08, 2016 4:37:43 PM

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Please approve the funding for the Modesto Courthouse.  
The existing building is falling down old.  
It is a danger to people using the building.  
Doug Estes

**From:** [patdgibbs@yahoo.com](mailto:patdgibbs@yahoo.com)  
**To:** [CFAC](#)  
**Subject:** Stanislaus County Courthouse  
**Date:** Monday, August 08, 2016 4:41:24 PM

---

We need a new courthouse. Please find the funding somehow.

Sent from Samsung tablet

**From:** [jwalther@aol.com](mailto:jwalther@aol.com)  
**To:** [cfac@jud.ca.gov](mailto:cfac@jud.ca.gov)  
**Subject:** Stanislaus County Court House  
**Date:** Monday, August 08, 2016 4:42:05 PM

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I am writing to you because of my concerns about the Stanislaus County Court House here in Modesto, CA. While serving on jury duty it would be hard not to notice that while standing in the hallway, waiting to go back to our duties, that we are often shuffled back to the end of the hall so that people in prisoner stripes can be taken into or out of various court rooms. The building is overcrowded, and needing many repairs starting with the elevators. Please do not think that we are asking for anything glamorous here in Modesto. We just want functional.

Please take the 90 minute trip from San Francisco to Modesto to view our facilities. We gladly do our duty to serve on the jury and to make democracy work through these means. Take into consideration that we need a functional place to do so. Thank you, ---Judy Walther



**From:** [Barry](#)  
**To:** [CFAC](#)  
**Subject:** Stanislaus County Courthouse  
**Date:** Monday, August 08, 2016 4:52:00 PM

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I am writing you to please consider funding the courthouse in Modesto. The current courthouse is outdated and just to small to work for this county.  
Thank You

**From:** [Eileen](#)  
**To:** [CFAC](#)  
**Subject:** Stanislaus County Modesto Courthouse  
**Date:** Thursday, August 11, 2016 11:53:11 AM

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This is to urge all parties to work together and break ground on this important project, sooner than later. The need is urgent, a safety issue on so many levels

Thank you,

Eileen Stokman  
Ceres, CA  
209-505-9868

[Sent from Yahoo Mail on Android](#)

**From:** [Tony](#)  
**To:** [CFAC](#)  
**Subject:** Modesto Courthouse  
**Date:** Wednesday, August 10, 2016 10:17:34 PM

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Dear Judicial Council,

The New Modesto Courthouse is a highly needed and critical project for Modesto. I urge the Council to prioritize funding so that the project may be completed on time.

Thanks,

Tony Jordan  
[anjordan@hotmail.com](mailto:anjordan@hotmail.com)

Sent from my iPhone

# *Sandy and Pam Sutton*

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2309 Abinash Court  
Modesto, CA 95355  
Tel: 209-551-6161  
Fax: 209-551-7575  
Email: [sandypam@sbcglobal.net](mailto:sandypam@sbcglobal.net)

August 8, 2016

Court Facilities Advisory Committee  
Attn: Chris Magnusson  
455 Golden Gate Avenue  
San Francisco, CA 94102

To whom this may concern:

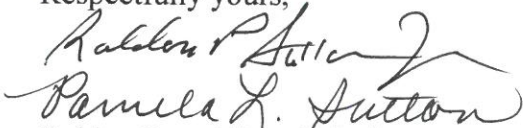
This letter comes to you as a plea to assure your citizens in Modesto and Stanislaus County a safe place to live and afford our law enforcement leaders the tools necessary to do their job and that includes the judicial arm of our system.

It has come to my attention that the Judicial Council is meeting this coming Thursday and the courthouse project slated for Modesto and Stanislaus is in jeopardy due to funding. I know there is an adequate amount of money available to go forward with the project. It will be a travesty and most irresponsible to not start construction as originally planned. Failure to do so is not a matter of available money but the inability to properly prioritize how money is to be spent. My observations have been that Gov. Brown has been making some good choices when it comes to attending to the many important needs of various communities. This community is probably the most desperate in the state of California. This is perhaps one of the most important decisions those of you in power will be making in the months and years to come and the consequences of poor decisions will reach far beyond the next decade. I implore you to do the right thing and **BUILD THE SEVERLY NEEDED COURTHOUSE FOR MODESTO AND STANISLAUS COUNTY. PLEASE DO NOT ALLOW POLITICS GET IN THE WAY OF THIS MOST VITAL ISSUE, and I do mean vital as in life sustaining!!!**

Our names are Roldon P. (Sandy) and Pamela L Sutton. We live at 2309 Abinash Ct., Modesto, CA. Our phone number is (209) 551-7575. I am a California native and my wife and I have been contributing members of this community for several decades. Our representation has been elected to do what is right for our communities and it is time unrealistic ideology, personal and political agendas are put aside. The citizens of Modesto, Stanislaus County, and leadership in our faith based community, our government leaders and our business leaders are investing hours of time and hundreds of thousands of dollars to address serious crime issues, and homelessness issues of which many are a result of irresponsible decisions made in Sacramento. It is time to stop the nonsense!!

I respect the many hours many of our elected leaders invest to make California a better place to live and I know that people on both sides of the isle are interested in the wellbeing of the citizens residing in California including those who are here illegally. If our government intends to protect our rights as American and California citizens then our legal structure must be adequate to handle the enormous load.

Respectfully yours,

  
Roldon P. and Pamela L. Sutton

**From:** [tgrieshaber@comcast.net](mailto:tgrieshaber@comcast.net)  
**To:** [CFAC](#)  
**Subject:** Courthouse funding for Stanislaus County Courthouse in Modesto CA  
**Date:** Saturday, August 13, 2016 4:09:03 PM

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To Whom It May Concern:

I hope your committee will place the highest possible priority on finding the money to build a new courthouse in my community. Our courthouse is a security problem waiting to happen. The elevators often don't work. Prisoners must be marched through areas frequented by the general public.

As a teenager, I remember seeing the live television footage in 1963 in Dallas, TX, when Jack Ruby shot Lee Harvey Oswald. As a result of that murder, we will never know for sure who killed JFK.

The same situation where members of the public can see suspects up close and personal, happens on a daily basis in Modesto.

Court bailiffs are also in danger because there is a long corridor through which they must snake long lines of prisoners between the courtrooms to their cells.

Parking is inadequate. There is not enough space for the Family Court facilitators who help people with their divorce papers.

The land has already been secured at great cost. The existing buildings on the site are becoming a blight on the community, since they've already been vacated in preparation for demolition, and are now deteriorating while we wait for funds.

Theresa Grieshaber



## County Administrator's Office

**Craig L. Pedro**  
*County Administrator*

**Tuolumne County Administration Center**  
2 South Green Street  
Sonora, CA 95370  
Phone (209) 533-5511  
Fax (209) 533-5510  
[www.tuolumnecounty.ca.gov](http://www.tuolumnecounty.ca.gov)

August 10, 2016

Administrative Presiding Justice Brad R. Hill, Chair  
Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688

Re: Support Immediate Funding for New Tuolumne County Superior Courthouse

Honorable Justice Hill:

The purpose of this letter is to seek the support of the Judicial Council's Court Facilities Advisory Committee to recommend immediate funding for the New Tuolumne County Superior Courthouse in Sonora. In reviewing materials published by the Judicial Council, it appears our challenge is not one of convincing your Committee of the fundamental merits of our project so much but more so as to why it makes sense to proceed with funding now versus waiting to resolve the broader funding challenges the Judicial Council faces with its overall courthouse program. The following main points are offered for the Committee's consideration.

### **Deficiencies of the Existing Sonora Courthouses**

As evidenced by the materials published by the Judicial Council, the Committee is undoubtedly aware of the general deficiencies and challenges associated with our current Court buildings. Having said that, I would be remiss not to at least offer some summary highlights of those deficiencies:

- Physical Infrastructure
  - Suffering from old age. Main Yaney Street Courthouse was built in 1898 and is on the National Register of Historic Places. The Washington Street Branch Courthouse is housed in a 90 year old former garage building. The age and basic design of these buildings make them hard to adapt and maintain to meet the operational needs of today's Court.

*...serving the Board of Supervisors, departments, and the community as good stewards of the County's fiscal and human resources through collaborative, professional and ethical leadership.*

- Lack of proper ADA access. There is no elevator in the three-story Yaney Street Courthouse and limited accessible parking. The County has already experienced one lawsuit related to access issues at the Yaney Street Courthouse.
- Lack of safe and secure travel ways that segregate prisoners and defendants from court officials, jury members, victims, witnesses and members of the public.
- Lack of essential facilities. The current Courthouses lack adequate parking, jury assembly room, holding cells, witness waiting rooms, attorney/client interview rooms and record storage.
- Operational Inefficiencies
  - All law and justice partners (i.e. Court, District Attorney, Public Defender, Sheriff's Office and Probation) currently suffer from significant physical separation from one another causing inefficiencies within the Court itself and amongst all law and justice partners.
  - A notable inefficiency and safety issue is the physical separation between the Court and County Jail that forces van transports between facilities.

## **A Unique Collaboration – New Tuolumne County Law & Justice Center**

The New Tuolumne County Superior Courthouse is unique in that it is planned to be constructed amidst a jointly planned Law & Justice Center that will ultimately become home to all of the community's law and justice partners including the new Mother Lode Regional Juvenile Detention Facility and new Tuolumne County Jail (*see attached Tuolumne County Law & Justice Campus Site Map*).

- County recommendations for planning and construction of a new, all-inclusive Law & Justice Center began in 1991.
- The Court's own Facility Master Plan echoed prior recommendations in 2002.
- The County has purchased, master planned, environmentally cleared and constructed all necessary infrastructure to support its Law & Justice Center.
- The Court has likewise acquired and environmentally cleared its site on the Law & Justice Center Campus for the New Tuolumne County Courthouse.
- The Court's construction drawings are expected to be completed at the end of this month.
- Construction of the Juvenile Detention Facility (funded primarily via SB 81) will be completed in October 2016.
- An extension of the Law & Justice Center's internal roadways and underground utilities, grading of future justice partner building pads and construction of a new Transit Center are expected to be completed over the next 6 months.

- The County and Court have been utilizing the same architect (Lionakis) intended in part to ensure maximum coordination of designs of the New Tuolumne County Courthouse and Jail.
- Construction drawings for the New County Jail (funded primarily via SB 1022 and AB 900) should be completed in time to bid in the Spring of 2017.
- If allowed to proceed into bidding and construction, the New Tuolumne County Courthouse should be able to start within months of the County's Jail project.
- The close proximity of bidding and construction of these two major facilities should result in attractive bids and maximize site coordination during construction.

### **Why Recommend Continued Funding for the Tuolumne County Courthouse?**

The County of Tuolumne appreciates the Judicial Council's overall funding concerns for courthouse construction and renovation projects throughout the State as outlined in the July 2016 Fact Sheet entitled "Senate Bill 1407 – Impacts of Delay, Judicial Branch Court Construction Program". However, in addition to the previously cited deficiencies of our current courthouses, the County would offer the following as the basis for the Committee to recommend that the Judicial Council maintain its support for funding and moving forward to construction of the New Tuolumne County Courthouse in Sonora:

- A \$55,445,000 appropriation for construction of the Tuolumne County Courthouse is contained in the Adopted FY 2016-17 State Budget. See SB 826, Chapter 23 – Item #0250-301-0668, Schedule #0000119.
- The unique collaboration that the Tuolumne County Superior Court and County of Tuolumne have been engaged in for several years in the planning and development of the Tuolumne County Law & Justice Center.
- The unique opportunity the Court and County can enjoy if the Tuolumne County Courthouse proceeds on a parallel schedule to that of the County's New Jail which should result in attractive bids and maximized site coordination during construction.
- By not proceeding as planned and budgeted, the needs of the Court and those it serves will continue to go unaddressed and the cost for construction of the New Tuolumne County Courthouse will continue to climb.

Thank you in advance for your thoughtful and positive consideration of the County of Tuolumne's request for the Court Facilities Advisory Committee to recommend that the Judicial Council maintain its support for funding and moving forward to construction of the New Tuolumne County Courthouse in Sonora. Please feel free to contact me at (209) 533-5511 or [cpedro@co.tuolumne.ca.us](mailto:cpedro@co.tuolumne.ca.us) should you have any questions or requests for additional information regarding this matter.

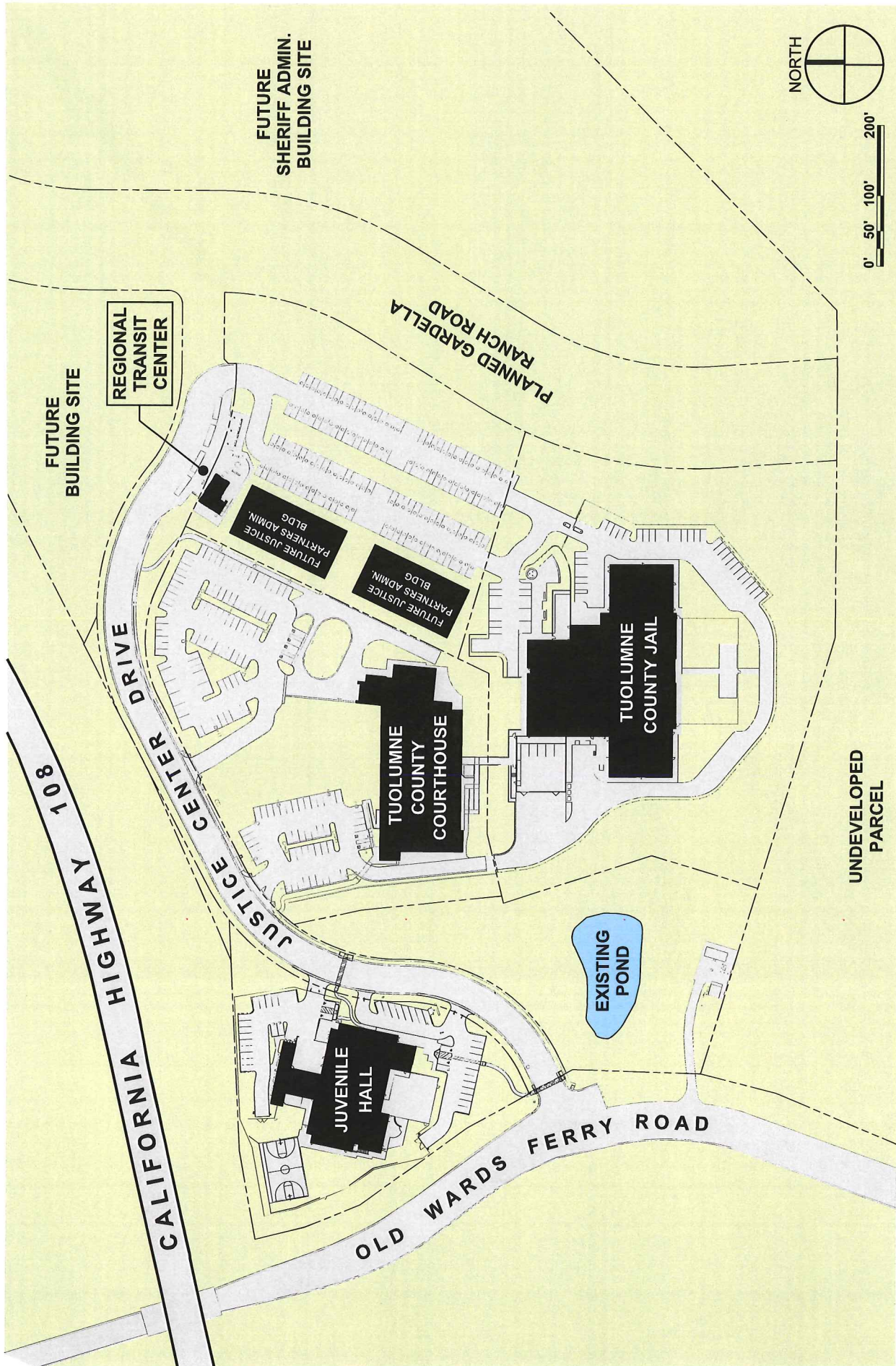


Yours truly,



CRAIG L. PEDRO  
County Administrator

Cc: Tuolumne County Board of Supervisors  
Donald Segerstrom, Presiding Judge, Tuolumne County Superior Court  
Laura Krieg, Tuolumne County District Attorney  
James Mele, Tuolumne County Sheriff-Coroner  
Don Meyers, Tuolumne County Interim Chief Probation Officer  
Robert Price, Tuolumne County Public Defender  
Sarah Carrillo, Tuolumne County Counsel  
Tom Berryhill, State Senator  
Frank Bigelow, State Assemblyman



**TUOLUMNE COUNTY JUSTICE CAMPUS**



# Superior Court of California County of Tuolumne

**Donald Segerstrom, Presiding Judge**  
(209) 533-5650 FAX (209) 533-5618

**Jeanine D. Tucker**

Court Executive Officer - Jury Commissioner  
(209) 533-5556 FAX (209) 533-5618

August 9, 2016

Honorable Brad R. Hill, Presiding Justice  
Chair, Court Facilities Advisory Committee  
Judicial Council of California  
Administrative Office of the Courts  
455 Golden Gate Avenue  
San Francisco, California 94102

RE: Immediate and Critical Needs Account (ICNA);  
Capital Project - Tuolumne County Superior Court

Dear Justice Hill:

Our court was one of the eight courts who submitted a letter to you and CFAC dated July 6, 2016, representing courts with Immediate and Critical Needs Account (ICNA) funded courthouse construction projects. As we indicated in that joint letter, we appreciate the Court Facilities Advisory Committee's leadership to overcome the judicial branch's court facilities' challenges and move forward with construction of these critically needed and long awaited projects. We believe it is important and hopefully helpful for the committee to hear from courts individually, and to consider again what a devastating impact would result in their communities by the failure to move forward with the 23 currently planned projects, especially those six which are in "construction" such as our project; projects which have been put "on hold" previously, and which continue to be challenged by aged facilities which are in desperate need of repair and/or replacement.

As you and the other members of your committee will recall, our project is one part of a larger Law and Justice Center Campus project which is well underway. Currently, a brand new Juvenile Detention Center is nearing completion, and a new County Jail is getting ready to break ground. The new courthouse is a critical component to the overall success and efficiency of this larger project, which includes a county transit hub to address traffic and parking concerns, and which will eventually include offices for the District Attorney, Public Defender, and in the future, other county agencies.

Completion of the new Tuolumne Superior Court project addresses many significant "access to justice" issues, i.e., poor physical conditions, lack of security, and severe overcrowding. Currently, the majority of our courtrooms and operations are located in a 118 year-old historic facility which has three floors and no elevator. **Poor physical conditions:** Not being ADA accessible is a daily health and safety issue for those attending court, the public who are visiting the courthouse to conduct business, our jurors, our staff, who must carry heavy bins loaded with files for calendar up and down stairs on a daily basis, and our bench officers who must move hearings to the first floor from the second and third floors.

**Dept. 1, 2 & 5**

41 W. Yaney Ave.  
Sonora, CA 95370

Administrative Services  
(209) 533-6984  
FAX (209) 533-5618

Civil/Family Law  
(209) 533-5555  
FAX (209) 533-6616

Civil Calendar  
(209) 533-5555  
FAX (209) 533-6616

Financial Services  
(209) 533-6928  
FAX (209) 533-5618

Human Resources  
(209) 533-6914  
FAX (209) 533-6607

Juvenile  
(209) 533-6975  
FAX (209) 533-6573

Mediation  
(209) 533-6565  
FAX (209) 533-6623

Self-Help Center,  
Law Library &  
ADA Services  
(209) 533-6565  
FAX (209) 533-6623

**Dept. 3 & 4**

60 N. Washington St.  
Sonora, CA 95370

Criminal  
(209) 533-5563  
FAX (209) 533-5581

Criminal Calendar  
(209) 533-5563  
FAX (209) 533-5581

Jury Services  
(209) 533-5679  
FAX (209) 533-5581

Traffic  
(209) 533-5671  
FAX (209) 533-5581

Honorable Brad R. Hill, Presiding Justice  
Chair, Court Facilities Advisory Committee  
August 9, 2016  
Page Two

**Lack of Security and Severe Overcrowding:** Movement of defendants is done via the public entrance, through unsafe circulation areas, such as the public hallways, and up three flights of the only stairway in the facility, presenting a huge risk to public safety. At our branch facility, bench officers access the courtroom through the overly crowded public hallway, often brushing by the defendants that they will address in court; court security staff is needed to maintain order. Multiple entrance points at this facility make it impossible to guarantee adequate security. There are no on-site holding cells at either location; in-custody defendants are held in the courtroom or hallway while being monitored by deputy sheriffs.

Additionally, our court currently has no jury assembly room, an ongoing issue on a weekly basis, which is addressed in the new courthouse project. Prospective jurors gather in the hallways until sworn and seated. Also in the historic courthouse facility, once seated, Department One jurors are able to use the employee break room for their breaks, which prevents staff from using the facility's only break room whenever there is a seated jury in Department One. Further, security is compromised, as a normally secured area is open to the public hallway during these times. Finally, completion of the new courthouse will bring together all staff and bench officers, currently located in the two county owned and county managed facilities, into one modern state of the art facility.


Throughout the planning process, our project has remained on budget. Our project addresses the current need and is not based on potential future growth. Our project team has consistently sought solutions which accomplish the most benefit with available funding and resources. We have been mindful of the desires of our citizens and our local legal community. Addressing all current obstacles to improved public access to justice, lack of adequate courthouse security, issues with increasing workers compensation claims, and making the best use of public funds have all taken center stage throughout this process.

In conclusion, we would like to reiterate what we jointly stated in the letter dated July 6, that we respect that this is a difficult and extremely important decision for your committee and ultimately the Judicial Council. We recognize the current unmet need in funding of all planned projects, and we appreciate your continued leadership and commitment to successfully completing the entire remaining 23 immediate and critical needs courthouse projects. We urge you to stay the course with all six projects currently in construction and proceed with all pre-construction phases for the remaining 17 projects, while the judicial branch explores and recommends alternative sources of stable funding.

Sincerely,

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF TUOLUMNE**

  
Donald Segerstrom  
Presiding Judge

  
Jeanine D. Tucker  
Court Executive Officer



## TUOLUMNE COUNTY PROBATION DEPARTMENT

465 South Washington Street, Sonora, CA 95370  
TEL 209-533-7500 FAX 209-533-7564

**Don L. Meyer**  
Interim Chief Probation Officer

Administrative Presiding Justice Brad R. Hill, Chair  
Court Facilities Advisory Committee  
Judicial Council of California  
455 Golden Gate Avenue  
San Francisco, California 94102-3688

Dear Presiding Justice Hill,

I am sending you this letter, to strongly encourage the funding of the new Courthouse proposed for Tuolumne County. My understanding that the initial project was scheduled to begin in 2014, but that was put on hold, due to the State's fiscal crisis.

The current Courthouse is located in downtown Sonora, in the oldest part of town. The 3 story building is a historical gem, however, frighteningly deficient in security systems, with no holding cells for in custody adults or juveniles. Adult and juveniles are transported to the Courthouse, and the transporters must park on a public street, thereby creating a potential serious security breach for escapes and interference by outsiders. Parking to attend court hearings is extremely limited, with little public parking available.

The building due to its historical status is not ADA compliant has no elevators and is a nightmare for disabled people to attend court hearings in the upstairs courtrooms. Moreover, all manner of confidential material and evidence has to be hand carried into the Courthouse through public areas by all the agencies with matters pending before the Court.

The Tuolumne County Probation Department has the sole responsibility of juvenile offenders being held in custody and transporting to the Courthouse. If

there are multiple juvenile offenders, it requires that the entire juvenile division to transport, attend, and monitor the minors while in Court. These probation officers are not armed, and are exposed to the security lapses at the Courthouse. For instance, several months ago, four (4) juvenile offenders were planning a school massacre at one of our high schools. After their arrests, and subsequent appearances at the courthouse, we had to have the entire juvenile division, our armed adult probation officers and several armed Sheriff's Officers, at the courthouse, to assist in transportation and security. The armed probation officers and Sheriff's had to be deployed multiple times for every court appearance. Media, angry parents, and interested parties were out in great force and added to the already existing security problems at the courthouse. Additionally, any minors being tried as adults are also transported by the armed adult probation officers and Sheriff's deputies.

The Courthouse is small, has space restrictions and cannot provide appropriate sized jury assembly and deliberation rooms, a self-help room, attorney interview/witness rooms, waiting rooms, and a lack of physical security for judicial officers and their staff.

Tuolumne County, has committed significant resources to creating a Law and Justice Center, off of Old Wards Ferry Road, and Highway 108. The first building being constructed is the Juvenile Hall. It will be completed by October, 2016 and occupied by January, 2017. All the justice agencies will be located at the Law and Justice Center, including the Sheriff and new Jail, District Attorney, Public Defender, Probation Department and other necessary criminal justice agencies. Public transportation and parking are part of the master plan for the Law and Justice Center.

I have been Chief Probation Officer, in Sacramento, Yolo, Calaveras, and now Tuolumne County. With over 50 years of experience in the probation field, I am extremely concerned by continued delay of the Courthouse construction, given the liability, safety and security issues that exist in the current Historical

Courthouse. As an example, in 1993, Tuolumne County experienced a shooting in the Courthouse formerly located in Jamestown, which resulted in the death of an accused defendant at the hands of an angry mother. That court was subsequently closed.

I strongly encourage the Court Facilities Advisory Committee to recommend funding of this extremely important project.

Respectfully submitted,



Don L. Meyer  
Interim Chief Probation Officer  
Tuolumne County Probation Department  
Sonora, California 95370  
(209) 533-7517

# Superior Court of California County of Tuolumne



Historic  
Courthouse

Constructed  
in 1898.



The 60 N. Washington Street site houses Departments 3 and 4; Criminal and Traffic Division; Appeals and Jury Services. Formerly the Tuolumne County Garage.



The only hallway at the 60 N. Washington site is situated between the judge's chambers, courtrooms, office areas, and restrooms. Inmates must be escorted through the same space where judges, counsel, victims, witnesses, jurors, or defendants are meeting, waiting, or passing by.



View of stairs from first to second floor.

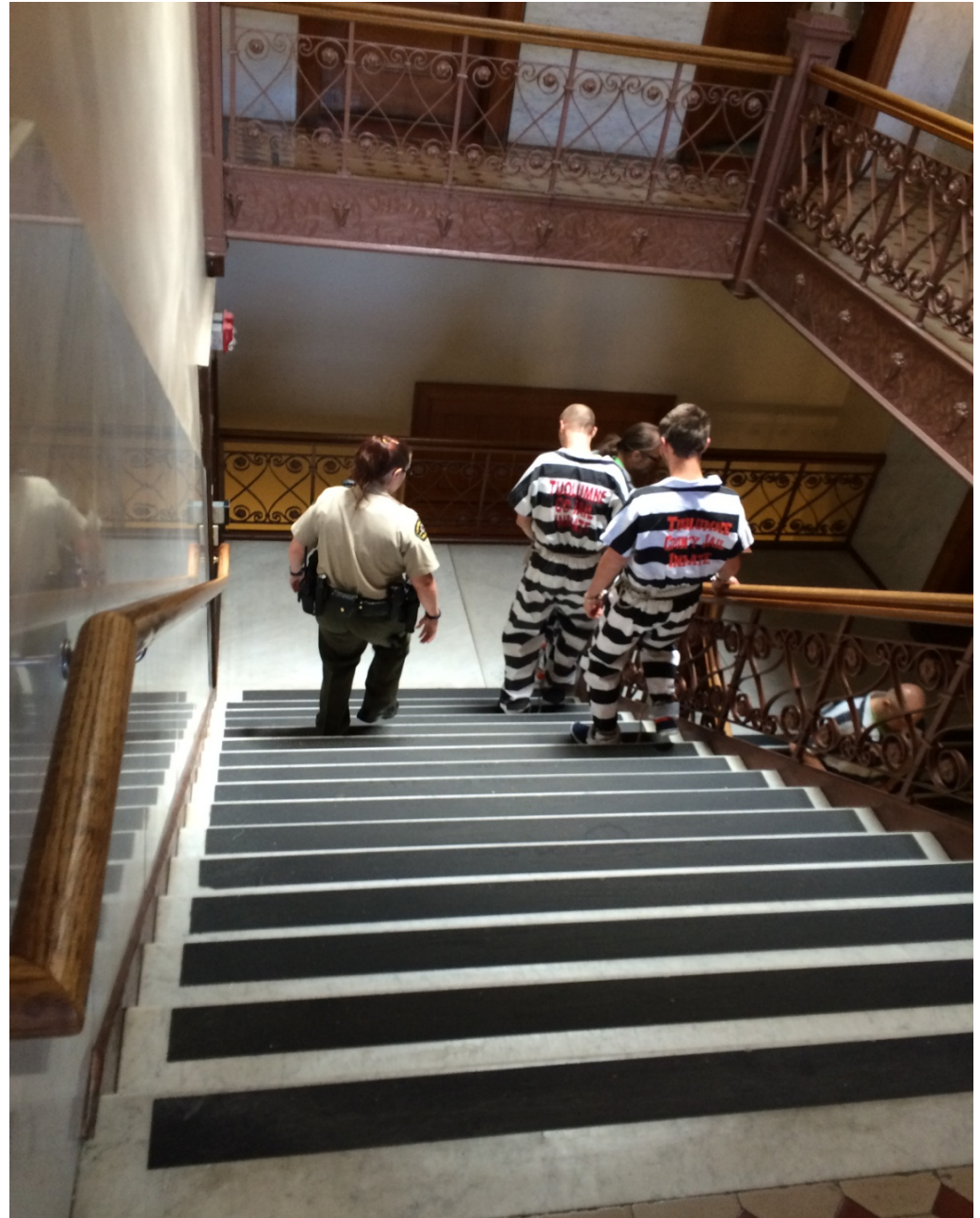


View of stairs from second to third floor.

Inmates being escorted down stairs from the third floor. The same stairs our judges, staff, witnesses, victims, jurors, and the general public use to access our courtrooms.

Staff must use the same restrooms as defendants. There is no hot water available to the restrooms on the third floor.

Staff must hand carry all files for each calendar up and down the stairs, as well as back and forth for processing at the other court facility.



# Tuolumne County Law and Justice Campus



**Illustrative Site Plan**  
New Sonora Courthouse

# External View of New Courthouse



**From:** [Yahoo](#)  
**To:** [CFAC](#)  
**Subject:** NEW COURTHOUSE  
**Date:** Monday, August 08, 2016 6:39:37 PM

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I do NOT support the building of a new courthouse. When we have such a huge number of our population living beneath bridges, you may continue to work in a facility in need of repair, you do not have to build a new facility. The people of this state are head over heels in debt through taxes. You can not spend your way out of debt, and we the people need a break from your constant barrage of taking our money through forced taxes.

Helen Watson

# Court Facilities Advisory Committee

As of July 11, 2016

**Hon. Brad R. Hill, Chair**

Administrative Presiding Justice of the  
Court of Appeal, Fifth Appellate District

**Hon. Patricia M. Lucas, Vice-Chair**

Assistant Presiding Judge of the  
Superior Court of California,  
County of Santa Clara

**Hon. Donald Cole Byrd**

Presiding Judge of the  
Superior Court of California,  
County of Glenn

**Mr. Anthony P. Capozzi**

Attorney at Law

**Mr. Stephan Castellanos, FAIA**

Principal Architect  
Derivi Castellanos Architects  
Former State Architect of California

**Hon. Keith D. Davis**

Judge of the Superior Court of California,  
County of San Bernardino

**Hon. Robert D. Foiles**

Judge of the Superior Court of California,  
County of San Mateo

**Ms. Melissa Fowler-Bradley**

Court Executive Officer  
Superior Court of California,  
County of Shasta

**Hon. William F. Highberger**

Judge of the Superior Court of California,  
County of Los Angeles

**Hon. Steven E. Jahr (Ret.)**

Judge of the Superior Court of California,  
County of Shasta

**Hon. Jeffrey W. Johnson**

Associate Justice of the Court of Appeal  
Second Appellate District, Division One

**Hon. Laura J. Masunaga**

Judge of the Superior Court of California,  
County of Siskiyou

**Mr. Stephen Nash**

Court Executive Officer  
Superior Court of California,  
County of Contra Costa

**Hon. Gary R. Orozco**

Judge of the Superior Court of California,  
County of Fresno

**Hon. David Edwin Power (Ret.)**

Judge of the Superior Court of California,  
County of Solano

**Ms. Linda Romero Soles**

Court Executive Officer  
Superior Court of California,  
County of Merced

**Mr. Larry Spikes**

County Administrative Officer,  
County of Kings

**Mr. Kevin Stinson**

Assistant Clerk Administrator  
Court of Appeal  
Fourth Appellate District, Division Three

**Mr. Val Toppenberg**

Consultant  
Former Redevelopment Director for the  
City of West Sacramento and the City of Merced

**Hon. Robert J. Trentacosta**

Judge of the Superior Court of California,  
County of San Diego

**Mr. Thomas J. Warwick, Jr.**

Attorney at Law



# **Court Facilities Advisory Committee**

As of July 11, 2016

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Hon. Donald Cole Byrd  
Mr. Stephan Castellanos, FAIA  
Hon. Keith D. Davis  
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Hon. Steven E. Jahr (Ret.)  
Hon. Gary R. Orozco  
Mr. Kevin Stinson  
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### **Subcommittee on Courthouse Names**

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Hon. Donald Cole Byrd  
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Hon. David Edwin Power (Ret.)  
Mr. Thomas J. Warwick, Jr.