

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

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Report

TO: Members of the Judicial Council

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SUBJECT: Facilities: Selection of Building Site for Court of Appeal, Fourth Appellate
District, Division Three, in Orange County Under Government Code
Section 69204(a) (Action Required)

Issue Statement

In accordance with rule 6.183 of the California Rules of Court, the Office of Court Construction and Management (OCCM) of the Administrative Office of the Courts (AOC) conducted a search for and an evaluation of available properties appropriate for a proposed new building for the Court of Appeal, Fourth Appellate District, Division Three, in Orange County.

A previous site selection initiative undertaken by the state Department of General Services in 2001–2002 resulted in no decision because the preferred and sole site under consideration, as offered by the City of Santa Ana, was of a size that required a court building with structured parking; the resulting costs exceeded the construction budget. The city representative stated at the time that the site size, provisions for parking, and sale price were not negotiable. Subsequently, responsibility for this project was transferred to the AOC.

With legislative support, funding for the project was maintained and the AOC initiated a new site acquisition program. In October 2003 a project advisory team was formed that developed the required site attributes;¹ a request for information (RFI) was distributed to

¹ The project advisory team consists of four justices of the Fourth Appellate District, two court executives, and four members of the local community. It was established in accordance with the Interim Policy Concerning Court Facilities (adopted by the Executive and Planning Committee on October 24, 2003) to advise the OCCM project managers.

potential property sellers throughout Orange County. The advisory team helped OCCM evaluate the potential sites identified in the RFI process. The advisory team narrowed the field to two sites—a 2-acre site in the Santa Ana Civic Center and a 2.5-acre site at the University of California at Irvine, in its University Research Park—and examined the proposed sale terms and attributes of each. The property would be purchased with funds previously appropriated for this purpose.

This site acquisition process has resulted in sale proposals for two sites that are both worthy, offering unique and contrasting elements and virtues. Both would physically accommodate the appellate court, although with quite different design opportunities and challenges. The project advisory team has diverse opinions on the attributes of each site, although it appears to staff that a majority favor the Irvine site. The council's Interim Court Facilities Panel² has visited and reviewed both sites, analyzed the terms of sale offered by each seller, and attended a public forum conducted by the AOC at which presentations were made by the sellers and comments received from the public.

The Judicial Council is asked to consider the recommendation of OCCM to select one property as a building site for a new Court of Appeal facility in Orange County. With two strong possibilities, it is appropriate to make a site selection.

Recommendation

In accordance with rule 6.183(b)(1) of the California Rules of Court, the OCCM staff recommends that the Judicial Council, effective immediately:

1. Approve the selection of the Santa Ana Civic Center as the site for the new Court of Appeal building, and
2. Direct staff to complete a property acquisition agreement with the City of Santa Ana for approval by the Judicial Council.

Rationale for Recommendation

The Santa Ana Civic Center site has all of the required site attributes for the new building, as established by the project advisory team and the OCCM. Furthermore, the Santa Ana site exceeds the site requirements in terms of economy of purchase price, provisions for parking, and flexibility for future expansion of the facility. The location of this site would promote access to the courts and place the Court of Appeal building in the government center of this county and in proximity to the Superior Court of Orange County, U.S. District Court, county law library, and office of the Orange County Bar, as well as the State of California, Orange County, and city administration buildings.

² Rule 6.15 of the California Rules of Court defines the Interim Court Facilities Panel as an internal committee of the Judicial Council with responsibility for reviewing and consulting with the AOC on matters concerning court facilities, including site selection for any new court facility.

The purchase price and other terms provide an economic benefit to the judicial branch. Funds currently allocated for property purchase and for construction of parking could be reassigned to the building construction. This site might have slightly higher construction costs related to the congestion that is typical of urban sites; however, this would be more than offset since all parking is provided at no cost to the project. There are no restrictions on expansion, change in use, or ownership in the terms of the sale proposed by the City of Santa Ana.

In accordance with rule 6.15(b)(5) of the California Rules of Court, the Interim Court Facilities Panel, at a special meeting on April 6, 2005, reviewed the recommendation of OCCM staff concerning the selection of the Santa Ana Civic Center site. On that date, the panel also visited both sites with representatives of both sellers and attended an AOC-hosted public meeting to hear from sellers and the public.

Selection of a site for an appellate court involves more than an analysis of price and technical details. It is a symbolic statement about the significance of the court, its role in a community, and its purpose. The court's permanence at that site for the next half century means that the site selection should be thoughtful and comprehensive. Each council member may weigh the various factors differently, as did many who have already voiced their opinions and come to varied, strongly held conclusions.

The fact that there are divergent opinions should not dissuade the council from choosing a site as soon as possible. A delay in selection might result in withdrawal of one of the potential sellers. A delay in completion of a property acquisition agreement would in turn delay completion of design, the start of construction, and occupancy.

Attached are the following reference materials:

- Exhibit A, at pages A1–A5, is an outline of major activities and milestones in the site acquisition process from August 2000 to March 2005.
- Exhibit B, at pages B1–B6, is a comparison of the essential elements in and differences between the two property sale proposals in relation to the required site attributes established by the project advisory team in October 2003 and included in the request for information from potential sellers issued in December 2003.
- Exhibit C, at pages C1–C30, is a transcript of the public meeting held in Costa Mesa on April 6, 2005.
- Exhibit D, attached at pages D1–D2, is a letter from Presiding Justice David G. Sills of the Fourth Appellate District, Division Three.

Alternative Actions Considered

An alternative action would be to approve the selection and acquisition of the University of California at Irvine site for the new Court of Appeal building, and direct staff to commence work on a property acquisition agreement with the University.

Background

Under Government Code section 69204(a), the AOC has “full responsibility, jurisdiction, control, and authority as an owner would have over appellate court facilities, including, but not limited to, the acquisition and development of facilities.” The Court of Appeal, Fourth Appellate District, Division Three, has outgrown its leased space in two buildings. Funding for a new court building—including site acquisition, design, and construction originally authorized in 2000—was reappropriated by the Legislature in the Budget Act of 2002; approximately \$2.475 million is identified for the purchase of property as a building site.

In 2001 and 2002 the state Department of General Services (DGS), on behalf of the Judicial Council, conducted site evaluations and preliminary design studies for the new Court of Appeal building in Orange County. At that time the selected site was a 1.44-acre parcel at the northwest corner of Santa Ana Boulevard and Ross Street in Santa Ana, offered by the City of Santa Ana. That site size required a court building with structured parking; the resulting costs exceeded the construction budget. The city and DGS reached an impasse, and the project was suspended in November 2002. Subsequently, with the assistance of legislators representing Orange County, funding for the entire project was reappropriated and a new site search commenced.

In October 2003 responsibility for this project was transferred from DGS to the AOC; a project advisory team was formed under rule 6.183(d), and site requirements for the new Court of Appeal building were established. A request for information (RFI) about sites for a new court building was distributed to potential property sellers throughout Orange County beginning in January 2004. The advisory team helped OCCM evaluate the 17 sites identified in the RFI process that met the site requirements.

In early 2004, several potential properties that appeared to meet the site requirements were researched in detail. For two sites—those offered by the University of California at Irvine and the City of Santa Ana—an initial environmental review, architectural studies, and professional appraisals were conducted. Through a series of discussions with both potential sellers, two competitive and thoughtful proposals emerged. (See Exhibits A and B.)

Irvine site

The site offered by the University of California at Irvine is at the northeast corner of the intersection of California Avenue and Service Road in the University Research Park. This part of Orange County is projected to experience relatively high growth in the coming decades. The site is valued by the seller at approximately \$4 million. The university has

offered the site to the Judicial Council for \$2.4 million in consideration of the value that a Court of Appeal located on the campus, available to the faculty and students, would bring to the university and to the potential establishment of a law school on the UC Irvine campus. The proposed sale terms include a deed restriction to limit use of the property solely to an appellate court. In the event that Court of Appeal operations ceased, the university would have the right to repurchase the property at the land sale price plus the depreciated replacement cost of the improvements. (See the end of Exhibit B for a description of repurchase terms and commentary on reversion language in the UC proposal.) The presiding justice of the Fourth Appellate District, Division Three reports that a strong majority of the justices in the division prefer this site (see Exhibit D).

The property is 2.5 acres, undeveloped and relatively flat, with city streets and underground utilities on two sides. The site is within the university boundaries and is accessible through the university gate but is apart from the academic core of the campus. The surrounding two- and three-story buildings are occupied by private corporations for research and development related to fields of study at UC Irvine. The Superior Court Harbor Justice Center, Newport Beach, is slightly less than three miles away. The immediate environment is relatively low density and quiet and has views of the attractive surrounding hills and open-space preserve.

The architectural challenge of this site is to develop a judicial building that is perceived as separate from the university and its research partners; the lack of constraints on this site might or might not be a benefit to that endeavor. The campus location would be compatible with the contemplative nature of this court's business; it could facilitate collaboration in legal education with the university. This site would be a significant departure from the pattern of locating appellate courts near the government center of the region that is served by that court.

The university's proposed sale terms for this site were provided to AOC on January 31, 2005; therefore, an environmental study and draft property acquisition agreement have not been developed. Completion of these activities would require approximately eight months from the time of Judicial Council approval. Acquisition of the Irvine site could be completed with the appropriated funds. The estimated building construction cost would be higher than for the Santa Ana site since all parking for the project must be constructed on the site by the project; this would more than offset any savings attributed to ease of access for construction equipment and materials (see Exhibit B, Financial Comparison).

The appellate court could occupy a new building on this site in June 2008. (See the end of Exhibit B for commentary on transaction timing.)

Santa Ana site

The site offered by the City of Santa Ana at the northwest corner of Santa Ana Boulevard and Ross Street in Santa Ana is 1.87 acres plus a 0.6-acre exclusive easement for parking. The site is appraised at \$2.446 million; the city has offered the site to the Judicial Council

for \$1. The proposed sale terms include, at the city's expense: approximately 70 secure parking spaces inside a parking structure directly adjacent to the property built and maintained by the city; engineered fill to raise areas of the site to street level; and demolition and removal of an existing building on the site. The top level of the proposed parking structure would be above the surrounding street level and roughly at the second-floor level of the new court building.

The property has been previously developed, with city streets and underground utilities on two sides. The immediate environment is relatively urban and dense; a multilane arterial street is adjacent to the property. The surrounding buildings in the government center are 4 to 15 stories tall; these include the Santa Ana City Hall, U.S. District Court, superior court, county law library, and State of California office building. The relatively tall surrounding buildings and the shape of the property pose an architectural challenge to developing a court building with appropriate stature.

Acquisition of the Santa Ana Civic Center site can be completed for significantly less than the funds currently appropriated for this phase of the project. The estimated building construction cost would be lower than for the Irvine site since all parking is provided at no cost to the project (see Exhibit B).

The appellate court could occupy the new building on this site in August 2007. (See the end of Exhibit B for commentary on transaction timing.)

Comments From Interested Parties

A public forum was held in Costa Mesa (Orange County) on April 6, 2005. Representatives of the AOC and OCCM and members of the Interim Court Facilities Panel heard presentations on the advisability of selecting either site from invited community members and representatives of the sellers. (See Exhibit C for a transcript of that forum.)

Implementation Requirements and Costs

Selection of the Santa Ana Civic Center site will necessitate completion of a property acquisition agreement with the city by the AOC Office of the General Counsel. Environmental and traffic studies for this site and a proposed building were completed in November 2004, resulting in a mitigated negative declaration under the California Environmental Quality Act (CEQA).³ The declaration will require approval by the Judicial Council as the lead agency under the policies of CEQA and the State Public Works Board. The acquisition agreement and mitigated negative declaration could be considered by the Judicial Council at its June 22, 2005, meeting.

The savings in total project costs (relative to appropriated funds) is approximately \$2.4 million. A portion of the savings would be used to augment expenses incurred by DGS in

³ A "mitigated negative declaration" under CEQA is a finding that the potential project's impacts are less than significant with mitigation measures taken.

the previous site selection and preliminary planning; the remaining unexpended appropriation would revert to the state General Fund and be available to augment the building construction appropriation. OCCM would request a reappropriation of funding for working drawings and construction in the State Budget for fiscal year 2005–2006, to address the escalation in construction costs since the original appropriation.

Upon approval of the property acquisition agreement and the mitigated negative declaration by the Judicial Council, staff will seek approval of the site acquisition by the State Public Works Board. The State Public Works Board will purchase the property and hold the title for the benefit of the Judicial Council.

Attachments

EXHIBIT A
CHRONOLOGY

**Chronology of Milestones in the Orange County Appellate Court Site Acquisition,
August 2000 to March 2005**

1. August 2000: Original project commencement
 - Project site selection kick off; project management by DGS
 - Project scope = 43,000 gross square feet (g.s.f.). and surface parking construction cost budget of \$8.4 million
 - Site search begins and continues through April 2002.

2. March 2001–January 2002: Programming phase
 - Definition of needs and requirements; project size set at 54,000 g.s.f.; construction budget = \$10.1 million
 - Architectural and engineering pre-design activities
 - May 2001—Six potential sites reviewed and narrowed to two
 - July 2001—Both initial site recommended by DGS are rejected by Court of Appeal
 - September 2001—Site at Santa Ana civic center (1.44 acres) offered by City for \$2.6 million.

3. February 2002: Public Works Board approves selection of Santa Ana Civic Center site
 - Despite criticism of the method for appraisal of Santa Ana site and selection at February 8 State Public Works Board (PWB) meeting, PWB approves selection of Santa Ana civic center site
 - Negotiations between DGS and City begin with on acquisition agreement; site size is 1.44 acres; adjacent “air-rights” parcel retained by city.

4. January–November 2002
 - January 2002—Programming phase report completed
 - Negotiations on site continue; focus on accommodating all parking on site
 - June—Building size at 58,000, with structured parking is over scope, \$2.0 million over-budget, and not approved by DOF
 - Construction cost estimate and designs re-investigated; for 54,000 g.s.f., 9 justices and construction cost of \$11.7 million
 - November 2002—Project stalled; Justice Sills sends letter to City terminating site acquisition negotiations.

5. March–June 2003
 - March 2003—Administrative Office of the Courts (AOC) meets with DGS; agreement in principle to transfer funds and responsibility for project from DGS to AOC

- April 10, 2003—Santa Ana City Manager and city staff meets with Justice Huffman , William Vickrey, Ron Overholt and Kim Davis of AOC, to press for consideration of Santa Ana; the city stated that price (\$2.6 million) and size (1.44 acres) of the property was not negotiable
- June—Funds for project re-appropriated in FY 03-04 Budget at previous levels; budget states that Judicial Council will undertake a new site search
- June—Senator Dunn and Justice Sills quoted in Orange County Register stating that the state must look elsewhere (other than Santa Ana civic center) “because the site at 1.4 acres is too small.”

6. October 2003–February 2004

- October 2003—Funds and responsibility transferred to AOC; Office of Court Construction and Management (OCCM) restarts project; project advisory team formed; first meeting October 28, 2004
- November 2003—Site requirements and attributes of a suitable site for Court of Appeal are developed by advisory team with OCCM and real estate advisor (CB Richard Ellis)
- December 2003—Request for Information (RFI) on sites distributed to potential sellers by CB Richard Ellis
- February 2004—Information received on seventeen (17) sites, including Santa Ana Civic center and four at UC Irvine; all sites are reviewed and visited; advisory team recommends four sites (two in Santa Ana and two in Irvine) for further consideration, and defers consideration of other sites.

7. March–May 2004

- March 2004—OCCM and architects conduct initial due diligence and studies of four sites; Advisory team reviews and recommends further consideration of two sites:
 - Santa Ana civic center, 1.5 acre plus air rights parcel, and fifty parking spaces in adjacent parking structure; price \$2.6 million
 - UC Irvine—Fairchild Rd., 2.5 acres as a ground lease, based on appraised value, and future reversion to UC; re-sale or restriction on use other than for Court of Appeal
- March 8, 2004—Conference call with UCI and AOC representatives regarding Fairchild property; Bill Vickrey explains that appellate courts have a special requirement to be separate from on-going business relationships with potential litigants, and that a long-term ground lease with the University (a major employer in Orange County, and therefore a potential party to matters before the court) would create such a relationship, which would not be appropriate; asked the UC representatives if a land sale of the Fairchild Road site could be pursued. Vice Chancellor Roy Dormaier says they would take up the question with the Executive Vice Chancellor and report back to AOC.
- April 2004—Property appraisals commissioned by OCCM is completed (UC Fairchild site = \$3.811 million; Santa Ana civic center = \$2.446 million); UC reiterates ground lease terms in April 13 letter

- May 10, 2004: Project advisory team recommends that OCCM and the real estate advisor begin detailed discussion with Santa Ana; advises on negotiating points for discussions with City of Santa Ana; asks for continued dialogue with UC on possible acceptable sale terms.

8. June–September 2004

- June and July 2004—various meeting and telephone conferences with UC are scheduled, postponed and rescheduled
- July 21, 2004—Letter from B. Vickrey to UC reiterating that a ground lease was inappropriate, a purchase price within the \$2.4 million appropriation was necessary, and set a deadline for response of August 1
- August 6, 2004—Response from UC on Fairchild Road—sale offered at appraised value (\$3.8 million), and right of first offer to re-purchase (if use changed from appellate court) at 75% of fair market value; consideration of this site is deferred by advisory team
- AOC and advisory team directed OCCM and OGC to begin acquisition agreement negotiations with City of Santa Ana, and to request a proposal from UC that meets the project acquisition budget
- August 11, 2004—AOC business terms letter sent to City of Santa Ana on civic center site; purchase 2.0 acre site including air rights parcel for \$2.4 million; including 70 secure parking spaces in city parking structure, and other terms
- August 20, 2004—Members of the Advisory team and OCCM representatives are invited to tour a different site at UC Irvine (Bison St. & Service Dr.); the site is re-assessed for suitability; architects for OCCM determined it would be difficult to accommodate the building and parking because of the steep topography and site shape; no revised proposal from UC received as a result of site tour.

9. September–December 2004

- September–November 2004: City and OCCM with CB Richard Ellis discuss terms, conditions; OCCM informs City representatives that a site at UC Irvine is still under consideration; AOC Office of General Counsel with outside counsel begin drafting sale purchase agreement, and reciprocal easement documents for civic center site
- September 24, 2004—UC commissions property appraisals; representatives indicate that the University Office of the President might approve a discount from the appraised value because of the value of the appellate court to the mission of the University and its desire for a law school for the Irvine campus; no deadline stated for this forthcoming discounted offer or other response.
- October 19, 2004—Phone conversation with UC Irvine staff; Chancellor and UC Office of the President still reviewing possible sale with consideration of programmatic value
- November 2004—Draft property acquisition agreement prepared with reduced price (\$2.3 million) terms include 70-75 secure parking spaces in city structure, purchase of air rights parcel, 5000 cubic yards of soil to fill site, revisions to property lines, relocation of electrical transformer, and design of parking structure

- November 9, 2004—Phone conversation with UC Irvine staff, but no timeline for response or amended proposal is stated
- November 24, 2004—Environmental study and mitigated negative declaration for Santa Ana civic center site is completed, public comment period ends
- December 2004—Santa Ana civic center site tentative property acquisition agreement is completed; documents are prepared for Judicial Council action and Public Works Board action; actions are postponed until February and March respectively, and then postponed indefinitely.

10. January–March 2005

- January 31, 2005—Proposal received from UC for sale of property on California Avenue and Service Road for \$2.4 million, different site from the Fairchild and Bison sites considered previously; floor area ratio limits size of building; reversion and repurchase requirements (should Court of Appeal cease operation on site), traffic mitigation fee, UC Irvine students must have access to the court building; OCCM, CB Richard Ellis and University discuss term and conditions
- February 7–25, 2005—Advisory team considers UC proposal and OCCM analysis; outline of a counter proposal is formulated; AOC Confirmation of Understanding of the Offer Business Terms letter (dated 2/9/05) sent to UC; teleconference follows with UC, discussion of the concepts behind terms and conditions; UC responded on February 25 with revised proposal (a mark-up of AOC business terms letter)—floor area limit raised, traffic fee removed; reversion and re-purchased terms revised, use of the court facilities by UC students clarified
- March 2, 2005—OCCM and real estate advisor [CB Richard Ellis] prepare a comparison of the latest UC proposal and the agreement with Santa Ana for the advisory team; advisory team considers analysis of both site proposals, a diversity of opinions are voiced, no recommendation is made to staff
- March 25, 2005—OCCM submitted requests to state Department of Finance for re-appropriation of acquisition and preliminary plans phase funding, and for a new appropriation for working drawings and construction in state budget for fiscal year 2005-06.

11. Upcoming milestones

- April 7, 2005—Formal endorsement by the Interim Panel of Court Facilities of staff's recommendation for the preferred site is made to Judicial Council; OCCM presents recommendation and analysis of the site acquisition to the Judicial Council (at April 15 meeting)
- If Judicial Council selects Santa Ana site the environmental study mitigated negative declaration must be approved by the council; Acquisition agreement will need to be revised; PWB can consider site acquisition at either June 10 or July 8 meeting; schematic design activities can begin immediately following PWB action
- If Judicial Council selects UC Irvine site, authorization can be given to begin environmental study and to negotiate an acquisition agreement; PWB can consider (at

either June 10 or July 8 meeting) request to “select” UC Irvine site and to authorize negotiation of an acquisition agreement; Judicial Council can consider acquisition agreement and environmental study at its October 22 meeting; PWB can consider site acquisition at its November 4 meeting; schematic design activities can begin immediately following PWB action.

EXHIBIT B
COMPARISONS AND COMMENTARY

Comparison of Sale Terms to Required Attributes for a Site

(Commentary at conclusion of Exhibit B regarding “reversion” language in the UCI proposal and regarding transaction timing)

	Required Attributes for a Site	UC IRVINE SITE	SANTA ANA CIVIC CENTER SITE
Property Size and Price	<p>2.5 to 3 acres.</p> <p>Budget allocation for purchase of \$2.4 million.</p> <p>Highly irregularly shaped property is not preferred.</p> <p>Properties with appropriate existing structures will be considered.</p>	<ul style="list-style-type: none"> • 2.5 acres. • Property offered by UC Irvine at \$2.4 million (fee title). • Trapezoid shape; ravine crosses site. • Proposed site is undeveloped real property, offered “as is.” 	<ul style="list-style-type: none"> • 1.87 acres, plus 0.6-acre exclusive easement (in favor of state) for parking in ground floor of adjacent city-constructed garage). Total site 2.47. • Property offered by the City of Santa Ana at \$1 (fee title). • Trapezoid, with a portion below street level to be filled at seller’s expense. • Previously developed site; existing structures to be demolished by seller; other site improvements to be retained.
Architectural	<p>Quiet and dignified site appropriate to a judicial branch facility.</p> <p>Property adjoining industrial uses is not preferred.</p>	<ul style="list-style-type: none"> • Proposed site is in the University Research Park, new headquarters for Broadcom, and in proximity to the UC Irvine Health Sciences complex. • Court has no control over future development on adjacent parcels. 	<ul style="list-style-type: none"> • Site is in the Civic Center Plaza complex, near federal, state, and county agencies, and is close to the Superior Court of Orange County. Site is adjacent to the city hall, state office building, and county law library, and across the street from the U.S. District Court. • Court has no control over future development on adjacent parcels.

	Required Attributes for a Site	UC IRVINE SITE	SANTA ANA CIVIC CENTER SITE
Entitlements and Encumbrances	<p>Property is a single parcel, or seller combines multiple parcels into one prior to sale.</p> <p>A site that is currently entitled for institutional/office uses is preferred; a site with an approved environmental impact statement covering this type and scale of development is also preferred.</p> <p>No easements or limited easements either upon or detrimentally affecting the use, the property, or the location of the structures.</p> <p>Free of other liens or encumbrances; alternatively, proposer must disclose liens or encumbrances and outline an action plan to achieve full releases within AOC time constraints.</p>	<ul style="list-style-type: none"> • Proposed site is a single parcel, offered on a fee title basis. • Proposed site is designated as an “income-producing inclusion area”; the proposed appellate court use would be consistent with UC Irvine’s Long-Range Development Plan. • Traffic mitigation fee paid by university. • Status of liens and encumbrances to be determined. • Deed restriction limits use of the site to an appellate court. 	<ul style="list-style-type: none"> • Seller combined portions of several parcels into one new parcel. • Site is in a government district. Zoning is GC (government center); street setback required; no limit on floor area ratio. • All existing easements terminated or revised to acceptable terms. • No liens or encumbrances. • Fee simple ownership.

	Required Attributes for a Site	UC IRVINE SITE	SANTA ANA CIVIC CENTER SITE
Security	<p>Adjacent structures do not present security problems.</p> <p>On-street parking on all roads abutting the site can be regulated.</p>	<ul style="list-style-type: none"> • Adjacent buildings approximately 120 feet from the future court building. • Security provided by City of Irvine Police. • On-street parking is not permitted on the UC Irvine campus. 	<ul style="list-style-type: none"> • Adjacent buildings approximately 90 feet from the future court building. • Security provided by City of Santa Ana Police. • On-street parking adjoining the site is very limited and could be regulated or removed.
Transit and Parking	<p>Public transportation (Amtrak and multiple bus lines) within reasonable walking distance of the property preferred.</p> <p>Location near major highways preferred.</p> <p>Public parking for 20 to 40 cars at market costs is available within reasonable walking distance of the property.</p>	<ul style="list-style-type: none"> • Site is near bus stops. • Site is near three major freeways (Interstate 405 and State Routes 55 and 73). • On-street parking is not permitted on the UC Irvine campus. There is no additional public parking in the area. All parking would need to be served on site; 130 spaces can be built on this site. 	<ul style="list-style-type: none"> • Site is near bus stops, Amtrak, and Metrolink and is along the planned CenterLine light rail system. • Site is near five major freeways (Interstates 5 and 405 and State Routes 22, 55, and 57). • Court controls ground-floor parking structure with 70 to 75 spaces; within parking structure constructed by the city, parking provided free as long as the state owns the property; 30 or more spaces available on the site in an existing surface lot.

	Required Attributes for a Site	UC IRVINE SITE	SANTA ANA CIVIC CENTER SITE
Geotechnical and Physical	Seller responsible for all required site demolition at seller's sole cost and expense (must be accomplished within time limits to be set by the AOC).	<ul style="list-style-type: none"> • No existing site improvements, except perimeter curb and gutter. No demolition required. • No extraordinary apparent geophysical issues. • Property sold in "as is" condition. 	<ul style="list-style-type: none"> • No extraordinary apparent geophysical issues. • Previously developed site; existing structures to be demolished by the seller; other site improvements to be retained. • City provides "all necessary engineered fill" (from parking structure excavation and additional imported fill); city will place, compact, and grade the fill to expand the available building pad at street level.

Financial Comparison

	UC IRVINE SITE	SANTA ANA CIVIC CENTER SITE
Land Parcel Suitability	Proposed site sold "as is" with entitlement to develop up to 70,000 gross square feet of building. All parking for "normal occupants and visitor parking" must be built on the property.	Proposed site includes permanent parking rights in adjacent parking structure and meets all of the needs for the planned building and its potential expansion. Existing surface parking, with drainage, lighting, and paving, will be reused, with only improvements to the landscape plantings.
Price	\$2.4 million for 2.5 acres.	\$1 for 1.87 acres plus 0.6 acres exclusive easement.
Site Acquisition and Study Cost^a	Estimated: \$230,000	Previously expended: \$248,000
Additional Costs	Parking lot construction: \$455,000 ^b Escalation (8 months): 487,000 ^c Traffic mitigation: _____ ^d Total estimated project cost: \$942,000	All parking either existing or in city structure. Total estimated project cost: \$0

	UC IRVINE SITE	SANTA ANA CIVIC CENTER SITE
Building Design and Construction	<p>Scope of architectural work must include site design and parking lot design. Construction would include site work, parking; area construction, unknown utilities work.</p> <p>Site has easy access for construction vehicles and materials.</p> <p>UC Office of the President or UC Irvine must approve schematic design for building and site.</p>	<p>City to design and build parking structure at its own cost, and existing surface parking lot to be reused.</p> <p>Minimal site work and street frontage improvements.</p> <p>Site has constraints on access for construction vehicles and materials typical of a city center site.</p> <p>Court and the AOC have review oversight of parking structure design.</p>
Transaction Timing (See commentary below)	<p>Negotiations, documentation, and approvals might add eight months to project schedule.</p> <p>Occupancy June 2008.</p>	<p>It is expected that the project can be completed within project schedule.</p> <p>Occupancy August 2007.</p>

^a Land survey, environmental document, legal, real estate, and architectural fees are similar for UC Irvine but slightly less than previously expended on the Santa Ana site acquisition, because the latter effort considered multiple sites. The environmental study for Irvine would be entirely new. The study of the Santa Ana site used parts of a study from 2001.

^b Parking lot construction at UC Irvine: 130 spaces, assume 350 sq. ft. per space = 45,500 sq. ft., construction at \$10 per sq. ft. includes drainage, subgrade base, paving, lighting, landscaping, and striping. The cost is taken from an estimate by Carrier Johnson Architects and is based on a recent project at UC Irvine. The cost is approximately \$3,000 per stall.

^c Escalation cost with selection of UC Irvine: OCCM has requested a new appropriation for working drawings and construction, based on current estimated costs, a construction start of January 2007, and occupancy in October 2008; eight months more to midpoint of construction at 5 percent per year, construction value \$14.5 million; 5–6 percent construction escalation is the consensus among professional construction consultants under contract to OCCM.

^d Traffic mitigation: UC Irvine proposes to pay the mitigation fee of \$3 per gross square feet assessed on development in an “income-producing area” and to deduct that amount from any future repurchase price (under the reversion clause).

Commentary on “Reversion” Language in UC Irvine Proposal

by Bill Bacon, CB Richard Ellis (real estate advisory to OCCM)

The “reversion” language in paragraph 7 of the latest proposal from UC Irvine is not typical for a land purchase transaction. Overall, the more typical reversion right to a seller might be an opportunity for the seller to purchase the property (land and improvements) back at its then-appraised value. The seller would get all of the benefit of market appreciation, which could have significant positive financial impact. The ‘reversion’ in the UC Irvine proposal involves the following features, and it is important to understand how the proposed language differs from a more typical land purchase transaction:

- Purchase price discount: Typically, land is purchased at a market price and most often this market price is very close to the appraised value of the land. Here, the land is being discounted from a market value in excess of \$3.5 million to a selling price of \$2.4 million.
- Future land value: In the proposal, UC Irvine can repurchase the land at the higher of the outstanding balance due on the lease revenue bonds (the financing mechanism for construction of this building) or \$2.4 million. This precludes the buyer from realizing the benefit of appreciation in the market value of the land. Even a conservative rate of appreciation might be in the range of 3 percent per year. After 10 years the appreciated value of the land could be in the range of \$3.1 million. The university would expect the Judicial Council to waive the benefit of this appreciation in market value and sell the land back to it at the original price of \$2.4 million.
- Court building (“improvements”): In the event of a repurchase, the building and its parking would be appraised to determine its “depreciated replacement cost,” based on the then-prevailing cost to build the same project less the amount of depreciation as determined by an appraiser. This method might not reflect the true market value of the property since, in a more traditional approach to valuation, the market might not attach any depreciation to the building because of its superior location and its perceived future utility in the particular campus setting. This portion of the overall valuation is more difficult to assess and compare.

Commentary on the Difference in Occupancy Dates Under “Transaction Timing”

The eight months difference in occupancy dates (August 2007 for Santa Ana and June 2008 for UC Irvine) is due to the following activities in connection with the selection of the UC Irvine site, some of which could be concurrent:

1. Augmentation of funding from the Department of Finance for new site acquisition activity and business terms negotiations— approximately 2 months.
2. Site selection due diligence, title reports, appraisals, and State Public Works Board (SPWB) approval to negotiate acquisition agreement— approximately 2 to 3 months.
3. Preparation of environmental study and mitigated negative declaration (June–November 2005); concurrently negotiate agreement; obtain Judicial Council approval, UC Office of the President approval, and SPWB approval (May–October 2005).

EXHIBIT C

VERBATIM TRANSCRIPT PROCEEDINGS
PROPOSALS FOR THE COURT OF APPEALS
WEDNESDAY, APRIL 6, 2005
5:30 P.M.

REPORTED BY: SHARLA R. GANDY, CSR 12398

I N D E X

PANEL MEMBERS:

MR. CLIFFORD HAM

MR. DAVID J. PASTERNAK

HON. DAVID G. SILLS

MR. WILLIAM C. VICKREY

HON. RICHARD STRAUSS

HON. LAURENCE DONALD KAY

MS. TAMARA LYNN BEARD

HON. MICHAEL T. GARCIA

MS. KIM DAVIS

COSTA MESA, CALIFORNIA,
WEDNESDAY, APRIL 6, 2005
5:30 P.M.

* * *

MR. WILLIAM VICKREY: My name is Bill Vickrey for the courts of the State of California and we appreciate everybody taking the time to be here tonight for this forum. The purpose of this is to receive information on the proposals for the possible site for the Court of Appeal here in Orange County, and the information tonight will be part of a record that is presented to the Judicial Council on April 15th when they make their final decision on the site selection. I wanted to provide just a brief moment of explanation of who we have here this evening. The Administrative Office of the Courts is an organization that has responsibility for providing for, not only support and services for the trial and appellate court's of the state, but also providing direct support to the Judicial Council, which in our state is the constitutional policy provided for the Judicial Branch of government.

This hearing this evening is being conducted by the Administrative Office of the Courts is our way of collecting information and providing it to the council so that it may make decisions at its business meeting.

We are joined tonight by a number of members of our Judicial Council who serve on one of the Internal Committees for coordinating the directions of transition from county administration and funding of the court facilities to state funding of the court facilities for the trial courts in the future.

They are here to hear the information that is presented; to be able to ask questions so that the council meeting can contribute to the debate and discussions at the council meeting.

Seated to my immediate right is Judge Richard Strauss who is the chair of our Internal Facilities Committee of the Judicial Council. He is a superior court judge from San Diego.

Seated second from the end of the table is Judge Michael Garcia from the Sacramento Superior Court who is the vice chair of that Internal Facilities panel, and seated to his immediate left is Judge—Justice Larry Kay of the 1st Appellate District Court of Appeal in San Francisco, as well as being a member of this Internal Committee, Judicial Chair and Judicial Council, and is involved with the rules for the administration practice and procedure for the courts.

Seated to Judge Garcia's immediate right is Tamara Beard who is the court executive officer in Fresno County for the Superior Court, and she is an advisory member of the Judicial Council and will be participating in the discussion and decision-making process at the business meeting as a member of the facilities panel.

And on the far right is David Pasternak an attorney from Los Angeles County who is an appointee to the Judicial Council by the State Bar of California, and he also sits as a member of the Internal Committee on the facilities issues. And to his immediate left is Presiding Justice David Sills for the Court of Appeals, he will be making remarks in a few moments.

And I also want to introduce some of our staff here this evening. Seated to my immediate left is Kim Davis who is director of Office of Court Construction and Management, and seated to her left is Clifford Ham who is the senior project manager involved with this activity in our office of Design and Construction within our court construction unit and Rona Rothenberg sitting in the back. If you would stand up, please. She is the manager of our Design and Construction unit in that area; and Ron Overholt standing at the back of the room is our Chief Deputy Director of the Administrative Office of the Courts.

And as we proceed with the discussions this evening you will receive information this evening about how you can forward additional information to us if you would like that considered at the council business meeting. You can contact us by E-mail, letter, or if you want to call with any comments, we would urge you to do that as soon as possible so we can incorporate that information as we move ahead. At this time, I would like to turn the time over to Justice Sills, who will have some welcoming remarks and also some observations on behalf of the court about this project and the site selection process.

JUSTICE DAVID SILLS: Thank you, Bill. First of all I would like to, on behalf of our court, thank all of the members -- all of the committee members and staff for taking the time today to come to Orange County and to tour the two final sites that are being considered. It's been a long afternoon for everyone, so thank you very much. And I thank all the people that have a very high interest in this process for being here this evening. My remarks will be simply very, very brief. It has been a very long time that we have been looking for a permanent home. Since the court was founded in 1982, we have been renters. First on 4th Street and now on Spurgeon Street, with an auxiliary space back on 4th Street.

We have had innumerable proposals, and it's somewhat like the final two game that was played the other night— I'm from Illinois and we didn't do that well— we are now down to the final two sites that are being considered, and a decision by the Judicial Council. With that, I'm turning it back to Mr. Vickrey.

MR. WILLIAM VICKREY: Thank you. I know this is been a long and arduous procedure at least from our perspective and I'm sure from yours, as well, and there are two excellent proposals to be considered by the county. And I want to thank both the City of Santa Ana and University California, Irvine for their efforts to cooperatively work through the issues and try to come up with proposals for the best use of our Court of Appeal and be in an area that will likely serve as a home for this court for the next 30 or 40 years; and I would really summarize that in this geographical area for the court of last resort, 99 percent of the cases that arise are in this area. So it is a very important decision

to accomplish and we appreciate all the time and attention that has been invested by the city and university to come up with excellent proposals.

I'm now going to ask Kim Davis to review what we hope to accomplish, and then followed by Clifford Ham who will provide us with a brief overview of our journey to get to this point and then we will proceed with the presentation, first from the City of Santa Ana and then the university. Kim?

MS. KIM DAVIS: My name is Kim Davis. Actually, our first project in our new area of the Judicial Branch for the superior court and the appellate court facilities throughout the State of California, and consistent with the Judicial Council's values and objectives of equal access of justice, and in fairness, we see this as setting a precedent consistent with our objectives for all future projects which we welcome the input from the community that we are involved with.

I think Clifford will talk a little bit about some of the legacy of the preliminary work that we've done before the Judicial Branch had this authority, and when it was conducted by the State Department of General Services. This is a large process for us. We have some newly adopted government policies for the project, and those do call for community interaction in our project; and then we have members from a number of communities here.

And I think this will be the first of four that we will have primarily in superior court projects that we anticipate being able to build in the next 10 to 20 years. Clifford and myself as staff in the AOC, we're staff to council, and we are actually responsible for delivering these capital projects with our expertise in design, real estate and management.

So staff is actually making the recommendation and that recommendation will be reviewed by the panel members here, and then the co-panel will accept our recommendation. They will be looking to make sure we have looked at all the possible proposals that we are considering. They will make sure we reviewed them thoroughly and carefully and that they meet all the requirements of the project aspects.

So again, to recap, this session will be to allow the council to hear from the city and university the proposals given, and the information provided to us and allow the panel to feel comfortable that we adequately weighed and graded these proposals and that we are getting the best possible site selection for the Court of Appeals.

This is not a deliberative session that will be available for discussions and deliberations in the actual council meeting which will be coming up shortly. So the decision is not being made tonight. It will be made at the council meeting. Mr. Ham?

MR. CLIFFORD HAM: Thank you. This project has been going on for a fairly long time to get to this point. In 2000, the Department of General Services kicked the project off, as Justice Sills said to alleviate over crowding and to split court in to two buildings.

In 2001, the Department of General Services conducted a site, the search for sites in Orange County, identified about half a dozen sites. Those sites were narrowed down to a decision with the court, and one of those sites was the Civic Center site in Santa Ana; and in 2002, the initial design efforts of the project began. At the same time negotiations began in earnest with the City of Santa Ana towards an acquisition agreement.

The design was focused on a 1.4 acre site in Ross Street and Santa Ana Boulevard, and the resulting information that was generated through the site to accommodate parking and program of the building was quite small, and the parking was a good deal of it needed to be in structured parking. So by the middle of the 2002—June of 2002, the project was estimated by the Department of General Services and Architects was approximately \$2 million beyond its budget. And the discussions with the City of Santa Ana had reached a point where the terms were known, the price was known but the— and the cost was approximately \$2.6 million for that site.

By November of 2002, the project had stalled. The Department of Finance had not granted additional funds for the structured parking. The city and the DGS could not reach an agreement on expanding the site for many reasons and the project was put on hold. In March of 2003, the Administrative Office of the Courts and Department of General Services agreed to transfer the responsibility for administration of this project to the Administrative Office of the Courts and subsequent to that, additional appropriations were— work was done and the Office of Court Construction and Management began the project again in October of 2002, at which time we constituted a project advisory team made up of members of the Bar and Orange County members of the Court of Appeals; both the court clerk staff and the justices and members of the community in Orange County.

Their role is to advise the Office of Court Construction (and Management) on matters having to do with the project site acquisition all the way through design, and we were responsible for making decisions and executing the project.

In that group in October and November – or December of 2003, developed specific required attributes for a site; both location the character, size and some other technical requirements. In December of 2003, we issued a request for information from local property owners asking interested property sellers to provide us information about sites that might meet those requirements, and we received 17 individual site proposals in January of 2004.

We considered those. The advisory team narrowed those sites from 17 to 4. Two in Santa Ana, two on the University of Irvine -- California Irvine campus, and we did initial due diligence investigation of those two and narrowed it to two sites after that, one in Santa Ana and one in Irvine.

The discussions with both parties continued through the summer of 2004, and we appraised both parties that we were speaking to both the university and the city, and we entered into a more detailed discussion with the City of Santa Ana on the Civic Center

site while the university prepared their proposals for sale of land on their campus. And by the fall of this— last year we had reached a tentative agreement with the City of Santa Ana. The city manager and his staff worked with us carefully. We were, I think, clear that the university was still coming forth with a proposal, which they did at the end of last year, first of this year.

The project, at this point, is ready to make a decision about site acquisition. Once that decision is made a few more steps have to be taken. I think, the acquisition and preliminary design will begin. We expect that— depending on the site that is selected — that the court could occupy the building in either mid 2007 or in the third quarter of 2008, depending on which site is selected. That's the Reader's Digest version of the long history of the acquisition.

We're going to have two presentations, one from the City of Santa Ana, and we'll ask questions if we have them at the end of that, and one from the University of California, again, asking questions at the end of that and then invite anyone who's here to provide remarks. If you can, and in fairness to others, keep them fairly succinct to a couple minutes. There are yellow speakers cards located at the back table. We'll collect those at the immediate end of the university's presentation.

We would like your name on that so that we can correlate that with the transcript of the remarks of the proceedings tonight. Without any other remarks from the panel we'll start with the city's presentation.

MAYOR MIGUEL PULIDO: I'm Mayor Miguel Pulido from the City of Santa Ana. We have other council members present today. Claudia Alvarez, Carlos Bustamante, Alberta Christy; and we have a lot of interests from the community as you'll see later today. This is a very important issue for us. As we go on to the first slide I want to show you the facility the court has been there since 1989. Justice Sills talked about how the Court has been in our city and housed since 1989. It's been a wonderful neighborhood. It's a beautiful building and we're very happy to have it in the city.

As you look at the next slide I think this is important because in the upper right is the existing Court of Appeal and proposed site is down on the bottom left. This is interesting because you'll see in the same general vicinity, same neighborhood. As we look at this slide, you can see that the site itself is surrounded by the red markings, is a large site, and I'll speak more to that in a moment. It is surrounded by City Hall, state building, federal building, Ronald Reagan Federal Courthouse across the street.

Next slide. As you look at this slide, you can get a better view of the site from above; and very importantly, as you go immediately across the street to the north fountain, next to that fountain in that building is where the county court. On the top overflow two justices are currently housed in that building and it's in the immediate vicinity, also on the right, not noted, but there's a Starbucks.

Next slide. This is the site that you toured earlier. I want to put it on here because the building immediately in the background on the left is the state building, and that underwent a \$10 million renovation. And beyond that, there's a federal building that has undergone a \$20 million renovation

Next slide. We're very proud of this. It's the City Hall right smack in the middle of the Civic Center. Now, I want to show you a view of the brand new – or recently refurbished state building that I mentioned. And now we're going to go to the federal building that is currently being refurbished, as well.

Next slide. This is the Orange County Hall of Administration. It's been the county seat of government in Orange County. We take the integrity of the Civic Center very seriously. And this is just another facility that is very important to us. That is the Court of Appeal. Here's another one of the buildings in the Civic Center. It's the Orange County Sheriff's Department Headquarters and the central jail facility, as well. And here's a site we're very proud of because if you ever have time, and we appreciate you taking the time to do it, it's a jail worth visiting. We have people come here from around the world all the time. And we've got great facilities, great ratios. It actually makes money for the city. And I'm proud of how well government is working and how well we made that facility work.

This is the only public law library in the county. And it is undergoing about an eight and a half million dollar renovation, and will be completed by May of next year.

This is the historic Orange County Courthouse and it anchors the historic district within downtown. People get married there. We have the State Superior Court come in and hold hearings there. It is just a wonderful building in the vicinity. This is our Orange County Courthouse, superior court, and it is also within the Civic Center area. And here's a building I'm personally very proud of because I had a chance to work with several GSA's and Judge Ralph -- in order to get it built. And it's just a gorgeous building. It speaks, I think, in high volumes about how we feel about the court and how proud we are that they're here in the county seat.

This goes to the deal points and goes to what we're proposing to you today. And in our site plan, we have, in essence, a 1.87-acre site, which is the big box (indicating) with the triangular shape that includes the building itself. The building is in the Orange. And to the left of that in light blue is .6-acre site, and that's the designated parking that I was speaking about. When you add those two you get 2.47 acres which is what would be available to the court. And the proposed sale price is \$1. And we would have reciprocal vehicle and, pedestrian and emergency access on all these agreements.

Talking about the facility itself, again that's the 2.7 acres which includes the parking. It would have a 55,000 square foot, 2-story building itself. We also would provide area for future expansion on the new court. Again, the sales price I mentioned earlier of \$1. It's important to take into account this is a state environmental process and is complete. This is ready to build, and we've been working on this for a long time as Clifford mentioned.

Additionally, we— on the city side —would be willing to demolish the existing facility that's there and be willing to bring and fill and grade it so as we turn it over, it's ready to be built on, all at our expense.

Additionally, there's some beautiful trees in the area. We love trees. To the extent we can preserve the trees or move them around, things of that nature; that's part of the package.

Going to the parking structure, in order to do this, we have to replace all parking. We have the state building the federal building. We can't tell people you can't park anywhere, so we will build a 300 vehicle, 3-story parking level, and it will cost approximately \$5.3 to the city. This would, in essence, be underground and the top level would be at a grade. So it would not dwarf or compete or do anything with the proposed court building. Within that parking structure we reserve 17 spaces which is valued at, \$840,000, and also include those in the deal and make them available in perpetuity to the appellate court and staff.

Additionally, we would offer to lease up two additional spaces at the market rate if the court expanded or needed additional parking in the future, so we will be designing to comply with all the state security and city requirements. Again, the environmental review on this is complete, as well. And to in order to keep it clean and painted and everything else, we would spend \$17,500 a year in order to make sure the portion that the court would occupy would also be maintained.

Now, I want to the turn things over for a moment to our Chief of Police, Paul Walters. He will address issues that deal with public safety; and Paul, why don't you come on up?

MR. PAUL WALTERS: Thank you very much. My name is Paul Walters. I'm the police chief in Santa Ana. I've been with the department for 34 years, been a police chief for the last 16. During my many years of working with Santa Ana Police Department and our proximity to the Civic Center, I'm very familiar with crime concerns of the many government employees that work and live in that area.

The past ten years, we've had a team of eight officers assigned exclusively on foot beat in the Civic Center area. This is all part of our strategy to make the Civic Center the safest place to be. The Santa Ana Police Department has been the national leader in community policing for the past two decades.

The department has been designated a national model agency and a demonstration site for communities and police by the U.S. Department of Justice. An important component of our policing strategy is develop a working partnership with other state, local and federal agencies.

We have the Orange County District Attorney's Office, Bureau of Investigation, with 2,700 employees; ABC, Bureau of Justice, State Bureau of Prison, and federal agencies.

In this area, as I mentioned, there's a large concentration of law enforcement officers; well over a thousand.

The first is the Santa Ana Police Department with over 700 employees. We house the California Anti-Terrorism Information Center. Of course, we have eight officers that work the Civic Center; HAZMAT Team, a jail that the Mayor mentioned, and then the Sheriff's office right across the street. The Sheriff's Department building houses almost 400 deputies. They have a SWAT team, one of five in the county; air support team, K-9 team, bomb squad and terrorism task force, and, of course, one of our own nationally known Orange County Regional Narcotics Suppression Programs which incorporates 22 different agencies including federal and state agencies. We have the Orange County District Attorney's Office, the Bureau of Investigation, which has 2,700 employees; ABC, Bureau of Justice, State Bureau and federal agencies

The FBI office in Santa Ana is larger than 38 percent of its field offices of the FBI in the United States. The FBI and Santa Ana work very close together. They currently have a joint terrorism task force on the board of directors and are constantly briefed on threats for Southern California and work strategically together. We have the U.S. Marshal's Office and task force in the Ronald Reagan Courthouse, along with the DEA, the Federal Secret Service and the Federal Bureau of Prisons. I will now turn this back to the Mayor. Thank you, very much.

MAYOR MIGUEL PULIDO: Thank you, Chief. Remember when I was speaking about public access to the OCT building, I think important to point out in the immediate area we have the Amtrak, Metro Link Station. And that's what's shown in the photo in the upper left. Also, we have the signage which is important as you're coming off the freeway and going downtown we have the Artists' Village, we have the retail center, the Civic Center and specifically the courts. We're very proud of the courts within the county seat and we—you know, proudly try to direct people in the proper direction. I spoke about Starbucks earlier. Guess what, there's another one. And this one I'm going to show you. It's in the bottom on the right. You see the Ronald Reagan Federal Courthouse in the background so our justices have two places to go now along with everybody else.

And also many other things that we're—you'll see on the right we've been working a long time with the British Museum. We have the first satellite agreement with them to bring exhibits from the British Museum to the Bowers. And you might see Katie Courik and others on TV this week about mummies. And they're going to be doing MRI's and CAT Scans and also an analysis to see how they died thousands and thousands of years ago. Don't ask me why there's a lot of interest in that. So there's all sorts of folks coming down to x-ray and check out the mummies.

And in general, we're a city that is working well. We're doing good development and that's why we care so much about this court. And that's why you see the very strong art work that we have before you today. Right now I want to turn things over to the city manager who has been working on this longer than anybody cares to admit. Dave?

MR. DAVID REAM: Good evening. My name is Dave Ream. I'm the city manager for the City of Santa Ana, and I've been city manager for 19 years and I feel like I've worked on this project for about 19 years. I guess it's only been 5. I'd just like to say how much of a pleasure it's been to work with Mr. Vickrey and staff; especially Clifford Ham and the consultant Bill Bacon. They are first class professional people, and feel we've been treated very fairly and had an excellent working relationship. I'd like to hand these over to the recorder. First of all, this is from the Public Law Center strongly recommending that the appellate court remain in the City of Santa Ana. And then there's a letter for the Legal Aid Society of Orange County also strongly recommending the Court stay in the City of Santa Ana. This is a fantastic opportunity for the City of Santa Ana and what we're trying to do at the Civic Center. This is a terrific opportunity for the California justice system in California.

What we get is a beautiful piece of parking architecture. I wanted the court to know that we can build based on the representations your staff has made—parking garage that we wanted to build for a long time. Get us up to street level and get rid of that mode effect that portion of the Civic Center has, because we're trying to open up the stores downtown and all the wonderful things going on there. And the federal building is a perfect opportunity to reach out from the Civic Center and integrate it more into downtown.

I think when you take a look at our proposal the key thing— number one, functionality. I don't have to explain that to you because that's the life you live. It really makes sense to have these facilities together and especially when we serve the entire community. So functionality is something we think this site really offers. Safety, of course, is very important, and Chief Walters said we have 1,300 sworn uniformed personnel in the immediate facility with all the task forces and joint operations. I don't know how you get a safer site and accessibility both for the staff and public. It's right in the heart of the transportation center for Orange County.

As Mayor Pulido mentioned, there's 30 something percent of the bus rider-ship for the county, and I was very surprised when I learned 20 percent of the entire rider-ship is one of the biggest bus systems in the United States and it comes out of the Civic Center on a daily basis; so functionality, access, safety. I think, we've done an excellent job with our proposal, and we hope you feel the same way. I'd be happy to answer any questions that you have.

MR. CLIFFORD HAM: Thank you. Does the panel have a question for the city?

JUSTICE DAVID SILLS: I've asked them all over the past five years. We look forward to answering the questions at the very many.

MR. WILLIAM VICKREY: I would like to ask the chief a question. When you talked about the crime rate issues, is the crime rate different than other urban areas? I'm curious.

POLICE CHIEF: Our crime rate is very low, and very proud of that. The U.S. crime in the United States that was put on by the FBI and it compared ourselves with 40 other urban cities in the United States, so all similar in size. Civic Center is the lowest in the country and has been that way since about 1997 and currently. We get support from our mayor, council and, of course, the community; but we're very, very proud that we're an urban area. We're very, very safe.

MR. WILLIAM VICKREY: I would like to thank the Mayor for the excellent overview and cooperation over the past months, and we appreciate it.

MR. CLIFFORD HAM: If there are any public questions or questions after the next presentation representatives of the University of Southern California up next and while you're walking to the podium, Ms. Rothenberg will collect the speakers' cards. If you want to speak at the end of the proposal presentations, we'll call you in order. The city has asked a couple of their speakers can speak as well and have their names.

MR. MICHAEL GOTTFREDSON: Your Honor, members of council, Mike Gottfredson, Executive Vice Chancellor at UCI, I chief academic officer of the university and delighted to be here to present our proposal. to be here enthusiastic opportunity to distinguished court on our campus. We think that our site provides a tremendous opportunity for the court, for public access for interaction with the world-class university. Our faculty with our open students, staff and for the sharing of facilities of mutual interest including libraries and 1.2 million volume. I would like to introduce the UCI staff.

Richard Demerjian, Director of Campus and Environmental Planning, who will provide you with a brief presentation on our proposal. Also in attendance is the assistant vice chancellor for UCI, Richard Demerjian, and a representative from house management. Now we'll do the presentation and we'd be happy to answer any questions. Mr. Demerjian?

MR. RICHARD DEMERJIAN: Thank you, Mike. I'm Richard Demerjiandirector of UCI. I am going to show you a brief presentation and an overview of the UCI campus for the proposed site and business parameters that were proposed. I'll begin with the opening of the campus. Since opening in 1965, the campus has grown both economically, academically and physically.

Today, since 40 years from inception it one of the best public universities as measured by a variety of independent employers. It is one of the fastest growing campuses in the UC system. Current enrollment is 24,000. We have 1,300 faculty and 8,100 staff.

I always focus on interaction within the community. And as a result UCI and its contributions to the Orange County community. We have scholarly and scientific contributions. Contributions to medical research and healthcare, cancer and certain neuro- sciences and genetic diseases. We have UCI Medical Center in the City of Orange. It's the only university hospital, and is currently building a new medical center

and will transform healthcare for its citizens. The academic preparation of outreach at UCI will touch the lives of thousands of pre-kindergarten through 12th grade students in the arts, literacy, history, math and science and college preparation. UCI has a skilled work force for the region and serves as an economic engine. We're the third largest employer in the county and—up to \$3 million annually to the local economy.

As far as an overview of the campus, we have 1,500 acres— approximately 1,500 acres in the City of Irvine. We have an additional 44 acres in the City of Orange for UCI Medical Center. Very good regional roadway access served by the I405, State Route 55, and the 73 toll roads adjacent to the campus, and we have an interchange which directly serves the campus.

We also have regional airport access. The campus is literally five minutes from John Wayne Orange County Airport.

Why locate the appellate court at UCI? We believe locating the court at UCI will benefit the court and university. We think there are many opportunities for collaborations which includes internships to UCI—students, faculty and, of course, student interaction with the court. And many teaching and learning opportunities with a variety of existing academic programs on the campus as well as future opportunities.

We feel that UCI is an excellent site, with good access to the local community and provide great access to many people traveling from out of the area. Finally, we provide a stimulating campus environment for the court and staff.

I'll now provide a review of long-range development plan—or the acronym is LRDP—and how the appellate court would fit well. Here on this map our northern boundary is Campus Drive, going around to Culver Drive along the eastern side of campus and then Bonita Canyon Road, and the SR-73 Toll Road bypasses our western boundary. And the northern boundary of the campus is Jamboree Road.

The LRDP serves as our land use and guides the physical development of the campus. That identifies land use designated for the campus, our circulation system, open space system, how the resources are required to service the campus. Our long-range development program since inception has been the development of a comprehensive academic community at UCI, and that is a central academic core area that has research uses plus sufficient land to develop another campus that supports the court; such as housing for faculty and staff, student apartment and community-related uses such as the courthouse that have an interaction in support for the programs within the Court. Since adoption of our long-range development plan in 1962 a few components of our planning have been inclusionary. These are community uses that are located within the campus that have a program relationship with the campus that generate income to support the campuses academic mission. These uses are located on the 510 acres of land that was purchased separately from the Irvine Company by the university in 1965; and in addition to that thousand acres that was gifted to the university by the Irvine Company in 1965, these inclusionary lands are intended to accommodate the university and the court as well

as faculty, staff housing and also uses that income to support our academic core. The focus of this development on uses that support and have collaboration with the academic program of the campus. Examples of some of these facilities over the years include United States Food and Drug Administration, Western Regional Laboratory, the American Heart Association, Orange County Headquarters and University Research Park that is in collaboration with the Irvine Company in the City of Irvine. It currently houses 45 top companies such as Sysco Systems, Canyon Information Systems, and we'll soon house the world headquarters for Broadcom Corporation.

I'll now move to the proposed site location that I hope you enjoyed yourselves out at the site today. The site is located on an undeveloped portion within UCI inclusionary, again, these are lands identified for community-related uses within the campus. Located on the eastern portion of the campus is State Route 73. Use of the site for this facility will be consistent with plans as currently adopted and approved by the region

Next in a little bit more detail—proposed existing and proposed surrounding uses as you could see on your site visit. The site is located directly off State Route 73 at an interchange that serves the campus and indirectly serves the site. The surrounding uses and current uses to the west and to existing areas of University Research Park which are inclusionary that houses private sector companies. Future phases of University Research Park include the headquarters for Broadcom Corporation, and existing and future UCI facilities and additional health sciences facilities, medical school facilities and parking located to the north of the site

This shows the specific site proposal on a 2.5-acre site of undeveloped property jointly along the property and will have adjacent use of the University Research Park and there will be future UCI facilities that will be built near the site.

I'll provide an overview of real estate proposal submitted. This was submitted in response to the publicly circulated request for information we responded with a proposal which included the following parameters: The site area has 2.5 acres. The sale of the land is as an "as is condition," an undeveloped real property. The sales price will be \$2,400,000. This price was arrived at by looking at the market value of the site based on proposed use, and then considering the academic program benefits that work derived by the campus by having the facility adjacent to the campus uses. It would be restricted to a public work facility in conformance with the California Environmental Quality Act with the lead agencies and acting as a responsible agency. The university will have the opportunity to acquire the site if the court ever decided in the future to cease using it for court use.

Court will provide similarly the first right of refusal if the court ever decides to sell the parcel. The court is responsible for all improvements on site. The court would provide certain access facilities for the UCI program uses. And the court will develop its own parking facility on the site to accommodate its parking use. If there is an overflow, parking would be available nearby within the health sciences area.

In conclusion, we believe this has a complete significant benefit to the campus' mission and the court's mission to locate the court on the campus and would benefit both institutions. UCI would benefit from the programs relationship, the court would benefit from this interaction, and the other benefits offered by being located on university campus.

The use would be consistent with UCI heritage and opportunity to use related uses on the campus and the proposed business terms are competitive based on current market conditions in Orange County. Thank you. That concludes our presentation.

MR. CLIFFORD HAM: Thank you. Any panel have questions?

JUSTICE RICHARD STRAUSS: I have a question. Is there a bus service or some other form of transportation that would serve this site?

UNIDENTIFIED MALE SPEAKER: Currently there is bus service along California and serves, I think, the nearest stop is in this vicinity (indicating), which would be within walking distance of the site to this specific site. No bus service.

MR. CLIFFORD HAM: Any other questions?

MS. TAMARA BEARD: I read they were going to put in a law school in the future. Can you tell us what efforts have been made to create a law school?

UNIDENTIFIED MALE SPEAKER: On behalf, UCI inspires to have a law school. We have studied the matter and have academic plans. We have received proposals for the school on the campus --

MS. TAMARA BEARD: What's your proposed time frame?

UNIDENTIFIED MALE SPEAKER: We would like to start the law school as soon as possible. We don't believe our interest in having the Court on the property is dependent upon the law school. We feel it's in the interest both to the court and to the university.

We have programs in criminology and in other law-related matters. Of course, the Court of Appeal deals with matters across -- broad spectrum of intellectual matters and are studied actively, but our faculty at UCI is enthusiastic about signing the court here independent of our law school.

JUSTICE LAURENCE KAY: I didn't see it up on the slides, but apparently, you're looking for an agreement to meet and confer on internships and law clerkships, and that would be whether or not you have a law school?

UNIDENTIFIED MALE SPEAKER: Yes. We have 25,000 students at UCI. It would be of beneficial consequence to have those students observe court proceedings and

interact with the court. We hope it would also give employment opportunities to some of those students.

MR. CLIFFORD HAM: I do have one question for Richard. You mentioned in talking about the site to the north that you plan parking at some sit— I don't know which site, but a future parking structure?

MR. RICHARD DEMERJIAN: Yes. Currently in our health science area we have a great deal of parking. Our long-range development plan, and we show two large parking structures that will serve as 2-hour parking in that area as well, and service parking on building sites as some of the research and teaching facilities and health science move to the south.

MR. CLIFFORD HAM: Do you have a time frame for building the parking structure?

RICHARD DEMERJIAN: There's no current schedule right now.

MR. CLIFFORD HAM: Does the law school where -- do you have a site for the law school plan? Is it adjacent to this parcel?

UNIDENTIFIED MALE SPEAKER: We have not yet decided. Again, I would point out our academic core the site that we are proposing for the court is accessible from the entire academic core.

MR. CLIFFORD HAM: Thank you very much for that fine presentation.

MR. WILLIAM VICKREY: Tell the chancellor thank you very much.

UNIDENTIFIED SPEAKER: He's actually here.

MR. WILLIAM VICKREY: Thank you, chancellor for all the time you put in and work with your team on the fine proposal.

MR. CLIFFORD HAM: Chancellor, would you like to say a word or two?

At this time, we'll invite the members of the public that are here to talk. And I'll read the names, and if you'll come up and try to hold your remarks to a couple minutes. We'll raise our hands when it gets to be a couple minutes because I know it's hard to keep track of it. Supervisor Lou Correa of Orange County is the first speaker.

MR. LOU CORREA: Thank you. Good afternoon and welcome to Orange County. Condensing everything to a couple minutes after working on this issue with the legislature for almost five years will be a challenge, but I remember testifying before the State Public Work Committee four years ago on this issue and thinking it's going to happen. Here we are, four or five years later and still working on it. And today speaking

now as a Orange County board of supervisors member. I'm here to testify in support to have the court keeping this courthouse in Santa Ana. And I trust this group will make the right decision, and the decision to keep it in Santa Ana.

Just very briefly, please consider that Santa Ana has been the county seat of government for over 100 years, and as you heard before, if I recall in the presentation, is the home of the Ronald Regan Courthouse. It has also—to mention, we just built a Sheriff's Coroner's Lab; a \$10,000 million state of the art. And as said before, FBI, Sheriff's, D.A. and many other law enforcement have significant presence in the area.

Of course, transportation. Not only do we have the OCTA bus service, Metro Link, Amtrak, and when I was in the legislature, I use to live north of this area and it would take me 15 to 20 minutes to get to the airport from my house. So from this courthouse to the airport has to be 15 minutes, as well.

Good things are happening in this Civic Center. The supervisor is actually working to try to make this whole area a wireless hub for both business and everyone else to have the opportunity to bring in their laptop and not have to attach themselves by wire anywhere to communicate.

Many good things are happening at the Civic Center, and I do believe keeping the courthouse in Santa Ana is the right decision; and, of course, considering the alternative which, in my opinion, moving it to UCI is essentially a major policy shift.

As you look at numerous transfers of courts around the state, you will be creating apprehension throughout the state from some of my former colleagues in Sacramento. I can just imagine the first thing they're going to do with that—hearing on this issue on.

And one of my former colleagues is Cindy Montez. Her major challenge is going to be, are we going to have jurisdiction over this hearing at the judiciary committee? Maybe, or is it the higher education committee. Just think, the University of California raising tuition, cutting classes, but building a court on their property. So higher rent is involved, judiciary maybe; the chair, the former committee, Business and Professions reviewing the Department of General Services—when it comes to property in the State of California; again, major policy shifts. If you decide to go to UCI, I think it will raise a lot of issues in Santa Ana.

And I'd like to conclude by saying, it's a great place to live. According to the 2000 census, Santa Ana is the new Ellis Island of the United States tremendous diversity and energy. It's a great place to be, and as you heard from the testimony of the Santa Ana officials, we welcome the courthouse and look forward to continuing to work with all of you to make sure it's the best place to be in law. Thank you, very much.

MR. WILLIAM VICKREY: We appreciate your insight, and we will make our decision for the right reasons and try to put the implications and Sacramento aside and proceed correctly.

MR. CLIFFORD HAM: Tim Whitacre.

MR. TIM WHITACRE: Ladies and gentlemen, my name is Tim Whitacre. I'm here on behalf of myself. In real life I'm a real estate consultant and active in local politics. I do live in Santa Ana. I'm a remember a number of judges. I'm a broken record.

Good policy makes for good politics, and that's why I would like you to remember each and every one of you come to a decision on this. Is it good politics to take a courthouse that sits in the county seat of government that has been there and serves the public? You heard UCI's presentation. It was very professional. UCI's job is to educate students. The county seat is to serve the public.

Is it good public policy to mix the two. Also, we talked about a potential law school, law school. It's public knowledge -- you can read over the last 15 years they've tried a couple times to bring a law school. It's ongoing, and God bless them for wanting to do that, but it's apples and oranges. A university teaches students; that's their job. A county seat of government serves the public; that's its function.

As judges your job is to put personal bias aside and make the right decision, and they're hard sometimes, but you have to be able to look at that because I believe the laws established by our law makers that you ladies and gentlemen enforce in the courts depend on good public policy. This the best decision for the public at large. I don't see how you can give this courthouse to UCI.

They talk about collaboration between UCI and the court. I see a potential deleterious effect on the reputation of that court. The Court of Appeal does not have any collaboration unless it's outside of its zone. If anything, it should be with other courts; lower courts or higher courts, not with a UCI system or any other school, for that matter. Chapman Law School. Any law school. I don't know of any other campus that has a law school on it that also has a Court of Appeal or any other sort of court on it.

Synergizes between UCI and the court. I don't want to see synergizes between UCI and the court. I don't think that's good public policy. I want the court to be able to serve the public because it's good public policy.

The other arguments that have been made and points that have been brought up speak for themselves, but really, ultimately, after all that's said and done each one of you have to be able to ask that and answer that honestly. Is it good public policy to move this court, set a precedent, put it on a site that is outside the county seat of government when every other appellate court in this state sits on the property of government.

To me, that is not good public policy. And I don't pretend to have the experience to be able to handle those matters, but those are matters that go above and beyond me.

I think it's pretty obvious, politics aside regardless of the pressures up in California whether from the Democrats or the Republicans everybody in between, your job is to put those on the right course. And ladies and gentlemen, it is our opinion that in the best interest of the public that this Court of Appeal remain in Santa Ana. The court is a public sector it's not a private sector, and—thirty seconds—they mentioned 45 private sectors for profit companies on that campus. I think that's great for the students, but the court is a public sector and it should remain as such. And it should be able to remain. Thank you, very much.

MR. CLIFFORD HAM: Next is Julie Stroud representing the City of Santa Ana.

MS. JULIE STROUD: And I want to give you a little different prospective. Mayor Pulido showed you amenities that we have in Santa Ana, but I want to talk about being a resident of Santa Ana.

I've been a resident for 50 years in Santa Ana. I grew up with Ron Way Coragns (phonetic) orange groves all around me. He had a barn in the orange groves. I've seen his plane there. I lived in Santa Ana when Santa Ana was a beautiful, young city. Then it got not so good. And yesterday we had an election, and the citizens of Santa Ana decided that we're going to be very progressive, and we're going to build a 37-story building.

We want to hold onto our historical buildings, our historical homes, our neighborhoods -- 60 neighborhoods, we're very proud of them, and we're very proud of our city. So I hope you have the Court of Appeal come stay in Santa Ana. Thank you.

MR. CLIFFORD HAM: Gil Marrero.

MR. GIL MARRERO: Good evening. My name is Gil Marrero, and I'm a resident of Santa Ana as well as a commercial real estate broker. I'm with Voit Commercial based in Irvine. I've been in business for about 17 years, and about 12 or so years ago started getting involved with Santa Ana; moved there at that time and have seen a tremendous growth in the Civic Center area and private sector around the Civic Center area, as well. We've got about a million square feet of office space in the downtown Civic Center area, and we're about 90 percent occupied in those buildings. Julie Stroud mentioned the passage of measure A last night. We are really looking forward to make that building the 37-story high rise, class A office building right in the midst of our Civic Center area squaring an additional private sector for companies coming into the downtown area.

I was very fortunate. I had a real love and passion for the arts and got involved with the Artist Village from its very onset; and out of just a small idea originally, we now, in downtown, have half a million to \$600,000 lofts selling. We've got wonderful restaurants; Remfill, Pangreo, Shelly's Courthouse Bistro, Original Mikes at the corner of 5th and Main. It's just really turning into, I think, one interesting, dynamic, urban downtown.

We would just really appreciate it and hope that the Court of Appeal stays in the downtown area. The Civic Center, the courts, all the government users downtown are really essential to our court and building on that. So help us continue to build Santa Ana. We're proud of what we're doing. So take that into consideration. And thank you for your time.

MR. CLIFFORD HAM: Next speaker. Desi Reyes.

MR. DESI REYES: Thank you, very much. My name is Desi Reyes. I've been a Santa Ana resident for 20 years. You know this law school is not built yet. UCI doesn't have it. We have Chapman University which is 10 or 15 minutes from downtown. It's built, up and running. We have Santa Ana College right in the city. I'm sure some of the students could use this. Cal State Fullerton which is about 20 minutes from the Civic Center. So right there we have three schools that probably use this facility.

Santa Ana is the county seat. That's where this facility needs to be. You shouldn't change it. It would be the first time in this state. We have a great police department. You have to ask about crime. You know, I leave my house open all the time, never have a problem; windows open, doors open, keys in the door; never had a problem. Food—my gosh, what a variety of food in Santa Ana. You name it, it's there. Economics, we're giving this to you for \$1. Parking structure \$5.3 million. I see where the pothole money is going now. I have to talk to you guys about this.

MR. WILLIAM VICKREY: In fairness to the Mayor, I don't think this is about potholes.

MR. DESI REYES: This court needs to be in the City of Santa Ana. The university, in their presentation—UCI had a very professional presentation, but nothing to show for it. You guys need to get out of your crowded offices and reward your staff with a nice building in the Civic Center. Thank you.

MR. CLIFFORD HAM: John Diете, Chamber of Commerce.

MR. JOHN DIETE: As you just mentioned the immediate past chairman of the board of the City of Santa Ana Chamber of Commerce, also a business owner in Santa Ana. I've been there ten years, and also a graduate from the University of California San Diego. I was not in law school or in the business department. I was in the history department. So I have an appreciation for the history that Santa Ana has, including the 100 years as the county seat. And I don't think that's just a nostalgic argument. I think a history of very deliberate building of a judicial center. And we have something we are very proud of in the City of Santa Ana. I would like to commend the panel on the work they've been doing. I think it's very important to keep an open mind about where you build this district—District Court of Appeals.

Why does business care about the court in Santa Ana? First of all, we have a very important relationship with the City of Santa Ana. It's based on respect and the fact that we pay 60 percent of the tax bill that goes to fund the city budget. We are deeply concerned about the economics of all the transactions that the city has. When you way \$1 versus \$2.4 million that seems a no brainer. I would like to see us make very responsible decision in terms of economics.

I would also like to point out branch operations can be difficult. I've had a branch down in San Diego with my company. The logistics of having the satellite operation may sound easy. I think together with electronics, the fact of having separate locations, you have an opportunity to have everything in downtown Santa Ana. The logistics are very important. I think you should take those things into consideration. The business community of Santa Ana is very much in support of keeping the 4th District Court of Appeals right here. Thank you.

MR. CLIFFROD HAM: Glen Mondo.

MR. GLEN MONDO: My name is Glen Mondo, and only my secretary can read my writing.

I'm with the offices of Weule, Ballard & Mondo it's a law firm. For the past ten years I've been a member of the Santa Ana Chamber of Commerce, and for past 15 years served as a member of planning commission. There's two points I'd like to make this evening. I'm a University of Irvine graduate, as well.

The point made by the UCI representatives was student interaction. The fact of the matter, this court has a long history of student interaction when the court was established in 1982 for justice law in the Court of Appeal. At the time it was located at 600 West Santa Ana Boulevard. The justices could literally walk across the street and have their oral arguments heard in the city. I attended Loyola University of Los Angeles. I work with the Court of Appeal in Santa Ana, was a student from USC, Loyola and other schools. Having a Court of Appeal on the UCI campus that somehow there will be student participation. There's a long history of that.

Secondly, introducing government planning, to the Court of Appeal is a viable government. The federal courthouse and federal government if in that situation that the county seat would be the appropriate place for that court to go is just as it is an appropriate place for this court to go.

Among other issues we have less desirable—probation department, parole offices, jails, mental health facilities, other sorts of things. The rest of the county when those topics come up, that's the county seat. It's inappropriate to cherry pick these uses that are desirable and wanted to have high paying jobs. For justices—and well paid, white-collar staff and move them off campus or off the Civic Center to the campus unless they're willing to take on the other aspects.

I don't think UCI is prepared to take on those sorts of uses; jails, probation, parole—they belong in the county, and Santa Ana has accepted and taken less desirable uses— we deserve—and should have those uses, as well. Thank you.

MR. CLIFFORD HAM: Vincent Sarmento.

MR. SARMENTO: Actually, you pronounced it correctly. Good evening justices and members. My name is Vincent Sarmento, and I'm actually a practicing attorney and product of the UC system, as well. I received my BA from Berkeley and JD from UCLA. So I'm kind of torn on this issue from a practitioner. I was employed by a private firm here in Irvine, and 90 percent of our work was in the City of Santa Ana. We file most of our documents in the state court and our appellate work was done there, as well. So we spent most our time there. After time I decided to leave that firm and open up my own practice and move to downtown Santa Ana. And that's where I have my offices, because I want to provide my clients with access and convenience. And I think that's the service that this particular court needs to focus on.

It's important to look at the logistics, and financing, and the building and the design, but really what we have to focus on as practitioners and as members of the bar and every bench, we have to focus on is who are low income, who are important, and don't have the ability to struggle and get to other parts the county to access the courts.

My wife is a member of the bar as well. She practices in the public sector. She represents folks with developmental disabilities. She would speak, but she's in jeans and didn't think she was dressed appropriately. She represents folks who are bound to wheelchairs and who have really difficult times to access the courts that are centralized.

So moving this particular court out of the county seat into an area where it is primarily academic I would think that would cause severe obstacles on her clients, and really the nexus is between having a Court of Appeals on a biomedical campus is a stretch. I was trying to find out what the rationale was, but I didn't hear it in the presentation, but it was a fine presentation. I think what I would do is invite the chancellor and executive chancellor because they are contemplating constructing and bringing a law school to Irvine. Take a look at Santa Ana and possibly housing it there. I think the services that we could provide the student in a downtown area -- I interned and externed as a clerk in the northern district of San Francisco and central downtown Los Angeles, and experiencing an urban area was a great experience. I also sat and compared the redevelopment for the City of Santa Ana, as well. I can speak volumes to the strides that the city has made to improve its downtown historical district, retail and its justice area, as well. So my parting words, I think, it's common sense and logic dictate that this commission make a decision and staying in Santa Ana. So thank you very much.

MR. CLIFFORD HAM: Thank you. Angel Barns.

MR. ANGEL BARNES: Thank you so much for having us speak. I needn't tell you that California court system is the largest in the nation. It has to serve over 34

million people, rich and poor. As you also know of California, 58 counties only a small fraction have a Court of Appeal. Of those, all are located in their representative county seat. My firm has 11 offices. We are -- we have one by every Court of Appeal. The county seat has the greatest concentration of lower courts. It has the greatest concentration and access to legal representation. It has the highest population density in Orange County. All of these criteria in 1903 when the legislature created the first three District Courts of Appeal, and Santa Ana met all of these criteria.

In 1929 when our own 4th District Court of Appeal was established. I don't think anyone is suggesting that Irvine was incorporated in the 1970's, and its campus as wonderful as it is meets any of this criteria. There are reasons why Berkeley and Santa Cruz and Malibu don't have Courts of Appeal even though they do have fine campuses.

The most palatial and oldest symbol of justice in Southern California actually on the registry of historical cases is the courthouse that you saw in the Mayor's slides which has proudly stood in Santa Ana since 1901. And I mention this only to remind you that Santa Ana has served as our county seat since 1889, and whether the Court of Appeals moves to Irvine depends on whether a judicial venue means something to you. Thank you again.

MR. CLIFFORD HAM: Rob Richardson.

MR. ROB RICHARDSON: Good afternoon, or should I say good evening. Now, it's a pleasure to be here and thank you for giving us this public opportunity to share some thoughts. I'm Rob Richardson, and I'm a 44 year resident of Santa Ana. And I've had the unique opportunity to be involved in the city in a number of different ways. Today I come to you as the vice president of the Santa Ana Board of Education. And prior to that I served on council and I served on school board before that; and I went to UCLA since everybody has been acknowledging where they've gone to school.

I was neither pre-law nor pre-med. I was pre-unemployment, and I did have the opportunity, though, because I had some very powerful pluses in my life and I want to share those with you.

One of those is, I grew up in downtown Santa Ana, and as a young man I watched that courthouse at 600 West Civic Center Drive as it was being built. It was very impressive to me as a young man. I was a child, actually.

I'm older now. But the fact is, it was very impressive to see that facility being built. At the time it was the tallest building in Orange County; and it was also impressive to go during the daytime after school, sometimes on the weekend and visit various facilities that were being developed in the Civic Center area of Santa Ana and Orange County and to find out when you went into various offices that you could talk with people and ask them questions. You could learn about things and. It was very influential to me as a young man; and I did not know then what I now know, that it was the beginnings of a foundation to become involved in public life. It was very, very powerful for me. It was

maybe a little more powerful for a guy named Gary Taylor who now presides on the Federal bench at the corner of 4th Street and Ross.

Now, Mr. Taylor is a graduate of Santa Ana High School, and from his building where he presides, the beautiful stately building that befits the dignity of the court and has a tremendous asset to downtown Santa Ana and to Orange County, he can look out and see Santa Ana High School. That's where I graduated from school, too.

And what's very, very important about the facilities -- and Mr. Vickrey made these comments at the outset about the operational importance, and also the symbolic importance of the court facility is that they be in a place that is visible, that is prominent and that befits dignity of the courts; and that's why I think it is so very important that the new Court of Appeal be located directly adjacent to the federal courthouse and in the Santa Ana, Orange County Civic Center area.

There's a long history that is there that now goes back well past my lifetime as developing a facility that represents a partnership between the city, the county, the state and federal governments. And this is where this facility should be located; and I appreciate your consideration. I know you have a difficult job. Thank you for the public opportunity. We know you'll choose the Santa Ana site when the commission meets. Thank you for your consideration.

MR. CLIFFORD HAM: Glen Stroud.

MR. GLEN STROUD: Ladies and gentlemen, good evening. Thank you for the opportunity. It's been a pleasure to listen to so many nice things. I've been a life-long resident of Santa Ana. I used to work for the city for a while. I'm involved in my community. I served eight years on our Rec and Park Board and Community and Development and Housing Committee. I'm also a member of the Orange County Grand Jury; and from that aspect I can tell you that everything in the county seat area is within walking distance. I walked that area many, many times over the past years.

As a resident, I want to keep you folks herein town. We are the county seat. It's a tremendous amount of pride for us. As a tax payer, it seems to me the best deal to spend our tax dollars on. Thank you.

JUSTICE LAURENCE KAY: I have to run now and catch a plane.

MR. WILLIAM VICKREY: Thank you, Justice Kay. Thank you for being here.

MR. CLIFFORD HAM: Eugene Andres.

MR. EUGENE ANDRES: Thank you for the opportunity to address you. My name is Eugene Andres. I'm an attorney. I practice in Santa Ana. Thirty six years ago I came to Orange County to practice as a trial lawyer, and I looked as to where to live and set my office because of the precedent and the fact that Superior Court was located in

Santa Ana, I basically chose Santa Ana. I've been there ever since. It's been a wonderful place to practice and the Court of Appeal—I believe it all started out, I believe, in Justice Proders (phonetic) kitchen as their first site of sitting, and then it went to Santa Ana Boulevard and to where it is on Sycamore today.

I'm here to advocate on behalf of the city to keep it within the City of Santa Ana. I think Santa Ana's plan is excellent, and I think the precedent from being where it's been will continue. If you look at the geography of Orange County- approximately three million people; and Santa Ana is about a half hour drive from anywhere in the county. That's not true of Irvine. Accessibility is much greater in Santa Ana, I think, in part because it is in the center of the county.

Also the court system in Santa Ana, the central court—central district is where the Civic Center is, and by definition the center of Orange County. And that is important for accessibility, not only for the citizens but for the attorneys that use it, as well. I personally think Santa Ana is the better fit for this facility than Irvine.

I had the privilege about 25 years ago to five teach a course at UCI in Social Ecology. The course called criminal trial, and I basically had my students -- undergraduate students -- basically write a description of a trial that they sat through, and basically most of them ended up going to Santa Ana to sit through those trials and write them up.

And based on my knowledge of the work of the District Court of Appeal, there really isn't the accessibility to undergraduate students that there are for law students. I know law students work as interns with the district court and they provide tremendous training grounds for law students, but I don't think that that level of relationship really exists with undergraduate students. So I think the fit is not the same. Santa Ana is set up for the DCA, and Irvine, even though it's a wonderful university and I support them 100percent, I don't think their set up to deal with a court facility like Santa Ana is. And that reason plus the \$2.4 million, to me, leads one to the obvious conclusion that the site should be in Santa Ana. Thank you.

MR. CLIFFORD HAM: Alfredo Amezeua.

MR. ALFREDO AMEZEUA: My name is Fred Amezeua. It's a pleasure to be here with you this evening. And thank you very, very much, as many have indicated to you to allow us the opportunity to address you.

I am also a life-long resident of Santa Ana. I'm also an attorney and happen to be one of the outstanding graduates from UC Irvine. They have outstanding students. I have to agree, in interest of time, that many of the reasons behind —many folks that have addressed you before me, but I just want to leave you with two or three things very quickly.

You have seen the layout, and I'm very familiar with this layout. In terms of proximity to the Ronald Reagan District Court, to the proximity of the superior courts, proximity to

wonderful law library, proximity to all types of amenities. It is the perfect fit. The students of central Orange County need to take advantage of this opportunity, to be close to the judicial system.

And also, I'd like to brag a little bit. As past president of Hispanic Bar Association and have worked with many judges over the years. And many times "oh, guess, what" — Judge Carter, who currently sits on our district, he would say, "Let's go out and have a little luncheon." I don't know — or "soda, coffee" and all we have to do is take five minutes away and find one of the best restaurants.

If we want to talk about business and schools we're probably about five minutes, seven minutes away from the judiciary. The location that the city is offering to us is— in fact, I was surprised that they're being so generous to you because I live in Santa Ana, I practice in Santa Ana, and I can tell you that they're making you an offer you cannot refuse. Sound familiar already?

And finally, I want to let you know that while we believe that UC Irvine is a wonderful partner—including Rancho Santiago—while we believe that Orange County is developing one of the most wonderful urban settings in Southern California, we strongly believe that we have some wonderful law schools already in Orange County.

And a good question was asked as to the timeline on the plan for the law school. I've been a round for a long time. They've been discussing many times before—with all due respect from my good friends of Irvine—we're not there yet folks. Given the time and budget and Court of Appeals, this is probably the best deal in town. So, please, take it. Know you will make the right decision.

MR. CLIFFORD HAM: Thank you. The last speaker is—two more speakers. Tom Umberg.

MR. TOM UMBERG: Justice members and the panel, my name is Tom Umberg. I'm a member of the legal profession in Orange County. My office is not far from here. And like you, I'm a public servant for the State Assembly and I surprisingly represent Santa Ana among other cities. I think as a public servant that we know the central criteria here is locating a courthouse in what serves the public the best. And I'm sure all the speakers have talked about other criteria, certainly the \$2.4 million versus the \$1 by Santa Ana would not solve the \$9 billion state budget deficit, but it is a help; and certainly the fact that this courthouse is in the center of the county is important. But when I was flying down here, in addition to the tax saving that is so important, why are so many people are here to talk about the importance of the courthouse in the center of the County of Santa Ana.

I know you all have seen To Kill A Mockingbird. No one in the profession today has not seen that movie. And I know you were all moved in that movie when you saw at the finish in that courtroom in front of the community that was the center of the community

and taking an unpopular cause. And that's the service that you perform and that we perform.

We take unpopular causes, sometimes in the interest of justice. And it's so important that it be done in full public view. It wouldn't have had the same impact had that courthouse been located off somewhere where the community couldn't come to see.

I'm not naive. I know the difference between the Appellate Court, Trial Court, and I know that you don't have the workload and clientele like they do to a trial court. But the symbolism shouldn't be missed here. The symbolism of having that courthouse in the center of the county where people can walk by it everyday working people can walk by it and know that they have access to the courts shouldn't be overlooked because at the end of the day that's what we're about, public service. We're here to serve the public to ensure that the taxpayers are afforded the best deal, and to ensure that the public understands and knows that, we together, think it's very important that they also know the courthouses are in the center of the county. Courthouses are where they are most accessible to anyone who wants to come and see justice done. So I urge you for all those reasons to keep the courthouse in Santa Ana. Thank you, very much.

MR. CLIFFORD HAM: Patrick O'Kelly.

MR. PATRICK O'KELLY: I'm Patrick O'Kelly. Good evening I'm a member of the Local 952. I live in Costa Mesa, and I want to thank all of you for your efforts and getting feedback. But I have to go on the record as saying that to pull this court out Santa Ana, I think would be an outrageous slap in the face of the community. And I think that—I'm not going to beat this to death on the record—but I'm someone that actually got into Berkeley but didn't go there. I don't see any reason why the courts would want to move from a community and over to an academic setting. I mean the assemblymen talk about the public service aspects of this. I think we have enough issues where the courts are isolated from the community. So I hope that you make the right decision and keep it in Santa Ana and don't take steps to isolate the judiciary anymore than it already is. Thank you, and welcome to OC.

MR. CLIFFORD HAM: Federico Sayre.

MR. FEDERICO SAYRE: I think I come under the heading of last, but hopefully not least. Justice Sills, David. I am not a long term resident of Santa Ana, but I practice here now. I'm the immediate and past president of the Hispanic Bar Association of Orange County like Alfredo, but more recent in time. I have a Master's degree from Woodrow Wilson School of Princeton, and received my law degree from Bo Paul (phonetic) University. I was the commentator of Law Review and I'm a frequent flyer before the Court of Appeals.

As Justice Sills can attest, I've been before him. I have argued before the Court of Appeals in San Diego, of course, here in Orange County, Los Angeles, Supreme Court in San Francisco, San Bernardino, actually Riverside and Fresno.

Unfortunately Justice Garcia, I haven't been to the Supreme Court in Sacramento to argue a case in your court. With the exception of Fresno, every other Court of Appeals was set by law with the superior courts in those jurisdictions pretty much so, at least in the downtown area. And I think there's a necessary cross fertilization between where the cases begin and where they end in terms of the Court of Appeals. I think that cross fertilization is not just libraries but attorneys, human beings, judges – not that I put judges in a separate category, of course; but I think it's very important. I came here from Fashion Island, Newport Beach- perfectly lovely place. I brought my practice here, and I have a nationwide practice. I work in the 3rd Circuit in Philadelphia. I've argued with the various 3rd District Circuits around the country and soon I will be arguing before the United States Supreme Court, if I can keep my knees from knocking too much.

And why I came here is because I believe there's a certain renaissance underway in the City of Santa Ana. It is very important to my people, the Hispanic people, that that renaissance continue here. I was a very strong supporter of the building. I'm sure you heard. I'm sure other people mentioned, and I'm a strong supporter of the court being here in Santa Ana. Santa Ana is on the go. It is not just the historical center of the county, but it is, in fact, historically the economic center. And I think the Court of Appeals is something of both and important for both reasons it should remain hear.

Respectfully, your task is not easy, but logic is that it has been shown around this state, and frankly, around the country, Courts of Appeal belong where the superior courts and federal courts are located because of the cross fertilization of ideas and the cross fertilization of human beings.

And I urge you to, please consider very seriously the offer of the City of Santa Ana, and its very fine Mayor and city council and city manager, who I have not always been on the same side on, but in this one I stand firmly behind the city.

I ask you to, please consider this and come in with what I think is the correct and right decision. And I thank you for your very kind attention and to all of us who have tried your patience this very long night.

MR. WILLIAM VICKREY: Before we close up, I would like to offer Mayor, if you have any additional comments, you would like to offer.

MAYOR MIGUEL PULIDO: You heard it very well from the community from our chief of police, our city manager the presentation earlier. I know it is a long day for you going out to the site and traveling. I just would ask you to deliberate and to remember all this. If you have any questions, please call us because we care. We want you to be a success. We want you to be proud of this courthouse. We want you, at the end of day, to say we picked the right site for many, many reasons, but most of all because we believe that you belong in the center- really, in essence, to be honored. The courts, I believe, more than a function where we can go and find synergy on campus. I think the courts belong in the center of where people come, where people see you, where

people respect you and where people abide and follow the law. And for us and the Civic Center, that is why the offer is as good as is it is. I am going to answer the constituent, "What about the potholes," and I will have them come visit the courthouse. And we will take care of the potholes. It will take a little bit longer, but this is very important to us. And I thank you for your time.

MR. WILLIAM VICKREY: Chancellor?

UNIDENTIFIED SPEAKER: Again, to members of the panel and representatives of council, I apologize once again. I was representing the University of Northern California until the last minute. I got here just at the end of our presentation, so I hope the presentation of our bid was useful to you and informative. And I hope your visit to UC Irvine site today was useful and informative. If there's anything you wish to follow up, please let us know. We have tried very hard to be responsive to the judicial council because as individuals we have a deep judiciary branch of government and representatives of a great public university. We tried to convey that with our bid and that if you should select our site everything we can do to make it a very good selection and for the entire history forward to be a suitable site. Thank you, for your consideration.

MR. CLIFFORD HAM: Thank you.

MR. WILLIAM VICKREY: Thank you everyone tonight for your time, and attention, and hospitality and for visiting the sites in both the areas. We're here tonight because in the past several years you heard the history of the deliberations. We reached an impasse and solicited both the city, university and others, and we're pleased that the city and the university are interested enough in our judicial system, and have the respect for it to go to the significant effort that I think we have seen represented here tonight in both presentations and were brought forward. And for all the citizens that testified tonight, we appreciate both the sincerity of your comments, and most particularly, the different perspectives that you brought to the issue and that will be very helpful as we go forward.

This county certainty has got a tremendous community spirit both in the city and the University of California Irvine. I think while we're trying to make an important decision to the county and to everybody in this process today, I think there is a great spirit of partnership on the part of everyone and no less. All of you who are legislatures both past and present who have fought hard to see this was funded, and fought hard to keep the funding present there and encourage the steps to move this forward with an open process so that we could try to get a proposal to meet the program needs for the Court of Appeal. And hopefully that meets the needs of public as well as or justice system in this process.

Thank you, again. We will look forward to following up with you and be in contact – encourage further thoughts get them to us and we'll include them in the record.

JUSTICE DAVID SILLS: On behalf of all of the justices and staff at our court, we extend our sincere thanks for the months of hard work both by Santa Ana and UCI. We're deeply appreciative that you were sought after by so many, but we're very privileged to have all of your work, and thank you, very much.

(Proceedings concluded at 7:30 p.m.)

EXHIBIT C

LORETTA SANCHEZ

47TH DISTRICT, CALIFORNIA

WASHINGTON OFFICE

1230 LONGWORTH BUILDING
WASHINGTON, DC 20515-0546
(202) 225-2965
(202) 225-5859 FAX

DISTRICT OFFICE

12397 LEWIS STREET, SUITE 101
GARDEN GROVE, CA 92840-4695
(714) 621-0102
(714) 621-0401 FAX

E-mail:

Loretta@mail.house.gov

Website:

www.house.gov/sanchez



Congress of the United States House of Representatives

Washington, DC 20515

COMMITTEE ON ARMED SERVICES

SUBCOMMITTEES:
STRATEGIC FORCES
TOTAL FORCE

SELECT COMMITTEE ON HOMELAND
SECURITY

SUBCOMMITTEES:
INFRASTRUCTURE AND BORDER
SECURITY
CYBERSECURITY, SCIENCE, AND
RESEARCH & DEVELOPMENT
RULES

March 28, 2005

Honorable Miguel A. Pulido
City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92702

Dear Mayor Pulido:

I write in strong support of maintaining the California 4th District State Court of Appeals within the City of Santa Ana and in the 47th Congressional District. The court has been located in Santa Ana since moving from San Bernardino in 1983. The City of Santa Ana is centrally located in Orange County, has freeway accessibility from every major freeway in the county, is in close proximity to the O.C. Bus Terminal, Santa Ana Train Station and to other court facilities.

Santa Ana is not only the county seat, it is also home to many county, state and federal offices including the Ronald Reagan Federal Courthouse. I hereby declare my support for maintaining this facility within the Santa Ana Civic Center Complex where it will best serve all residents within the court's jurisdiction..

If I can be of any assistance, please contact me, or my District Manager, Raul Luna at (714) 621-0102. Thank you for your consideration of my request regarding this very important issue.

Sincerely,

A handwritten signature in cursive script that reads "Loretta Sanchez".
Loretta Sanchez
Member of Congress

LS:ccc

EXHIBIT C



Lou Correa

SUPERVISOR, FIRST DISTRICT

ORANGE COUNTY HALL OF ADMINISTRATION
10 CIVIC CENTER PLAZA, P.O. BOX 687, SANTA ANA, CALIFORNIA 92702-0687
PHONE (714) 834-3110 FAX (714) 834-5754

March 31, 2005

The Honorable Miguel Pulido
Mayor, City of Santa Ana
20 Civic Center Plaza
Santa Ana, California 92701

Re: Support of 4th District Court of Appeal in Santa Ana

Dear Mayor Pulido:

I want to reiterate my ongoing support for the 4th District Court of Appeals to remain in the City of Santa Ana. I have a long history of fighting to keep this Court in Santa Ana.

As you know, while in the Assembly, in keeping this court in Santa Ana was one of my top priorities. Between testifying in front of the State Public Works Board and fighting to keep funding for the courthouse in Santa Ana, I have fought to make this project a reality. Let me provide you with some facts on this important project.

First and foremost, the City of Santa Ana (the "City") is the county seat. It is the largest city in Orange County and is home to the Orange County Superior Court and the Federal District Court. Santa Ana is also home to many other state and federal buildings. Currently, there are no court of appeals located outside of their respective county seats in California.

Second, the Court represents over 100 good paying jobs to Santa Ana. It also brings with it law firms and other legal service businesses that establish themselves in Santa Ana. If the Court is moved, those jobs will move as well. Currently the unemployment in Santa Ana is the highest in Orange County. The loss of the Court will increase that unemployment.

Third, Santa Ana provides public access for all its residents. Santa is accessible by every major freeway and includes access via Orange County Transportation Authority Bus Service, Metrolink and Amtrak.

Fourth, Santa Ana is a diverse community. Based on 2003 census statistics, the population is 77.0% Latino, 10.30% Anglo, 10.08% Asian/Pacific Islander and 1.00% African American. This community represents the future of California and the Court of Appeals will assist in that bright future. To keep the Court of Appeal in Santa Ana, in the center of an emerging public transportation hub, is smart urban planning.

Finally, Santa Ana has already completed negotiations with the state and Santa Ana approved the agreement. The City has given up revenue and interest of approximately \$500,000 of precious taxpayer

EXHIBIT C

dollars for this project in the hopes of continuing to be the home of the Court. Santa Ana has also agreed to "give" the land to the Court for one dollar, \$1.00. In these tough budget times, we do not need to make it harder on Santa Ana and its over 330,000 residents.

If you have any questions, please contact me at (714) 834-3110.

Sincerely,

A handwritten signature in black ink, appearing to read "Lou Correa", with a long horizontal flourish extending to the right.

LOU CORREA
Orange County Supervisor, 1st District

EXHIBIT C



JAMES W. SILVA

SUPERVISOR, SECOND DISTRICT

ORANGE COUNTY HALL OF ADMINISTRATION
10 CIVIC CENTER PLAZA, P.O. BOX 687, SANTA ANA, CALIFORNIA 92702-0687
PHONE (714) 834-3220 FAX (714) 834-6109

March 7, 2005

*Honorable Miguel Pulido, Mayor
City of Santa Ana
20 Civic Center Plaza
P.O. Box 1988
Santa Ana, CA 92702*

Dear Mayor Pulido:

After review of the material you provided, I want to advise you that I am in support of keeping the proposed 4th District Court of Appeal, in Santa Ana. The site is consistent with the eight other Appellate Courts in the State, all of which are located in county seats of government. The proposed site meets all the development criteria and will serve the functional needs of the court.

As always, your views are much appreciated and serve as a valuable guide. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim", written over the printed name.

*James W. Silva, Supervisor
Second District*

JWS:mg

EXHIBIT C



CITY OF ANAHEIM MAYOR CURT PRINGLE

March 1, 2005

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

Dear Governor Schwarzenegger,

I would like to express my full support for maintaining the Fourth District Court of Appeal in the City of Santa Ana. It is my understanding that Santa Ana has been in negotiations with the Office of the Courts during the last four years and has offered an ideal site in their Civic Center. Apparently, the Office of the Courts is now considering relocating to an alternate site outside of Santa Ana.

It is my considered opinion that the Fourth District Court of Appeal would better serve the interests of the Orange County community by remaining in Santa Ana. In addition to its convenient access to all forms of public transportation, Santa Ana is the seat of County government and is home to major government agencies including the Superior Court, the Federal Court House, and the county, state, and federal administrative offices. The centrality of the Court's location and its close proximity to all of these various branches of government directly benefits the public.

I strongly urge you to give every consideration to maintaining the Fourth District Court of Appeals in the City of Santa Ana.

Sincerely,

A handwritten signature in black ink, appearing to read "Curt Pringle".

Curt Pringle
Mayor

EXHIBIT C

RESOLUTION NO. 9043

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY URGING THE STATE OF CALIFORNIA TO MOVE FORWARD TO ESTABLISH A NEW COURTHOUSE FOR THE COURT OF APPEAL IN THE SANTA ANA CIVIC CENTER

WHEREAS, since the establishment of the County of Orange in 1889, the City of Santa Ana has been the County seat and Civic Center; and

WHEREAS, Santa Ana is home to the historic Orange County Courthouse, the Orange County Superior Court's Central Justice Center, Annex, and Complex Civil Courthouses, and the Southern Division of the United States District Court for the Central District of California, all located in the City's Civic Center; and

WHEREAS, Santa Ana has also been home for twenty (20) years to the Third Division of the Fourth District Court of Appeal of the State of California which serves the entire County of Orange; and

WHEREAS, the Fourth District, Third Division of the Court of Appeal has outgrown its current location in the City of Santa Ana, 825 North Spurgeon Street, and needs to move to a new courthouse; and

WHEREAS, over the past several years, the City of Santa Ana has worked diligently with various local and state entities to maintain the Court within Santa Ana and after an extensive survey of potential sites throughout the County, the Court of Appeal determined that a prime location in Santa Ana's Civic Center was best suited to its needs and was the most prestigious site available based on the list provided by the State General Services Agency (GSA) and the Office of the Courts; and

WHEREAS, the proposed site within the City's Civic Center is home to many State and Federal offices in addition to the State and Federal Courthouses and moreover, Santa Ana is accessible from every major freeway in the County and is in close proximity to the Orange County Transportation Authority's Bus Terminal and the Santa Ana Depot; and

WHEREAS, the proposed relocation of the Fourth District Court of Appeal out of the Santa Ana Civic Center would be unprecedented, as no California Court of Appeal has ever been moved outside a county seat; and

WHEREAS, Santa Ana's central location within Orange County makes it the ideal site for this facility where it can best serve all residents with the Court's jurisdiction; and

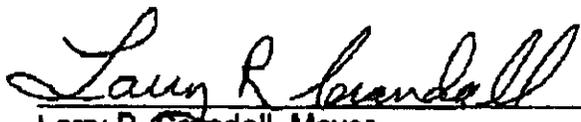
EXHIBIT C

WHEREAS, the City remains committed to the completion of this project in Santa Ana and is eager to work with all interested parties to achieve this goal; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fountain Valley hereby urges the completion of efforts to establish a new Courthouse for the Fourth District Court of Appeal in the City's Civic Center;

BE IT FURTHER RESOLVED that the City Council of the City of Fountain Valley urges its State Senate and Assembly representatives to help establish a new Courthouse for the Court of Appeal in the Santa Ana Civic Center.

PASSED, APPROVED AND ADOPTED on this 5th day of April, 2005.



Larry R. Crandall, Mayor

ATTEST:



Randi Johi, City Clerk

EXHIBIT C

RESOLUTION NO. 8634-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN GROVE URGING THE STATE OF CALIFORNIA TO MOVE FORWARD TO ESTABLISH A NEW COURTHOUSE FOR THE COURT OF APPEAL IN THE SANTA ANA CIVIC CENTER

WHEREAS, since the establishment of the County of Orange in 1889, the City of Santa Ana has been the County seat and Civic Center; and,

WHEREAS, Santa Ana is home to the historic Orange County Courthouse, which recently celebrated its 100th anniversary; the Orange County Superior Court's Central Justice Center, Annex, and Complex Civil Courthouses; and the Southern Division of the United States District Court for the Central District of California, all of which are located in the City's Civic Center; and,

WHEREAS, Santa Ana has also been home for twenty (20) years to the Third Division of the Fourth District Court of Appeal of the State of California, which serves the entire County of Orange; and,

WHEREAS, the Fourth District, Third Division of the Court of Appeal has outgrown its current location in the City of Santa Ana, 825 North Spurgeon Street, and needs to move to a new courthouse; and,

WHEREAS, over the past several years, the City of Santa Ana has worked diligently with various local and state entities to maintain the Court within Santa Ana, and after an extensive survey of potential sites throughout the County, the Court of Appeal determined that a prime location in Santa Ana's Civic Center was best suited to its needs and was the most prestigious site available based on the list provided by the State General Services Agency (GSA); and,

WHEREAS, the proposed site within the City's Civic Center is home to many State and Federal offices in addition to the State and Federal Courthouses, is accessible from every major freeway in the county and is in close proximity to the Orange County Transportation Authority's Bus Terminal and the Santa Ana Depot; and,

WHEREAS, the City of Santa Ana originally indicated its interest in the Court at this Civic Center location, and offered the site at no cost with the simple understanding that any Civic Center parking displaced as a result of this project would need to be replaced, and after careful consideration, the GSA's final preference regarding this project was to have the State purchase the property from the City who in turn would use those funds to build an adjacent public parking structure to serve as replacement parking; and,

WHEREAS, accordingly, the City of Santa Ana negotiated with the State Public Works Board to authorize approval of the proposed site, receiving formal approval on February 2, 2002; however, since then, the GSA has indicated that the proposed site is too small to meet their needs and has requested that additional sites be considered; and,

EXHIBIT C

Resolution No. 8634-05
Page 2

WHEREAS, in response to the GSA's request, the City of Santa Ana agreed to grant an air rights easement to assist in creating a larger site; however, the GSA again rejected the site based on concerns of the number of on-site employee parking spaces, at which time the City again extended an offer to park employees at a nearby public parking structure for a discounted rate on a long-term basis, and to date, GSA has neither accepted nor rejected this proposal; and,

WHEREAS, the proposed relocation of the Fourth District Court of Appeal out of the Santa Ana Civic Center would be unprecedented, as no California Court of Appeal has ever been moved outside of a county seat; and,

WHEREAS, Santa Ana's central location within Orange County makes it the ideal site for this facility where it can best serve all residents within the Court's jurisdiction; and,

WHEREAS, the City of Santa Ana remains committed to the completion of this project in Santa Ana and is eager to work with all interested parties to achieve this goal,

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Garden Grove hereby urges the completion of efforts to establish a new Courthouse for the Fourth District Court of Appeal in the Santa Ana Civic Center; and,

BE IT FURTHER RESOLVED THAT the City Council of the City of Garden Grove urges its State Senate and Assembly representatives to help establish a new Courthouse for the Court of Appeal in the Santa Ana Civic Center.

Adopted this 22nd day of March 2005.

/s/ WILLIAM J. DALTON

ATTEST:

/s/ PRISCILLA STIERSTORFER
DEPUTY CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS:
CITY OF GARDEN GROVE)

I, PRISCILLA STIERSTORFER, Deputy City Clerk of the City of Garden Grove, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Garden Grove, California, at a meeting held on the 22nd day of March, 2005, by the following vote:

AYES: COUNCIL MEMBERS: (5) KREBS, LEYES, NGUYEN, ROSEN, DALTON
NOES: COUNCIL MEMBERS: (0) NONE
ABSENT: COUNCIL MEMBERS: (0) NONE

/s/ PRISCILLA STIERSTORFER
DEPUTY CITY CLERK



April 5, 2005

Honorable Miguel Pulido
Mayor, City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92701

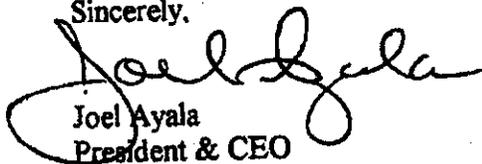
Dear Mr. Pulido:

On June 20, 2003, the sitting Board of Directors for the Orange County Hispanic Chamber of Commerce voted to retract the initial letter dated May 3, 2003 (LETTER OF SUPPORT TO RELOCATE 4th DISTRICT APPELLATE COURTHOUSE) and instead issued a letter of support for the retention of the Appellate courthouse in Santa Ana.

Although the question has not been raised with the current board of directors, I am confident in my assessment that the opinion has not changed.

Should you have any questions or concerns, please do not hesitate to contact my office at 714-953-4289.

Sincerely,



Joel Ayala
President & CEO

EXHIBIT C



CITY OF ORANGE

OFFICE OF MAYOR

PHONE: (714) 744-2201 • FAX (714) 744-5147

www.cityoforange.org

April 4, 2005

Honorable Miguel Pulido, Mayor
City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92701

Dear Mayor Pulido:

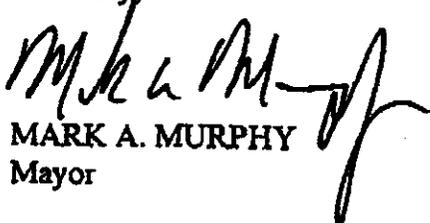
On behalf of the City of Orange, I want to express my strong support for the city's proposal to have a new Fourth District Court of Appeals Court building at Santa Ana Boulevard and Ross Street in Santa Ana.

The proposed site is within the city's civic center, which is home to many Federal and State offices, including the Federal and State Courthouses. The City of Santa Ana has been the County seat, and there is no better location for the new Fourth District Court of Appeals.

Orange County has many cities that are unique, and each one offers different resources to County residents. Santa Ana has been home to the Third Division of the Fourth District Court of Appeals of the State of California for twenty years. County residents are accustomed to having Santa Ana being a regional provider for these types of services.

In closing, given the above facts and others, I strongly support the City of Santa Ana's efforts to establish a new courthouse for the Fourth District Court of Appeals in the city's civic center.

Sincerely,



MARK A. MURPHY
Mayor

MM:dh

EXHIBIT C



March 31, 2005

Honorable Miguel Pulido
Mayor
City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92701

Dear Mayor Pulido:

On behalf of the Board of Directors of the Santa Ana Chamber of Commerce, I want to express our strong support for the city's proposal to have a new Fourth District Court of Appeals court building at Santa Ana Boulevard and Ross Street in Santa Ana.

The Board feels there is not a more appropriate, efficient, and centrally located site for the entire county than the one you have proposed. This location, therefore, places the new Court of Appeals within the already recognized and utilized government facilities complex in the Civic Center.

I can only hope that the decision makers for this project recognize these facts to accept the logical choice of merit that you have provided.

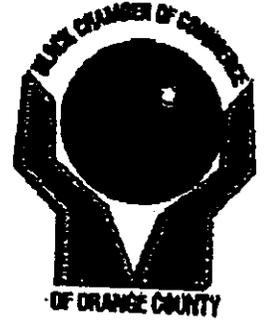
Sincerely,

A handwritten signature in black ink, appearing to read "Michael Metzler".

Michael Metzler
President & Chief Executive Officer

MM:jh

EXHIBIT C



July 7th, 2003

The Honorable Joseph Dunn
California State Senate
2080 Capitol Building
Sacramento, CA 95814

Dear Senator Dunn:

I am writing on behalf of the Black Chamber of Commerce to support maintaining the 4th District Court of Appeal in the City of Santa Ana. Since 1983, the Court has been located in Santa Ana and has served the Orange County community well. We at the Chamber firmly believe it is in the public interest to maintain all courts and government facilities in a central location to facilitate public access. Relocating this court from the Santa Ana Civic Center would remove it from the heart of Orange County's legal community and the County seat, which is home to local, state, and federal government agencies.

The Court's proximity to major transportation hubs is another important factor to facilitate public access to the court system. The Santa Ana Civic Center offers a central location that has freeway accessibility from every major freeway in the county, is in close proximity to the OCTA Bus Terminal, the Santa Ana Depot, and to the proposed CenterLine. Furthermore, the Santa Ana Civic Center and Downtown area is in the midst of a renaissance. This revitalization has lured many new businesses and government facilities to the area including the Ronald Reagan Federal Courthouse. Maintaining the Court in the Santa Ana Civic Center will assist in this renaissance and ensure that all residents within the Court's jurisdiction will continue to have convenient access.

Sincerely,

A handwritten signature in black ink, appearing to read "Bobby McDonald". The signature is stylized and somewhat cursive, with a large loop at the end.

Bobby McDonald

EXHIBIT C



ASIAN AMERICAN CHAMBER OF COMMERCE IN SANTA ANA

4717 W. First St, Santa Ana, CA 92703

☎ (714) 425-0799 - Fax: (714) 531-0890

June 25, 2003

The Honorable Joseph Dunn
California State Senate
2080 Capitol Building
Sacramento, CA 95814

Dear Senator Dunn:

The Asian American Chamber of Commerce would like to express its support for the City of Santa Ana to remain as the site for the 4th District Court of Appeals. We understand that the Court is exploring options for a new location, and we want to encourage the 4th District Court to remain in Santa Ana, and continue serving the County of Orange. The City of Santa Ana is recognized as the County seat and the center for government, and we believe that 4th District would be best served by being located within close proximity to the other courts and government entities that are located in the heart of Santa Ana.

As you are aware, the Civic Center area of Santa Ana is central to the County, which has many benefits to the 4th District. Since the early 1980s the 4th District has been located in Santa Ana and served the County of Orange well because it is centrally located. It is important to have easy access to the 4th District, and Santa Ana is served by all major freeways in the County. There are many law firms and other businesses offering legal services that benefit from their proximity to the 4th District in Santa Ana.

The Asian American Chamber of Commerce is pleased to be located in the City of Santa Ana because of the tremendous revitalization that has been occurring and will continue to occur in Santa Ana. We hope that the 4th District will be a part of the positive changes that are occurring in Santa Ana, and remain in the Civic Center area of Santa Ana.

Sincerely,

Nick Le Cong M.B.A.
Executive Director

EXHIBIT C



601 Civic Center Drive West · Santa Ana, California 92701-4002 · (714) 541-1010 · FAX (714) 541-5157

April 5, 2005

Honorable Richard Strauss, Chair
Judicial Council Interim Facilities Panel
c/o Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Re: Court of Appeal Site Selection

Dear Judge Strauss:

I am writing to express the Public Law Center's support of the City of Santa Ana's proposal for retaining the Fourth District, Division Three Court of Appeal in Santa Ana. As Orange County's pro bono law firm, we are committed to providing access to justice to low-income Orange County residents. The California Judicial Council, led by Chief Justice Ronald M. George, has made access to justice one of the cornerstones of its strategic plan. We are concerned that moving the Court of Appeal out of Santa Ana will decrease access to justice for low-income users of the Court of Appeal.

While the principle of access to justice has many facets, one of them is certainly ease of physical access due to location of court facilities. The proposed Santa Ana site is across the street from one of Orange County's major public transportation hubs. By comparison, a single bus route serves the University of California, Irvine site. Santa Ana is geographically centrally located in the county and more importantly, from our perspective, is much closer to the centers of low-income populations than is the proposed UC Irvine site. To be sure, low-income individuals do not use the Court of Appeal in the same numbers as they use the Superior Court. Nonetheless, low-income persons – be they civil litigants, families of criminal defendants, victims of crime or parents in dependency proceedings – do use the Court of Appeal and would have greater difficulty accessing the Court were it to move from Santa Ana.

As others have no doubt pointed out, Santa Ana is the county seat and the center of several key institutions in the justice community – including state and federal courts, the District Attorney, the Public Defender and the Orange County Public Law Library. In late 2003, our

EXHIBIT C

Letter to Hon. Richard Strauss

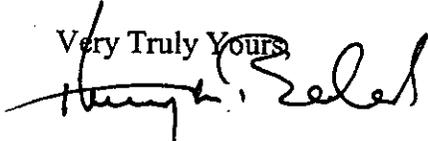
April 5, 2005

Page 2

organization purchased the building in which we are presently located, which is across the street from the Orange County Superior Court's Central Justice Center. We chose that location for several reasons, one of which was ease of access for our low-income clients many of whom use public transportation and who come from all corners of the county. Just as our clients find it convenient to reach us in our Santa Ana Civic Center location, we suspect the public will similarly find a Santa Ana court facility easy to reach.

Thank you for considering our views.

Very Truly Yours,



Kenneth W. Babcock
Executive Director & General Counsel

cc: William C. Vickery

EXHIBIT C

04/06/2005 13:28 7145715270

LEGAL AID

PAGE 02/03



LEGAL AID SOCIETY OF ORANGE COUNTY

902 North Main Street, Santa Ana, California 92701
(714) 571-5200 • FAX (714) 571-5270

April 6, 2005

Honorable Richard Strauss, Chair
Judicial Council Interim Facilities Panel
c/o Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Re: Court of Appeal Site Selection

Dear Judge Strauss:

I am writing to express the Legal Aid Society of Orange County's (LASOC) support of the City of Santa Ana's proposal for retaining the Court of Appeal, Fourth Appellate District, Third Division in Santa Ana. LASOC is concerned that moving the Court of Appeal out of Santa Ana will limit access to the Court for many litigants, especially those of low-income.

Utilizing the justice system requires having adequate access to Court facilities. The City of Santa Ana is centrally located within the County of Orange. Santa Ana is accessible by all forms of transportation, both public and private, and allows for affordable parking. The proposed location for the Court of Appeals in Santa Ana, is across the street from one of Orange County's major public transportation hubs. In contrast, only one bus route serves the proposed Irvine site.

Most importantly, the City of Santa Ana is the county seat and houses many of the key institutions in the community including: the Federal Court, the Superior Court, the County Board of Supervisors, and many public service agencies. Further, all other Appellate Courts in California are located within the city that is the county seat.

Finally, the District Attorney's office and the Public Defender's office are also located in Santa Ana. This means that if the Court of Appeals is moved from Santa Ana to Irvine, District Attorneys and Public Defenders will have to commute to Irvine for all criminal cases on appeal.

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04/06/2005 13:28 7145715270

LEGAL AID

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Letter to Hon. Richard Strauss
April 6, 2005
Page 2

Please consider the rights of all litigants to have access to the justice system before approving the move of the Court of Appeal, Fourth Appellate District, Third Division from the county seat and centrally located City of Santa Ana, to the city of Irvine.

Sincerely,



Robert J. Cohen
Executive Director

cc: William C. Vickery

EXHIBIT C

CHAPMAN UNIVERSITY

Parham H. Williams, Jr.
Vice President, Dean
Donald P. Kennedy Chair in Law
School of Law

ONE UNIVERSITY DRIVE • ORANGE, CALIFORNIA 92866

April 4, 2005

(714) 628-2555 • FAX (714) 628-2556

E-mail: wilham@chapman.edu
www.chapman.edu/law

The Honorable Miguel A. Pulido, Mayor
City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92701

Dear Mayor Pulido:

I wish to express my strong support for maintaining the California Court of Appeal, Fourth District, in the City of Santa Ana. Since 1983, the Court has been located in downtown Santa Ana, a site that is appropriately situated in our county seat and is easily accessible to citizens in all parts of the county. Today, the Court has outgrown its present facility and funds have become available to construct a new building. After four years of negotiations with the City of Santa Ana, the Office of Courts now is considering a less desirable site on the campus of UC-Irvine.

I understand that the University's proposal has not been made public and is motivated by its desire to build momentum for a taxpayer funded law school on its campus. One of the arguments made in support of the campus location is that the Court will bring certain educational benefits such as student internships and clerkships. I strongly believe that all Orange County students deserve equal access to participate in educational opportunities that governmental agencies afford. Uprooting the Court of Appeal and moving it from the county seat renders it less accessible to all students and to the citizens of our County.

There are many reasons for retaining the Court in Santa Ana, but I will comment on two very important ones. As the county seat, Santa Ana is the focus of legal activity, hosting the Superior Court, the new Federal Courthouse, and the county, state and federal administrative offices. The other California Courts of Appeal are located in county seats in order to be near these other courts and agencies. The Fourth Court of Appeal also should be located in the county seat. The second important reason is that Santa Ana is centrally located, accessible from every major freeway and in close proximity to the Orange County Transportation Authority's Bus Terminal, the Santa Ana Depot and the proposed CenterLine light rail line. Santa Ana's proposal would place the Court of Appeal directly across from the Reagan Federal Courthouse and in the heart of the County's judicial and governmental district.

In conclusion, I believe that the Court of Appeal will best serve the interests of the citizens of Orange County, including the legal profession and the students who attend the County's three accredited law schools, by remaining in our county seat. Thank you.

Sincerely,



Parham Williams
Vice President and Dean

EXHIBIT C

LAW OFFICES OF

FEDERICO CASTELAN SAYRE

900 N. BROADWAY
4th FLOOR
SANTA ANA, CALIFORNIA 92701

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RAYMOND E. BROWN *

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RONALD Z. GOMEZ

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Specially admitted
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Of Counsel
Las Vegas Office
MATTHEW G. CALLISTER
CALLISTER & REYNOLDS
823 LAS VEGAS BLVD. Sd.
LAS VEGAS, NV 89101
(702) 385-3343

*MANAGING ATTORNEY

February 18, 2005

The Honorable Miguel A. Pulido
City of Santa Ana
P.O. Box 1988
Santa Ana, CA 92701

Dear Mayor Pulido:

I am the immediate Past President of the Hispanic Bar Association of Orange County. I have been invited to be a member of the Board of Directors of OCHSA where my daughter goes to school. I have a large law firm for a plaintiffs' lawyer which is headquartered in Santa Ana. I came to Santa Ana originally to serve my client the Mexican Consulate, and I found it to be a very enjoyable place to work.

I believe that the City of Santa Ana is on the verge of a new age in its history in which it will resume its rightful historical place as not only the governmental but also the economic center of Orange County.

I have made no secret of my very strong support for the One Broadway Plaza project because I think it will make a tremendous contribution to the economy of Santa Ana by the infusion of jobs and the "pump-priming" effect that will spin off from that building. I believe in the same way that the location of the Court of Appeal's new building in the City of Santa Ana is supportive of that same economic growth pattern and the further progress of the City of Santa Ana.

In addition it is the logical, rational and appropriate place to have the Court of Appeals building in close proximity to the Justice Complex, which already includes the Superior Courthouse and the Federal Courthouse. I have argued in Court of Appeals throughout the state and they always tend to be proximately located to the Superior Court and the Federal Court of that particular city. This is certainly true in Los Angeles, San Francisco, San Diego, and other

EXHIBIT C

FEDERICO C. SAYRE

The Honorable Miguel A. Pulido

2/18/2005

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metropolitan cities of this state. The reason for this is obvious. There is a cross-fertilization of research, libraries, attorneys and court personnel among these facilities which taken together potentiates the furtherance of a fair and progressive legal system for all concerned.

I believe it would be a mistake to place the Court of Appeals in any other location in this county no matter how enticing the offers that might come from other locations out of Santa Ana. The Court of Appeals should be located where the people who need it most are located. This includes the lawyers who work in the Superior and Federal Courthouses and the people whose legal disputes are settled in those courthouses. It is imperative that Court of Appeals be located proximately to the location where the cases began which are adjudicated in the Court of Appeals.

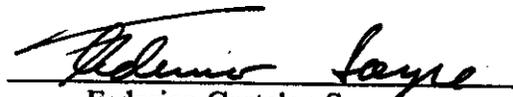
Law schools are wonderful institutions of training and learning and certainly in their role as a teacher would benefit from the proximity of the Court of Appeals; but law schools by their nature are institutions of reflective thought and pondering which do not require the proximity of a Court of Appeals to fulfill their function. It is essential for the functioning of a fair and efficient justice system that the cross-fertilization take place between the site of the Court of Appeals and the business of the Federal and Superior Courthouses which is the reason for the Court of Appeals existence.

Thank you for your very kind attention to my thoughts.

Very truly yours,

LAW OFFICES OF FEDERICO C. SAYRE

By:



Federico Castelan Sayre

Attorney at Law

FCS/wmp

Cc: Sen. Joseph L. Dunn
Hon. David G. Sills

EXHIBIT C



LITTLE SAIGON BUSINESS DISTRICT COMMITTEE

2717 S. CENTER ST., SANTA ANA, CA. 92704-6005

March 30, 2005

Mayor Miguel A. Pulido
City of Santa Ana
10 Civic Center Plaza
Santa Ana, CA. 92702

Dear Mayor Pulido:

The Little Saigon Business District is pleased to write this letter of support for the City of Santa Ana. We believe that it is important that the 4th District Court of Appeals remain in Santa Ana and continue providing quality service to the County of Orange. Santa Ana is an ideal location for the 4th District Court's new building because it is centrally located and has convenient access by all major freeways, bus lines and rail lines from the Santa Ana regional transportation center. The County of Orange benefits from the 4th District Court's location in the Civic Center area of Santa Ana because of its proximity to the legal community, and state, federal, and local governmental agencies.

We know that the 4th District Court has been witness to the tremendous resurgence of the downtown area and the Civic Center of the City of Santa Ana since it located to the City in the early 1980's. We hope that the 4th District Court will play a role in this continued resurgence and build its new location in Santa Ana near its current location in Santa Ana. As the County seat of commerce and government, the City of Santa Ana is an ideal site for the 4th District Court and the individuals that visit the Court from throughout the County of Orange.

The Little Saigon Business District wants to encourage you to assist your City by working to keep the 4th District Court in Santa Ana. It is often only through difficult situations that the best creative solutions are devised.

Sincerely,

Ken Khanh Nguyen
Chair

EXHIBIT C

BIRTCHER Real Estate Group

Arthur B. Birtcher
Co-Chairman

Corporate Headquarters

27611 La Paz Road
P.O. Box 30009
Laguna Niguel, California 92607-0009
949/643-7700 Fax 949/643-7455

March 9, 2005

This letter is being send via fax number 916-445-9754, U.S. mail, and e-mail

Re: Fourth District Appellate Court Move to UCI

Senator Dick Ackerman
State Capitol Building
Room 305
Sacramento, CA 95814

Dear Senator Ackerman,

In the last several months, the Birtcher Real Estate Group, a 65 year old, national, full-service, investment, management, and real estate advisory company, invested \$58,000,000 in three class A office buildings located within the Santa Ana Civic Center.

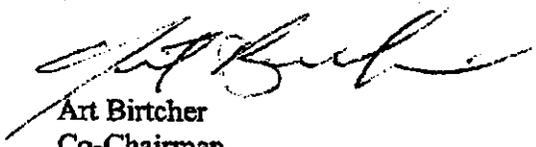
Ninety-five percent (95%) of our tenants are dependent upon the "synergism of the Civic Center," its city, county, state and federal offices and agencies; state and federal courts and local and federal law enforcement facilities and offices. The infrastructure and interdependency of facilities for these users is unique and has been created by a strong coalition of city, county and private enterprises.

For your general information, there are approximately 25,000 people that daily migrate to and from the Civic Center and in downtown, the Civic Center and midtown Santa Ana, there are approximately 50,000 jobs that encompass government, non-profits and commercial enterprises.

To begin to dismantle or re-orientate use patterns for employees, clients or service providers, would be tragic and harm the renaissance that this market enjoys.

Sincerely,

Birtcher Real Estate Group



Art Birtcher
Co-Chairman

AB:dh

EXHIBIT C

MAIN OFFICE
224 East Third Street
Second Floor
Santa Ana, CA 92701
Phone (714) 664-0453
Fax (714) 541-5835
Vincent@vfslaw.com

Law Offices of
VINCENT F. SARMIENTO
A PROFESSIONAL CORPORATION

PASADENA OFFICE
153 East Walnut Street
Suite B
Pasadena, CA 91103
Phone (626) 793-1171
Fax (626) 793-2293

February 22, 2005

Honorable Mayor Miguel A. Pulido
CITY OF SANTA ANA
20 Civic Center Plaza
Santa Ana, CA 92702

Re: 4th District Court of Appeal

Miguel:

Please allow this letter to follow up on the discussion at the Special City Council Meeting addressing the placement of the 4th District Court of Appeal ("Court") held on Friday, February 18, 2005. I would like to reiterate my comments made on the record wherein I pledged my support for Santa Ana as the only logical choice for said site.

As you may recall, I mentioned that the City Council would be well served by creating a committee to research the possibility of locating a law school in Santa Ana. Thereafter, the committee could lobby the University of California ("UC") Regents and UC Irvine Chancellor to entertain the concept of an off-campus, satellite law school in Santa Ana. This will both ensure the designation of the Court in Santa Ana but also potentially enhance our City with the presence of a major UC law school.

As a lifelong resident of Santa Ana and local practitioner, this issue is so important to me that I would lend my time, effort and experience to realizing this goal on behalf of our City. My qualifications are as follows:

1. Product of the UC system (Berkeley and UCLA): understand the operations and policy making procedures of the Regents;
2. Member of the Bar: uniquely qualified to evaluate the value of having the Court located in the County Seat;
3. Chairman of the Santa Ana Community Redevelopment and Housing Commission: well-versed in marketing the City as a site for the Court and a potential site for a major law school by knowing the projects adopted by the City that will create an attractive environment for such venues.

EXHIBIT C

Honorable Mayor Pulido
February 22, 2005
Page Two

Please respectfully consider the foregoing as my pledge to lend my talents to ensure the installation of the Court but also to seize this unique opportunity to attract a major law school to our City. If you have any questions, please feel free to contact me at my office.

Sincerely,

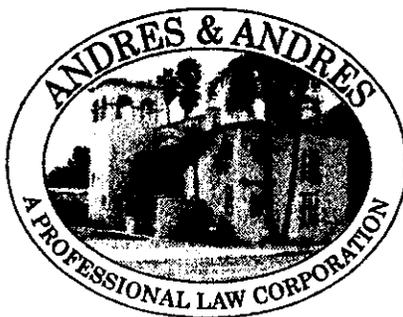


VINCENT F. SARMIENTO
Attorney at Law

EXHIBIT C

EUGEN C. ANDRES
ANN AVERY ANDRES

HERBERT J. PATT
JAMES L. MOORE



AT PALM COURT
2041 N. MAIN STREET
SANTA ANA, CALIFORNIA 92706
(714) 558-7775
FAX (714) 558-9440
ccandres@andreslaw.com

March 30, 2005

The Honorable Miguel Pulido
Mayor of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92701

Dear Miguel:

This letter is written in support of keeping the State District Court of Appeal in Santa Ana. It is critical that the City does everything possible to keep the DCA in Santa Ana.

It makes no sense for the court to move to Irvine. The fact that Senator Dunn and Presiding Justice Sills are advocates for the move should not influence the City's efforts to keep the court in Santa Ana.

There is no logical reason to move the Court out of Santa Ana. The argument that a law school may be established at UCI is not a good reason. If the proximity of a law school was a good reason, why haven't there been arguments to have the Court moved to Orange to be next the Chapman Law School or to Fullerton to be next to Western State Law School. The possibility of a new law school at UCI is more of a wish than a reality.

I urge you to continue your efforts to keep the Court in Santa Ana.

With kindest regards,

ANDRES & ANDRES

EUGEN C. ANDRES

ECA/ja



Court of Appeal

FOURTH DISTRICT, DIVISION THREE
225 N. SPURGEON STREET
POST OFFICE BOX 1378
SANTA ANA, CALIFORNIA 92701
(714) 558-4501

CHAMBERLAIN OF
DAVID G. BILLS
DEFENDING JUSTICE

April 8, 2005

William C. Vickrey
Administrative Director of the Courts
Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Dear Mr. Vickrey:

Thank you for your invitation to address the Judicial Council next Friday. I intend to be present but am undecided at this time whether or not I will speak. In any event, I will be available for questions.

The only reason I say I am undecided on whether or not I will speak is because the attached letter which I would like included in the packet of materials for the Judicial Council makes all of the points I would make at any oral presentation. Being mindful of our frequent advice to attorneys not to repeat what is in the briefs, I may simply refer to the letter and answer questions.

And again, thanks for all of the time you have spent on this long project.

As always,

A handwritten signature in cursive script, appearing to read "David", written in black ink.



Court of Appeal

FOURTH DISTRICT, DIVISION THREE
925 N. SPURGEON STREET
POST OFFICE BOX 1070
SANTA ANA, CALIFORNIA 92701
(714) 550-4551

CHAMBERS OF
DAVID G. SILLS
PRESIDING JUSTICE

April 8, 2005

Judicial Council of California
Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3688

Dear Members of the Judicial Council:

For those who spent a long day in Orange County visiting sites and listening to public comment on behalf of this court, our deepest appreciation and sincere thanks. During that day, Bill Vickrey queried me about the preference of the justices. Although my response was, "7-1 for UCI," I think it productive to briefly expand on that comment.

I am not sure if the minutes of our Advisory Committee are included in the packet of materials for the Judicial Council. If they are, they will indicate four of our justices served on that committee. Of those four, Justices Rylaarsdam, Fybel and I feel strongly that only the UCI site is conducive to building a structure which will have the prestige required by what is essentially the court-of-last-resort for all state matters in a county of over three million people. Justice Fybel feels so strongly on this point that he favors starting over and looking for another site if the UCI site is not selected. Justice O'Leary, on the other hand, feels strongly that the court should be located Santa Ana's civic center. The other four justices of our court have followed the search for the site but have not participated on the Advisory Committee. All four prefer UCI. As all of you have observed from our opinions, we are seldom that unanimous.

Now let me address the question of Santa Ana. All of us would like to stay in our current facility and most would like to stay, if possible, in Santa Ana. Unfortunately, after a four-year exhaustive search for a Santa Ana site, we were unable to find one which we felt afforded us with an opportunity to build a structure which would meet present and future demands of the Court of Appeal.



The property across the street from us, now a parking lot, is a perfect site, but unfortunately the county was unwilling to sell it to the state. Another excellent location we sought is close to the superior court, but was in the process of being condemned by the school district at the time of our search. As for other large parcels owned by private parties, the owners were simply unwilling to carve out a parcel for a court. To Santa Ana's credit, they have offered us the only parcel available in civic center and are to be commended for their efforts.

My own views are based on what I foresee for the future. UCI is rapidly becoming the center of Orange County. It is close to the airport, has freeway and toll-way access, and is adjacent to one of the two large Orange County business and corporate centers, and only a few minutes from the other one, called Irvine Spectrum, located at the juncture of the 5 and 405 freeways. The vast majority of law firms and accounting firms and most of the Fortune 500 companies, large aerospace and biotech companies are located in one of those two expansive business areas. Those areas have become downtown Orange County.

As for the question of cost, both sites are now essentially being offered to us free. Although the UCI site has a 2.4 million dollar price tag, no money is leaving the State of California. The state is in effect buying land from itself. Yes, the judicial branch is transferring funds from its account to the regent's, but the cost to the State of California is still zero.

One other point needs to be addressed. The large public parking structure immediately adjacent to the court in the proposed Santa Ana site is essential for that site to work, both for the court and for the City of Santa Ana. A large parking structure of that nature so close to the court detracts from its appearance and the symbolism such an institution should represent.

The courthouse we are about to build will be the highest ranking state court in Orange County for the next 50 to 100 years and should be located on a site both prestigious and convenient for either auto or plane transportation.

Cordially,

A handwritten signature in cursive script, appearing to read "Mark Dees".