

Superior Court of California
County of San Bernardino
New San Bernardino Court

PROJECT FEASIBILITY REPORT

SEPTEMBER 8, 2006



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT

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I. EXECUTIVE SUMMARY

A. Introduction

This Project Feasibility Report for the proposed 36-courtroom New San Bernardino Court for the Superior Court of California, County of San Bernardino has been prepared as a supplement to the Judicial Council's *Five-Year Infrastructure Plan Fiscal Year 2007-2008*. This report documents the need for the proposed new 36-courtroom facility, describes alternative ways to meet the underlying need, and outlines the recommended project.

B. Statement of Project Need

The Superior Court of California, County of San Bernardino serves the residents of the City of San Bernardino and the surrounding communities of Redlands, Fontana, and Twin Peaks in nine separate facilities. These facilities poorly serve the growing needs of the superior court and the lack of consolidated facilities exacerbates the functional problems of the main court facilities. The nexus of court operations is located in the downtown court complex consisting of two facilities. The original courthouse is the historic San Bernardino Courthouse, which was constructed in 1926 as a county office and court facility and is a national historic registered property. The courthouse originally had two courtrooms and a boardroom; the historic courthouse now houses 15 marginal courtrooms. This facility was expanded in 1958 with the construction of the adjoining San Bernardino Courthouse Annex to the rear of the historic San Bernardino Courthouse. This facility, referred to as the "T-Wing", was constructed as an office building for county agencies with no courtrooms. The "T-Wing" now houses 11 makeshift courtrooms. These facilities have significant security problems, are very overcrowded, have many physical problems, and prevent the court from operating a safe and efficient court facility.

The recommended project—construction of a new 36-courtroom facility on a site near the historic San Bernardino Courthouse, will complement two projects funded by the county; the planned renovation of the historic San Bernardino Courthouse for nine civil courtrooms and the renovation of 303 Third Street for long-term use for two Assembly Bill 1058 (Speier) commissioners. Together, these three facilities will provide for a total of 47 Judicial Position Equivalents (JPEs) in downtown San Bernardino—a total of 36 current JPEs working in various San Bernardino facilities and 11 of 23 proposed new judgeships proposed over the next three years. The AOC and the court reviewed several options for reuse of existing facilities and have reached consensus on this approach.

The project was identified in the Facilities Master Plan (master plan) prepared for the Superior Court, which is summarized in Appendix A.

The county has a project in the final design stages to complete interior renovations to the T-Wing that would not be needed, if the proposed project is approved and allows the court to vacate the inadequate "T-Wing". A total of \$8.8 million of the county's funds dedicated to the interior renovation was approved for donation to the new court project at an August 22, 2006, Board of Supervisors meeting. In addition, a seismic upgrade and installation of an additional elevator, and HVAC improvements may not be required, depending on how the long-term use and disposal of this property is negotiated with the county. Should the court and the county decide to

vacate the T-Wing, then additional funds now budgeted for the seismic upgrade, elevator installation, and HVAC improvements would be donated to the state for funding the new facility. The City of San Bernardino has committed to donating a city-owned (previously owned by Cal Trans) site adjacent to the existing courthouse for construction of the new facility.

Seven existing facilities will be replaced by the proposed project, none of which have transferred, although negotiations for possible buyout of equity are under way. These facilities are: the San Bernardino Courthouse Annex; the Administrative Headquarters; the Appeals Division; the Juvenile Traffic facilities; the Juvenile Delinquency Court; the Redlands Courthouse; and, the Twin Peaks Courthouse. None of these facilities meet the needs of the court for safe, secure, and functional operations.

This project—ranked in the Immediate Need priority group in the Trial Court Five-Year Infrastructure Plan adopted by the Judicial Council in August 2006—is one of the highest priority trial court capital-outlay projects for the judicial branch.

C. Options Analysis

The court and the AOC considered two options for how to reuse the existing historic San Bernardino Courthouse and T-Wing facilities to meet the needs for providing 47 courtrooms for the superior court in downtown San Bernardino. The reuse options studied were:

- Facility Reuse Option A: Construct a new 36-courtroom facility, reuse historic San Bernardino Courthouse for nine civil courtrooms and use 303 West 3rd Street for two AB 1058 child support commissioner courtrooms. In this option, the T-Wing would be vacated. This is the recommended reuse option for the project.
- Facility Reuse Option B: Construct new 47-courtroom facility and vacate all existing facilities.

Two alternatives for the construction of a new facility were evaluated based on their ability to meet current and projected need for new judges, programmatic requirements, and their short and long-term cost to the state.

- Project Alternative 1: Complete construction of all courtrooms and related support space for current judges, eleven new judgeships, including eight proposed in Senate Bill (SB) 56.
- Project Alternative 2: Leave space unfinished in the new facility for future judgeships and complete as needed in the future.

Project Alternative 1—completing all construction for current and proposed new judgeships, including eight proposed in SB 56—is the recommended alternative. All eleven new judgeships proposed for this project are likely to be approved before the project is completed.

In addition to the project reuse options and project alternatives, three financial alternatives for delivering a new facility were evaluated based on ability to meet the programmatic requirements and economic value.

These are the three financing alternatives studied for the recommended project alternative:

- Financing Alternative 1: Partial Revenue Bond Financing.
- Financing Alternative 2: Pay-As-You-Go.
- Financing Alternative 3: Private Financing/Lease Purchase.

The recommended financing alternative is Financing Alternative 1: partial revenue bond financing, in which the state pays for acquisition, preliminary plans, and working drawings on a pay-as-you-go basis, and finances construction costs through lease-revenue bonds. This financing alternative will allow the judicial branch to address additional capital needs in other parts of the state by amortizing the construction costs of the project over the many generations that will benefit from the new court facility.

A comparison of the estimated costs and net present value (NPV) of the recommended project total cost with financing based on these three alternatives is provided in Table 1. Estimated costs for Alternatives 1 and 2 include construction and all project costs. Financing costs are included in Alternative 1. The private financed lease-purchase costs include annual lease costs based on the estimated project loan amount.

TABLE 1
Comparison of Recommended Project Total Cost with Financing 2007–2043

	Alternative 1 Partial Revenue Bond Financing	Alternative 2 Pay-As-You-Go	Alternative 3 Private Financing Lease-Purchase
Total Estimated Cost	\$523,340,892	\$309,307,000	\$666,735,984
Estimated Net Present Value (NPV)	\$321,386,674	\$284,856,127	\$365,729,105
NPV % of Total Cost	61%	92%	55%

D. Recommended Option

The recommended project is to construct a new 36-courtroom facility on a site to be donated to the state by the City of San Bernardino directly across the street from the historic San Bernardino Courthouse. This facility will consolidate court operations from eight facilities: the T-Wing, the Consolidated Courts Administrative Headquarters, the Juvenile Delinquency Court, the Juvenile Traffic and Minor Offenses Court, the Appeals Division, the Redlands Courthouse, three of seven courtrooms from the Fontana Court representing the Rialto case filings, and the Twin Peaks Courthouse.

The new building will include space for court administration, court clerk, court security operations, holding, and building support space. Site support will include surface parking for

court staff, jurors, and visitors and a secure sallyport for in-custody transport. An updated space program for the proposed project, which has been created in collaboration with the court, outlines a need for approximately 356,390 BGSF. Based on a site program developed to accommodate the new facility and needed parking, the court should acquire a site of 6.74 acres.

This option is recommended as the most cost-effective solution for meeting current and mid-term needs of the court. In replacing the existing court buildings, this project will solve the current space shortfall, increase security, replace inadequate and obsolete buildings, and provide for consolidation. This option will best serve the current needs of the public and the justice system, as well as provide the foundation for long-term needs.

The estimated project cost to construct the recommended project is \$309.3 million, without financing costs. This cost is based on constructing an eight-story building with a basement and partial penthouse. The facility would be supported by 40 secure parking spaces at the basement level and 385 surface parking spaces for visitors, jurors, and staff.

Preliminary project schedules have been developed assuming that funding is included in the 2007–2008 State Budget Act and the site acquisition process is successful. In the current schedule, the acquisition phase will occur from July 2007 to May 2008, preliminary planning will occur from June 2008 through June 2009, working drawing construction documents will be generated from June 2009 through October 2010, and construction will begin in October 2010 with completion scheduled for December 2012. A compressed schedule for preliminary and working drawings will be evaluated during the acquisition phase and based upon progress therein.

Impact on the trial court and the AOC's support budgets for FY 2007–2008 will not be material. It is anticipated that this project will impact the AOC and trial court support budgets in fiscal years beyond the current year as certain one-time and ongoing costs are incurred. The court will assign eleven proposed judgeships to this site, to include eight pending legislative approval for FY 2006–2007, and three to be requested in subsequent fiscal years prior to completion of the new facility. Funding for facilities is included in the legislation and will be used to offset operations and maintenance costs of the new facility to the extent allocated to the court.

II. STATEMENT OF PROJECT NEED

A. Introduction

The population of the county of San Bernardino, the nation's largest county in total area, is projected to grow by 43 percent from 2000 to 2020. The historical population growth of 91 percent from 1980 to 2000 has resulted in increased case filings in this county and a need for additional judges. Of the 150 new judgeships the Judicial Council has requested funding for over three fiscal years, 23—or 15 percent—are needed in San Bernardino.

The court facilities serving the downtown San Bernardino area, which serves the population center of the county, are not consolidated, have severe security problems, are overcrowded, and have many physical condition problems. This project is one of the five highest scoring projects in the Trial Court Capital-Outlay Plan and is one of the projects in the Immediate Need priority group. Due to the pressing need to implement this project, the County and the AOC are in active transfer negotiations to transfer the seven facilities that will be vacated once the recommended project is complete.

B. Transfer Status

Under the Trial Court Facilities Act, negotiations for transfer of responsibility of all trial court facilities from the counties to the state began July 1, 2004. The existing facilities affected by the proposed project need to be transferred and active negotiations for possible buyout of equity are under way. These facilities are: the San Bernardino Courthouse Annex; the Administrative Headquarters; the Appeals Division; the Juvenile Traffic facility; the Juvenile Delinquency Court; the Redlands Courthouse; and, the Twin Peaks Courthouse.

C. Project Ranking

Since 1998, the AOC has been engaged in a process of planning for capital improvements to California's court facilities. The planning initiatives have gradually moved from a statewide overview to county-level master planning to project-specific planning efforts. On August 25, 2006, the Judicial Council adopted a new, simplified policy for prioritizing trial court capital-outlay projects, entitled *Methodology for Prioritization of Trial Court Capital-Outlay Projects*.

The current list of trial court capital-outlay plan identifying project priority groups was also adopted by the council at that time. Trial court projects are placed in one of five priority groups based on their project score (determined by existing security, overcrowding, and physical conditions). All projects within each group will have the same priority for implementation. Should there be a lack of sufficient funding—within a given capital project funding cycle—to fund all qualifying Immediate Need funding group projects, further project selection will be based on additional subcriteria:

- Rating for security criterion;
- Economic opportunity; and
- Replacement or consolidation of disparate small leased or owned space that corrects operational inefficiencies for the court.

The new San Bernardino project meets the requirements of the first two of these criteria as described as follows:

Rating for Security Criterion: Security ratings are based on the 2004 Review of Capital Project—Prioritization rating for security. These scores range from a low of 0 to a high of 80. The New San Bernardino Court project has a security rating of 66.

Economic Opportunity: Consideration of economic opportunity allows for projects that have documented capital or operating savings for the state. The New San Bernardino Court project has several valuable economic opportunities including a donation of land by the City of San Bernardino and a reallocation of \$8.8 million in funding from the county. See Appendix D for a copy of the resolutions on these donations.

The proposed New San Bernardino Court project is in the Immediate Need priority group, making it a high priority trial court capital-outlay project for the judicial branch.

D. Current Court Operations

The County of San Bernardino is the single largest and possibly the most geographically distinct county to govern in the United States. The county can geographically be divided into four districts: west valley, central valley, desert, and mountain. The superior court is comprised of 11 regional court districts, which hear both limited and unlimited jurisdiction cases. The 11 regional court districts are:

- Barstow
- Big Bear
- Chino
- Fontana
- Joshua Tree
- Needles
- Rancho Cucamonga
- Redlands
- San Bernardino
- Twin Peaks and
- Victorville

A twelfth service district exists and is comprised of all juvenile cases in the county.

The Superior Court of California, County of San Bernardino had a fiscal year 2004–2005 average filing rate of 6,161 per JPE; 1,481 more filings per JPE than the statewide average of 4,680 filings. San Bernardino ranks third in the state for the number of filings per JPE.

E. Demographic Analysis

Encompassing over 20,000 square miles of land, San Bernardino is the largest county in the United States. The majority of the population is centered in the west and central valley regions, which are an extension of the Los Angeles basin. The west valley region contains the cities of Chino, Rancho Cucamonga, and Fontana. The central valley region contains the cities of San Bernardino, Colton, and Redlands. The desert and mountain regions constitute the vast majority of the land in the county. Cities in the desert region are geographically dispersed and include Victorville, Barstow, Needles, and Joshua Tree. The desert region stretches the entire width of the county, from Los Angeles County to the Arizona state line. The mountain region is

mainly comprised of sparsely populated mountainous areas. Twin Peaks and Big Bear are the largest communities in the mountain region.

The population of San Bernardino County grew by 59 percent from 1980 to 1990 and by 21 percent from 1990 to 2000, resulting in a 20-year growth rate of 91 percent. Growth slowed slightly to 15 percent from 2000 to 2005. All 12 court districts experienced growth during this 20-year period. The primary reason for this growth was the availability of land and the resultant lower costs of housing. A significant migration of people arrived from the greater Los Angeles area in search of lower-cost housing. The population of San Bernardino County is projected to grow substantially over the next twenty years, from approximately 1.72 million in 2000 to 2.45 million in 2020, representing an increase of 43 percent. The west and central valley regions are expected to constitute the majority of growth in the county. Table 2 below summarizes the population projections.

TABLE 2
Population Projections in Five-Year Increments for San Bernardino County, 2000 to 2050

	2000	2010	2020	2030	2040	2050
Total County Population	1,719,615	2,133,377	2,456,089	2,762,307	3,029,750	3,289,254

F. Judicial Projections

The master plan included a projection of judicial position equivalents (JPEs) and court staff¹. The number of current and projected JPEs determines the number courtrooms needed now and in the future for each court. The AOC Office of Court Research reviewed these projections and developed a methodology for adjusting the JPEs projections to be more aligned with projected capital programs funding. The year 2007 Judicial Position Equivalents (JPEs) projections in the master plans are based on the actual JPEs plus the proposed 150 new judgeships, 50 of which are included in Senate Bill (SB) 56, pending FY 2006–2007 approval. In the new methodology, the master plan projections for 2012, 2017, and 2022 were adjusted by computing the rate of growth in JPEs projected for each of these five-year increments and applying them to the 2007 projections, which is the adjusted starting point for the JPEs projections for planning purposes. The adjusted methodology maintains the different growth rates for each court used in the original master plan projections.

The long-term judicial needs assessment provides an estimate of judicial need based on a workload methodology. This assessment results in a dramatic increase in judicial positions for current workload. The AOC adjusted these JPE projections to yield a more gradual increase for use in determining the need for facilities to accommodate the judicial positions. While the judicial workload standards are recognized as the basis of long-term judicial needs planning, this approach adjusts the projections in the near term to yield a plan that begins with current JPEs and

¹ JPEs are defined as the total authorized judicial positions adjusted for vacancies, assistance rendered by the court to other courts, and assistance received by the court from assigned judges, temporary judges, commissioners, and referees.

incorporates the current plans of the Judicial Council regarding requests for additional positions. The resulting projection is then used for facility planning.

The Judicial Council approved staff recommendations for the establishment of 150 new judgeships over a three year period, beginning in FY 2006–2007 (50 each year), based upon the judicial needs assessment. A proposal to establish the new judgeships was submitted to the Governor and Legislature for consideration during the FY 2006–2007 budget process. SB 56, currently pending the Governor’s approval, authorizes the establishment of the first 50 new judgeships in FY 2006–2007. The additional 100 judgeships will be resubmitted in future fiscal years as planned for legislative approval.

To determine the near-term need for this project, the existing JPEs are presented in Table 3. Proposed new judgeships for FY 2006–2007, FY 2007–2008, and FY 2008–2009 are also presented, in addition to JPE estimates for 2022.

Table 3 below shows JPE need projections over the next twenty years.

**TABLE 3
Current and Projected 2022 JPEs (Including Proposed New Judgeships)**

Location	Existing JPEs	SB56 06-07	Proposed 07-08	Proposed 08-09	Adjusted 2022 JPEs
Countywide	86.4	8	7	8	138.1
San Bernardino Allocation	36	8	3	0	-

G. Staffing Plan

The court presently has 487 non-judicial staff at the existing facilities (this total does not include grant staff or vacant positions). To assist with facility planning, the court estimated a need of 613 non-judicial staff to support the projected 36 courtrooms. Staff growth includes support of the eleven proposed new judgeships, growth in family court services, drug court, and support staff needed due to the increasing number of pro per cases.

H. Existing Facility

Nine existing facilities are affected by this project, seven of which will be vacated once the new court facility is complete. These sites are listed in Table 4.

TABLE 4
Existing San Bernardino Area Court Facilities

Facility	Location	Number of Existing Courtrooms Affected by This Project	Departmental Square Footage Occupied by the Court
San Bernardino Courthouse	San Bernardino	15	63,555
San Bernardino Courthouse Annex (T-Wing)	San Bernardino	11	54,884
Court Executive Office	San Bernardino	0	13,221
Appellate & Appeals North Annex	San Bernardino	0	2,700
Juvenile Delinquency Courthouse	San Bernardino	3	5,423
San Bernardino Juvenile Traffic	San Bernardino	1	2,556
Fontana Courthouse	Fontana	3	20,039
Redlands Courthouse	Redlands	2	6,193
Twin Peaks Courthouse	Twin Peaks	1	2,850
Total Existing Courtrooms and DGSF		36	171,421

The total space currently occupied in these buildings is 171,421 square feet, however, only 161,400 departmental gross square feet (DGSF) is applicable to this project. Approximately one-half of the existing Fontana square footage can be attributed to the Rialto caseload that will relocate to San Bernardino, so only that portion of the existing square footage can be included in the San Bernardino square footage need calculations.

The square footage required for 47 courtrooms in San Bernardino (the existing 36 courtrooms plus 11 new judgeships) is 325,854 DGSF. This represents a shortfall of 164,454 DGSF to meet the current and mid-term needs of the court based on the space program developed in 2006 and presented in Appendix C.

The court will remain in the San Bernardino Courthouse and the Fontana Courthouse. All other facilities will be vacated once the new facility is occupied. The Rialto caseload, currently heard at the Fontana Courthouse, will be reassigned to the new court in San Bernardino. Three judicial officers from Fontana will be reassigned along with the criminal, small claims, and unlawful detainer caseload. Fontana will remain in service with seven courtrooms.

The county is currently in the process of constructing additional courtrooms in leased space at 303-3rd Street in San Bernardino. These courtrooms will function as temporary swing space during the retrofit of the San Bernardino Courthouse. The recommended option for future development retains two of these courtrooms permanently for two AB 1058 child support commissioners.

Facility issues at each of the affected sites are provided in the following section.

San Bernardino Courthouse—15 Courtrooms

This facility was construction in 1926. The building was originally designed for use as a county administration center and courthouse; however, it no longer adequately supports modern court operations. The courthouse was built with two courtrooms and a boardroom; it now houses 15

courtrooms; the 2 original courtrooms, the boardroom, and 12 marginal courtrooms built in space originally designed for offices. No separate, secured circulation exists, forcing the public, jurors, witnesses, prisoners, judges, and staff members to all use the single public corridor. Functional adjacencies are poor and most spaces are undersized. Numerous building entrances make security difficult. The county has a project underway to upgrade the facility. Project scope includes seismic retrofit, historic preservation work, interior renovations, and modifications and upgrades to the existing HVAC, electrical, and plumbing systems; construction is scheduled to begin in February 2007. This building was rated physically deficient by the task force and marginal by the master planning team and functionally deficient by both teams. The master plan recommended replacement. Figures 1 through 3 are photographs of the existing facility.

FIGURE 1
San Bernardino Courthouse—Exterior



The San Bernardino Courthouse is on the Historic Register. While this preserves the history of the building it also limits the ability to remodel the facility and address the problems and deficiencies needed to meet minimum health, safety, accessibility, and fire code requirements.

FIGURE 2
San Bernardino Courthouse—Courtroom (Department 15)



Many courtrooms are undersized and some have columns in the center of the litigation area. The judicial bench areas are small and unsuited for the technology required in modern courtrooms. There is inadequate space for multiple courtroom clerks, required for the high volume traffic and small claims calendars.

FIGURE 3
San Bernardino Courthouse—In-Custody Defendant in Public Corridor



Central in-custody holding is located on the fourth floor of the historic courthouse and is used during the day to house prisoners that are transported from the county jail for their court hearings. When in-custody defendants are taken to the courtrooms in the historic courthouse, they are brought down the single secure elevator and taken to the courtroom through public corridors. The deputy has to clear the hallways before taking

them to the courtroom. There are no holding cells in the historic courthouse.

San Bernardino Courthouse Annex (T-Wing)—11 Courtrooms

The T-Wing is connected to the historic San Bernardino Courthouse and provides additional courtrooms, jury assembly, and clerk support space. This facility was designed and constructed in 1958 as an office building and is not suited for court space. All of the courtrooms are undersized for jury trials and some contain columns in the litigation areas. There is a general lack of courtroom support space such as attorney conference rooms and witness waiting areas. Clerk’s office workspace and filing areas are also extremely undersized. The T-Wing has security corridors that connect to the central holding area in the historic courthouse on the third, fourth, and fifth floors. Prisoners are brought from the jail through secure stairwells to the staff corridors behind the courtrooms. There are no holding cells directly accessible to the courtrooms; the only secure areas are a holding room on the third floor with limited capacity and an interview room on the fourth floor. This building was rated physically adequate by the task force and marginal by the master planning team and functionally deficient by both teams. The master plan recommended replacement. Figures 4 and 5 are photographs of the existing facility.

FIGURE 4
San Bernardino Courthouse Annex—Line at Entrance



The public is forced to queue outside the facility while waiting to pass through screening, where daytime temperatures easily reach over 105 degrees in summer and average winter rainfall is 3 1/2 inches per month. Jury pool participants arrive in significant numbers exasperating the lengthy wait time.

FIGURE 5
San Bernardino Courthouse Annex—Entry/Security Screening



Insufficient space in foyers prevents the addition of additional screening stations to speed the process. Public circulation is extremely undersized, particularly the public elevators.

FIGURE 6
Court Executive Office—Executive Administrative Office



Court Executive Office—No Courtrooms

These offices were renovated in 1994; however the renovation did not include the restrooms, which are not fully ADA accessible. There are accessibility and life safety issues that need to be addressed, including upgrade to the fire alarm, fire sprinkler, and building security systems. Other deficiencies that need to be addressed are accessibility, minor plumbing, and mechanical

equipment upgrades. This building was rated physically adequate by the master planning team but was not reviewed for functionality by either team. Figure 6 is a photograph of the existing facility.

Appellate and Appeals North Annex—No Courtrooms

The Appellate and Appeals Division was renovated in 1996 and 2001. Most of the building systems are within their expected life cycle and functioning properly. The fire alarm and building security system need replacement. This building was rated physically adequate by the master planning team but was not reviewed for functionality by either team.

FIGURE 7

Juvenile Delinquency Courthouse—Main Entrance



Juvenile Delinquency Courthouse—3 Courtrooms

This building was constructed in 1968 and most of the building systems are beyond their expected life cycle. Every courtroom is undersized even for juvenile proceedings; there is a severe lack of clerical and filing space. Judges and staff are forced to utilize in-custody circulation to reach some of the courtrooms. This building was rated physically marginal by the task force and the master planning team and

functionally deficient by both teams. The master plan recommended replacement. Figures 7 and 8 are photographs of the existing Juvenile Delinquency Courthouse.

FIGURE 8
Juvenile Delinquency Courthouse—Waiting Area



There have been upgrades to the interior finishes, lighting, and mechanical systems; however, this building is exposed to a heavy pedestrian traffic and the interiors are worn and deteriorated. The space is not large enough to handle the volume of traffic. Public circulation is extremely undersized.

FIGURE 9
Redlands Courthouse—Main Entrance



Redlands Courthouse—2 Courtrooms

This facility was originally constructed in 1961. Although well maintained, many of the building systems are beyond their expected life cycle. Life safety deficiencies that need immediate correction include fire detection and fire suppression systems along with modifications to make the facility accessible. The facility is undersized for the current volume. Court operations have outgrown the facility,

causing overcrowding in public corridors, lack of clerk and file space, and undersized courtrooms. In addition, columns in the courtrooms obscure proper sightlines during proceedings. Jury assembly space is located in an adjacent building, and prisoners are walked across the parking lot from the jail due to lack of holding cells in the court facility. This building

was rated physically adequate by the task force but deficient by the master planning team and functionally deficient by both teams. Figure 9 is a photo of the existing facility.

FIGURE 10
Twin Peaks Courthouse—Courtroom (Department 1)



**Twin Peaks Courthouse—
1 Courtroom**

This building was constructed in 1976 and most of the building systems are beyond their expected life cycle. Life safety deficiencies that need correction include accessibility, fire alarm, fire sprinklers, and mechanical upgrades. This building is shared with other government agencies. No security screening is provided and court visitors mingle with visitors to other agencies. The courtroom is

undersized and poorly organized. This building was rated physically adequate by the task force but marginal by the master planning team and functionally deficient by both. Figure 10 is a photograph of the existing facility.

III. OPTIONS ANALYSIS

A. Introduction

The purpose of this section is to compare potential reuse options for the existing facility, two project completion options, and three financial delivery options for construction of a new court facility in San Bernardino for the superior court.

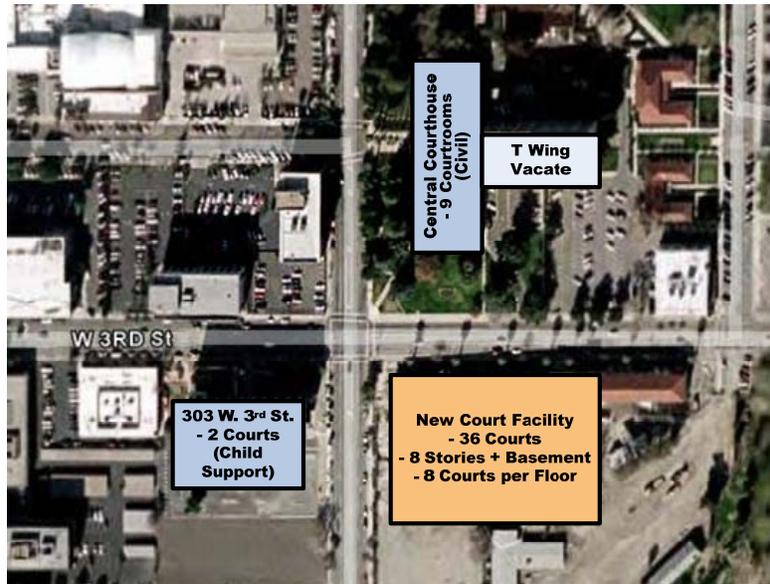
B. Facility Options

The AOC and the court examined several options for how the existing historic San Bernardino Courthouse and T-Wing facilities in San Bernardino could be reused to meet the need for providing 47 courtrooms for the superior court in downtown San Bernardino. The court and the AOC discussed two primary options at meetings with the court, county, and city in July and August 2006. The two primary reuse options discussed were:

- Option A: Partial Reuse. Construct a new 36-courtroom facility; continued use of the historic San Bernardino Courthouse for nine civil courtrooms with modifications undertaken by the county, and permanent leasing of a portion of the 303 West 3rd Street temporary swing space for two AB 1058 child support commissioner courtrooms. In this option, the T-Wing would be vacated. This option proposes a suitable reuse of the historic court for non-criminal functions and leverages the county's planned investment in both seismic and tenant improvements to this facility. It also provides separate facilities for the AB 1058 commissioners, which the court prefers. This option also consolidates criminal functions in the new building. With a total cost of \$309.3 million, this option is nearly \$66 million less costly to the state than Option B. Option A is the recommended reuse option for the project.

A site diagram is provided in Figure 11.

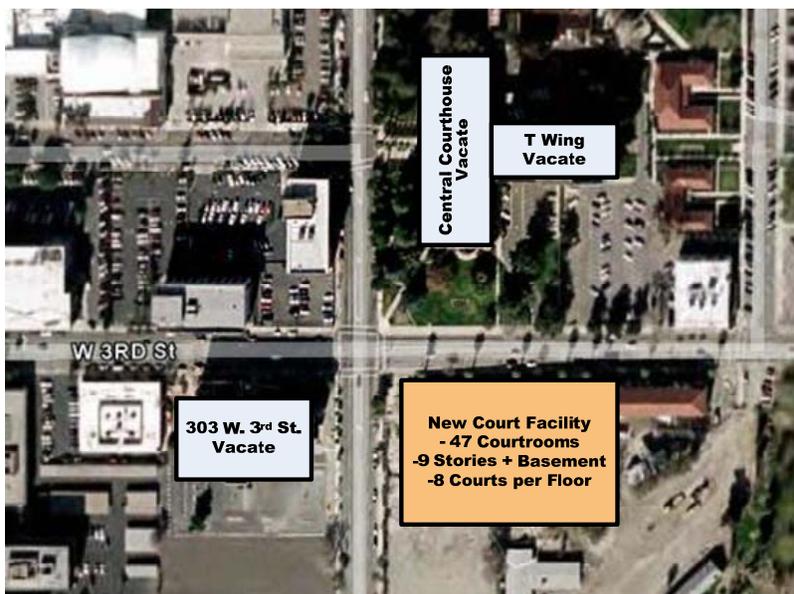
FIGURE 11
Facility Reuse Option A—Site Diagram



- Option B: New Facility. Construct new 47-courtroom facility, estimated to cost approximately \$381.3 million (including land acquisition costs). In this option, all existing facilities would be vacated. While Option B provides a consolidated operation for the court resulting in maximum efficiencies, it is the highest cost option.

A site diagram is provided in Figure 12.

FIGURE 12
Facility Reuse Option B—Site Diagram



The court and the AOC also explored a reuse option in which the T-Wing was used for a portion of the criminal cases, but this option was rejected by the court because it would result in splitting the criminal calendar—75 percent of current caseload—into two locations and therefore increase annual operating costs. This option had lower development costs than either of the two options, but split the court into four locations.

C. Project Development Alternatives

The primary objective of this analysis is to compare alternative methods of developing the proposed capital project to meet the future needs of the court. Two alternatives for the construction of a new facility were evaluated based on their ability to meet current and projected need for new judges, programmatic requirements, and their short and long-term cost to the state.

- **Project Alternative 1: Complete construction of all space.** In this option, all 36 courtrooms and related support space are constructed and finished at one time for current judges, the eight judges for this project in the 50 judgeships approved in the Fiscal Year 2006-2007 budget pending the Governor's approval, and the three judges included in the request for new judgeships planned for FY 2007–2008 and FY 2008–2009, which are likely to be approved before the project is finished, are constructed at one time. A building of 356,390 building gross square feet (BGSF) will be constructed and all 36 courtrooms and associated support space will be completed in this option. The total cost of this option is \$309.3 million.
- **Project Alternative 2: Leave space unfinished in new facility for future judgeships.** In this alternative, space for future judgeships proposed for FY 2007–2008 and FY 2008–2009 will be left unfinished and completed as needed. The unfinished courtrooms are for San Bernardino allocation of the 100 judges recommended by the Judicial Council, but no currently included in proposed legislation. This option constructs a building of 356,390 BGSF will be constructed, but only 33 of 36 courtrooms will be completed. A total of approximately 15,000 departmental gross square feet (DGSF) will be left unfinished and completed five years after completion of the construction of facility because the additional three judges are likely to be approved before the project is completed. The estimated cost of phase one, which provides 33 of 36 courtrooms is \$303.6. The phase two cost to finish out the additional three courtrooms in five years is \$9.2 million. The total project cost of Project Alternative 2 is \$312.8 million, \$3.5 million more than Project Alternative 1.

Analysis of Alternatives:

The unique costs, advantages, and disadvantages of each project option are described in the following section. Each option will provide a new court facility that meets the current and long-term needs of the court that is appropriately sited to meet the requirements of both the state and the local community.

Project Alternative 1: Complete construction of all space

Advantages:

- All courtrooms and related spaces are made available to serve immediate and mid-term needs of the court and the community.
- The long-term cost of this option is lower than Alternative 2 because construction is completed in one phase.
- This option will not result in any future disruption to court operations because construction is completed in one phase.
- As recommended by the Judicial Council, pending legislative approval, the remaining new judgeships are to be allocated in Fiscal Years 2007–2008 and 2008–2009. With this option, the required space will be available when it is needed.

Disadvantages:

- The short-term cost to the state is higher in comparison to the cost of Alternative 2 in which fewer courtrooms are finished or constructed in the initial construction contract.
- The future allocation of judgeships could be delayed, leaving the three of the 36 courtrooms potentially vacant for a period of time.

Project Alternative 2: Leave space unfinished in new facility for unapproved judges

Advantages:

- The state is not required to complete facility construction for judges not yet approved.
- The overall project cost is higher in comparison to the cost of Alternative 1, but the initial cost to the state is lower than Alternative 1.
- Potential for interim use of the shell space by the county or others can be explored and could provide rental income to offset operational or some capital costs.

Disadvantages:

- The cost of completing the unfinished space is higher in the future than if the new facility was completely finished in one phase.
- As recommended, the remaining new judgeships may be allocated in Fiscal Years 2007-2008 and 2008-2009, prior to the projected tenant improvement completion date of 2017.
- Future court operations will be disrupted by the construction required to finish out the space left unfinished under the first construction contract.

Recommended Project Alternative

Based on the analysis of relative costs and the benefits described above, the recommended project alternative is Project Alternative 1: Complete construction of all space. This option achieves space for additional judges included in the first 50 and next 100 new judgeships, which are likely to be approved before the project is completed in 2013. This option is the most cost effective in the long term because the cost of finishing out all 36 courtrooms in the new facility is less expensive than the long-term cost of implementing Project Alternative 2.

D. Financial Alternatives

Three financing options have been developed for the recommended project alternative (Project Alternative 1 described above). These options are evaluated based on their short and long-term cost to the state and ability to support AOC objectives for implementing as many capital-outlay projects as possible with limited funds.

The first option is to use a combination of pay-as-you-go funding for the pre-construction phases of the project and revenue bond financing for construction; the second option is to pay-as-you-go funding for all phases of the project; and the third option is to use private financing for the project and negotiate a lease-to-purchase arrangement.

For purposes of this analysis, a 30-year time frame was evaluated for results that may indicate cost savings to the state in the long-term. The long-term analysis attempts to compare the final costs to what would be considered the life expectancy of new building systems.

The alternatives presented typically do not have their costs uniformly distributed. The construction of a new facility through a full pay-as-you-go option will incur higher initial costs than will financing the construction phase using lease revenue bonds financing. In the full pay-as-you go option the state will pay the complete capital up-front for site acquisition, architectural and engineering services, and construction. The third option—construction of a new facility through a private financed lease-purchase—will also have lower initial and yearly costs because the state will not have to pay the costs of delivering the facility. A private developer may be able to construct a building more quickly than the public sector. The shorter construction schedule will reduce cost escalation. However, in the long term, financing costs on a private financed project, assuming private sector financing rates, will result in higher overall costs and potential quality reductions.

These are the three alternatives studied:

1. Partial Revenue Bond Financing

In this alternative the state would pay, at delivery, for site acquisition, preliminary plans, and working drawings. The construction phase would then be financed by the sale of lease revenue bonds at interest rates available through state tax-exempt financing. The state would directly manage all aspects of project development. This is a more complicated approach for transaction and slightly greater state agencies resources needed.

2. Pay-As-You-Go

Like Alternative 1, the state would directly manage all aspects of project development. However, in this approach, the state would pay for all project costs. The state would fund site acquisition, design, and construction on a pay-as-you-go basis.

3. Private Financing/Lease Purchase

A lease-purchase arrangement with a private party would allow the state to own the facility and land after a predetermined number of years (this study assumes 30 years). The state would select the potential site, and the private developer would then purchase it or lease it back from a state purchase. The private developer would manage the design and construction of the building according to AOC specifications. The analysis assumes the project would be financed at a private-sector rate, which could be considerably higher than the interest rate available through a tax-exempt financing mechanism available if the state finances the building.

The alternative to lease space with no future equity was not considered feasible for this project. Due to the size of the court facility, existing viable space is not available in downtown San Bernardino. A new build-to-suit rental will not result in equity at the same expense. Court occupancies are not a re-usable program for other uses so potential landlords will need to recoup their entire investment through the rent to the court.

E. Analysis of Alternatives

It is difficult to predict the economic environment in 30 years so the following assumptions were made:

- The total project cost² without financing is \$309,307,000. Total cost by project phase includes: Acquisition Phase at \$10,644,000, Preliminary Plans Phase at \$13,035,000, Working Drawings Phase at \$17,331,000, and Construction Phase at \$268,297,000.
- It is understood that the actual results could change, depending on the economic environment and when the actual solution is implemented. The estimates were done by applying current cost rates and using the best estimated projected cost rates.
- For the purpose of calculating the cost analysis projections, a uniform inflation rate was used throughout the entire 30-year time study.
- The economic analysis is based on a conceptual cost estimate and on a hypothetical building; it does not represent a specific construction type, the use of specific building materials, or a predetermined design. The analysis is based on a series of set performance criteria required for buildings of similar type and specifications.
- The estimates do not include support costs such as utilities and facilities maintenance. Each option is assumed to have similar operating and maintenance expenses.

² Total project cost is July 2006 cost escalated to start and mid-point of construction based on the construction schedule provided in Section IV of this report.

The unique costs, advantages, and disadvantages of each option are described in the following section. Each option will ultimately result in the state owning the real estate asset, can provide a new court facility that meets the needs of the court and is appropriately sited to meet the requirements of both the state and the local community.

1. Finance Alternative 1: Partial Revenue Bond Financing

With this alternative, the state would pay-as-you-go for site acquisition, preliminary plans, and working drawings. The construction phase would then be financed with lease revenue bonds.

The final cost by the end of the time period 2007–2038 is \$523.3 million. With this alternative, the state would make a monthly-amortized payment of \$1.6 or \$19.3 million per year for 25 years beginning in 2012 and ending in 2037. The interest rate used for the purpose of this estimate was 5.25 percent.

The main benefit of this alternative is that the total development costs of the project are distributed throughout a longer period.

In the long term, Finance Alternative 1 has the second lowest overall costs of the three alternatives analyzed because the state will pay lower interest rates on projects funded through lease revenue bonds than a developer will pay to secure private financing.

Advantages:

- The majority of the costs to the state—the cost of the construction phase—are distributed over 25 years; amortizing the cost of the new courthouse to the many generations that will benefit from use of the facility.
- This option provides maximum control over the building design process and construction, resulting in a higher quality public building.
- The overall total development cost is lower than the developer financing lease-purchase alternative.
- The upfront costs are lower than Finance Alternative 2 because the state is funding only the land acquisition and design costs in the first two to three years of the project.

Disadvantages:

- The overall cost, including financing, is higher than Finance Alternative 2.

2. Finance Alternative 2: Pay-As-You-Go

With this alternative, the AOC would pay-as-you-go for all phases of the development of the new court facility. The final cost by the end of the time period 2007–2037 is \$309.3 million.

This option is the least expensive of the three alternatives analyzed because there are no financing costs. However, this alternative requires funding for all project phases and greater “one-time” demands on the state budget.

Advantages:

- The overall development cost is lower than all the other alternatives due to the lack of financing costs.
- Like Finance Alternative 1, this option provides maximum control over the building design process and construction, resulting in a higher quality public building.

Disadvantages:

- The state must fund all development costs of the project within the first four to five years of the project.
- This alternative reduces the number of court projects that can be addressed immediately with the limited state resources available.

3. Finance Alternative 3: Private Financing/Lease Purchase

This alternative provides the new facility through a private financed lease-purchase agreement. In this option the state would select the potential site, and the developer would then purchase it and fund and manage construction of a new facility according to AOC specifications.

This alternative provides the AOC an opportunity to build a new facility with no upfront costs, but a higher overall cost than the other two options. The long-term cost for all project phases—site acquisition, design, and construction—is distributed over 30 years, during which time the state will make monthly lease payments and will own the facility upon retirement of debt. At the end of the 2007–2043 time period, the final estimated cost is \$666.7 million. The AOC would make a monthly-amortized payment of \$1.9 or \$22.2 million per year for 30 years, beginning in 2012, when the facility is estimated to be completed, and ending in 2042. The interest rate used for the purpose of this estimate was 7 percent.

The differences between this alternative and Finance Alternative 1 are this option has no upfront costs and the higher final costs have been distributed over a longer period. It might be possible to complete the new building in a shorter period because this alternative would not require a multi-step funding request process.

Advantages:

- The cost to the AOC is distributed over a longer period of time as compared to the other alternatives.
- There are no immediate capital costs to the state—the entire project development cost is financed by a private developer.
- The new facility may be completed in a shorter amount of time.

Disadvantages:

- The overall long-term cost is higher than for Finance Alternatives 1 and 2 due to the cost of private sector financing.
- The state may have less control over the design process and the detail and quality of construction, than in Alternatives 1 and 2 because the private developer, not the State, is directly managing the design team and the contractor to deliver the project.

F. Recommended Financial Alternative

The 30-year analysis attempts to provide a long-term cost comparison. By the end of the 30-year period analyzed, the private financed lease-purchase option proves to be the most costly at \$666.7 million. The second-highest cost alternative is to build a new facility through the partial revenue bonds financing option, with a final cost of approximately \$523.3 million. Building a new facility using pay-as-you-go funding appears to be the least costly in the long term with an estimated cost of \$309.3 million.

Reviewing the final costs, it is clear that the most cost-effective alternative to construct a new facility using the pay-as-you-go method because this alternative has the lowest estimated cost. However, the partial revenue bond financing alternative allows the AOC to finance the most costly portion of the project and therefore reduce the initial cost to the state and allow the construction of more needed new court facilities.

A summary of estimated costs and NPV totals is provided in Table 5.

TABLE 5
Summary Total Estimated Cost—2007–2043

	Alternative 1 Partial Revenue Bond Financing	Alternative 2 Pay-As-You-Go	Alternative 3 Private Financing Lease-Purchase
Total Estimated Cost	\$523,340,892	\$309,307,000	\$666,735,984
Estimated Net Present Value (NPV)	\$321,386,674	\$284,856,127	\$365,729,105
NPV % of Total Cost	61%	92%	55%

See Appendix B for additional financial information.

IV. RECOMMENDED PROJECT

A. Introduction

The recommended solution to meet the court's facilities needs in the downtown San Bernardino area is to construct a new courthouse. The following section outlines the components of the recommended project, including project description, project space program, courthouse organization, parking requirements, site requirements, design issues, estimated project cost and schedule, and estimated impact on the court's support budget.

B. Project Description

The proposed project includes the design and construction of a new San Bernardino Court for the Superior Court of California, County of San Bernardino. The project replaces and consolidates seven existing facilities and will include 36 courtrooms; court support space for court administration, court clerk, court security operations and holding; and building support space. Secure parking, sallyport, and in-custody holding will be located at the basement level. Parking to support the 11 courtrooms added to the existing City of San Bernardino courtroom total will be provided onsite with surface parking for visitors, jurors, and staff. Parking to support the existing 36 courtrooms will continue to be provided at the existing surface parking lots shared with the county.

The proposed new building will be approximately 356,390 BGSF.

The recommended option includes the retention and reuse of two facilities: the historic San Bernardino Courthouse and the leased 303-3rd Street facility. The civil calendar will be located at the San Bernardino Courthouse with nine courtrooms and their support space, the civil division clerk's office, and the civil alternative dispute resolution center. The grand jury will also be located in this building. Building support such as security screening, justice agency space, file storage, and staff support will also be provided.

The civil and grand jury functions will occupy the entire historic San Bernardino Courthouse.

The child support functions will be located in leased space at 303-3rd Street. The court receives funding for leased facilities for the AB 1058 functions so they will remain at this site for the long-term. Functions at this site will include two courtrooms and their support space, and the family court child support division staff. Building support such as security screening, justice agency space, file storage, and staff support will also be provided.

Child support functions will occupy approximately 20,000 BGSF in the 3rd Street building.

C. Space Program

Space needs are based on the program provided in the master plan and recently confirmed by the court. The revised space program is based on the *California Trial Court Facilities Standards*. The overall space program summary is provided in Table 6.

TABLE 6
Space Program Summary for San Bernardino Court Facilities

Facility	Courtrooms	Projected Staff	BGSF
Historic San Bernardino Court—Civil Court	9	48	63,650
303-3rd Street—Child Support	2	36	19,944
New Court Facility	36	649	356,390
San Bernardino Totals	47	733	439,984

Summary space requirements for the civil calendar are provided in Table 7. The space program was created to estimate the amount of space required by the civil calendar. These functions will be located in the existing historic courthouse so actual square footages will vary.

TABLE 7
Space Program Summary for San Bernardino Civil Court

Division	Projected Staff	Projected Square Feet
Courtsets/Judiciary	31	31,308
Grand Jury	1	1,339
Civil Division Staff	16	6,685
Court and Building Operations	-	7,816
Total Staff and Departmental Gross Square Feet	48	47,148
Interdepartmental Circulation/Restrooms/Bldg. Support	25%	11,787
Building Envelop/Mechanical/Electrical	10%	4,715
Total Building Gross Square Feet		63,650

Summary space requirements for the child support functions are provided in Table 8. The space program was created to estimate the amount of space required by the child support calendar. These functions will be located in the existing 3rd Street swing space so actual square footages will vary.

TABLE 8
Space Program Summary for San Bernardino Child Support Court

Division	Projected Staff	Projected Square Feet
Courtsets/Judiciary	7	6,650
Family-Child Support Division Staff	29	5,967
Court and Building Operations	-	2,156
Total Staff and Departmental Gross Square Feet	36	14,773
Interdepartmental Circulation/Restrooms/Bldg. Support	25%	3,693
Building Envelop/Mechanical/Electrical	10%	1,477
Total Building Gross Square Feet		19,944

Summary space requirements for the new court facility are provided in Table 9.

TABLE 9
Space Program Summary for New San Bernardino Court

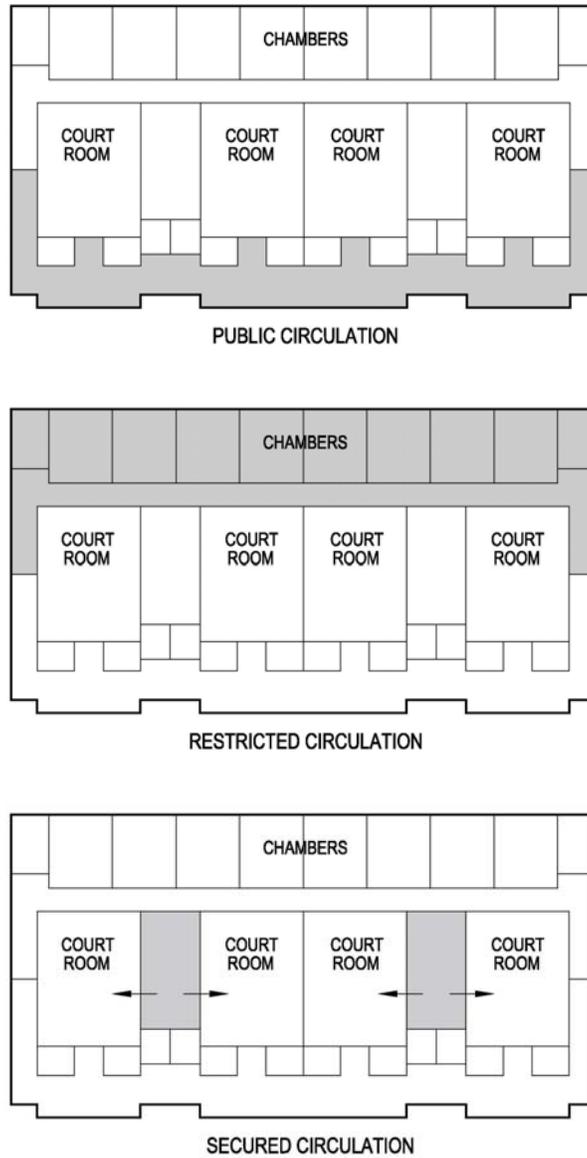
Division	Projected Staff	Projected Square Feet
Presiding Judge/Court Executive Officer and Operations Support	13	3,795
Court Executive Office, Administrative Services, Legal Research, Technology, and Fiscal Services	155	22,970
Courtroom and Judicial Support	121	12,327
Courtsets/Judiciary	136	135,548
Criminal Division	54	12,245
Appeals & Appellate Division	17	3,756
Juvenile Division	24	3,877
Family Division Public Counters	21	6,386
Family & Children's Services Division	60	11,967
Family Law Facilitator & Self-Help Services	31	6,604
Court and Building Operations	17	44,520
Total Staff and Departmental Gross Square Feet	649	263,993
Interdepartmental Circulation/Restrooms/Bldg. Support	25%	65,998
Building Envelop/Mechanical/Electrical	10%	26,399
Total Building Gross Square Feet		356,390

Detailed program data is provided in Appendix C.

D. Courthouse Organization

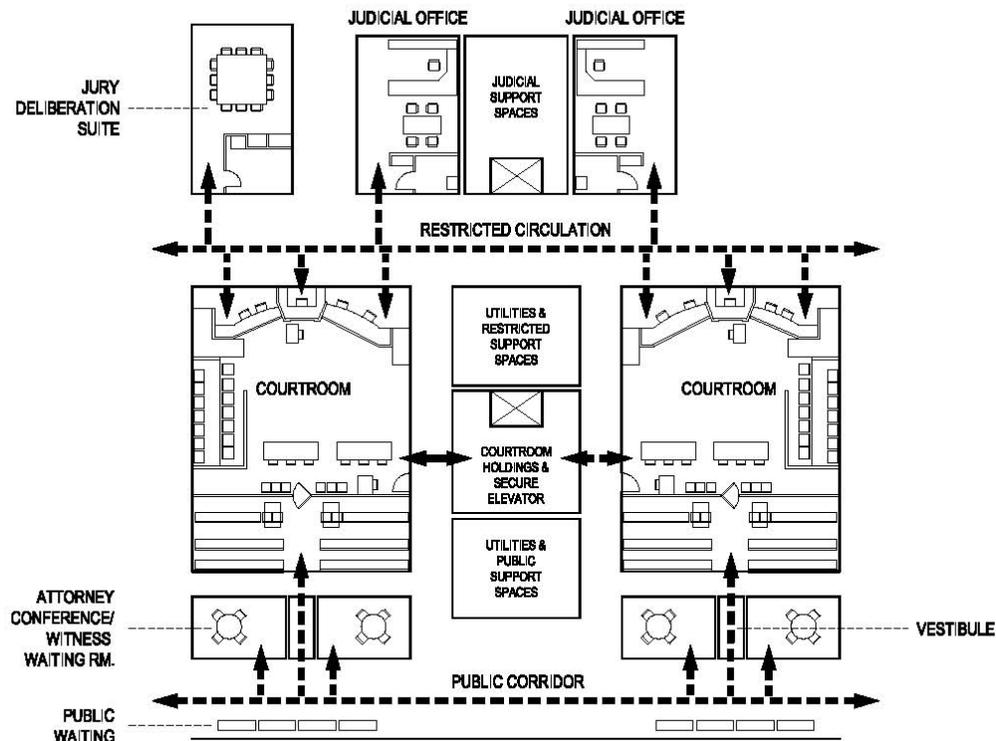
Per the *California Trial Court Facilities Standards*, courthouses that hear criminal cases require three separate and distinct zones of public, restricted, and secured circulation. The three zones of circulation shall only intersect in controlled areas, including courtrooms, sallyports, and central detention. Figure 13 illustrates the three circulation zones.

FIGURE 13
Three Circulation Zones



The court set includes courtrooms, judicial chambers, chamber support space, jury deliberation room, witness waiting, attorney conference rooms, evidence storage, and equipment storage. A restricted corridor connects the chamber suites with staff offices and the secure parking area. Adjacent to the courtrooms is the secure courtroom holding area, accessed via secured circulation. Figure 14 illustrates how a typical court floor should be organized.

FIGURE 14
Court Floor Organization



E. Site Selection and Requirements

The selection of an appropriate site for the new courthouse is a critical decision in the development of the project. Several factors, including parking requirements, the site program, site selection criteria, site availability, and real estate market analysis will be considered in making a final site selection.

1. Parking Requirements

The court currently shares several surface parking lots with the County of San Bernardino at the existing campus of court and county buildings in downtown San Bernardino. Parking is not designated by function and available at no charge. The court and county have agreed that parking for this project will be provided to support the new courtrooms only. Staff, visitor, and juror parking for 11 new courtrooms, a total of 385 spaces, will be provided in a surface lot on the proposed site. Parking for visitors, staff, and jurors to support the existing 36 courtrooms will remain at its current location. This project includes 40 parking spaces for JPEs and court executives in a basement level secure parking area.

For the 11 courtrooms, parking need was calculated at 35 spaces per courtroom. The AOC will begin a parking study in September 2006 which will result in recommended

parking standards for court facilities statewide. The parking required for this project will be reevaluated during the site acquisition phase and may be subject to reduction.

The county is beginning a facilities master planning process for their space in San Bernardino which may lead to a decision to construct facilities on the sites currently dedicated to surface parking. The AOC and county will continue discussion of joint parking development to support the courts in the context of the county’s plans to redevelop their sites.

2. Site Program

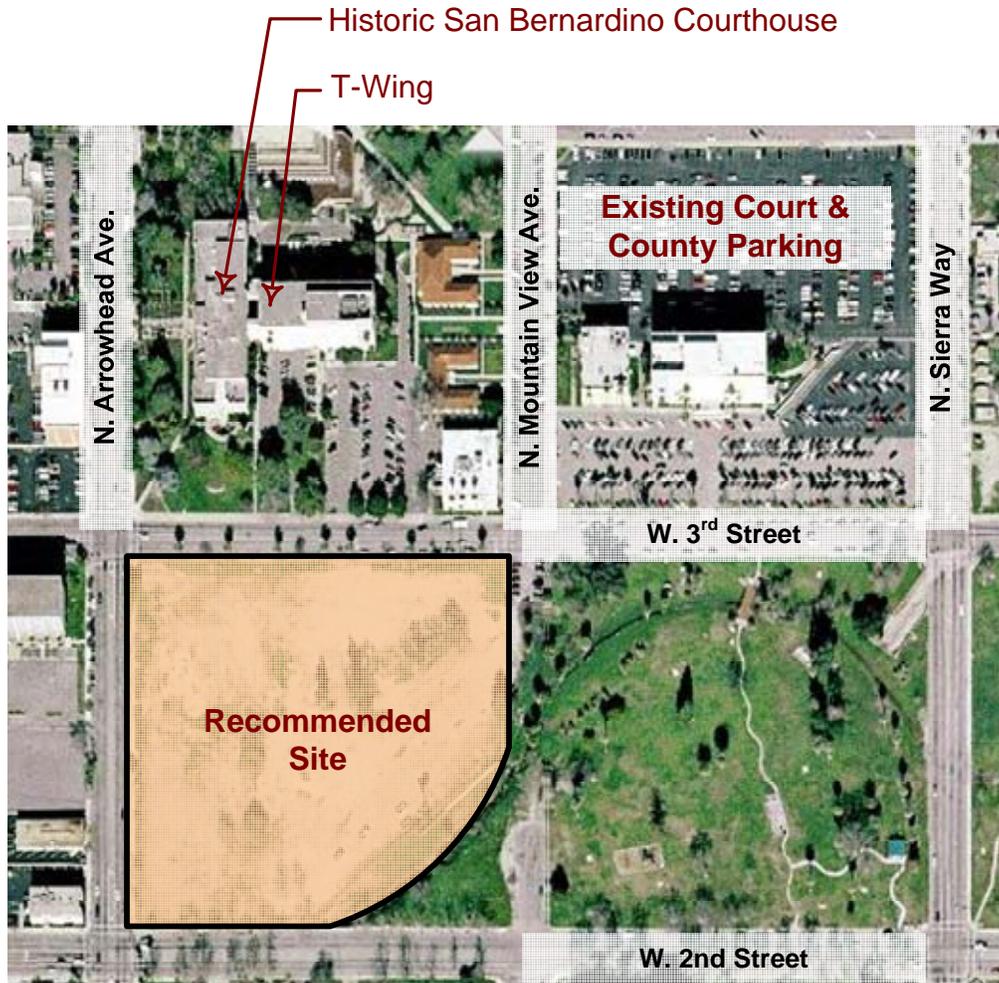
A site program was developed for the recommended option. Table 10 below delineates that a minimum site area of 6.74 acres has been identified to accommodate the needs of the court, including site elements, landscaping, and site setbacks. The calculation of site acreage needed has been done on a formula basis, which assumes a flat site. The approach does not take into account any environmental factors, topographic features, or other unique characteristics of a site, and thus should be viewed as a guide to site acreage requirements.

TABLE 10
Site Program

Site Function	Square Footage Required	Comments
Building and Grounds	52,090	Building footprint, adjacent grounds
Parking and Drives	134,750	Required parking spaces, driveways
Site Requirements and Amenities	40,399	Public plaza, commons, pedestrian circulation, common entry drives, road extension
Easements and Setbacks	66,278	Easements, setbacks, existing slopes, existing trees, encroachments
Total Requirement	293,517	6.74 acres

The City of San Bernardino will provide a site for the new court representing a significant donation to the state for the project. Refer to Appendix D for a copy of the City of San Bernardino resolution on this site donation. The new site is located immediately south of the existing historic San Bernardino Courthouse. The site is currently vacant and will be used temporarily for surface parking to support the county administration center. Figure 15 illustrates the location of the recommended site.

FIGURE 15
Recommended Site



F. Design Criteria

Per the *California Trial Court Facilities Standards*, California court facilities shall be designed to provide long-term value by balancing initial construction costs with projected life cycle operational costs. To maximize value and limit ownership costs, the standards require architects, engineers, and designers to develop building components and assemblies that function effectively for the target lifetime. These criteria provide the basis for planning and design solutions. For exact criteria, please refer to the *California Trial Court Facilities Standards*, which were approved by the Judicial Council on April 21, 2006.

G. Sustainable Design Criteria

Per the *California Trial Court Facilities Standards*, architects and engineers shall focus on proven design approaches and building elements that improve court facilities for building occupants and result in cost-effective, sustainable buildings. All courthouse projects shall be

designed for sustainability and, at a minimum, to the standards of a LEED™ 2.1 “Certified” rating. Depending upon the project’s program needs and construction cost budget, projects may be required to meet a higher standard. At the outset of the project, the AOC will determine whether the project will participate in the formal LEED certification process of the United States Green Building Council.

For additional criteria, performance goals, and information on energy savings programs please refer to the *California Trial Court Facilities Standards*.

H. Provision for Correction of Seismic Deficiencies and Disposition of Property

In accordance with the Trial Court Facilities Act of 2002 (Senate Bill 1732 (Escutia)), the Judicial Council will acquire responsibility for, and in some cases, title to existing court facilities through a transfer process that is now underway. This transfer process began July 1, 2004 and must be complete by July 1, 2007. Existing facilities affected by proposed projects must be transferred to the state before the DOF will release funds for new projects.

When a facility has been rated seismically deficient, neither title nor responsibility can be transferred until provision is made for correction of the deficiency. At this time, no agreements as to specific provision for correction of a seismic deficiency have been fully negotiated or executed. Provisions that may be made in lieu of seismic retrofit of an existing building are expected to include:

- Donation of land for a new court facility or parking;
- Financial contribution by lump sum or negotiated payment over time towards the cost of a new court facility, or
- A combination of both land donation and financial contribution.

Solutions to correct the seismic deficiency for this project have not yet been identified, however, through the course of the transfer process the AOC will focus on solutions that provide best value to the state.

Neither the total cost of required corrections nor the valuation of possible provisions for correction has been established for this project. These will be examined further as the transfer process progresses. A court-county working group on seismic issues convened in June and July of 2006. This group established guidelines to allow the AOC to work with the counties to determine what provisions for corrections will be acceptable.

Once a new project is completed, existing court property that has transferred to the state but is no longer needed by the court will be disposed of in accordance with SB 1732 and other applicable laws.

I. Estimated Project Cost

The estimated project cost to construct the recommended project is \$309.3 million, without financing costs. This is based on a project of 356,993 gross square feet with 385 surface parking spaces and 40 basement level secure parking spaces.

Construction costs are estimated to be \$251.7 million and include site grading, site drainage, lighting, landscaping, drives, loading areas, vehicle sallyport, and parking spaces. Construction costs include allowances for furniture, fixtures, and equipment (FF&E) and data, communications, and security. Construction costs are escalated to the start and midpoints of construction and carry a 5 percent contingency.

Project costs are added to the construction costs and include fees for architectural and engineering design services, inspection, special consultants, geotechnical and land survey consultants, materials testing, project management, CEQA due diligence, property appraisals, legal services, utility connections, and plan check fees for the state fire marshal and access compliance.

This project has several cost offsets, including the following:

- The City of San Bernardino will donate land for the new courthouse project.
- The County of San Bernardino will redirect \$8.8 million in funding from the seismic retrofit and remodel project at the T-Wing to the new courthouse project.
- The County of San Bernardino will contribute the equity value of the existing court space in existing county buildings in the approximate amount of \$2.7 million.
- The County of San Bernardino is willing to support an increase in the maximum surcharge on civil filing fees from \$35 to \$50 to provide funding for construction of a new courthouse.

The detailed cost estimate is provided in Appendix B.

J. Project Schedule

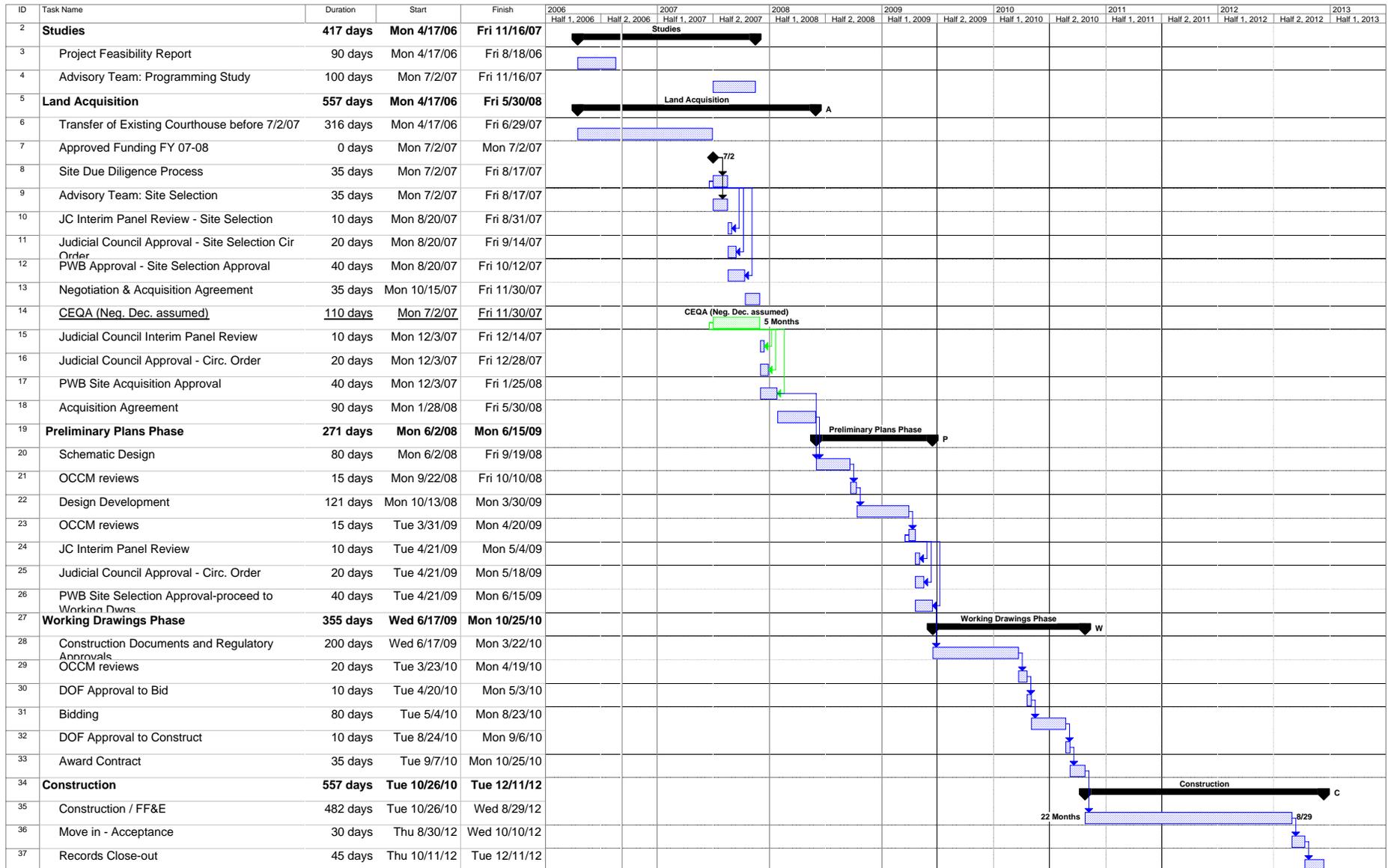
Preliminary project schedules have been developed assuming that funding is included in the 2007-2008 budget act and the site acquisition process is successful.

Proposed Project Schedule

Land Acquisition (including CEQA)	July 2007–May 2008
Preliminary Plans	June 2008–June 2009
Working Drawings	June 2009–October 2010
Construction	October 2010–December 2012

The project schedule is provided in Figure 16.

FIGURE 16
 Project Schedule



K. Impact on Court's 2007–2008 Support Budget

Impact on the trial court and the AOC's support budgets for FY 2007–2008 will not be material. It is anticipated that this project will impact the AOC and trial court support budgets in fiscal years beyond the current year as certain one-time costs and ongoing costs are incurred. These costs that are directly associated with the construction and commissioning of the new courthouse are included in the estimate of project cost that precedes this section. In the long term, a new facility will be more efficient to operate due to consolidation improved systems and use of space. This will result in lower operating costs when reviewed incrementally.

The court will assign eleven new judgeships to this site. Funding for eight of the new judgeships and associated staff are included in the FY 2006–2007 State Budget Act and authorized in proposed legislation, SB 56. The remaining three new judgeships are recommended for establishment in FY 2007–2008 and FY 2008–2009, pending future legislative approval. Funding for facilities is included in the SB 56 legislation and will be used to offset operations and maintenance costs of the new facility to the extent allocated to the court.

APPENDIX A

A. Executive Summary of the 2003 Master Plan

Introduction

The Lockyer-Isenberg Trial Court Funding Act of 1997 shifted responsibility for funding trial court operations from the counties to the state and established the Task Force on Court Facilities (Task Force) to identify facility needs and possible funding alternatives. It was the overarching recommendation of the Task Force that responsibility for trial court facilities funding and operation be shifted from the counties to the state. The Task Force developed a set of findings and recommendations after surveying the superior court facilities to identify the functional and physical problems of each facility.

In June 2001, the AOC began a capital planning process to develop a facility master plan for each of the 58 trial courts in California. Each master plan was guided by a steering committee or project team composed of members of the local court, county administration, county justice partners, and the AOC. The master plans confirmed the Task Force findings related to physical and functional conditions, refined the caseload projections for each court, considered how best to provide court services to the public, developed judicial and staffing projections, and examined development options for how best to meet goals related to court service, operational efficiency, local public policy, and cost effectiveness.

The Facilities Master Plan prepared for the Superior Court of California County of San Bernardino, dated January 20, 2004, built upon the Task Force findings. The goal of the master plan was to develop a practical, cost-effective, 20-year framework for phase facility improvements to meet anticipated operational and service needs. The master plan presented the facilities options and made recommendations.

The executive summary from the master plan is provided here as a reference document.

**Superior Court of California, County of San Bernardino
Court Facilities Master Plan**

The Superior Court of San Bernardino County is projected to grow in annual workload, judicial position equivalents (JPEs), and staff during the next twenty years. To accommodate these needs, the master plan proposes the following actions:

1. Construct new full-service regional facilities in locations best suited to provide public access to the courts;
2. Replace facilities that have been found to be deficient in space, function, and physical condition; and
3. Renovate and expand existing facilities where feasible.

The plan creates three regional justice centers in San Bernardino, Rancho Cucamonga, and the high desert region between Victorville and Barstow. In addition, smaller branch courts are maintained and in some cases expanded to provide public access to the courts in the more remote regions of the county.

The phasing of construction of new facilities in San Bernardino County is critical for meeting the short and long-term needs of the court. Caseload has grown substantially in the last twenty years; however, the last major facility to be constructed in the county was the Rancho Cucamonga courthouse in 1985. Other smaller projects have been constructed, but have not kept pace with caseload growth, causing a significant shortage of space. The construction of additional courtrooms in the new courthouse in downtown San Bernardino is the highest priority for the courts.

New Courthouse in Downtown San Bernardino and Renovation of Historic Central Courthouse and Annex

The master plan calls for a new facility to be constructed as soon as possible in downtown San Bernardino. This facility would augment the existing historic Central Courthouse, as well as absorb all felony, family law, juvenile delinquency, and some civil caseload from Twin Peaks, Redlands, and Fontana. In addition, the historic Central Courthouse will be renovated. The construction of the new courthouse in downtown San Bernardino will add needed courtrooms. This will allow the court to move out of space in the Consolidated Courts Administrative Headquarters, the Appellate and Appeals Division, the Juvenile Court (delinquency), as well as the eight temporary courtrooms that will be occupied as part of the renovation and seismic upgrade of the historic Central Courthouse and Annex. The site for the new courthouse in downtown San Bernardino, sometimes referred to as the Caltrans site, is located directly south of the existing historic Central Courthouse and Annex.

Juvenile Dependency and Delinquency Caseload

Juvenile delinquency cases currently heard at the Juvenile Court in San Bernardino will be decentralized and heard at the three regional justice centers: San Bernardino, Rancho Cucamonga, and the High Desert Justice Center. This will allow the Juvenile Court to be closed or converted to non-court use. A new Juvenile Dependency Court and Children's Services Building was constructed by the county in 2004 and is located adjacent to the juvenile

delinquency facility. An addition to this facility will be needed in the future for the projected growth in juvenile dependency caseload.

Fontana Court

Traffic cases in the valley region will be consolidated at the Fontana Court. This shift will occur upon completion of the new courthouse in downtown San Bernardino, which will accommodate the felony and misdemeanor caseload currently heard in Fontana.

Twin Peaks and Big Bear Courts

With the shift of traffic cases to Fontana and felony and misdemeanor cases to the new courthouse in downtown San Bernardino in San Bernardino, the Twin Peaks Court can be closed, furthering the goal of court consolidation. The Big Bear Court will remain in its current physical configuration.

Rancho Cucamonga Courthouse Addition

The existing Rancho Cucamonga facility is in very good physical condition and functions well, and will continue to serve the court for many years. However, in order to accommodate projected caseload growth within the district, along with the criminal caseload shifted from Chino, a substantial addition is necessary.

High Desert Courthouse

The Barstow Court, while in adequate physical condition, is currently overcrowded, causing a number of functional issues. In order to continue operations of the facility and resolve the major functional issues, in-custody cases will be shifted to a new High Desert Courthouse, eliminating the need for prisoner circulation and reducing overcrowding in the Barstow facility.

The Victorville Court was constructed in several phases over the last 30 years, resulting in a poorly organized facility with substantial functional issues. Due to its type of construction, the facility has reached its maximum size allowed by current building codes.

Because of overcrowding in the Barstow Court and functional and physical deficiencies of the Victorville Court, along with the court's goal to consolidate operations into larger regional facilities, the master plan calls for a new High Desert Courthouse to be constructed between Barstow and Victorville. The new facility will be located at the site of the proposed high desert adult detention facility, allowing efficient in-custody transfer to the court through an underground connection.

Joshua Tree and Needles Courthouses

Due to their remote locations, Joshua Tree and Needles will continue to operate as a full-service courts, expanding as needed to meet the projected caseload growth in their regions.

Excerpted from:

Court Facilities Master Plan, Kaplan McLaughlin Diaz

Superior Court of California, County of San Bernardino – Court Facilities Master Plan

APPENDIX B

B. Options Analysis

Introduction

In order to complete the financial analysis, cost estimates were created for the capital outlay project. It is assumed that the private developer lease-purchase alternative will have a project cost 10 percent lower than the capital outlay option due to shorter construction period and tighter controls on the design consultants. Amortization calculations were created for a 25-year term for the lease revenue bond option and a 30-year term for the private financing option. These estimates and calculations were then used to support the economic analysis. Appendix B includes each of the estimates and calculations created to support Section III of this report.

The following tables include the construction and project cost estimates, amortization calculations, and financial analysis worksheets.

TABLE B-2
Project Cost Estimate

	ADMINISTRATIVE OFFICE OF THE COURTS OFFICE OF COURT CONSTRUCTION AND MANAGEMENT	Summary of Costs by Phase
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San Bernardino - New San Bernardino Court	New Capital Outlay
	Date Estimated: 9/5/2006 Prepared by: E. Swickard
Location: San Bernardino Project ID: 00.00.00.00 Site - Building ID: TDB AOC Project Manager: N.Freiwald	CCCI (Cost Estimate Basis): 4609 Jul-06 CCCI (Basis for Adjustment): 4609 Jul-06 Construction Start: 10/25/2010 Construction End: 12/11/2012

Estimated Project Cost by Phase (\$ 000's)	Study (S)	Acquisition (A)	Preliminary Plans (P)	Working Drawings (W)	Construction (C)	Totals
Construction Costs						
Construction Costs (see prior page for detail)					\$187,199	\$187,199
Adjust CCCI					\$0	\$0
Escalation to Start of Construction					\$40,098	\$40,098
Escalation to Midpoint					\$12,410	\$12,410
Contingency					\$11,985	\$11,985
Construction Costs Subtotal	\$0	\$0	\$0	\$0	\$251,692	\$251,692
Architectural and Engineering						
A&E Design Services		\$749	\$7,862	\$10,109	\$4,493	\$23,213
Construction Inspection					\$0	\$0
Bid Advertising, Printing and Mailing				\$749		\$749
A&E Fees Subtotal	\$0	\$749	\$7,862	\$10,858	\$4,493	\$23,962
Site Acquisition						
Purchase Price		\$5,870				\$5,870
Site Acquisition Subtotal	\$0	\$5,870	\$0	\$0	\$0	\$5,870
Other Project Costs						
Special Consultants		\$936	\$1,498	\$1,947	\$1,647	\$6,028
Geotechnical Services & Land Surveying		\$936	\$917	\$449	\$356	\$2,658
Materials Testing Laboratory		\$468			\$936	\$1,404
Commissioning			\$562	\$562	\$562	\$1,685
Project/Construction Management		\$0	\$936	\$1,310	\$6,552	\$8,798
CEQA/Due Diligence/Mitigation/Documentation		\$1,217	\$1,123			\$2,340
Property Appraisals		\$94				\$94
Legal Services		\$374				\$374
Peer Review				\$468		\$468
Constructibility/Value Review				\$0		\$0
Minimum Code Review				\$505		\$505
Moving and Relocation Expenses						\$0
Plan Checking			\$137	\$1,232	\$243	\$1,612
Post-Occupancy Evaluation					\$412	\$412
Utility Connections/Fees/Other		\$0			\$1,404	\$1,404
Other Project Costs Subtotal	\$0	\$4,025	\$5,173	\$6,474	\$12,112	\$27,783
A&E Fees plus Other Project Costs Subtotal	\$0	\$10,644	\$13,035	\$17,331	\$16,605	\$57,614
Total Estimated Project Costs	\$0	\$10,644	\$13,035	\$17,331	\$268,297	\$309,307
Less Funds Transferred						
Less Funds Available not Transferred						
Carryover						
Balance of Funds Required						

TABLE B-3
Amortization—25-Year Term Calculation

Loan Amount: \$268,297,000
 Interest Rate: 5.25 %

Term of the Loan: 25 years
 Monthly Mortgage Payments: \$1,607,769.64

Total interest paid over the life of the loan: \$ 214,032,891.52

Year	Loan Balance	Yearly Interest Paid	Yearly Principal Paid	Total Interest
2012	267,864,034.12	1,173,803.75	433,965.88	1,173,803.75
2013	262,505,950.84	13,935,152.39	5,358,083.27	15,108,956.14
2014	256,859,699.74	13,646,984.56	5,646,251.10	28,755,940.70
2015	250,909,782.60	13,343,318.52	5,949,917.14	42,099,259.22
2016	244,639,867.69	13,023,320.75	6,269,914.91	55,122,579.97
2017	238,032,744.93	12,686,112.89	6,607,122.77	67,808,692.87
2018	231,070,278.63	12,330,769.37	6,962,466.30	80,139,462.23
2019	223,733,357.76	11,956,314.79	7,336,920.87	92,095,777.02
2020	216,001,843.44	11,561,721.34	7,731,514.32	103,657,498.36
2021	207,854,513.69	11,145,905.91	8,147,329.75	114,803,404.28
2022	199,269,005.17	10,707,727.14	8,585,508.52	125,511,131.42
2023	190,221,751.81	10,245,982.30	9,047,253.37	135,757,113.71
2024	180,687,920.09	9,759,403.94	9,533,831.72	145,516,517.65
2025	170,641,340.90	9,246,656.48	10,046,579.18	154,763,174.13
2026	160,054,437.73	8,706,332.49	10,586,903.17	163,469,506.62
2027	148,898,150.94	8,136,948.86	11,156,286.80	171,606,455.48
2028	137,141,857.98	7,536,942.71	11,756,292.95	179,143,398.19
2029	124,753,289.41	6,904,667.09	12,388,568.57	186,048,065.28
2030	111,698,440.24	6,238,386.49	13,054,849.17	192,286,451.77
2031	97,941,476.65	5,536,272.07	13,756,963.59	197,822,723.84
2032	83,444,637.60	4,796,396.61	14,496,839.05	202,619,120.45
2033	68,168,131.19	4,016,729.25	15,276,506.41	206,635,849.70
2034	52,070,025.44	3,195,129.91	16,098,105.75	209,830,979.62
2035	35,106,133.19	2,329,343.41	16,963,892.25	212,160,323.02
2036	17,229,890.80	1,416,993.27	17,876,242.39	213,577,316.29
2037	0.00	455,575.22	17,229,890.80	214,032,891.52
Year	Loan Balance	Yearly Interest Paid	Yearly Principal Paid	Total Inter

TABLE B-4
Amortization—30-Year Term Calculation

Loan Amount: \$278,376,300
 Interest Rate: 7.00 %

Term of the Loan: 30 years
 Monthly Mortgage payments: \$1,852,044.40

Total interest paid over the life of the loan: \$388,359,694.42

Year	Loan Balance	Yearly Interest Paid	Yearly Principal Paid	Total Interest
2012	277,455,539.67	6,487,429.25	920,748.33	6,487,429.25
2013	274,561,205.02	19,330,198.10	2,894,334.65	25,817,627.35
2014	271,457,638.68	19,120,966.41	3,103,566.34	44,938,593.75
2015	268,129,715.28	18,896,609.35	3,327,923.40	63,835,203.10
2016	264,561,216.02	18,656,033.49	3,568,499.25	82,491,236.59
2017	260,734,749.67	18,398,066.39	3,826,466.35	100,889,302.99
2018	256,631,667.75	18,121,450.83	4,103,081.92	119,010,753.82
2019	252,231,973.71	17,824,838.70	4,399,694.04	136,835,592.52
2020	247,514,225.43	17,506,784.47	4,717,748.28	154,342,376.99
2021	242,455,430.74	17,165,738.06	5,058,794.69	171,508,115.05
2022	237,030,935.37	16,800,037.38	5,424,495.37	188,308,152.43
2023	231,214,302.79	16,407,900.17	5,816,632.58	204,716,052.60
2024	224,977,185.37	15,987,415.33	6,237,117.42	220,703,467.93
2025	218,289,186.23	15,536,533.60	6,687,999.14	236,240,001.53
2026	211,117,711.09	15,053,057.60	7,171,475.14	251,293,059.13
2027	203,427,809.42	14,534,631.08	7,689,901.66	265,827,690.22
2028	195,182,004.14	13,978,727.47	8,245,805.28	279,806,417.68
2029	186,340,108.93	13,382,637.53	8,841,895.21	293,189,055.22
2030	176,859,032.39	12,743,456.21	9,481,076.54	305,932,511.43
2031	166,692,568.07	12,058,068.42	10,166,464.33	317,990,579.85
2032	155,791,169.21	11,323,133.89	10,901,398.86	329,313,713.74
2033	144,101,707.34	10,535,070.88	11,689,461.87	339,848,784.62
2034	131,567,213.32	9,690,038.73	12,534,494.02	349,538,823.35
2035	118,126,599.72	8,783,919.14	13,440,613.61	358,322,742.49
2036	103,714,363.06	7,812,296.09	14,412,236.65	366,135,038.59
2037	88,260,264.65	6,770,434.34	15,454,098.41	372,905,472.92
2038	71,688,988.21	5,653,256.31	16,571,276.44	378,558,729.23
2039	53,919,772.85	4,455,317.39	17,769,215.36	383,014,046.62
2040	34,866,019.47	3,170,779.37	19,053,753.38	386,184,825.99
2041	14,434,868.72	1,793,381.99	20,431,150.76	387,978,207.98
2042	0.00	381,486.45	14,434,868.72	388,359,694.42
Year	Loan Balance	Yearly Interest Paid	Yearly Principal Paid	Total Interest

TABLE B-5
 Economic Analysis—30-Year Period
 Cost Comparison—Cumulative Cost Summary—All Financing Alternatives

Year	Alternative 1 Lease/Revenue	Alternative 2 Pay-As-You-Go	Alternative 3 Third Party Financing
2007-2011	\$41,010,000	\$309,307,000	\$0
2012-2016	\$119,790,712	\$309,307,000	\$90,750,176
2017-2021	\$216,256,891	\$309,307,000	\$201,872,840
2022-2026	\$312,723,069	\$309,307,000	\$312,995,504
2027-2031	\$409,189,248	\$309,307,000	\$424,118,168
2032-2036	\$505,655,426	\$309,307,000	\$535,240,832
2037-2041	\$523,340,892	\$309,307,000	\$646,363,496
2042-2046	\$523,340,892	\$309,307,000	\$666,735,984

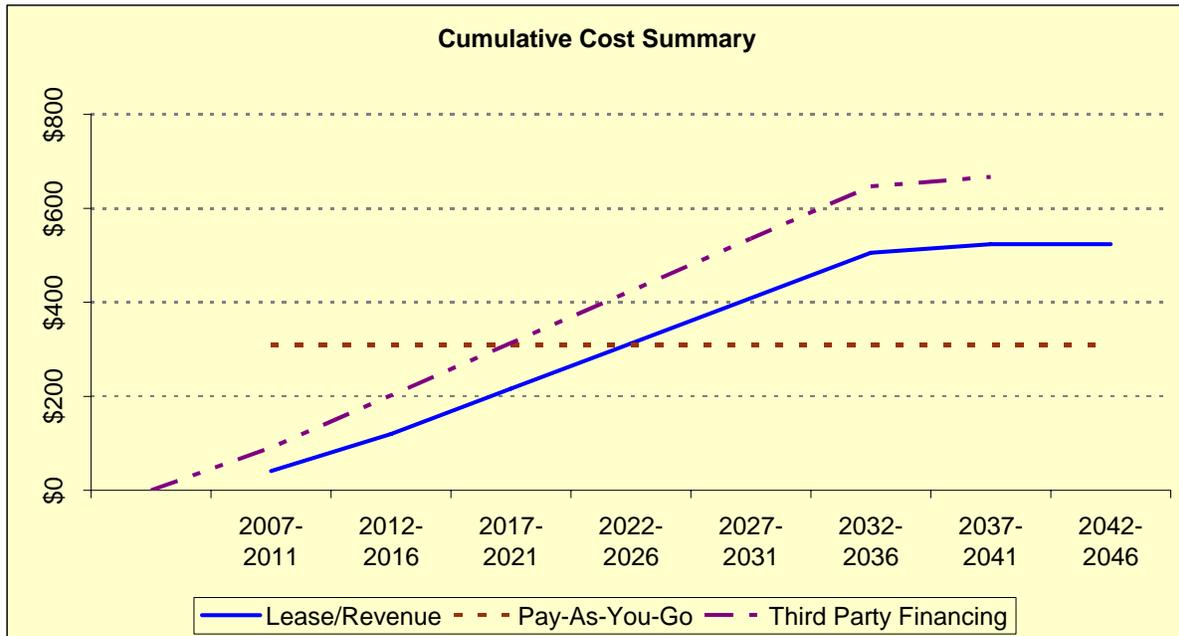


TABLE B-6
 Economic Analysis—30-Year Period
Cost Comparison of All Financing Alternatives—5-Year Increments

Year	Lease/Revenue	Pay-As-You-Go	Third Party Financing
2007-2011	\$41,010,000	\$309,307,000	\$0
2012-2016	\$78,780,712	\$0	\$90,750,176
2017-2021	\$96,466,178	\$0	\$111,122,664
2022-2026	\$96,466,178	\$0	\$111,122,664
2027-2031	\$96,466,178	\$0	\$111,122,664
2032-2036	\$96,466,178	\$0	\$111,122,664
2037-2041	\$17,685,466	\$0	\$111,122,664
2042-2046	\$0	\$0	\$20,372,488
Total Cost:	\$523,340,892	\$309,307,000	\$666,735,984
NPV Total:	\$321,386,674	\$284,855,212	\$365,729,105
NPV % of total cost	61%	92%	55%

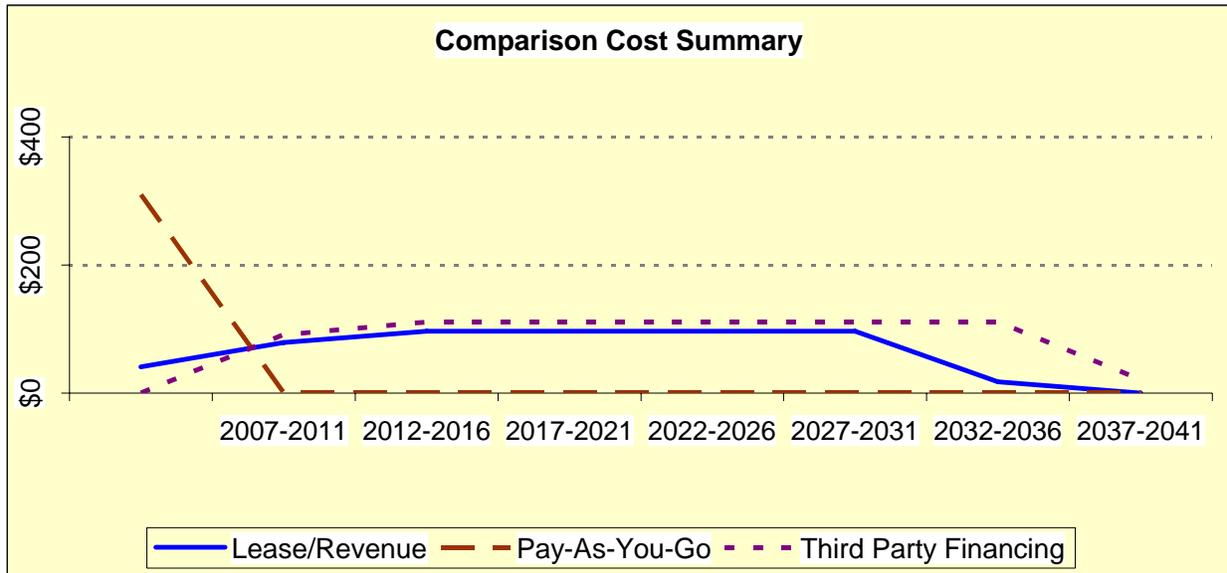


TABLE B-7
 Term of Analysis—30 Years
Cost Comparison of All Financing Alternatives—By Year

Year	Alternative 1 Lease/Revenue	Alternative 2 Pay-As-You-Go	Alternative 3 Third Party Financing
2007	\$23,679,000	\$23,679,000	\$0
2008	\$17,331,000	\$17,331,000	\$0
2009	\$0	\$268,297,000	\$0
2010	\$0	\$0	\$0
2011	\$0	\$0	\$0
2012	\$1,607,770	\$0	\$1,852,044
2013	\$19,293,236	\$0	\$22,224,533
2014	\$19,293,236	\$0	\$22,224,533
2015	\$19,293,236	\$0	\$22,224,533
2016	\$19,293,236	\$0	\$22,224,533
2017	\$19,293,236	\$0	\$22,224,533
2018	\$19,293,236	\$0	\$22,224,533
2019	\$19,293,236	\$0	\$22,224,533
2020	\$19,293,236	\$0	\$22,224,533
2021	\$19,293,236	\$0	\$22,224,533
2022	\$19,293,236	\$0	\$22,224,533
2023	\$19,293,236	\$0	\$22,224,533
2024	\$19,293,236	\$0	\$22,224,533
2025	\$19,293,236	\$0	\$22,224,533
2026	\$19,293,236	\$0	\$22,224,533
2027	\$19,293,236	\$0	\$22,224,533
2028	\$19,293,236	\$0	\$22,224,533
2029	\$19,293,236	\$0	\$22,224,533
2030	\$19,293,236	\$0	\$22,224,533
2031	\$19,293,236	\$0	\$22,224,533
2032	\$19,293,236	\$0	\$22,224,533
2033	\$19,293,236	\$0	\$22,224,533
2034	\$19,293,236	\$0	\$22,224,533
2035	\$19,293,236	\$0	\$22,224,533
2036	\$19,293,236	\$0	\$22,224,533
2037	\$17,685,466	\$0	\$22,224,533
2038			\$22,224,533
2039			\$22,224,533
2040			\$22,224,533
2041			\$22,224,533
2042			\$20,372,488
Total	\$523,340,892	\$309,307,000	\$666,735,984

TABLE B-8
 Economic Analysis—30-Year Period
Alternative 1: Partial Revenue Bond Financing

Estimated Project Cost (Pay-As-You-Go): \$	\$41,010,000	Total BGSF:	356,390
Estimated Project Cost (Bond Funds):	\$268,298,000	Interest Rate:	5.25%
Total Project Cost:	\$309,308,000	Inflation Rate:	3.00%
Term of the Bond: 25 Years			

	Monthly Payment	Cost by Year
2007	\$0	\$23,679,000
2008	\$0	\$17,331,000
2009	\$0	\$0
2010	\$0	\$0
2011	\$0	\$0
2012	\$1,607,769.64	\$1,607,770
2013	\$1,607,769.64	\$19,293,236
2014	\$1,607,769.64	\$19,293,236
2015	\$1,607,769.64	\$19,293,236
2016	\$1,607,769.64	\$19,293,236
2017	\$1,607,769.64	\$19,293,236
2018	\$1,607,769.64	\$19,293,236
2019	\$1,607,769.64	\$19,293,236
2020	\$1,607,769.64	\$19,293,236
2021	\$1,607,769.64	\$19,293,236
2022	\$1,607,769.64	\$19,293,236
2023	\$1,607,769.64	\$19,293,236
2024	\$1,607,769.64	\$19,293,236
2025	\$1,607,769.64	\$19,293,236
2026	\$1,607,769.64	\$19,293,236
2027	\$1,607,769.64	\$19,293,236
2028	\$1,607,769.64	\$19,293,236
2029	\$1,607,769.64	\$19,293,236
2030	\$1,607,769.64	\$19,293,236
2031	\$1,607,769.64	\$19,293,236
2032	\$1,607,769.64	\$19,293,236
2033	\$1,607,769.64	\$19,293,236
2034	\$1,607,769.64	\$19,293,236
2035	\$1,607,769.64	\$19,293,236
2036	\$1,607,769.64	\$19,293,236
2037	\$1,607,769.64	\$17,685,466
Total Project Cost		\$523,340,892

Total - Net Present Value	\$321,386,674
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Notes:

1. Site acquisition, preliminary planning, and working drawings will be funded on a pay-as-you-go basis.
2. Lease revenue bonds will be used for construction, payment to begin at occupancy in December 2012

TABLE B-9
 Economic Analysis—30-Year Period
Alternative 2: Pay-As-You-Go Financing

Estimated Project Cost:		\$314,531,000
Annual Inflation Rate:		3.0%
Term of the Analysis:		30 Years
	Total Gross Sq. Ft.	Cost/yr Project
2007		\$23,679,000
2008		\$17,331,000
2009	356,390	\$268,297,000
2010		\$0
2011		\$0
2012		\$0
2013		\$0
2014		\$0
2015		\$0
2016		\$0
2017		\$0
2018		\$0
2019		\$0
2020		\$0
2021		\$0
2022		\$0
2023		\$0
2024		\$0
2025		\$0
2026		\$0
2027		\$0
2028		\$0
2029		\$0
2030		\$0
2031		\$0
2032		\$0
2033		\$0
2034		\$0
2035		\$0
2036		\$0
2037		\$0
Total - Project Cost		\$309,307,000
Total - Net Present Value		\$284,855,212

TABLE B-10
 Economic Analysis—30-Year Period
Alternative 3: Private Financing/Lease Purchase

Estimated Project Cost:	\$278,376,300	Total BGSF:	356,390
Term of the Contract:	30 Years	Interest Rate:	7.0%
		Inflation Rate:	3.0%
	Monthly Payment	Cost by Year	
2007	\$0	\$0	
2008	\$0	\$0	
2009	\$0	\$0	
2010	\$0	\$0	
2011	\$0	\$0	
2012	\$1,852,044.40	\$1,852,044	
2013	\$1,852,044.40	\$22,224,533	
2014	\$1,852,044.40	\$22,224,533	
2015	\$1,852,044.40	\$22,224,533	
2016	\$1,852,044.40	\$22,224,533	
2017	\$1,852,044.40	\$22,224,533	
2018	\$1,852,044.40	\$22,224,533	
2019	\$1,852,044.40	\$22,224,533	
2020	\$1,852,044.40	\$22,224,533	
2021	\$1,852,044.40	\$22,224,533	
2022	\$1,852,044.40	\$22,224,533	
2023	\$1,852,044.40	\$22,224,533	
2024	\$1,852,044.40	\$22,224,533	
2025	\$1,852,044.40	\$22,224,533	
2026	\$1,852,044.40	\$22,224,533	
2027	\$1,852,044.40	\$22,224,533	
2028	\$1,852,044.40	\$22,224,533	
2029	\$1,852,044.40	\$22,224,533	
2030	\$1,852,044.40	\$22,224,533	
2031	\$1,852,044.40	\$22,224,533	
2032	\$1,852,044.40	\$22,224,533	
2033	\$1,852,044.40	\$22,224,533	
2034	\$1,852,044.40	\$22,224,533	
2035	\$1,852,044.40	\$22,224,533	
2036	\$1,852,044.40	\$22,224,533	
2037	\$1,852,044.40	\$22,224,533	
2038	\$1,852,044.40	\$22,224,533	
2039	\$1,852,044.40	\$22,224,533	
2040	\$1,852,044.40	\$22,224,533	
2041	\$1,852,044.40	\$22,224,533	
2042	\$1,852,044.40	\$20,372,488	
Total Project Cost			\$666,735,984
Total - Net Present Value			\$365,729,105

APPENDIX C

C. Detailed Space Program

Introduction

A detailed space program was developed for the proposed project. The space program included in the 2003 master plan was used as a basis. This program was updated for current staffing and functions and edited per the new facilities guidelines.

Separate space programs were developed for each of the proposed locations: the historic San Bernardino courthouse, the 303-3rd Street facility, and the new San Bernardino Court.

The following table is the summary of all three programs; the following pages include worksheets for each major court component.

**Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for City of San Bernardino Courts**

Court Facility	Projected Need		
	Courtrooms	Staff	BGSF
Historic Central Court	9	48.00	63,650
303 3rd Street	2	36.00	19,944
New Court Facility	36	649.00	356,390
Total	47	733.00	439,984

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for Historic San Bernardino Court

Division or Functional Area	Projected Need		
	Courtrooms	Staff	BGSF
Reuse of Historic San Bernardino Court			
Court Sets / Judiciary	9	31.00	31,308
Grand Jury		1.00	1,339
Civil Division Staff		16.00	6,685
Court and Building Operations		0.00	7,816
Subtotal Staff & Departmental Gross Square Feet	9	48.00	47,148
Interdepartmental Circulation/Restrooms/Bldg. Support ¹		25%	11,787
Building Envelope/Mechanical/Electrical ²		10%	4,715
Total Building Gross Area			63,650
BGSF Per Courtroom			7,072

Notes:

1. Includes staff restrooms, public restrooms, public telephones, drinking fountains, janitor's closets, etc.
2. Includes telecommunication and electrical closets, mechanical shafts, elevator machine room, etc.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for Historic San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court Sets / Judiciary						
Court Sets						
<i>Courtroom Large (ceremonial & high-volume)</i>	2,400		-	-		
<i>Courtroom Multi-purpose (jury)</i>	1,750		9	15,750		
<i>Equipment Room (2 per floor)</i>	80		4	320		
Subtotal Courtrooms		-	9	16,070	19,284	1.20
<i>Jury Suite (2 toilets, kitchenette and closet-2 per floor)</i>	470		4	1,880		
<i>Attorney/Client/Witness Rooms</i>	100		8	800		
<i>Law Enforcement Waiting</i>	100		1	100		
<i>Shared Courtroom Holding (2 cells, 1 interview)</i>	140		-	-		
<i>Courtroom Waiting</i>	220		9	1,980		
<i>Exhibit Storage Closet</i>	50		9	450		
Total Court Sets		-		5,210	6,252	1.20
Judiciary/Courtroom Support						
Judicial Chambers (includes toilet and closet)	400	9.0		3,600		
Judicial Secretaries ²	80	4.0		320		
Court Attendants ¹	-	-				
Courtroom Clerks ¹	-	18.0				
<i>Chambers Waiting/Reception</i>	60		1	60		
<i>Conference Room/Legal Collection</i>	240		1	240		
<i>Judicial Break Room</i>	120		1	120		
<i>Copy/Workroom/Supply Alcove</i>	100		1	100		
Total Judiciary		31.0		4,440	5,772	1.30
Total Court Sets / Judiciary		31.0		25,720		
Department Gross Square Feet					31,308	

Footnotes:

1. Courtroom clerks and court attendants to have workstations within the courtroom. Two clerks workstations plus file storage will be provided at each court.
2. Judicial secretary total based 2 per court floor.
3. Roving courtroom clerks have workstations provided elsewhere in the program.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for Historic San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Grand Jury						
Grand Jury Assistant	150	1.0		150		
Grand Jurors (Not permanent court staff)		19.0				
<i>Copy/Work Room</i>	80		1	80		
<i>Waiting Area</i>	120		1	120		
<i>Grand Jury Room</i>	600		1	600		
<i>File Storage</i>	80		1	80		
Total Grand Jury		1.0		1,030		1.30
Department Gross Square Feet					1,339	

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for Historic San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Civil Division Staff						
Legal Procedures Assistant (Small Claims)	64	10.0		640		
Supervisor (Small Claims)	100	1.0		100		
Legal Procedures Assistant (Civil)	64	4.0		256		
Supervisor (Civil)	100	1.0		100		
<i>Alternative Dispute Resolution Center</i>						
<i>Settlement Conference Room</i>	240		6	1,440		
<i>Caucus Room</i>	120		2	240		
<i>Reception/Waiting</i>	150		1	150		
<i>Service Counter Area</i>						
<i>Counter workstation (unassigned)</i>	48		4	192		
<i>Queuing Area</i>	14		20	280		
<i>Workcounter/Form Storage</i>	100		1	100		
<i>Photocopier/Printers (staff support)</i>	120		1	120		
<i>Public Document Review</i>	300		1	300		
<i>Active Records</i>						
<i>Active Civil Files: 42" x 7 shelf unit</i>	12		60	720		
<i>File Scanning Station</i>	40		1	40		
<i>File Staging Area</i>	60		1	60		
<i>Sorting Workstation</i>	40		1	40		
<i>File Carts</i>	6		4	24		
<i>Copy/Work Room</i>	150		1	150		
Total Civil Division Staff		16.0		4,952		1.35
Department Gross Square Feet					6,685	

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for Historic San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court and Building Operations						
Public Area						
<i>Entry Vestibule</i>	250		1	250		
<i>Security Screening Queuing (20 each screening station)</i>	14		20	280		
<i>Weapons Screening Station</i>	250		1	250		
<i>Secure Public Lobby</i>	500		1	500		
<i>Information Kiosk or Counter</i>	64		1	64		
<i>Public Vending Area</i>	100		1	100		
Subtotal Public Area		-		1,444	1,733	1.20
Court Security Operations						
<i>Central Control Room</i>	150		-	-		
<i>Security Equipment Closet</i>	40		-	-		
<i>Sergeant's Office</i>	120	-		-		
<i>Lieutenant's Office</i>	120	-		-		
<i>Court Security Clerk</i>	64	-		-		
<i>Interview/Holding Room</i>	64		1	64		
<i>Men's Locker/Shower/Toilet Room</i>	300		-	-		
<i>Women's Locker/Shower/Toilet Room</i>	200		-	-		
<i>Copy/Supply Alcove</i>	100		-	-		
Total Court Security Operations		-		64	83	1.30
Court Support						
<i>Mail Processing and Distribution Center¹</i>	300		-	-		
<i>Case Retention/Exhibits Storage (Death Penalty Cases)</i>	1,500		1	1,500		
<i>Staff Break Rooms²</i>	150		1	150		
<i>Staff Lactation Room</i>	64		-	-		
<i>Staff Shower/Restroom (2M/2F)</i>	80		-	-		
Total Court Support		-		1,650	1,980	1.20
Related Justice Agency Space						
<i>Multipurpose Rooms (DA, PD, Prob., Health & Human Svc., etc.)</i>	120		2	240		
<i>Agency Staff Convenience Center</i>	150		1	150		
<i>Volunteer Coordinator</i>	100		-	-		
Total Justice Agency Space		-		390	468	1.20
Inactive Records Storage						
<i>Inactive Files/Microfilm Storage⁴</i>	2,000		1	2,000		
Total Records Storage		-		2,000	2,400	1.20
Support for Building Operations						
<i>Loading/Receiving Area</i>	200		-	-		
<i>Central Storage (paper, office supplies, forms, etc)</i>	120		1	120		
<i>Telecommunications Equipment Room⁵</i>	150		1	150		
<i>Main Electrical Room⁵</i>	150		1	150		
<i>Media Room</i>	180		-	-		
<i>Trash/Recycling Collection Room</i>	100		1	100		
<i>Housekeeping Office/Storage</i>	80		1	80		
<i>Maintenance Equipment Storage</i>	180		1	180		
<i>Workshop</i>	180		1	180		
<i>Outdoor Equipment Room</i>	180		-	-		
Subtotal Building Operations		-		960	1,152	1.20
Total Court and Building Operations		-		6,508		
Department Gross Square Feet					7,816	

Footnotes:

1. Assumes court will not longer use county mail services.
2. One break room per 40 staff, not including JPE.
3. Sallyport space included in basement program.
4. Storage requirements assume that all documents will eventually be stored in imaged format.
5. Satellite telecommunications and electrical rooms are included in building gross square foot calculation.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New Child Support Courts (303-3rd Street)

Division or Functional Area	Projected Need		
	Courtrooms	Staff	BGSF
303 - 3rd Street Court			
Court Sets / Judiciary	2	7.00	6,650
Family-Child Support Division		29.00	5,967
Court and Building Operations		0.00	2,156
Subtotal Staff & Departmental Gross Square Feet	2	36.00	14,773
Interdepartmental Circulation/Restrooms/Bldg. Support ¹		25%	3,693
Building Envelope/Mechanical/Electrical ²		10%	1,477
Total Building Gross Area			19,944
BGSF Per Courtroom			9,972

Notes:

1. Includes staff restrooms, public restrooms, public telephones, drinking fountains, janitor's closets, etc.
2. Includes telecommunication and electrical closets, mechanical shafts, elevator machine room, etc.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New Child Support Courts (303-3rd Street)

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court Sets / Judiciary						
Court Sets (AB 1058)						
<i>Courtroom Large (ceremonial & high-volume)</i>	2,400		-	-		
<i>Courtroom Multi-purpose (non-jury)</i>	1,600		2	3,200		
<i>Equipment Room</i>	80		1	80		
Subtotal Courtrooms		-	2	3,280	3,936	1.20
<i>Jury Suite (2 toilets, kitchenette and closet)</i>	470		-	-		
<i>Attorney/Client/Witness Rooms</i>	100		4	400		
<i>Law Enforcement Waiting</i>	100		-	-		
<i>Shared Courtroom Holding (2 cells, 1 interview)</i>	140		-	-		
<i>Courtroom Waiting</i>	220		2	440		
<i>Exhibit Storage Closet</i>	50		2	100		
Total Court Sets		-		940	1,128	1.20
Judiciary/Courtroom Support						
Judicial Chambers (includes toilet and closet)	400	2.0		800		
Judicial Secretaries ²	80	1.0		80		
Court Attendants ¹	-	-				
Courtroom Clerks ¹	-	4.0				
<i>Chambers Waiting/Reception</i>	60		1	60		
<i>Conference Room/Legal Collection</i>	240		1	240		
<i>Copy/Supply Alcove</i>	40		1	40		
Total Judiciary		7.0		1,220	1,586	1.30
Total Court Sets / Judiciary		7.0		5,440		
Department Gross Square Feet					6,650	

Footnotes:

1. Courtroom clerks and court attendants to have workstations within the courtroom. Two clerks workstations plus file storage will be provided at each courtroom.
2. Judicial secretary total based on 1 secretary per 2 JPE.
3. Roving courtroom clerks have workstations provided elsewhere in the program.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New Child Support Courts (303-3rd Street)

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Family-Child Support Division						
Legal Procedures Assistant (Child Support)	64	12.0		768		
Supervisor (Child Support)	100	1.0		100		
Attorney (Child Support)	150	8.0		1,200		
Paralegal/Clerks (Child Support)	80	8.0		640		
<i>Service Counter Area</i>						
<i>Counter workstation (unassigned)</i>	48		5	240		
<i>Queuing Area</i>	14		25	350		
<i>Workcounter/Form Storage</i>	100		1	100		
<i>Photocopier/Printers (staff support)</i>	120		1	120		
<i>Waiting Area</i>	150		1	150		
<i>Active Records</i>						
<i>Active Child Support Files; 42" x 7 shelf unit</i>	12		40	480		
<i>File Scanning Station</i>	40		1	40		
<i>File Staging Area</i>	60		1	60		
<i>Sorting Workstation</i>	40		1	40		
<i>File Carts</i>	6		2	12		
<i>Copy/Work Room</i>	120		1	120		
Total Family Division		29.0		4,420		1.35
Department Gross Square Feet					5,967	

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New Child Support Courts (303-3rd Street)

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court and Building Operations						
Public Area						
<i>Entry Vestibule</i>	120		1	120		
<i>Security Screening Queuing (20 each screening station)</i>	14		20	280		
<i>Weapons Screening Station</i>	250		1	250		
<i>Secure Public Lobby</i>	400		1	400		
<i>Information Kiosk or Counter</i>	64		1	64		
<i>Public Vending Area</i>	100		1	100		
Subtotal Public Area		-		1,214	1,457	1.20
Court Security Operations						
<i>Central Control Room</i>	150		-	-		
<i>Security Equipment Closet</i>	40		1	40		
<i>Sergeant's Office</i>	120	-		-		
<i>Lieutenant's Office</i>	120	-		-		
<i>Court Security Clerk</i>	64	-		-		
<i>Interview/Holding Room</i>	64		1	64		
<i>Men's Locker/Shower/Toilet Room</i>	300		-	-		
<i>Women's Locker/Shower/Toilet Room</i>	200		-	-		
<i>Copy/Supply Alcove</i>	100		-	-		
Total Court Security Operations		-		104	135	1.30
Court Support						
<i>Mail Processing and Distribution Center¹</i>	300		-	-		
<i>Case Retention/Exhibits Storage (Death Penalty Cases)</i>	1,500		-	-		
<i>Staff Break Rooms²</i>	150		1	150		
<i>Staff Lactation Room</i>	64		-	-		
<i>Staff Shower/Restroom (2M/2F)</i>	80		-	-		
Total Court Support		-		150	180	1.20
Related Justice Agency Space						
<i>Multipurpose Rooms (DA, PD, Prob., Heath & Human Svc., etc.)</i>	120		1	120		
<i>Agency Staff Convenience Center</i>	150		-	-		
<i>Volunteer Coordinator</i>	100		-	-		
Total Justice Agency Space		-		120	144	1.20
Inactive Records Storage						
<i>Inactive Files/Microfilm Storage⁴</i>	200		1	200		
Total Records Storage		-		200	240	1.20
Support for Building Operations						
<i>Loading/Receiving Area</i>	200		-	-		
<i>Central Storage (paper, office supplies, forms, etc)</i>	120		-	-		
<i>Telecommunications Equipment Room⁵</i>	100		-	-		
<i>Main Electrical Room⁵</i>	100		-	-		
<i>Media Room</i>	180		-	-		
<i>Trash/Recycling Collection Room</i>	80		-	-		
<i>Housekeeping Office/Storage</i>	80		-	-		
<i>Maintenance Equipment Storage</i>	180		-	-		
<i>Workshop</i>	180		-	-		
<i>Outdoor Equipment Room</i>	180		-	-		
Subtotal Building Operations		-		-	-	1.20
Total Court and Building Operations		-		1,788		
Department Gross Square Feet					2,156	

Footnotes:

1. Assumes court will not longer use county mail services.
2. One break room per 40 staff, not including JPE.
3. Sallyport space included in basement program.
4. Storage requirements assume that all documents will eventually be stored in imaged format.
5. Satellite telecommunications and electrical rooms are included in building gross square foot calculation.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Division or Functional Area	Projected Need		
	Courtrooms	Staff	BGSF
New San Bernardino Courthouse			
Presiding Judge/Court Executive Officer and Operations Support		13.00	3,795
Court Executive Office Administrative Services, Legal Research, Technology, & Fiscal Services		155.00	22,970
Courtroom / Judicial Support		121.00	12,327
Court Sets / Judiciary	36	136.00	135,548
Criminal Division Staff		54.00	12,245
Appeals & Appellate Division		17.00	3,756
Juvenile Division Staff		24.00	3,877
Family Division Public Counters		21.00	6,386
Family & Children's Services Division		60.00	11,967
Family Law Facilitator & Self-Help Services		31.00	6,604
Court and Building Operations		17.00	44,520
Subtotal Staff & Departmental Gross Square Feet	36	649.00	263,993
Interdepartmental Circulation/Restrooms/Bldg. Support ¹		25%	65,998
Building Envelope/Mechanical/Electrical ²		10%	26,399
Total Building Gross Area			356,390
BGSF Per Courtroom			9,900

Notes:

1. Includes staff restrooms, public restrooms, public telephones, drinking fountains, janitor's closets, etc.
2. Includes telecommunication and electrical closets, mechanical shafts, elevator machine room, etc.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

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Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Presiding Judge/Court Executive Officer and Operations Support						
Presiding Judge (Included in Courtsets/Judiciary)	-	-		-		
Court Executive Officer	300	1.0		300		
Chief Deputy Executive Officer	225	1.0		225		
Administrative Analyst	100	2.0		200		
Executive Assistants	80	3.0		240		
Court Directors	175	4.0		700		
Court Manager	150	1.0		150		
Court Administrative Clerk	64	1.0		64		
<i>Reception Waiting Area</i>	100		1	100		
<i>Files</i>	12		10	120		
<i>Multi-purpose Conference Room</i>	360		1	360		
<i>Video Conference Room</i>	360		1	360		
<i>Work/Copy Room</i>	100		1	100		
Total Court Executive Officer and Operations Support		13.0		2,919		1.30
Department Gross Square Feet					3,795	

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

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Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court Executive Office Administrative Services, Legal Research, Technology, & Fiscal Services						
Administrative Services						
Director	175	1.0		175		
Manager	150	1.0		150		
Admin Services Staff	64	8.0		512		
<i>Files</i>	12		8	96		
<i>Copy/Work Room</i>	150		1	150		
Consolidated Fiscal						
Supervisor	120	1.0		120		
Fiscal Staff	64	35.0		2,240		
<i>Files</i>	12		20	240		
<i>Copy/Work Room</i>	200		1	200		
Compliance Unit						
Manager	150	1.0		150		
Supervisor	120	1.0		120		
Compliance Staff	64	14.0		896		
<i>Files</i>	12		8	96		
<i>Copy/Work Room</i>	150		1	150		
Technology						
Director	175	1.0		175		
Supervisor	120	2.0		240		
Analyst	80	6.0		480		
Technology Staff	64	19.0		1,216		
<i>Files</i>	12		16	192		
<i>Copy/Work Room</i>	150		1	150		
<i>IT Work Room</i>	200		1	200		
<i>IT Secure Equipment Storage</i>	200		1	200		
<i>IT Computer Room</i>	300		1	300		
Records/Facilities						
Director	175	1.0		175		
Manager	150	1.0		150		
Supervisor	120	4.0		480		
<i>Files</i>	12		8	96		
<i>Copy/Work Room (share w/admin services)</i>	150		-	-		
Indigent Defense						
Supervisor	120	1.0		120		
Indigent Defense Staff	64	1.0		64		
<i>Files</i>	12		4	48		
<i>Copy/Work Room (share w/admin services)</i>	150		-	-		

Continued on next page.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

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Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need			Grossing Factor
		Staff	Support	NSF	
Court Executive Office Administrative Services, Legal Research, Technology, & Fiscal Services					
Legal Research					
Supervisor	120	2.0		240	
Paralegal	100	3.0		300	
Administrative Assistant	80	1.0		80	
Legal Research Staff	64	21.0		1,344	
<i>Files</i>	12		20	240	
<i>Copy/Work Room</i>	150		1	150	
Personnel					
Director	175	1.0		175	
Supervisor	120	1.0		120	
Analyst	80	4.0		320	
Personnel Staff	64	9.0		576	
<i>Files</i>	12		8	96	
<i>Secure File Room</i>	150		1	150	
<i>Copy/Work Room</i>	150		1	150	
Management Services					
Director	175	1.0		175	
Manager	150	1.0		150	
Supervisor	120	1.0		120	
Analyst	80	3.0		240	
Management Services Staff	64	9.0		576	
<i>Files</i>	12		8	96	
<i>Copy/Work Room</i>	150		1	150	
Shared Support					
<i>Reception Waiting Area</i>	140		1	140	
<i>Small Conference Room (6 seats)</i>	150		2	300	
<i>Medium Conference Room (8-12 seats)</i>	240		2	480	
<i>Large Conference Room (18-20 seats)</i>	360		1	360	
<i>Video Conference Room</i>	360		1	360	
<i>HR Training Room</i>	800		1	800	
<i>Procurement Library</i>	200		1	200	
Total Court Executive Officer and Operations Support		155.0		17,669	1.30
Department Gross Square Feet				22,970	

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

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Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Courtroom / Judicial Support						
Court Reporters	64	36.0		2,304		
Court Attendants Supervisor	120	1.0		120		
Document Control	64	16.0		1,024		
Document Control Supervisor	120	1.0		120		
CLETS - Legal Procedures Assistant	64	6.0		384		
Jury Room Staff	64	4.0		256		
Exhibits Staff	64	4.0		256		
LPS II (Supervisors)	120	4.0		480		
CDS Supervisor	120	1.0		120		
CDM Court District Manager	150	1.0		150		
Administrative Assistant I	64	1.0		64		
Administrative Assistant II	64	6.0		384		
Interpreters	64	30.0		1,920		
Courtroom Clerks (Roving) ¹	80	10.0		800		
<i>Court Reporter Production Area</i>	200		1	200		
<i>Medium Conference Room (8-12 seats)</i>	240		2	480		
<i>Work/Copy Room</i>	140		3	420		
Total Court Administration / Support Services		121.0		9,482		1.30
Department Gross Square Feet					12,327	

Footnotes:

1. Most courtroom clerks have workstations in the courtrooms. These clerks are not assigned to a specific courtroom.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

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Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court Sets / Judiciary						
Court Sets						
<i>Courtroom Large (ceremonial & high-volume)</i>	2,400		4	9,600		
<i>Courtroom Multi-purpose (jury)</i>	1,750		32	56,000		
<i>Equipment Room</i>	80		18	1,440		
Subtotal Courtrooms		-	36	67,040	80,448	1.20
<i>Jury Suite (2 toilets, kitchenette and closet)</i>	470		18	8,460		
<i>Attorney/Client/Witness Rooms</i>	100		36	3,600		
<i>Law Enforcement Waiting</i>	100		2	200		
<i>Shared Courtroom Holding (2 cells, 1 interview)</i>	140		18	2,520		
<i>Courtroom Waiting</i>	220		36	7,920		
<i>Courtroom Technology/Equipment Room</i>	80		18	1,440		
<i>Exhibit Storage Closet</i>	50		36	1,800		
Total Court Sets		-		25,940	31,128	1.20
Judiciary/Courtroom Support						
<i>Judicial Chambers (includes toilet and closet)</i>	400	36.0		14,400		
<i>Judicial Secretaries²</i>	80	18.0		1,440		
<i>Court Attendants¹</i>	-	10.0				
<i>Courtroom Clerks¹</i>	-	72.0				
<i>Chambers Waiting/Reception</i>	60		5	300		
<i>Conference Room/Legal Collection</i>	240		5	1,200		
<i>Judicial Break Room</i>	120		5	600		
<i>Copy/Workroom/Supply Alcove</i>	100		5	500		
Total Judiciary		136.0		18,440	23,972	1.30
Total Court Sets / Judiciary		136.0		111,420		
Department Gross Square Feet					135,548	

Footnotes:

1. Courtroom clerks and court attendants to have workstations within the courtroom. Two clerks workstations plus file storage will be provided at each courtroom.
2. Judicial secretary total based on 1 secretary per 2 JPE.
3. Roving courtroom clerks have workstations provided elsewhere in the program.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Criminal Division Staff						
Legal Procedures Assistant (criminal)	64	28.0		1,792		
Supervisor (criminal)	100	2.0		200		
Legal Procedures Assistant (traffic)	64	20.0		1,280		
Supervisor (traffic)	100	2.0		200		
<i>Service Counter Area (Criminal)</i>						
Counter workstation (unassigned)	48		8	384		
Queuing Area	14		40	560		
Workcounter/Form Storage	100		1	100		
Photocopier/Printers (staff support)	120		2	240		
<i>Service Counter Area (Traffic)</i>						
Counter workstation (unassigned)	48		6	288		
Counter workstation (Assigned to Traffic School)	64	2.0		128		
Queuing Area	14		48	672		
Workcounter/Form Storage	100		2	200		
Photocopier/Printers (staff support)	120		2	240		
Public Document Review	300		1	300		
<i>Active Records</i>						
Active Criminal Files; 42" x 7 shelf unit	12		100	1,200		
Active Traffic Files; 42" x 7 shelf unit	12		60	720		
File Scanning Station	40		2	80		
File Staging Area	60		2	120		
Sorting Workstation	40		2	80		
File Carts	6		6	36		
Copy/Work Room	250		1	250		
Total Criminal Division Staff		54.0		9,070		1.35
Department Gross Square Feet					12,245	

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor	
		Staff	Support	NSF	BGSF		
Appeals & Appellate Division							
Supervisor	100	1.0		100		1.35	
Legal Procedure Assistant	64	16.0		1,024			
<i>Service Counter Area</i>							
Counter workstation (unassigned)	48		2	96			
Queuing Area	14		10	140			
Workcounter/Form Storage	40		1	40			
Photocopier/Printers (staff support)	40		1	40			
Public Document Review	150		1	150			
<i>Active Records</i>							
Active Files; 42" x 7 shelf unit	12		20	240			
File Scanning Station	40		1	40			
File Staging Area	60		1	60			
Sorting Workstation	40		1	40			
File Carts	6		2	12			
Death Penalty Case File Staging	600		1	600			
Copy/Work Room (4 copiers)	200		1	200			
Total Appeals Division Staff		17.0		2,782			1.35
Department Gross Square Feet							3,756

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor	
		Staff	Support	NSF	BGSF		
Juvenile Division Staff							
Administrative Assistant	64	1.0		64		1.35	
Supervisor	100	3.0		300			
Legal Procedure Assistant	64	20.0		1,280			
<i>Service Counter Area</i>							
Counter workstation (unassigned)	48		3	144			
Queuing Area	14		15	210			
Workcounter/Form Storage	40		1	40			
Photocopier/Printers (staff support)	40		1	40			
<i>Active Records</i>							
Active Files; 42" x 7 shelf unit	12		40	480			
File Scanning Station	40		1	40			
File Staging Area	60		1	60			
Sorting Workstation	40		1	40			
File Carts	6		4	24			
Copy/Work Room	150		1	150			
Total Juvenile Division Staff		24.0		2,872			1.35
Department Gross Square Feet							3,877

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Family Division Public Counters						
Legal Procedures Assistant (Family)	64	12.0		768		
Supervisor	100	1.0		100		
Legal Procedures Assistant (Probate)	64	8.0		512		
<i>Service Counter Area</i>						
<i>Counter workstation (unassigned)</i>	48		8	384		
<i>Queuing Area</i>	14		40	560		
<i>Workcounter/Form Storage</i>	100		1	100		
<i>Photocopier/Printers (staff support)</i>	120		2	240		
<i>Public Document Review</i>	300		1	300		
<i>Active Records</i>						
<i>Active Family Files; 42" x 7 shelf unit</i>	12		100	1,200		
<i>File Scanning Station</i>	40		2	80		
<i>File Staging Area</i>	60		2	120		
<i>Sorting Workstation</i>	40		2	80		
<i>File Carts</i>	6		6	36		
<i>Copy/Work Room</i>	250		1	250		
Total Family Division		21.0		4,730		1.35
Department Gross Square Feet					6,386	

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Family & Children's Services Division						
Court Director	175	1.0		175		
Family Court Mediators	225	16.0		3,600		
LPS Supervisor	100	1.0		100		
Legal Procedures Assistant (Family Court Services)	64	10.0		640		
Supervisors-Mediator/Investigator	120	4.0		480		
Court Investigators	80	10.0		800		
Administrative Assistant	64	1.0		64		
Legal Procedures Assistant (Investigators)	64	6.0		384		
Treatment Court Supervisor	120	1.0		120		
Treatment Court Program Coordinator	80	3.0		240		
Treatment Court Fiscal Clerk	64	1.0		64		
Probation Department Officers (Treatment Court)	120	6.0		720		
<i>Files</i>	12		24	288		
<i>Copy/Work Room</i>	150		1	150		
<i>Waiting Area</i>	180		2	360		
<i>Workshop Room</i>	360		2	720		
<i>Children's Waiting</i>	100		2	200		
<i>Equipment and Supply Storage</i>	100		1	100		
Total Family & Children's Services Division		60.0		9,205		1.30
Department Gross Square Feet					11,967	

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Family Law Facilitator & Self-Help Services						
Paralegal	80	4.0		320		
Legal Procedures Assistant	64	2.0		128		
Attorney	150	2.0		300		
PAL-Self-Help Attorney	150	1.0		150		
PAL-Self-Help Clerk	64	1.0		64		
Option House-Self-Help Attorney	150	2.0		300		
Option House-Self-Help Clerk	64	2.0		128		
Self-Help Attorney	150	2.0		300		
Self-Help Paralegal	80	4.0		320		
Self-Help Legal Procedures Assistant	64	4.0		256		
Small Claims Advisory	80	7.0		560		
<i>Reception/Waiting Area</i>	14		20	280		
<i>Files</i>	12		12	144		
<i>Copy/Printer/Supplies</i>	150		1	150		
<i>Children's Play Area</i>	120		1	120		
<i>Computer Workstation</i>	40		12	480		
<i>Book Shelving</i>	12		6	72		
<i>Work Table w/Four Seats</i>	72		4	288		
<i>Orientation Room</i>	360		2	720		
Total Family Law Facilitator & Self-Help Services		31.0		5,080		1.30
Department Gross Square Feet					6,604	

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court and Building Operations						
Public Area						
<i>Entry Vestibule</i>	250		1	250		
<i>Security Screening Queuing (20 each screening station)</i>	14		80	1,120		
<i>Weapons Screening Station</i>	250		4	1,000		
<i>Secure Public Lobby</i>	3,000		1	3,000		
<i>Information Kiosk or Counter</i>	64		2	128		
<i>Public Vending Area</i>	200		1	200		
Subtotal Public Area		-		5,698	6,838	1.20
Court Security Operations						
<i>Central Control Room</i>	250		1	250		
<i>Security Equipment Closet</i>	100		1	100		
<i>Sergeant's Office</i>	120	2.0		240		
<i>Lieutenant's Office</i>	120	1.0		120		
<i>Court Security Clerk</i>	64	1.0		64		
<i>Interview/Holding Room</i>	64		1	64		
<i>Men's Locker/Shower/Toilet Room</i>	300		1	300		
<i>Women's Locker/Shower/Toilet Room</i>	200		1	200		
<i>Copy/Supply Alcove</i>	100		1	100		
Total Court Security Operations		4.0		1,438	1,869	1.30
Jury Assembly Area						
<i>Jury Supervisor</i>	100	1.0		100		
<i>Jury Assembly Staff</i>	80	8.0		640		
<i>Jury Processing</i>						
<i>Check-in Counter Station</i>	64		6	384		
<i>Queuing Area (25% of jury call)</i>	14		145	2,030		
<i>Forms Counter (10% of jury call)</i>	5		58	290		
<i>Copier/Printer/Supplies</i>	120		1	120		
<i>Jury Assembly/Waiting (avg call of 580 per day)</i>						
<i>General Seating</i>	12		548	6,576		
<i>Computer Carrel Workstation</i>	20		20	400		
<i>Table Seating</i>	20		12	240		
<i>Vending Area</i>	115		1	115		
<i>Women's Restroom (5 toilets/lactation room)</i>	300		1	300		
<i>Men's Restroom (2 toilets/3 urinals)</i>	264		1	264		
Total Jury Assembly Area		9.0		11,459	15,470	1.35
Court Support						
<i>Mail Processing and Distribution Center¹</i>	300		1	300		
<i>Case Retention/Exhibits Storage (Death Penalty Cases)</i>	1,500		-	-		
<i>Staff Break Rooms²</i>	150		16	2,400		
<i>Staff Lactation Room</i>	64		1	64		
<i>Staff Shower/Restroom (2M/2F)</i>	80		4	320		
Total Court Support		-		3,084	3,701	1.20
Related Justice Agency Space						
<i>Multipurpose Rooms (DA, PD, Prob., Health & Human Svc., etc.)</i>	120		5	600		
<i>Agency Staff Convenience Center</i>	150		1	150		
<i>Volunteer Coordinator</i>	100		1	100		
Total Justice Agency Space		-		850	1,020	1.20

Continued on next page.

**Superior Court of California, County of San Bernardino
New San Bernardino Court**

Appendix C

Superior Court of California, County of San Bernardino
Projected Staff and Space Requirements for New San Bernardino Court

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court and Building Operations						
Children's Waiting Room						
<i>Security/Check-in Station</i>	100		1	100		
<i>Reading Area</i>	200		1	200		
<i>Computer Area</i>	25		4	100		
<i>Television Viewing Area</i>	200		1	200		
<i>Clerk/Volunteer Workstation</i>	48	4.0		192		
<i>Supply/Toy Storage</i>	80		1	80		
<i>Restroom w/Diaper Changing</i>	80		2	160		
<i>Sink Counter</i>	24		1	24		
Total Children's Waiting		4.0		1,056	1,373	1.30
In-Custody Holding						
<i>Vehicular Sallyport³</i>	3,000		1	-		
<i>Pedestrian Sallyport</i>	200		1	200		
<i>Control Room</i>	240		1	240		
<i>Central Holding</i>						
<i>Group Holding - Male</i>	150		14	2,100		
<i>Group Holding - Female</i>	150		10	1,500		
<i>Individual Holding - Male</i>	60		16	960		
<i>Individual Holding - Female</i>	60		8	480		
<i>Group Holding - Juvenile Male</i>	150		2	300		
<i>Individual Holding - Juvenile Male</i>	60		4	240		
<i>Individual Holding - Juvenile Female</i>	60		2	120		
<i>Court Dressing Room</i>	40		2	80		
<i>Attorney/Detainee Interview Rooms</i>	60		12	720		
<i>Attorney Vestibule/Reception/Waiting</i>	60		1	60		
<i>Booking Station</i>	100		1	100		
<i>Storage Room</i>	100		1	100		
<i>Staff Restroom</i>	60		1	60		
<i>Break Area</i>	80		1	80		
Total In-Custody Holding		-		7,340	11,010	1.50
Inactive Records Storage						
<i>Inactive Files/Microfilm Storage⁴</i>	2,000		-	-		
Total Records Storage		-		-	-	1.20
Support for Building Operations						
<i>Loading/Receiving Area</i>	200		1	200		
<i>Central Storage (paper, office supplies, forms, etc)</i>	800		1	800		
<i>Telecommunications Equipment Room⁵</i>	300		1	300		
<i>Main Electrical Room⁵</i>	300		1	300		
<i>Media Room</i>	180		1	180		
<i>Trash/Recycling Collection Room</i>	180		1	180		
<i>Housekeeping Office/Storage</i>	200		1	200		
<i>Maintenance Equipment Storage</i>	180		1	180		
<i>Workshop</i>	180		1	180		
<i>Outdoor Equipment Room</i>	180		1	180		
Subtotal Building Operations		-		2,700	3,240	1.20
Total Court and Building Operations		17.0		33,625		
Department Gross Square Feet					44,520	

Footnotes:

1. Assumes court will not longer use county mail services.
2. One break room per 40 staff, not including JPE.
3. Sallyport space included in basement program.
4. Storage requirements assume that all documents will eventually be stored in imaged format.
5. Satellite telecommunications and electrical rooms are included in building gross square foot calculation.

APPENDIX D

D. Resolutions

Introduction

The following letters of resolution document:

- The willingness of the City of San Bernardino to donate land for the new courthouse project. This letter expresses the City's interest in providing a site that is suitable for the new court location, contingent upon the success of the projects funding, CEQA analysis, and site studies.
- The willingness of the County of San Bernardino to redirect \$8.8 million in funding from the seismic retrofit and remodel project at the T-Wing to the new courthouse project.
- The willingness of the County of San Bernardino to contribute the equity value of the existing court space in existing county buildings in the approximate amount of \$2.7 million.
- The willingness of the County to support an increase in the maximum surcharge on civil filing fees from \$35 to \$50 to provide funding for construction of a new courthouse.

CDC/2006-37

1 WHEREAS, the Agency, through the official actions of the Commission by the adoption of
2 this Resolution, concurs and supports the Resolution as adopted by the Mayor and Common Council
3 of the City of San Bernardino as of this date in furtherance of the construction and development by
4 the State of California of the San Bernardino County Justice Center and Courthouse Facility on the
5 Property.

6 NOW, THEREFORE, THE COMMUNITY DEVELOPMENT COMMISSION OF THE
7 CITY OF SAN BERNARDINO, DOES HEREBY RESOLVE, DETERMINE AND ORDER, AS
8 FOLLOWS:

9 **Section 1.** The Community Development Commission of the City of San Bernardino
10 does hereby confirm and ratify their intent to support the approval by the Mayor and Common
11 Council of the City of San Bernardino (the "Council") pursuant to a duly adopted Resolution of the
12 Council for the transfer of the Property, for the reasons set forth in the Recitals hereto, to the State
13 of California for the construction and development of the San Bernardino County Justice Center and
14 Courthouse Facility on the Property. Subject to compliance with the applicable provisions of the
15 CRL for the approval and transfer of real property, the Commission declares its present intent to
16 transfer the Property to the State of California for the construction and development of the San
17 Bernardino County Justice Center and Courthouse Facility. The Commission hereby finds and
18 determines that the value of such transfer to the State of California for the construction and
19 development of the San Bernardino County Justice Center and Courthouse Facility thereon has a
20 current market value of approximately \$5,000,000, which dollar amount shall represent a financial
21 contribution by the Agency on behalf of the City for the purposes of the construction and
22 development of the San Bernardino County Justice Center and Courthouse Facility.

23 **Section 2.** The Commission further commits Agency Staff resources to further the
24 construction and development of the San Bernardino County Justice Center and Courthouse Facility
25 and to expedite the site planning process and all other development related issues that may need to
26 be addressed to cause the San Bernardino County Justice Center and Courthouse Facility to be
27 completed and to become functional in an expeditious manner.

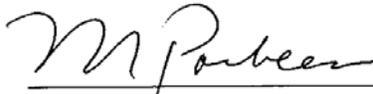
28 **Section 3.** This Resolution shall take effect upon its adoption by the Commission.

CDC/2006-37

1 **RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION**
2 **OF THE CITY OF SAN BERNARDINO DECLARING ITS INTENT TO**
3 **TRANSFER CERTAIN LAND OWNED BY THE REDEVELOPMENT**
4 **AGENCY OF THE CITY OF SAN BERNARDINO LOCATED AT 247 WEST**
5 **3RD STREET, DOWNTOWN SAN BERNARDINO, WITHIN THE CENTRAL**
6 **CITY EAST REDEVELOPMENT PROJECT AREA, TO THE STATE OF**
7 **CALIFORNIA TO FACILITATE THE DEVELOPMENT AND**
8 **CONSTRUCTION BY THE STATE OF CALIFORNIA OF A NEW JUSTICE**
9 **CENTER AND COURTHOUSE FACILITY**

10 I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the Community
11 Development Commission of the City of San Bernardino at a joint.regular meeting
12 thereof, held on the 21st day of August, 2006, by the following vote to wit:

13	Commission Members:	Ayes	Nays	Abstain	Absent
14	ESTRADA	<u>X</u>	___	___	___
15	BAXTER	<u>X</u>	___	___	___
16	VACANT	___	___	___	___
17	DERRY	<u>X</u>	___	___	___
18	KELLEY	<u>X</u>	___	___	___
19	JOHNSON	<u>X</u>	___	___	___
20	MC CAMMACK	<u>X</u>	___	___	___

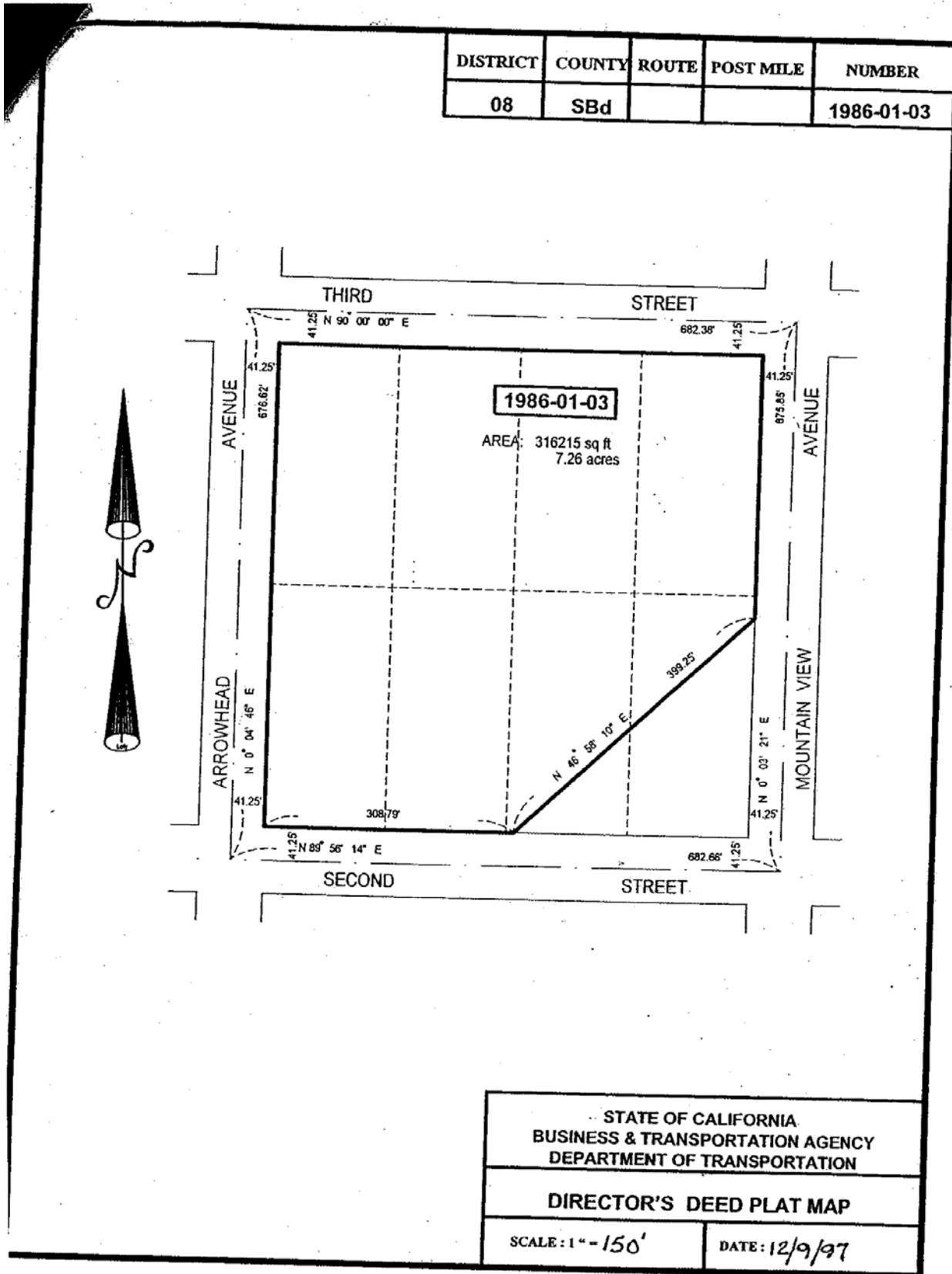
21 
22 Secretary

23 The foregoing resolution is hereby approved this 22nd day of August, 2006.

24 
25 Patrick J. Morris, Chairperson
26 Community Development Commission
27 of the City of San Bernardino

28 Approved as to Form and Legal Content:

29 By: 
30 Agency Counsel



**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

August 22, 2006

FROM: GERRY NEWCOMBE, Associate Administrative Officer
Public and Support Services Group, County Administrative Office

SUBJECT: RESOLUTION OF INTENT REGARDING SUPPORT FOR A NEW COURTHOUSE IN
DOWNTOWN SAN BERNARDINO

RECOMMENDATION: Adopt Resolution No. 2006-295 to show intent to:

1. Redesign the Central Courthouse Seismic Retrofit and Remodel project to eliminate tenant improvements in the T-Wing of the Central Courthouse in the approximate amount of \$8.8 million and redirect the funding to the State of California (State) for construction of a new courthouse in downtown San Bernardino.
2. Contribute the equity value of the Superior Court of the County of San Bernardino's (Court) space in 6 County buildings in the approximate amount of \$2.7 million to the State to be used for construction of a new courthouse.
3. Support an increase in the maximum surcharge on civil filing fees from \$35 to \$50 in the Court to provide funding for construction of a new courthouse.

BACKGROUND INFORMATION: The Judicial Council of California, Administrative Office of the Courts (AOC), has prioritized the need for new courthouse construction statewide and has determined that a new courthouse for downtown San Bernardino ranks in the highest priority group. The AOC intends to make a fiscal year 2007-08 funding request to the Governor and the State Department of Finance (DOF) to construct a new 36-Courtroom facility on the 7.12-acre site owned by the City of San Bernardino on the southeast corner of 3rd Street and Arrowhead Avenue in San Bernardino. The estimated cost of the new courthouse is \$320 million (without any offsets for the donation of land or other funding contributions). If funding for the new courthouse is approved, the Court would continue to occupy and use the existing 9 courtrooms in the 1926 historic portion of the Central Courthouse located at 351 N. Arrowhead Avenue, two courtrooms in the 303 W. 3rd Street building, and would no longer have a need for courtrooms in the T-Wing portion of the Central Courthouse. There would be a net increase of 11 courtrooms in San Bernardino.

In order to make the funding proposal to the Governor and DOF more attractive, the AOC has investigated a number of options and has requested the County of San Bernardino cooperate with the State regarding these options. Approval of this resolution would indicate our intent to redirect funding in the amount of \$8.8 million from the seismic retrofit and remodel project for the Central Courthouse, contribute the equity value of approximately \$2.7 million of space the court would no longer occupy, and increase the civil filing fee surcharge from \$35 to \$50 to provide a total of \$850,000 annually towards the cost of the new central courthouse.

Page 1 of 3

w/ Resolution
CC: PSSG- Newcombe
County Counsel- Hinesley
CAO- Lowe

File: PSSG-Gen. w/ Resolution

ob

Record of Action of the Board of Supervisors
RESOLUTION NO. 2006-295

APPROVED (CONSENT CALENDAR)
BOARD OF SUPERVISORS
COUNTY OF SAN BERNARDINO

MOTION AYE MOVE NAYE AYE SECOND
 1 2 3 4 5

DENA M. SMITH, CLERK OF THE BOARD

BY

DATED: August 22, 2006



ITEM 009

**BOARD OF SUPERVISORS
RESOLUTION OF INTENT REGARDING SUPPORT FOR A NEW COURTHOUSE IN
DOWNTOWN SAN BERNARDINO**

August 22, 2006

Page 3 of 3

The AOC requested the County prepare a Resolution that could be included in its funding request to the State Department of Finance outlining the County's support for a new courthouse in downtown San Bernardino and the actions the Board intends to take to contribute funding to the project. A similar request was made to the City of San Bernardino regarding the contribution of land for the new courthouse site. All actions to implement the intent expressed in the Board's Resolution will be brought back to the Board for further consideration and final approval.

REVIEW BY OTHERS: This item has been reviewed by and approved as to legal form by County Counsel (Rex Hinesley, Chief Deputy County Counsel, 387-5480) on August 10, 2006; and reviewed by the County Administrative Office (Janet Lowe, 387-5380, Administrative Analyst) on August 14, 2006.

FINANCIAL IMPACT: Redirecting funding from the Central Courthouse project and increasing the civil filing fee surcharge would have no impact on the County general fund. The contribution of equity value of Court occupied space to the State is estimated to be \$2.7 million, however, this cost is offset by the cost to build or improve other space that would otherwise need to be constructed or modified to meet the County's on-going need for office space. Funding for this contribution will come from the financing for the new downtown office space project, and will only occur if that project is ultimately approved.

SUPERVISORIAL DISTRICT(S): All

PRESENTER: Gerry Newcombe, Associate Administrative Officer, CAO, 387-9046

JL: 387-5380 dsa: 387-9046

RESOLUTION NO. 2006- 295
RESOLUTION OF INTENT REGARDING SUPPORT FOR A NEW COURTHOUSE IN DOWNTOWN
SAN BERNARDINO

On Tuesday, August 22, 2006, on motion of Supervisor Biane duly seconded by Supervisor Gonzales and carried, the following resolution is adopted by the Board of Supervisors of San Bernardino County, State of California.

This Resolution indicates the County of San Bernardino's support for a new 36-courtroom courthouse to be constructed on the southeast corner of 3rd Street and Arrowhead Avenue in San Bernardino and the County's intention to:

1. Redesign the Central Courthouse Seismic Retrofit and Remodel project to eliminate tenant improvements in the T-Wing of the Central Courthouse in the approximate amount of \$8.8 million and redirect the funding to the State of California (State) for construction of a new courthouse in downtown San Bernardino.
2. Contribute the equity value of space occupied by the Superior Court of the County of San Bernardino (Court) in 6 County buildings in the approximate amount of \$2.7 million to the State to be used for construction of a new courthouse, on the condition that the County proceeds with its project to construct new office space in the downtown San Bernardino area, including the demolition of certain existing buildings, portions of which are currently occupied by the Court.
3. Support an increase to the Court's maximum surcharge on civil filing fees from \$35 to \$50 to provide funding for construction of a new courthouse.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Bernardino, State of California, by the following vote:

AYES: SUPERVISORS: Postmus, Biane, Hansberger, Ovitt, Gonzales
 NOES: SUPERVISORS: NONE
 ABSENT: SUPERVISORS: NONE

STATE OF CALIFORNIA)
)
 COUNTY OF SAN BERNARDINO) ss.

I, **DENA M. SMITH**, Clerk of the Board of Supervisors of the County of San Bernardino, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Supervisors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of August 22, 2006, Item # 9, ob.

DENA M. SMITH
Clerk of the Board of Supervisors

By

