

Superior Court of California  
County of Lake  
New Lakeport Courthouse

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PROJECT FEASIBILITY REPORT

JULY 1, 2008



ADMINISTRATIVE OFFICE  
OF THE COURTS

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OFFICE OF COURT CONSTRUCTION  
AND MANAGEMENT

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I. EXECUTIVE SUMMARY

A. Introduction

This Project Feasibility Report for the proposed New Lakeport Courthouse for the Superior Court of California, County of Lake has been prepared as a supplement to the *Judicial Branch AB 1473 Five-Year Infrastructure Plan Fiscal Year 2009-2010*. This report documents the need for the proposed new facility, describes alternative ways to meet the underlying need, and outlines the recommended project.

B. Statement of Project Need

The proposed new courthouse will accomplish the following immediately needed improvements to the Superior Court and enhance its ability to serve the public:

- Provide a safe and secure courthouse in Lakeport for the public and staff; and
- Increase court operational efficiency and improve public service with this new fully accessible court facility.

The Superior Court of California, County of Lake serves the residents of Lake County in the main business district of Lakeport. The court occupies the 4th floor of the existing Lakeport Courthouse which is severely overcrowded, poorly serves the growing needs of the superior court and lack of basic security features causes unnecessary risk to the staff and public who use this building. This facility has significant security problems, severe accessibility deficiencies, is very overcrowded, and has many physical problems, and prevents the court from providing safe and efficient court services to the public.

This project—ranked in the Immediate Need priority group in the Trial Court Five-Year Infrastructure Plan adopted by the Judicial Council in April 2008—is one of the highest priority trial court capital-outlay projects for the judicial branch.

C. Options Analysis

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 Option 1: Construct a new courthouse with four courtrooms; or
- Project Option 2: Renovate and expand the existing courthouse.

Project Option 1—construction of a new courthouse with four courtrooms—is the proposed alternative for advancing this project.

In addition to the project options, two methods for delivering the new facility were evaluated based on ability to meet the programmatic requirements and provide economic value.

- Finance/Delivery Option 1: State Financing—Construction Manager (CM) at Risk
- Finance/Delivery Option 2: Performance Based Infrastructure (PBI)

Finance/Delivery Option 1, State financing—Construction Manager (CM) at Risk, is the preferred option.

**D. Recommended Option**

The recommended approach is to construct a new courthouse in Lakeport. The county will retain ownership of the existing court space for use by other county agencies.

The proposed new courthouse will include space for all court operations. A space program for the proposed project, which has been created in collaboration with the court, outlines a need for approximately 50,158 Building Gross Square Feet (BGSF). Based on a site program developed to accommodate the new facility, a site of approximately 3.0 acres is needed for the courthouse and surface parking.

Proposed Option 1 is recommended as the lowest initial capital cost solution for meeting current needs of the court. In replacing the existing court building, this project will solve the current space shortfall, increase security, replace an inadequate and obsolete facility. This option will serve the current needs of the public and the justice system.

The estimated project cost to construct the courthouse is \$70.8 million, without financing. This cost is based on constructing a two-story structure with a basement and partial mechanical penthouse. The specific building design and plan will be dependent on the final site selected and may vary in the number of floors, provision of a basement, and use of a mechanical penthouse. The building design will be determined in the preliminary plan phase of the project. The facility would be supported by ten secure parking spaces and 120 parking spaces for jurors, visitors, and staff at a surface parking lot.

Preliminary project schedules have been developed assuming that funding is included in the 2009–2010 State Budget Act. This schedule is based on a traditional state sequential appropriations and design/bid/build project delivery. In the current schedule the acquisition phase will occur from July 2009 to July 2011, preliminary planning will occur from October 2011 through May 2012, working drawings will be generated from May 2012 through January 2013, and construction will begin in May 2013 with completion scheduled for January 2015.

Impact on the trial court and the Administrative Office of the Court's (AOC's) support budgets for FY 2009–2010 will not be material. It is anticipated that this project will impact the AOC facilities operations and trial court support budgets in fiscal years beyond the current year as possible one-time and ongoing costs are incurred.

## II. STATEMENT OF PROJECT NEED

### A. Introduction

The court facility serving Lakeport has severe security problems, is extremely overcrowded, and has many physical condition problems. The court should operate from a secure and physically appropriate court building.

### 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. Assembly Bill (AB) 1491 was enacted and extends the deadline for completing transfers to December 31, 2009. However, it is likely that most counties will endeavor to complete transfers prior to September 30, 2008 in order to avoid financial penalties.

### 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 *Prioritization Methodology for Trial Court Capital-Outlay Projects* (the methodology).

In April 2007, the council adopted an updated trial court capital-outlay plan (the plan) based on the application of the methodology. The plan identifies five project priority groups to which 175 projects are assigned based on their project score (determined by existing security, overcrowding, physical conditions, and access to court services). 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 sub criteria:

- 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 Lake County project meets the requirements of the rating for security criterion and consolidation of a disparate leased facility.

**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 for the worst cases. The Lakeport Courthouse has a security rating of 69.

The function of the leased Records Storage Annex will be consolidated into the new courthouse which will eliminate the need for the leased space and improve operational efficiency within the court due to having these court records on site.

The proposed New Lakeport Courthouse 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 Municipal and Superior Courts of Lake County agreed to consolidate administratively, effective July 1, 1995. With unanimous consent of the Municipal and Superior Court Judges, Judicial Council certified the Courts as being unified on June 30, 1998. The official title of the court is the Superior Court of California, County of Lake. Unification facilitates the Court's efforts to achieve the maximum utilization of judicial and other court resources, to accomplish increased efficiency in court operations, and to increase public access to court services. The court operates out of the 4th floor Lakeport Courthouse building in Lakeport. This full service court handles all case types. Once the court vacates this building the county intends to reassign the space to other county agencies.

**E. Demographic Analysis**

Lake County is located in northern California, about two and one-half hours driving time from both the San Francisco Bay Area and the Sacramento metropolitan area; approximately 110 miles north of San Francisco, 100 miles west of Sacramento, and 80 miles east of the Pacific Coast. It is 1,261 square miles in size.

Per the Department of Finance, the population of Lake County grew by 9 percent from 2000 to 2007. The population of Lake County is projected to grow substantially over the next fifty years, from approximately 58,724 in 2000 to 106,887 in 2050, representing an increase of 82 percent. Table 1 below summarizes the population projections.

TABLE 1  
Population Projections in Ten-Year Increments for Lake County, 2000 to 2050

	<u>2000</u>	<u>2010</u>	<u>2020</u>	<u>2030</u>	<u>2040</u>	<u>2050</u>
Total County Population	58,724	67,530	77,912	87,066	96,885	106,887

Source: State of California, Department of Finance, Population Projections by Race/Ethnicity for California and Its Counties 2000–2050, Sacramento, California, May 2004.

**F. Judicial Positions**

Current and projected Judicial Position Equivalents (JPEs)<sup>1</sup> determine the number of current and future courtrooms needed by each court. Projected JPEs are determined by the *Update of the Judicial Workload Assessment and New Methodology for Selecting Courts with Subordinate Judicial Officers for Conversion to Judgeships* as submitted to the Judicial Council in February 2007.

The assessment project provides an estimate of current judicial need through the application of a workload methodology adopted by the Judicial Council in August 2001. On February 23, 2007, the Judicial Council approved an updated workload assessment identifying 361 currently-needed new judgeships. Of these 361 currently-needed new judgeships, the first 50 were authorized for funding in FY 2006–2007 by Senate Bill (SB) 56 (Ch. 722, Statutes of 2007), the second 50 were submitted in FY 2007–2008 for legislative approval Assembly Bill (AB) 159 (Ch. 722, Statutes of 2007) still to be authorized for funding), and the last 50 are proposed in SB 1150 (Corbett).<sup>2</sup>

TABLE 2  
Current JPEs and Projected JPEs (Including Proposed New Judgeships)

Location	Existing JPEs	AB 159	Proposed (SB 1150)	Future Growth	Total JPEs	Basis for Proposed Project
Lakeport .....	4	0	0	1	5	4
Countywide .....	5	0	0	1	6	

Because funding is only available for current need, no future growth courtrooms are included in this project. The Lakeport court has one future new judgeship in the 211 future new judgeships for which funding has not been requested by the Judicial Council. The acquired property will be of sufficient size to accommodate a future addition for this new position.

**G. Existing Facilities**

The Superior Court of Lake County currently occupies space in two facilities in Lakeport; the Lakeport Courthouse and the Records Storage Annex.

<sup>1</sup> 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.

<sup>2</sup> The remaining 211 new judgeships identified as a current need per the updated workload assessment are on hold pending future legislative action.

TABLE 3  
 Lakeport Facilities to be Vacated after Completion of New Courthouse  
Courtrooms, Size, Ownership, and Transfer Status

Facility	Location	Existing Courtrooms Affected by This Project	Departmental Square Footage Occupied by the Court	Owned or Leased	Type of Transfer	Court Space as a Percentage of Total Building Square Footage
Lakeport Courthouse.....	255 N. Forbes St., Lakeport	4	15,332	County-owned	Transfer of Responsibility	28%
Records Storage Annex.	832 Lakeport Blvd, Lakeport	0	1,365	Leased	Court Holds Lease	100%
<b>Total Existing Courtrooms and DGFSF .....</b>		4	16,697			

The combined total space currently occupied in these buildings is 16,697 square feet.

The square footage required for the four courtroom Lakeport Courthouse is 31,537 Departmental Gross Square Feet (DGFSF), or 50,158 BGSF. This represents a shortfall of 14,840 DGFSF to meet the current needs of the court based on the space program developed in 2008 and presented in Appendix B.

The site plan presented below in Figure 1 illustrates the relationship between the current court facilities in Lakeport – the Lakeport Courthouse, and the Records Storage Annex.

FIGURE 1  
Site Plan of Existing Lakeport Court Facilities



Lakeport Courthouse

The Lakeport Courthouse, where the court occupies the fourth floor, suffers from several technical and functional deficits. There is a lack of court and administrative space, no jury assembly area, and limited court waiting space. There is no feasible strategy for present or future expansion on the existing site or in the existing building, the majority of which is occupied by the county. There is a significant lack of security – general public screening is absent and separation of secure, private, and public circulation is inadequate. The HVAC system has inherent limitations in providing comfortable working conditions, especially during transitional times and seasons. There are serious concerns about the building’s structure evidenced by settlement and prior discovery of inadequate foundations, conditions which have not been fully studied. For these reasons, long-term use of the facility for court use is not recommended.

Building Deficiencies:

- Due to overall lack of space, staff is required to share extremely small work spaces;
- Mediation is handled in the public hallways;
- There is no secured parking for the judges;
- Juvenile prisoners are held in a storage room;
- Prisoners traverse through public hallways;
- There are no conference rooms or attorney-client meeting rooms;
- Jury assembly for up to 200 people takes place in the public hallways;
- There is no weapons screening upon entering into the building.
- There are multiple unsecured entrances into the building:

Courtroom Deficiencies:

- All courtrooms are undersized per the *California Trial Court Facilities Standards* and have design flaws, such as limited seating capacity and sightlines, poor acoustics, lighting, and ADA inaccessibility.
- The courtrooms have many non-ADA compliant features such as judicial officer benches, witness and jury boxes, and public seating.
- The public waiting for courtrooms is located in the corridors outside the courtrooms. Acoustics are an issue because with no sound locks/entry vestibules, noise from the corridor permeates courtrooms.

Figure 2  
Lakeport Courthouse



Figure 3  
Juvenile prisoner holding area created in a storage room



- Windows are blocked for privacy in a storage room to house Juvenile prisoners.

Figure 4  
4th floor corridor used for jury assembly



- Lack of jury assembly area requires jury call to be held in the corridors.

### III. OPTIONS ANALYSIS

#### A. Introduction

The purpose of this section is to compare potential options for construction and financing of a new court facility in Lakeport for the superior court.

#### B. Project Options

The AOC and the court examined two facility development options to provide adequate space for court functions in Lake County:

- Project Option 1: Construct a new courthouse with four courtrooms;
- Project Option 2: Renovate and expand the existing courthouse.

These options are evaluated based on their ability to provide the space required at good economic value to the state.

#### **Project Option 1: Construction of a New Courthouse with four courtrooms**

In Option 1, a building of approximately 50,158 BGSF will be constructed on a new site with four courtrooms and associated support space. With Project Option 1, the court will vacate the existing Lakeport Courthouse and the leased Records Storage Annex will no longer be required.

The total cost of this option is \$70.8 million not including financing costs.

#### **Pros:**

- This option, in contrast to Option 2 (Renovation and Expansion), has lower risks to the state in terms of the potential for unidentified costs and schedule delays due to unforeseen existing conditions discovered during construction.
- Unlike Option 2, this option will not incur additional costs for swing space to temporarily house the court.
- This option will not incur extra moving cost to relocate the court to the swing space before construction starts and then back in to the expanded court.

#### **Cons:**

- Space for future expansion is not provided

**Project Option 2: Renovate and Expand the four courtroom Courthouse**

In this option, the existing Lakeport Courthouse would be renovated, reconfigured and expanded to accommodate the programmatic needs of the court. However, because the county will retain title to this property, this option is not feasible.

The court is located on the 4th floor of a four story county building and occupies approximately 25% of the building – 15,332 net usable square feet. A memorandum of understanding regarding this space will be signed in accordance with SB 1732 (Ch. 1082, Statutes of 2002) and the county will retain responsibility for this property. The county has no interest in conveying title to the state. Consequently, the AOC has no right to renovate or expand onsite. Cost estimates were not prepared because this option was not considered viable.

**C. Recommended Project Option**

The recommended option is Option 1. This option provides the best solution for the current court operations. The proposed new superior courthouse will increase court operations efficiency and improve public services.

**D. Finance/Delivery Options**

In addition to the project options, two financial/project delivery alternatives for delivering a new facility were considered based on ability to meet the programmatic requirements and provide economic value.

- Finance/Delivery Option 1: State Financing—Construction Manager (CM) at Risk
- Finance/Delivery Option 3: Performance Based Infrastructure (PBI)

These options are considered 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 costs, advantages, and disadvantages of each option are described below. Each option will ultimately result in the state owning the real estate asset, and will 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.

**Finance/Delivery Option 1: State Financing—CM at Risk Contract for Delivery of a New Courthouse**

This alternative provides the new facility by contracting early in the design process with a construction management firm for construction of the new courthouse. In this option, the construction management firm becomes an integral part of the design team providing construction cost estimating, scheduling, constructability reviews and other substantive input to the design process. The state would select and purchase a site and contract with a design team for design of the facility. The state will fund the project, manage the design, and the construction management firm will manage the construction of the new facility, according to AOC specifications.

In this alternative the state would pay directly for site acquisition, preliminary plans, and working drawings phases. The construction phase would then be financed with state tax-exempt financing.

**Pros:**

- The majority of the costs to the state—the cost of the construction phase—are distributed over 30 years; amortizing the cost of the new courthouse.
- This option provides maximum control over the building design process.
- The overall total development cost is lower than the PBI option because the state can borrow money at a lower interest rate than a private developer can.
- The CM will be an active team member beginning in the preliminary plans phase and available to assist the design team in careful evaluation of the cost impact of design decisions.
- The risk of construction claims is reduced when compared to the traditional design/bid/build process.

**Cons:**

- The state assumes essentially all risks associated with developing the project.
- This process may take longer than the PBI process in Option 2.
- The state assumes all direct responsibility and risks associated with operating and maintaining the building.

**Finance/Delivery Option 2: Enter into a Performance Based Infrastructure (PBI) Agreement for Delivery and Operation of a New Courthouse**

In this option, the state would enter into an agreement with a private sector special purpose entity (PBI developer) to design, build, finance, operate and maintain the court facility for a specific term. The state would own the land and building from the outset and would enter into a service agreement with the PBI developer to design, build, finance, operate and maintain the facility. This option provides the state an opportunity to receive a new, modern court facility in an expedited fashion with minimal initial capital costs. The total cost of the project is distributed over the term of the agreement, during which time the state would make annual service payments covering the initial development and on-going operational costs. The PBI developer could also include non-court space in the facility, which could be used in the future by the court for expansion.

The AOC would perform a financial analysis of the project to determine if a positive value to the State would result using a PBI approach. Only after such a value-for-money was demonstrated

would the Administrative Office of the Courts proceed with such an approach. Performance Based Infrastructure costs could not be estimated at this time. The annual service payment will be subject to negotiations as part of the PBI agreement.

**Pros:**

- A Performance Based Infrastructure approach shares the investment, risk, responsibility, and rewards of the proposed project between government and private sector participants. Many risks are transferred over the life of the service agreement to the PBI developer, which is better able to mitigate such risks than the state.
- Components are bundled (design, construction, financing, operation and maintenance) resulting in integrated, efficient service delivery. The PBI developer is the single point of contact for the procurement and delivery of all services under the agreement.
- Performance Based Infrastructure integrates the costs of maintenance with performance requirements over the lifetime of the building. The service agreement payments would be conditioned on the building performance meeting certain operational standards.
- Shifting long-term operations and maintenance responsibilities to the PBI developer creates incentive to ensure initial construction quality and durability as the private partner will be responsible for operations and maintenance costs for many years.
- There could be no immediate capital costs to the state; the entire project development cost would be financed by the PBI developer.
- The project may be completed in a shorter amount of time. The PBI developer has strong incentive to complete the project quickly because the revenue stream from the state (service payments) only begins upon occupancy of the building. The PBI approach may result in cost savings of 8 to 10 percent (net present value) over the traditional capital outlay and state operations and maintenance model.
- A new court facility could be combined with other appropriate and compatible non-court justice agency or commercial uses that could provide some subsidy to reduce the state's ownership costs over the term of the agreement.
- Competitive solicitation could give the state the best financing terms and potential for subsidies from redevelopment of current court properties and development of new facilities.
- The state could obtain options to acquire non-court space for future expansion needs, eliminating the current problem of under-building for the future.
- This option provides a means to provide a new facility, within the limited resources currently available, by partnering with private sector expertise for the construction of the new courthouse. AOC staff would ensure that the final design and the subsequent

construction of the courthouse meet the requirements stated in the *California Trial Court Facilities Standards* and remedy the inadequacies of the existing facility, and that ongoing operations and maintenance are delivered at a cost effective and asset preserving level.

**Cons:**

- This option will require the state to enter into a long-term agreement (typically 30 to 35 years) with the PBI developer for an amount sufficient to amortize the development, construction, and annual operations and maintenance costs of the new facility.
- The financing cost component of the service payment will be higher than in Option 1.

In comparison to the State Financing—CM at Risk option, the Performance Based Infrastructure option will have lower initial costs, because the state will not have to pay the upfront costs of delivering the facility. A developer may be able to construct a building more quickly than the public sector, and the shorter construction schedule will reduce cost escalation. However, in the long term, financing costs on a privately financed project could result in higher overall costs.

**E. Recommended Finance/Delivery Option**

The recommended finance/project delivery alternative is to develop the project using Finance/Delivery Option 1: State Financing—CM at Risk. With this option, the state will enter into separate agreements with a firm which will manage the project, and with an architectural firm and associated engineering firms to plan, design, and construct the new courthouse. This option is recommended for smaller projects located in communities where design/build may not be the most common practice.

The AOC is currently pursuing a PBI approach for the New Long Beach Courthouse, the State and the AOC will be evaluating the success of this project and potential cost savings in the future.

IV. RECOMMENDED PROJECT

**A. Introduction**

The recommended solution to meet the court’s facilities needs in Lake County 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 Lakeport Courthouse for the Superior Court of California, County of Lake. The project replaces the existing Lakeport Courthouse and leased Records Storage Annex and will include four courtrooms; court support space for court administration, court clerk, court security operations and holding; and building support space. Secure parking for 10 cars a sallyport, and prisoner holding will be located in the basement level. Parking for 120 cars to support the courthouse will be provided by a surface parking lot adjacent to the new courthouse. The proposed new building will be approximately 50,158 BGSF.

**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 standards). The overall space program summary is provided in Table 4.

TABLE 4  
Space Program Summary for the New Lakeport Courthouse

Division	Projected Staff	Projected Square Feet
Court Administration	8	1,647
Courtsets/Judiciary	18	16,383
Criminal/Civil/Juvenile/Traffic/Family -Division Staff	20	3,510
Mediation Self-help Unit	5	813
Court and Building Operations	2	9,158
<b>Total Staff and Departmental Gross Square Feet</b>	<b>53</b>	<b>31,537</b>
Basement Component		6,893
Interdepartmental Circulation/Restrooms/Bldg. Support	25%	7,884
Building Envelop/Mechanical/Electrical	10%	3,843
<b>Total Building Gross Square Feet</b>		<b>50,158</b>

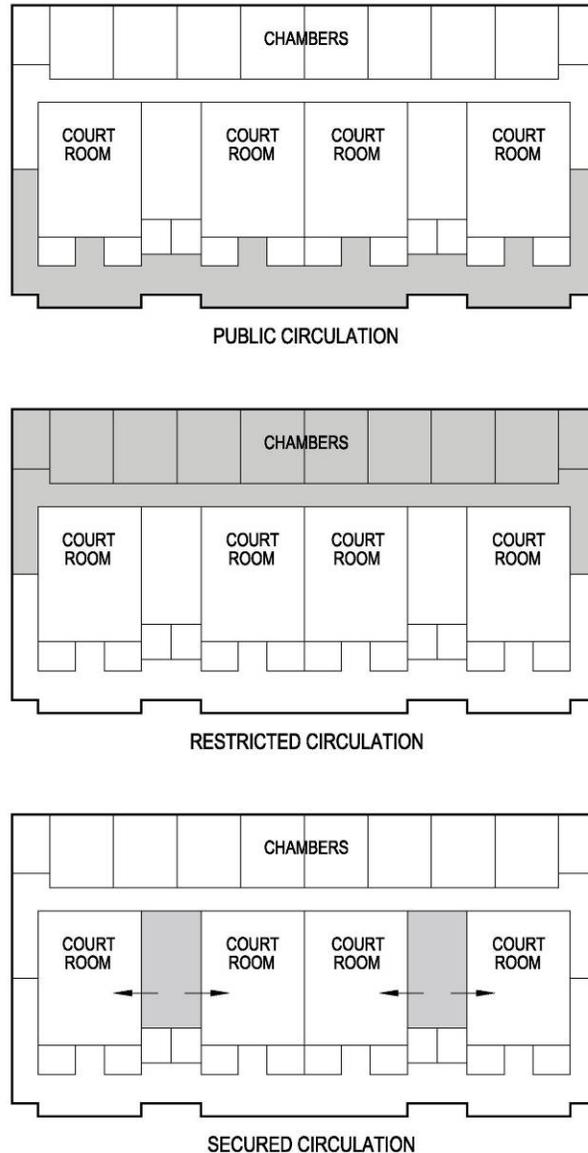
Detailed program data is provided in Appendix B.

**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

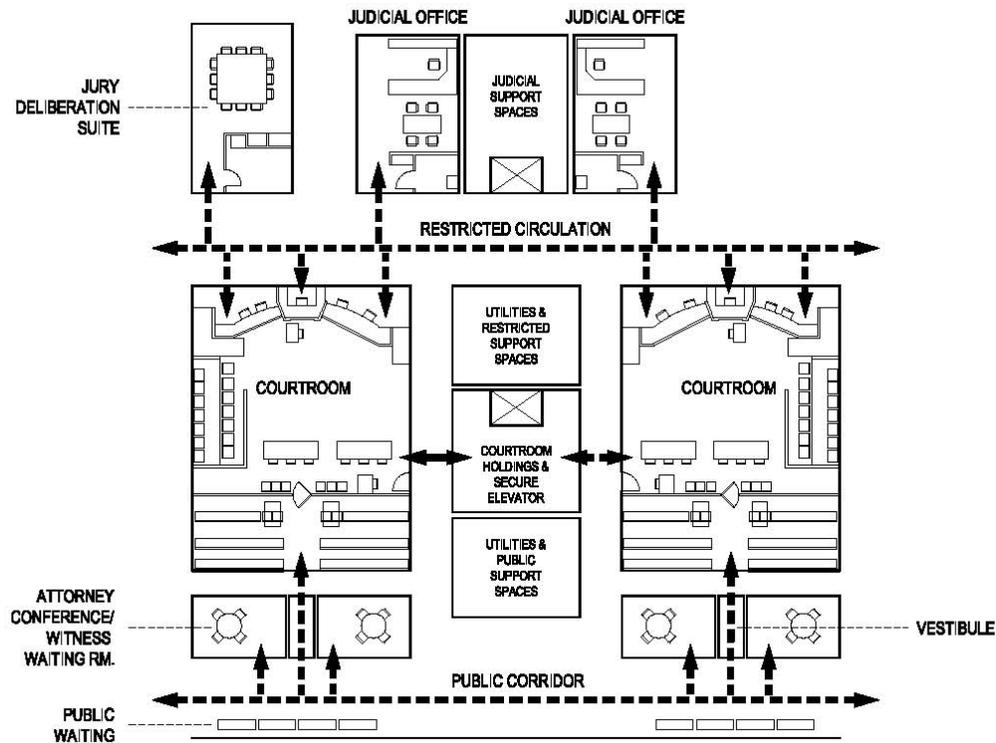
circulation shall only intersect in controlled areas, including courtrooms, sallyports, and central detention. Figure 5 illustrates the three circulation zones.

FIGURE 5  
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 6 illustrates how a typical court floor should be organized.

FIGURE 6  
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 utilizes a portion of the surface parking lot owned by the County of Lake. While most of the parking at the site is allocated to county staff, judicial officers and some court administrative personnel park at this unsecured lot. Most court staff, visitors, and jurors park at city operated surface parking lots or utilize on-street parking spaces. Most parking in the area has a two-hour limit and is available free of charge

Parking for visitors, staff and jurors was calculated at 30 spaces per courtroom. The AOC has a parking study underway 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.

2. Site Program

A site program was developed for the recommended option of a new courthouse in Lakeport. The site program is based on an assumed building footprint, onsite parking, and site elements such as loading areas, refuse collection, and outdoor staff areas.

The building footprint is based on preliminary space allocation per floor. For project budgeting purposes, it is assumed that this building will have a basement; however, the actual courthouse design may not include a basement depending on the characteristics of the site.

The site calculations include the building footprint, 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 5 below delineates that a minimum site area of 3.0 acres has been identified to accommodate the needs of the courthouse.

TABLE 5  
Site Program

Site Component	Project Need	Future Court	Comments
<b>Structures</b>			
Court Footprint	19,668	7,500	2-story building with a basement and penthouse
Total Structure	19,668	7,500	
<b>Site Elements</b>			
Loading Bay	480	-	Assume 1 @ 12' x 40' (Depressed to exterior basement level)
Refuse/Recycling Collection	288	-	Assume 12' x 24' (Depressed to exterior basement level)
Emergency Generator	200	-	
Bicycle Parking Area	60	-	
Outdoor Staff Area	250	-	
Total Site Elements	1,278	-	
<b>Parking</b>			
Secure Judicial Parking	-	-	Locate at basement level
Staff/Juror/Visitor Parking	120	30	Assume 30 spaces per courtroom
Total Parking Area	42,000	10,500	Assume surface parking at 350 SF per space
<b>Total Site Requirements</b>			
Structures	19,668	7,500	
Site Elements	1,278	-	
Parking	42,000	10,500	
Subtotal Site Requirements	62,946	18,000	
Vehicle/Pedestrian Circulation	12,589	3,600	20% of site
Landscaping/Setbacks	22,031	6,300	35% of site
<b>Total Site Requirements</b>	<b>97,567</b>	<b>27,900</b>	
<b>Total Acreage Requirements</b>	<b>2.24</b>	<b>0.64</b>	
		<b>2.88</b>	Total Site Required

Basement Component	Project Need		Comments
<b>Structures</b>			
Ground Level Footprint	4,471	-	
Sallyport and Sheriff's Parking	2,930	-	Bus staging plus 4 secure parking spaces
Sheriff's Transportation Storage	80	-	
Total Structure	7,481	-	
<b>Parking</b>			
Secure Staff Parking	6	-	Judicial officers and key administrative staff
Total Parking Area	2,520	-	Assume basement parking at 420 SF per space
<b>Total Basement Requirements</b>			
Subtotal Basement Requirements	10,001	-	
Vehicle Circulation	1,363	-	25% of parking area and sallyport
<b>Total Basement GSF</b>	<b>11,364</b>	-	

### 3. Site Selection

A site has not been recommended for new Lakeport Courthouse. Once initial funding for the project is secured, the AOC will develop a list of sites to be considered by the project's local Project Advisory Group and to which approved site selection criteria will be applied (per Rule 10.184(d) of the California Rules of Court and subject to final approval by the Administrative Director of the Courts). The site selection/site acquisition process—for all trial court capital projects—is outlined in the *Site Selection and Acquisition Policy for Court Facilities* approved by the Judicial Council of California on June 29, 2007.

## **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, refer to the standards 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™ “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**

When a facility has been rated seismically deficient, neither title nor responsibility can be transferred until provision is made for correction of the deficiency except when transfer occurs in accordance with SB 10 (Ch. 44, Statutes of 2006) which was enacted in August 2006. 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 may include participation in a joint powers authority organized for the purpose of funding earthquake related damage in a building with a level V seismic rating, or some other financial arrangement acceptable to the Judicial Council of California and the California Department of Finance.

## **I. Estimated Project Cost**

The estimated project cost to construct the recommended courthouse project is \$70.8 million, without financing. This is based on a project of approximately 50,158 gross square feet.

Construction costs for the courthouse are estimated to be \$62.7 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 based on 8 percent annual escalation (5 percent escalation and 3 percent market conditions).

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.

Cost criteria include the following:

- The total project cost<sup>3</sup>—without financing costs—is \$70.8. For the courthouse, total cost by project phase includes: Acquisition Phase at \$2.6 million, Preliminary Plans Phase at \$2.419 million, Working Drawings Phase at \$3.0 million, and Construction Phase at \$62.7 million.
- The actual costs could change, depending on the economic environment and when the actual solution is implemented. The estimates were created by applying current cost rates and using a best estimate of projected cost increases.
- The estimate is based 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.

**J. Project Schedule**

Preliminary project schedules have been developed assuming that funding is included in the 2009–2010 State Budget Act. This schedule is based on a traditional design/bid/build project delivery. If the performance based infrastructure or traditional design/build proves to be the most effective delivery method, this schedule can be reduced.

Proposed Project Schedule

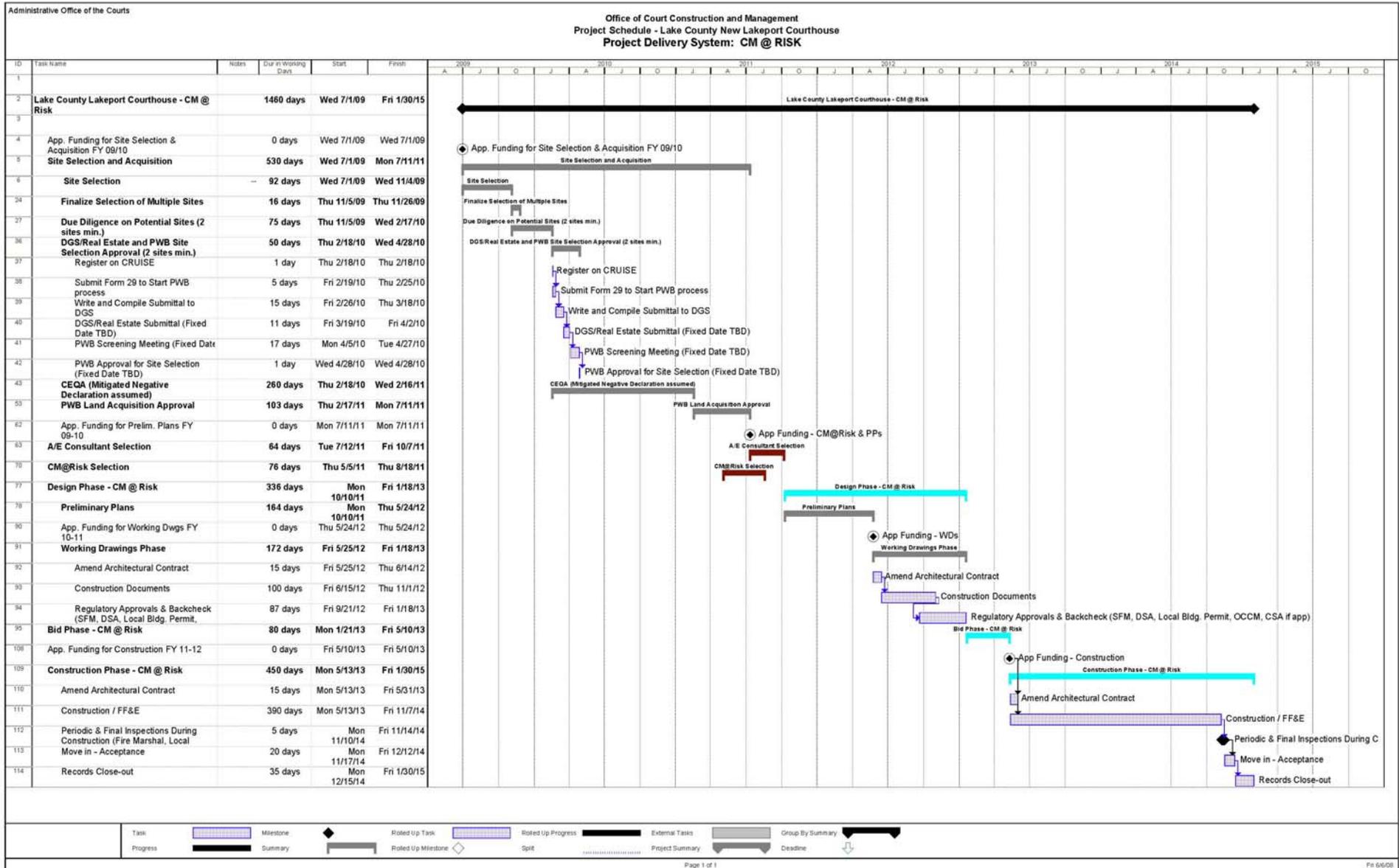
Land Acquisition (including CEQA)	July 2009–July 2011
Preliminary Plans	October 2011–May 2012
Working Drawings	May 2012–January 2013
Construction	May 2013–January 2015

The project schedule is provided in Figure 7.

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<sup>3</sup> The total project cost, which has been provided by the Cumming Corporation, Inc., has been escalated to the mid-point of construction and has been based on the construction schedule provided in Section IV of this report.

FIGURE 7  
Project Schedule



**K. Impact on Court's FY 2009–2010 Support Budget**

Impact on the trial court and the AOC's support budgets for FY 2009–2010 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. Any existing operational cost savings identified as a result of the new facility will be considered for redirection to offset the ongoing facility operational costs of the new courthouse.

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 Lake, dated June 2003, 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.

A summary of the master plan is provided here as a reference document. The difference between the project proposed in this report and the one recommended in the court facilities master plan is the number of courtrooms planned for the new facilities and the size of the site. The master plan called for construction of more courtrooms for future judgeships. This led to the need for a larger site than is recommended in this report.

**Superior Court of California, County of Lake  
Court Facilities Master Plan**

Court functions will move out of the county courthouse in Lakeport and a new facility will be constructed on a site to be identified and acquired within downtown Lakeport. The entire building will be constructed in a single phase, and five courtrooms finished for use, while two more courtrooms and related space will be shelled for later completion. In order to bring this facility online as early as practical, a new site (two blocks from the current courthouse and containing at least 3.6 acres) would need to be acquired in 2005. Design and construction of the facility would take until the end of 2008. The tenth courtroom would be finished by 2012 and the seventh by 2022.

Excerpted from:

*Superior Court of California, County of Lake, Facilities Master Plan*, Jay Farbstein & Associates

APPENDIX B

**A. 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 and was updated based on current JPEs projections, current staffing and functions, and an update according to the standards.

The following table is the summary of the program; the following pages include a series of tables with a list of spaces required for each major court component.

Division or Functional Area	Projected Need		
	Courtrooms	Staff	BGSF
<b>Lakeport Courthouse</b>			
Court Administration		8.00	1,674
Court Sets / Judiciary	4	18.00	16,383
Criminal/Civil/Juvenile/Traffic/Family - Divisions Staff		20.00	3,510
Mediation Self-help Unit		5.00	813
Court and Building Operations		2.00	9,158
<b>Subtotal Staff &amp; Departmental Gross Square Feet</b>	<b>4</b>	<b>53.00</b>	<b>31,537</b>
Interdepartmental Circulation/Restrooms/Bldg. Support <sup>1</sup>		25%	7,884
Basement Component <sup>2</sup>			6,893
Building Envelope/Mechanical/Electrical <sup>3</sup>		10%	3,843
<b>Total Building Gross Area</b>			<b>50,158</b>

Notes:

1. Includes staff restrooms, public restrooms, public telephones, drinking fountains, janitors' closets, etc.
2. Includes vehicle sally port, secured judicial parking, sheriff's parking, and storage.
3. Includes telecommunication and electrical closets, mechanical shafts, elevator machine room, etc.

**Superior Court of California, County of Lake  
New Lakeport Courthouse**

**Appendix B**

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
<b>Court Administration</b>						
<b>Executive Office</b>						
Court Executive Officer	225	1.00		225		
Assistand Court Executive Officer	150	1.00		150		
<i>Files; 5 drawer lateral</i>	14		2	28		
<b>Fiscal</b>						
Fiscal Staff	130	2.00		260		
Admin Assistant /Payroll	80	1.00		80		
<i>Files; 5 drawer lateral</i>	14		2	28		
<b>Human Resources</b>						
HR Staff	100	1.00		100		
<i>Files; 5 drawer lateral</i>	14		2	28		
<b>Information Services</b>						
IS Staff	100	2.00		200		
<i>IS Work Room/Storage</i>	80		1	80		
<b>Shared Support</b>						
<i>Reception Waiting Area</i>	60		1	60		
<i>Training Room (use jury room space)</i>	400		0	0		
<i>Work/Copy Room</i>	100		1	100		
<b>Total Court Administration / Support Services</b>		<b>8.00</b>		<b>1,339</b>		<b>1.25</b>
<b>Department Gross Square Feet</b>					<b>1,674</b>	

Spaces shown in italics are not assigned to specific staff as workspace.

Superior Court of California, County of Lake  
New Lakeport Courthouse

Appendix B

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
<b>Court Sets / Judiciary</b>						
<b>Court Sets</b>						
<i>Courtroom Large (ceremonial &amp; high-volume)</i>	2,400		1	2,400		
<i>Courtroom Multi-purpose (jury)</i>	1,750		3	5,250		
<b>Subtotal Courtrooms</b>		<b>0.00</b>	<b>4</b>	<b>7,650</b>	<b>9,180</b>	<b>1.20</b>
<i>Jury Suite (2 toilets, kitchenette and closet)</i>	470		3	1,410		
<i>Attorney/Client/Witness Rooms</i>	100		4	400		
<i>Law Enforcement Waiting</i>	80		1	80		
<i>Shared Courtroom Holding (2 cells, 1 interview)</i>	140		2	280		
<i>Courtroom Waiting</i>	200		4	800		
<i>Courtroom Technology/Equipment Room</i>	40		4	160		
<i>Exhibit Storage Closet</i>	40		4	160		
<b>Total Court Sets</b>		<b>0.00</b>		<b>3,290</b>	<b>3,948</b>	<b>1.20</b>
<b>Judiciary/Courtroom Support<sup>2</sup></b>						
Judicial Chambers (includes toilet and closet)	400	4.00		1,600		
Judicial Assistants	80	4.00		320		
Bailiffs (1 workstation in each courtroom)	0	4.00		0		
Court Reporters	64	4.00		256		
Court Interpreters	64	2.00		128		
<i>Chambers Waiting/Reception (share w/admin)</i>	50		0	0		
<i>Conference Room/Legal Collection</i>	240		1	240		
<i>Judicial Break Area</i>	60		1	60		
<i>Copy/Workroom/Supply Alcove (share w/admin)</i>	80		0	0		
<b>Total Judiciary</b>		<b>18.00</b>		<b>2,604</b>	<b>3,255</b>	<b>1.25</b>
<b>Total Court Sets / Judiciary</b>		<b>18.00</b>		<b>13,544</b>		
<b>Department Gross Square Feet</b>					<b>16,383</b>	

Spaces shown in italics are not assigned to specific staff as workspace.

**Superior Court of California, County of Lake  
New Lakeport Courthouse**

**Appendix B**

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Criminal/Civil/Juvenile/Traffic/Family - Divisions Staff						
Clerks	64	20.00		1,280		
<i>Service Counter Area</i>						
<i>Counter workstation (unassigned)</i>	48		4	192		
<i>Queuing Area</i>	14		32	448		
<i>Public Document Review</i>	80		1	80		
<i>Active Records (5 years onsite)</i>						
<i>Active Files; 42" x 7 shelf unit</i>	12		35	420		
<i>File Scanning Station</i>	40		1	40		
<i>File Carts</i>	2		20	40		
<i>Copy/Work Room (share w/traffic and civil)</i>	200		1	200		
<b>Total Criminal/Juvenile Division Staff</b>		<b>20.00</b>		<b>2,700</b>		<b>1.30</b>
<b>Department Gross Square Feet</b>					<b>3,510</b>	

Spaces shown in italics are not assigned to specific staff as workspace.

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Mediation Self-help Unit						
Staff	130	5.00		650		
<b>Total Family Court Mediation Staff</b>		<b>5.00</b>		<b>650</b>		<b>1.25</b>
<b>Department Gross Square Feet</b>					<b>813</b>	

Superior Court of California, County of Lake  
New Lakeport Courthouse

Appendix B

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
<b>Court and Building Operations</b>						
<b>Public Area</b>						
<i>Entry Vestibule</i>	100		1	100		
<i>Security Screening/Queuing</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>	42		1	42		
<i>Public Vending Alcove</i>	80		1	80		
<b>Subtotal Public Area</b>		0.00		1,152	1,210	1.05
<b>Court Security Operations</b>						
<i>Central Control Room</i>	100		1	100		
<i>Management Office (Lieut., Sergeant)</i>	100	1.00		100		
<i>Interview/Holding Room</i>	64		1	64		
<i>Men's Locker/Shower/Toilet Room</i>	150		1	150		
<i>Women's Locker/Shower/Toilet Room</i>	120		1	120		
<b>Total Court Security Operations</b>		1.00		534	668	1.25
<b>Jury Assembly Area</b>						
<i>Jury Assembly/Waiting (assume call of 150)</i>			1			
<i>General Seating</i>	12		136	1,632		
<i>Computer Carrel (use as training room for staff)</i>	20		10	200		
<i>Table Seating</i>	20		4	80		
<i>Vending Alcove (use public vending)</i>	80		0	0		
<i>Women's Restroom (use public restrooms)</i>	220		0	0		
<i>Men's Restroom (use public restrooms)</i>	160		0	0		
<b>Total Jury Assembly Area</b>		0.00		1,912	2,390	1.25
<b>Court Support</b>						
<i>Mail Processing and Distribution Center</i>	150		1	150		
<i>Case Retention/Exhibits Storage</i>	200		1	200		
<i>Staff Break Rooms</i>	150		2	300		
<i>Staff Lactation Room</i>	64		1	64		
<i>Staff Shower/Restroom (1M/1F)</i>	80		2	160		
<b>Total Court Support</b>		0.00		874	918	1.05

Superior Court of California, County of Lake  
New Lakeport Courthouse

Appendix B

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
<b>Related Justice Agency Space</b>						
<i>Multipurpose Rooms (DA, PD, Prob., Health &amp; Human Svc., CASA, etc.)</i>	100		2	200		
<b>Total Justice Agency Space</b>		0.00		200	210	1.05
<b>Children's Waiting Room</b>						
<i>Security/Check-in Station</i>	60		1	60		
<i>Reading Area</i>	60		1	60		
<i>Computer Area</i>	40		1	40		
<i>Television Viewing Area</i>	60		1	60		
<i>Clerk/Volunteer Workstation</i>	48	1.00		48		
<i>Supply/Toy Storage</i>	20		1	20		
<i>Restroom w/Diaper Changing</i>	64		1	64		
<i>Sink Counter</i>	24		1	24		
<b>Total Children's Waiting</b>		1.00		376	451	1.20
<b>In-Custody Holding</b>						
<i>Pedestrian Sallyport</i>	80		1	80		
<i>Control Room</i>	150		1	150		
<i>Central Holding</i>						
<i>Group Holding - Adult</i>	150		2	300		
<i>Individual Holding - Adult</i>	60		4	240		
<i>Group Holding - Juvenile</i>	150		1	150		
<i>Individual Holding - Juvenile</i>	60		2	120		
<i>Court Dressing Room</i>	40		1	40		
<i>Attorney/Detainee Interview Rooms</i>	60		2	120		
<i>Attorney Vestibule/Reception/Waiting</i>	60		1	60		
<i>Storage Room</i>	60		1	60		
<i>Staff Restroom</i>	60		1	60		
<b>Total In-Custody Holding</b>		0.00		1,380	1,863	1.35
<b>Inactive Records Storage</b>						
<i>Inactive Files/Microfilm Storage<sup>2</sup></i>	400		1	400		
<b>Total Records Storage</b>		0.00		400	420	1.05
<b>Support for Building Operations</b>						
<i>Loading/Receiving Area</i>	40		1	40		
<i>Central Storage (paper, office supplies, forms, etc)</i>	150		1	150		
<i>Computer Room</i>	150		1	150		
<i>Telecommunications Equipment Room<sup>3</sup></i>	200		1	200		
<i>Main Electrical Room<sup>3</sup></i>	200		1	200		
<i>Trash/Recycling Collection Room</i>	80		1	80		
<i>Housekeeping Office/Storage</i>	80		1	80		
<i>Maintenance Equipment Storage/Workshop</i>	80		1	80		
<b>Total Support for Building Operations</b>		0.00		980	1,029	1.05
<b>Total Court and Building Operations</b>		2.00		7,808		
<b>Department Gross Square Feet</b>					9,158	

Footnotes:

1. Spaces shown in italics are not assigned to specific staff as workspace.
2. Storage requirements assume that most archived storage is offsite until funding is available to store in imaged format.
3. Satellite telecommunications and electrical rooms are included in building gross square foot calculation.