

Superior Court of California
County of Monterey
New South Monterey
County Courthouse

PROJECT FEASIBILITY REPORT

JULY 1, 2008



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 New South Monterey County Courthouse for the Superior Court of California, County of Monterey 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 three-courtroom 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:

- Replace the unsafe and physically deficient King City Courthouse;
- Expand court services—including the return of civil and small claims case processing to the southern part of the county—by increasing judicial-proceedings capacity, moving from two to three courtrooms to accommodate one new judgeship from proposed Senate Bill (SB) 1150 (Corbett);
- Enhance access to court services by expanding to a full-service courthouse for south county residents, enabling the court to operate more effectively and efficiently in the south county area. This project returns civil, including jury trials, and small claims case processing to the south county area, eliminating the need for south county residents to drive from 65 to upwards of 100 miles for these services.
- Provide basic services heretofore not provided to south county area residents due to space restrictions: a self-help center, a jury assembly room, a children’s waiting room, adequately-sized in-custody holding, an alternative dispute resolution center, attorney interview/witness waiting rooms, and the capability to hold proceedings on state prison cases in the same region in which they are derived—from the state prison facilities in the City of Soledad—instead of 50 miles away at the Salinas Courthouse Complex;
- Provide site capacity for a future building addition for one future new judgeship, among those in the 211 future new judgeships for which funding has not been requested by the Judicial Council; and
- Reduce case load processing and overcrowding at the existing Monterey County Courthouse and at the Salinas Courthouse Complex, by shifting civil and small claims cases to the new courthouse.

The Superior Court of California, County of Monterey serves the residents of Monterey County with six separate locations, with the King City Division (operating out of the King City Courthouse) being the only one located in the southern part of the county. This facility primarily serves the south-county cities, such as Soledad, King City, Greenfield, and Gonzales. The Salinas Criminal Division (operating out of the Salinas Courthouse Complex), the Juvenile

Delinquency Division (operating out of the Monterey County Probation Department), the Juvenile Dependency Division (operating out of the Salinas Court Annex at 118 West Gabilan Street), the Monterey Division (operating out of the Monterey Courthouse), and the Marina Division (operating out of the Marina Courthouse) are all located in the northern part of the county.

The King City Courthouse poorly serves the growing needs of the south county area, hindering the court's ability to provide a full range of services to this growing population. Due to the inadequacy of this facility and to budget cuts, the court has been required to distribute and process its workload by function, rather than by location. This condition has been well into effect for years and has required that residents of the southern part of the county drive to the northern facilities for court services. For example, the court must process all of its civil and small claims cases in the Monterey Courthouse, which requires south county residents to drive from 65 to upwards of 100 miles for these services. This is one of the many conditions that impacts access to justice for south county residents and congests the operations of the Monterey Courthouse. As the southern part of the county continues to grow in population, the need for full court services will also increase, which cannot be met by the existing King City Courthouse's physical space capacity or its current operations.

Due to space and budget restrictions, problems with Americans with Disabilities Act (ADA) accessibility, and security constraints, matters heard in the King City Courthouse are limited to criminal and traffic cases. This facility has significant security problems, numerous accessibility deficiencies, is overcrowded, has many physical problems, and prevents the court from operating safe and efficient court facilities. The need has existed to return civil and small claims case processing to the southern half of the county, particularly in the greater King City area.

The recommended project—construction of a new three-courtroom facility in the southern part of the county—will replace the existing King City Courthouse. It will also provide space for the court's new judgeship from proposed SB 1150 (Corbett). The increase from two existing to three new courtrooms will provide expanded court services through increased judicial-proceedings capacity. Overcrowding at the courthouse in Monterey and at the Salinas Courthouse Complex will be reduced, as south-county matters would then be appropriately heard in the new south-county facility. By siting this courthouse in the county's largest growing population area, it will serve current and future needs, with the capacity for a future building addition for one future new judgeship, among those in the 211 future new judgeships for which funding has not been requested by the Judicial Council. This new facility will also allow for basic court services that could not previously be provided due to space restrictions and will greatly assist the court in balancing services offered in the Salinas, Monterey, and Marina division locations, particularly in the areas of self-help assistance/referrals, alternative dispute resolution, and information systems (IS) support.

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 Three-Courtroom Courthouse; or
- Project Option 2: Renovate and Expand the Existing King City Courthouse.

Project Option 1—construction of a new courthouse—is the recommended alternative.

In addition to the project options, two financial alternatives for delivering a 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

The recommended financing alternative is to develop the project using Finance/Delivery Option 1: State Financing—CM at Risk. With this option, the site acquisition, preliminary planning, and working drawing phases will be funded directly on a pay-as-you-go basis, while the construction phase will be financed.

D. Recommended Option

The recommended project is to construct a new three-courtroom facility in the southern part of the county, in the greater King City area. This facility will provide courtrooms and associated support space for the court's two existing Judicial Position Equivalents (JPEs)¹ and for its new judgeship from proposed SB 1150 (Corbett). It will also provide capacity for a future building addition for one future new judgeship, among those in the 211 future new judgeships for which funding has not been requested by the Judicial Council.

The new building will be a full-service courthouse. Site support will include surface parking for visitors, staff, and jurors. An updated space program for the proposed project, which has been created in collaboration with the court, outlines a need for 47,223 Building Gross Square Feet (BGSF). Based on a site program developed to accommodate the new facility and needed parking, a site of approximately 2.5 acres is needed for the courthouse (including capability for future expansion) and its parking lot.

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

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.

space shortfall, increase security, and replace the inadequate and obsolete building. 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 court expects that this project will provide annual savings to its support budget from efficiencies in court operations—to both judicial case load and to staff workload. The level of operational cost savings will depend on the location of the new facility, the hiring of non-judicial staff, and the expeditious implementation of court services through organizational restructuring.

The City of Greenfield has proposed to donate land for this project, and the cities of King City and Soledad have both passed resolutions pledging their assistance during its site selection and acquisition phase. These resolutions have been attached as Appendix C.

The estimated project cost to construct the courthouse is \$65.019 million, without financing. This cost is based on constructing a two-story building with a partial mechanical penthouse and a basement. The facility would be supported by six secure surface parking spaces for judicial officers and court executive administration.

Preliminary project schedules have been developed assuming that funding is included in the FY 2009–2010 State Budget Act and that acquisition of a site is successful. This schedule is based on a construction manager at risk 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 drawing construction documents 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 and trial court support budgets in fiscal years beyond the current year as certain one-time and ongoing costs are incurred.

II. STATEMENT OF PROJECT NEED

A. Introduction

The two-courtroom King City Courthouse has security problems, is overcrowded, and has many physical condition problems. This building cannot be renovated and expanded on site, for a variety of reasons discussed more fully under Section III. B., Project Option 2. Its operations need to be replaced and expanded to provide full court services to the south county area.

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 (Ch. 9, Statutes of 2008)(Jones) was enacted and extends the deadline to December 31, 2009 for the completion of transfers. However, it is likely that most counties will endeavor to complete transfers prior to September 30, 2008, in order to avoid financial penalties. Transfer status for each existing facility is provided in Table 1.

TABLE 1
Existing Facility Transfer Status

Facility	Location	Owned or Leased	Type of Transfer	Transfer Status
King City Courthouse	250 Franciscan Way	Owned	Transfer of Responsibility	Underway

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 2008, 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 152 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 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 Monterey County project meets the requirements of two of the three criteria 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 South Monterey County Courthouse project has a security rating of 80, the highest possible rating.

Economic Opportunity: Consideration of economic opportunity allows for projects that have documented capital or operating savings for the state. The New South Monterey County Courthouse project has a potential economic opportunity through the donation of land from the Redevelopment Agency of the City of Greenfield. See Appendix C for a copy of this resolution. Other economic opportunities are still being explored with the cities of King City and Soledad (resolutions for project support/site selection assistance also provided), and with the City of Gonzales.

The proposed New South Monterey County Courthouse project is in the Immediate Need priority group, making it one of the higher priority trial court capital-outlay projects for the judicial branch.

D. Current Court Operations

With six separate locations—the Salinas Criminal, Juvenile Delinquency, and Juvenile Dependency Divisions in the City of Salinas, the Monterey Division in the City of Monterey, the King City Division in the City of King City, and the Marina Division in the City of Marina—the Superior Court of California, County of Monterey provides a complete range of court services to county residents². In King City, only traffic (adult and juvenile) and criminal cases are processed from the King City Courthouse.

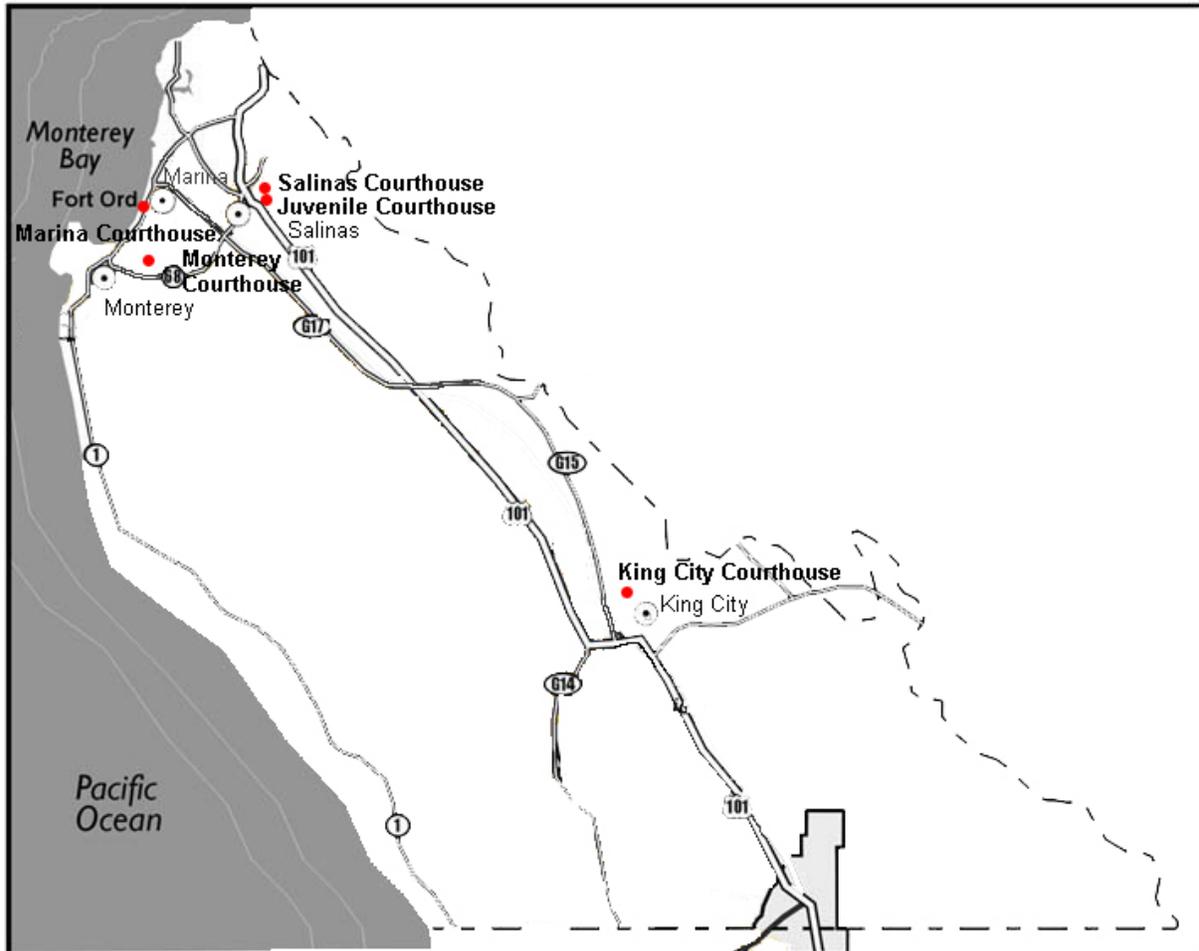
The superior court currently operates a total of 20 courtrooms in nine buildings, as follows: Eleven courtrooms are provided in Salinas (i.e., five are provided in two modular buildings in lieu of the North Wing that is currently being renovated, two in the West Wing, two in the East Wing, one in the Annex, and one in nearby Juvenile Court Branch)³, two courtrooms in Marina, five courtrooms in Monterey, and two courtrooms in King City.

² In Salinas, a full-range of court services (including criminal, mental health, and drug courts) are provided from the Salinas Courthouse Complex, juvenile delinquency court sessions are held in the Juvenile Court Branch at the Monterey County Probation Department, and juvenile dependency court sessions are held in the Salinas Court Annex at 118 West Gabilan Street. In Monterey, a variety of court services (i.e., civil, family law, small claims, and probate)—except for criminal and traffic case processing—are provided from the Monterey Courthouse. In Marina, traffic cases are processed from the Marina Courthouse.

³ Once the North Wing renovation project is completed (which is scheduled to reopen in June 2009), it will provide the court with a total of eleven courtrooms: nine on its first three floors and two in the basement. As a result, the original seven courtrooms previously utilized in this facility will be reopened and four additional courtrooms will be provided to compensate for the court being required to vacate the East and West Wings, as part of the county's plan to remodel these wings to gain additional administration space in the Salinas Courthouse Complex.

Figure 1 below shows a map of the courthouse locations situated throughout the county.

FIGURE 1
Monterey County Court Facility Locations



The King City Courthouse is located in the City of King City, which is southeast from all other facility locations, approximately 50 miles from the Salinas Courthouse Complex, 60 miles from the Marina Courthouse, and 65 miles from the Monterey Courthouse. The courthouse was constructed in 1968, has one jury-capable courtroom and one hearing room (non-jury capable), and is shared with the County of Monterey—at approximately 66 percent occupancy of the total building square footage—for the South County (King City) Sheriff’s Station and for offices of the District Attorney and the Public Defender. Due to space and budget restrictions, problems with ADA accessibility, and security constraints, matters heard in this courthouse are limited to criminal (in the jury-capable courtroom) and (adult and juvenile) traffic cases (in the non-jury capable, hearing room). Also, unlawful detainer cases are heard at this location, and traffic payments are accepted.

Figure 2 below shows an aerial image of the existing site with building footprint and parking areas.

FIGURE 2
Existing King City Courthouse Site



E. Demographic Analysis

The County of Monterey is located on the Central Coast of California, 106 miles south of San Francisco and 241 miles north of Los Angeles. It has the largest amount of coastline in California and is larger than the states of Rhode Island and Delaware, comprising approximately 3,322 square miles. It is bounded by the counties of Santa Cruz in the north, San Benito in the east, and San Luis Obispo in the south. The county's boundaries are shown below in Figure 3. Its incorporated cities consist of: Carmel-by-the-Sea, Del Rey Oaks, Gonzales, Greenfield, King City, Marina, Monterey, Pacific Grove, Salinas, Sand City, Seaside, and Soledad. Unincorporated communities include: Big Sur, Boronda, Cachuaga, Carmel Valley, Castroville, Chaular, Los Lomas, Moss Landing, Pajaro, Pebble Beach, Prunedale, San Ardo, San Jerardo, San Lucas, and Spreckels.

FIGURE 3
Map of Monterey County



Per the Department of Finance (DOF), the population of Monterey County grew by 13 percent from 1990 to 2000. Growth slowed to 5 percent from 2000 to 2007. The population of Monterey

County is projected to grow substantially over the next fifty years, from approximately 404,031 in 2000 to 646,590 in 2050, representing an increase of 60 percent. Table 2 below summarizes the population projections.

TABLE 2
Population Projections in Ten-Year Increments for Monterey County, 2000 to 2050

	2000	2010	2020	2030	2040	2050
Total County Population	404,031	433,283	476,642	529,145	584,878	646,590

Source: State of California, Department of Finance, *Population Projections by Race/Ethnicity for California and Its Counties 2000–2050*, Sacramento, California, July 2007.

F. Judicial Projections

Current and projected JPEs⁴ 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 AB 159 (Ch. 722, Statutes of 2007) still to be authorized for funding), and the last 50 are proposed in SB 1150 (Corbett).⁵

Table 3 below provides information used to determine the near-term need for this project, which includes both current and proposed (as described above) judgeships: two existing JPEs and one new judgeship from proposed SB 1150 (Corbett).

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

Location	Current JPEs	Proposed AB 159	Proposed (SB 1150)	Future Growth	Total JPEs	Basis for Proposed Project
New South County Courthouse.....	2	0	1	1	4	3
Countywide.....	20	1	1	1	23	–

⁴ 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.

⁵ The remaining 211 new judgeships identified as a current need per the updated workload assessment are on hold pending future legislative action. The one judgeship identified for *Future Growth* in the table below is within this group.

Because funding is only available for current need plus the one new judgeship, no future growth courtrooms are included in this project. The Monterey 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 and related parking for this potential growth for this one future new judgeship.

G. Existing Facilities

The existing King City Courthouse is the only facility affected by this project, which will be vacated once the new court facility is complete. This courthouse is listed below in Table 4.

TABLE 4
Affected Court Facilities in Monterey County

Facility	Location	Total Number of Existing Courtrooms Affected by This Project	Total Departmental Gross Square Footage Occupied by the Court	Total Court Space as a Percentage of Total Building Square Footage
King City Courthouse	250 Franciscan Way	2	6,500	66%

The total court space currently occupied in this building is approximately 6,500 square feet. The remaining balance of the space is occupied by building support areas (of approximately 2,450 Departmental Gross Square Feet [DGSF]) and by offices (of approximately 2,450 DGSF) for the District Attorney, the Public Defender, and the South County (King City) Sheriff’s Station. The sheriff’s station houses a sizable staff and serves the entire southern region of Monterey County.

The square footage required for three courtrooms in the south county area is 29,364 DGSF or 47,223 BGSF. This represents a shortfall of 22,864 DGSF to meet the current and mid-term needs of the court, based on the space program developed in 2008 and presented in Appendix B.

The King City Courthouse is a small, single-story building with a shallow-pitched roof that was constructed in 1968. The facility is located just off Highway 101, in an area surrounded by small, single story businesses. This facility was considered physically adequate but functionally deficient by the Task Force and in the master plan.

Issues with the existing facility are summarized as follows:

King City Courthouse

Security Deficiencies:

- Secure paths of circulation do not exist to separate judicial officers and staff from the public or to separate prisoners from judicial officers, staff, or the public.
- No sallyport exists. Security for handling prisoners is inadequate, as their loading and unloading is done in an unsecured area (see Figure 4 below).

FIGURE 4
Prisoner Entrance is Not Secure and is Directly Adjacent to Parking for Judges, Staff, and Public



- Judicial officers and staff do not have secure parking.
- Judicial officers and staff do not have a secure route from the parking area into the courthouse and must walk through the public hallway to their chambers and offices.
- The building has multiple entry points (that are accessed by court and county staff), making it difficult to secure.

Accessibility Deficiencies:

- Due to space restrictions and ADA inaccessibility, only one of the two courtrooms is jury-capable.
- The courtrooms have many non-ADA compliant features, such as judicial benches, witness stands, and public seating (see Figure 5 below).

Accessibility Deficiencies, *continued*:

FIGURE 5
Non-ADA-Compliant Witness Stand



- Many non-ADA compliant features exist throughout the building, including circulation routes, corridor widths, door-strike clearances, and hardware, restrooms, and drinking fountains.

Space and Functional Constraints:

- Both courtrooms are undersized per the *California Trial Court Facilities Standards* and have design flaws, such as limited seating capacity, sightlines, acoustics, and adjacencies.
- The building has no attorney interview/witness waiting rooms. Attorneys are forced to confer with their clients, victims, and witnesses in the public waiting area or outside the building. Noise from the lobby area permeates the courtrooms and staff areas.
- No jury assembly room exists, and therefore, jury assembly has to take place in the jury-capable courtroom that is inadequately-sized for this purpose.
- No self-help center exists, requiring south county residents to drive from 65 to upwards of 100 miles to the Monterey Courthouse for this service.
- No children's waiting room exists—only a small lobby/public waiting area with fixed seating.

Inadequate Court Holding Facilities:

- As a result of insufficient holding cell area, the superior court has had to resort to using vehicular holding on a regular basis. Depending upon the criminal caseload, prisoners can remain in the vehicles for as long as half a day.
- The in-custody holding capacity is deficient and does not support required separation of certain inmate populations, such as gang members, sex offenders, women, or any who are considered “high profile”. It is not uncommon for there to be up to 15 inmates within each of the two cells at one time.

Overcrowded Public Areas:

- The security screening area at the building’s entrance has inadequate space to handle a large volume of court users. Long lines easily form outside the building whenever this condition occurs.
- The lobby/public waiting area and the Court Clerk’s Counter are undersized, prohibiting efficient customer service/flow of persons in and out the building.

Overcrowded Staff Work Areas:

- Existing space for administrative functions and staff is overcrowded, and workstations are undersized, causing staff to compete for space with file storage and office equipment.
- The lack of adequate space has forced usage of space beyond its design intent (see Figure 6 below).

FIGURE 6
Computer System Server Room Also Used for File Storage



Other Building (Physical) Deficiencies:

- The building is not equipped with fire sprinklers.
- The building is seismically deficient. No plan to remediate this condition exists at this time.
- The building contains many physical deficiencies, such as aged walls, ceilings, and floor finishes, dim lighting, and insufficient ventilation and cooling.
- The building has asbestos floor tiles and visible signs of water damage on ceiling tiles.
- The building recently suffered sewage backflow damage. Even with the efforts of a disaster clean-up crew—called in to restore the affected staff areas of the building to their original state—some damage to walls and floors is permanent and still visible.
- Owing to its age, the building is difficult to regulate for heating and cooling.
- Physical building upgrades are needed to insulate walls, replace plumbing fixtures and exterior windows, add tele/data lines, and generally improve the capacities of the existing HVAC and electrical systems.

III. OPTIONS ANALYSIS

A. Introduction

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

B. Project Options

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

- Project Option 1: Construct a New Three-Courtroom Courthouse; or
- Project Option 2: Renovate and Expand the Existing King City Courthouse.

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

Project Option 1: Construct a New Three-Courtroom Courthouse

In Option 1, a building of 47,223 gross square feet will be constructed on a new site with three courtrooms and associated support space. With Project Option 1, the existing King City Courthouse will remain in use until the new courthouse is completed and then be vacated by the superior court.

The total cost of this option is \$65.019 million not including financing costs.

Pros:

- This option will provide a new, modern, and secure full-service courthouse to the southern part of the county; will address the court's space deficiencies; will provide court operational cost savings; will avoid additional high costs associated with seismically upgrading the King City Courthouse building; and will benefit from a possible land donation.
- This option achieves the immediately-needed improvements to the superior court and enhances its ability to serve the public: replacement of the existing unsafe, overcrowded, and physically deficient courthouse; expansion of court services—including the return of civil and small claims case processing to the southern part of the county—through increased judicial-proceedings capacity; provision of basic services heretofore not provided to south county area residents due to space restrictions to include a self-help center, a jury assembly room, a children's waiting room, adequately-sized in-custody holding, an alternative dispute resolution center, attorney interview/witness waiting rooms, and the capability to hold proceedings on state prison cases in the same region in which they are derived—from the state prison facilities in the City of Soledad—instead of 50 miles away at the Salinas Courthouse Complex; capacity for a future building addition for one future new judgeship (among those in the 211 future new judgeships for which funding has not been requested by the Judicial Council); and reduced case load

processing and overcrowding at the existing Monterey County Courthouse and at the Salinas Courthouse Complex.

- This option will not result in any future disruption to court operations, because construction is completed in one phase.
- 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.
- This option will not incur buyout costs for the equity of the space occupied by the county.

Cons:

- Space for near to mid-term expansion is not provided.

Project Option 2: Renovate and Expand the Existing King City Courthouse

In this option, the existing King City Courthouse would be renovated, reconfigured, and expanded to accommodate the programmatic needs of the court. Currently, the court occupies approximately 66 percent of the total building square footage. Although the court is the majority occupant, the county will retain title to the building in order to continue to operate the existing South County (King City) Sheriff’s Station, which is the only station providing service to the entire southern region of the county (i.e., from the City of Gonzales south to the San Luis Obispo County line and west to the Santa Lucia Mountain Range), as well as provide space for the District Attorney and Public Defender to maintain its presence in the southern county region. 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: Construct a New Three-Courtroom Courthouse. This option provides the best solution for the superior court, providing expansion of court services through increased judicial-proceedings capacity for the benefit of all south-county residents.

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

- Replace the unsafe and physically deficient King City Courthouse;
- Expand court services—including the return of civil case and small claims processing to the southern part of the county—by increasing judicial-proceedings capacity, moving

from two to three courtrooms to accommodate one new judgeship from proposed SB 1150 (Corbett);

- Enhance access to court services by expanding to a full-service courthouse for south county residents, enabling the court to operate more effectively and efficiently in the south county area. This project returns civil, including jury trials, and small claims case processing to the south county area, eliminating the need for south county residents to drive from 65 to upwards of 100 miles for these services. A full-service courthouse also provides basic services heretofore not provided to south county area residents due to space restrictions: a self-help center, a jury assembly room, a children’s waiting room, adequately-sized in-custody holding, an alternative dispute resolution center, attorney interview/witness waiting rooms, and the capability to hold proceedings on state prison cases in the same region in which they are derived—from the state prison facilities in the City of Soledad—instead of 50 miles away at the Salinas Courthouse Complex;
- Provide capacity for a future building addition for one future new judgeship, among those in the 211 future new judgeships for which funding has not been requested by the Judicial Council; and
- Reduce case load processing and overcrowding at the existing Monterey County Courthouse and at the Salinas Courthouse Complex.

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 2: Performance Based Infrastructure

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 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 Monterey 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 South Monterey County Courthouse for the Superior Court of California, County of Monterey. The project creates a full-service courthouse, replacing an existing facility and providing space for one new judgeship from proposed SB 1150 (Corbett). It will include three courtrooms; court support space for court administration, court clerk, court security operations and holding; and building support space. Secure parking for six vehicles, sallyport, and in-custody holding will be provided. Parking for 90 vehicles to support the courthouse will be provided on site in a surface parking lot. The project site will be capable of accommodating building expansion for one future new judgeship in the 211 future new judgeships for which funding has not been requested by the Judicial Council. The project’s pre-design planning has taken the superior court’s near-term and future growth into consideration.

The proposed new building will be 47,223 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 5.

TABLE 5
Space Program Summary for the New South Monterey County Courthouse

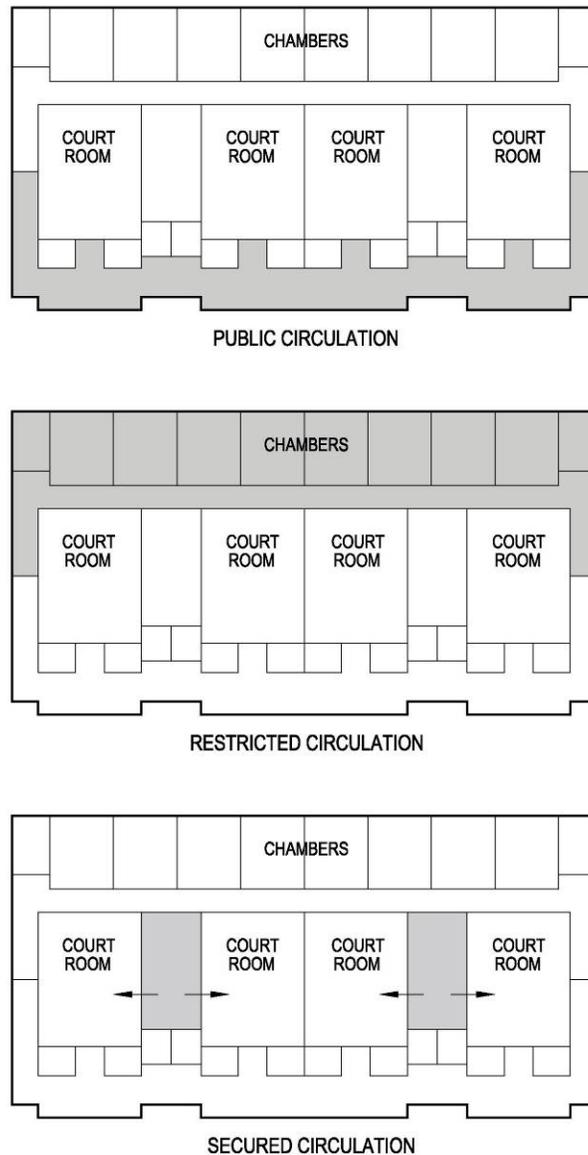
Division	Projected Staff	Projected Square Feet
Court Administration (Central Admin. in Salinas)	4.00	1,120
Courtsets / Judiciary	17.00	12,975
Criminal Division Staff	12.00	2,382
Traffic / Small Claims Division Staff	4.00	1,365
Civil Division Staff	5.00	1,984
Court and Building Operations	3.00	9,539
Total Staff and Departmental Gross Square Feet	45.00	29,364
Interdepartmental Circulation/Restrooms/Bldg. Support	25%	7,341
Basement Component		6,893
Building Envelop/Mechanical/Electrical	10%	3,626
Total Building Gross Square Feet		47,223

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 7 illustrates the three circulation zones.

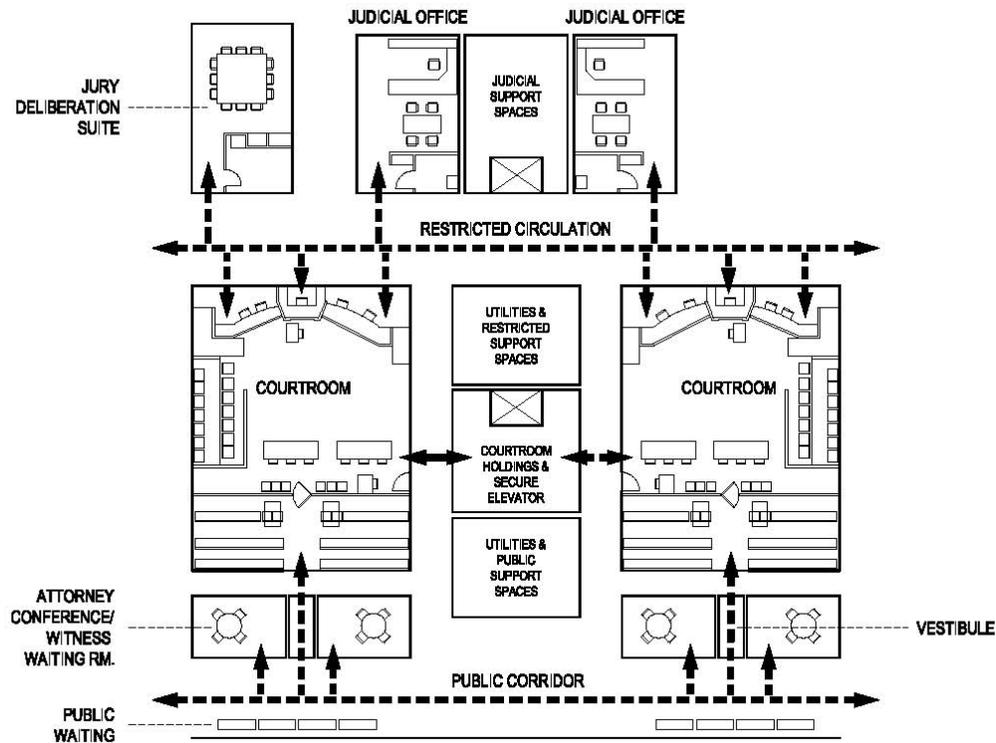
FIGURE 7
Three Circulation Zones



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 8 illustrates how a typical court floor should be organized.

FIGURE 8
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

At the King City Courthouse, no secure parking for judicial officers or staff exists. Parking for judicial officers, staff, visitors, and jurors has to be accommodated by what becomes available within either of the two small lots on site—one in the front and one in the rear of the building. Between these two lots, there are approximately 65 spaces. Although no signage exists to designate court or county staff spaces, public parking is primarily accommodated in the front parking lot. Parking is also shared by the District Attorney, Public Defender, and by the sheriff, whose station houses more than 25 officers and staff. At times of heavy utilization of these lots,

parking has to be accommodated off site on either Franciscan Way or within the shopping center south of the property.

For the new courthouse project, 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 the county's southern region. 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 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 6 below delineates that a minimum site area of 2.5 acres has been identified to accommodate the needs of the new courthouse and its parking lot. The site size will accommodate both current needs (i.e., space for two current JPEs and one new judgeship from proposed SB 1150 (Corbett)) and future needs (i.e., expansion of one additional courtroom for one future new judgeship, among those in the 211 future new judgeships for which funding has not been requested by the Judicial Council).

TABLE 6
Site Program

Site Component	Project Need	1-Courtroom Addition	Total Need	Comments
Structures				
Court Footprint	18,091	7,500	25,591	2-story building with a basement and penthouse
Total Structure	18,091	7,500	25,591	
Site Elements				
Loading Bay	480	-	480	Assume 1 @ 12' x 40' (Depressed to exterior basement level)
Refuse/Recycling Collection	288	-	288	Assume 12' x 24' (Depressed to exterior basement level)
Emergency Generator	200	-	200	
Bicycle Parking Area	60	-	60	
Outdoor Staff Area	250	-	250	
Total Site Elements	1,278	-	1,278	
Parking				
Secure Judicial Parking	-	-	-	Locate at basement level
Staff/Juror/Visitor Parking	90	30	120	Assume 30 spaces per courtroom
Total Parking Area	31,500	10,500	42,000	Assume surface parking at 350 SF per space
Total Site Requirements				
Structures	18,091	7,500	25,591	
Site Elements	1,278	-	1,278	
Parking	31,500	10,500	42,000	
Subtotal Site Requirements	50,869	18,000	68,869	
Vehicle/Pedestrian Circulation	10,174	3,600	13,774	20% of site
Landscaping/Setbacks	17,804	6,300	24,104	35% of site
Total Site Requirements	78,847	27,900	106,747	
Total Acreage Requirements	1.81	0.64	2.45	

3. Site Selection

A site has not been recommended for the new 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.

In March 2008, AOC staff met with leaders of local city governments in the southern region of the county (i.e., the cities of Greenfield, Soledad, and King City) to gain an understanding of properties that may be available in the future for the new courthouse and to discuss potential economic opportunities in the forms of land donations or below-market land acquisition costs. At this time, official resolutions have been passed by the Redevelopment Agency of the City of Greenfield—offering a land donation for the new courthouse site, adjacent to a site that is planned to be the future home of their police department and city hall—and by the cities of Soledad and King City—pledging their assistance during the AOC's site selection and acquisition process. (See Appendix C for copies of the resolutions.) While AOC staff did not meet with either the City of Gonzales or the County of Monterey to discuss potential sites prior

to submission of this report to the DOF, all local municipalities will be able to offer available sites for consideration at the time initial project funding is achieved.

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 \$65.019 million, without financing costs. This is based on a project of 47,223 BGsf, with six secure surface parking spaces for judicial officers and court executive administration and 90 surface parking spaces for jurors, visitors, and staff, and a vacant industrial property located within a south county city (such as King City). No relocation costs for owners or tenants have been included in the budget, because it is assumed that the AOC will not seek a property if tenants or owners require relocation costs.

Construction costs for the courthouse are estimated to be \$58.249 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 cost⁶—without financing costs—is \$65.019. For the courthouse, total cost by project phase includes: Acquisition Phase at \$1.339 million, Preliminary Plans Phase at \$2.613 million, Working Drawings Phase at \$2.818 million, and Construction Phase at \$58.249 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.

⁶ 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.

J. Project Schedule

Preliminary project schedules have been developed assuming that funding is included in the FY 2009–2010 State Budget Act. This schedule is based on a construction manager at risk project delivery. If the PBI project delivery approach 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

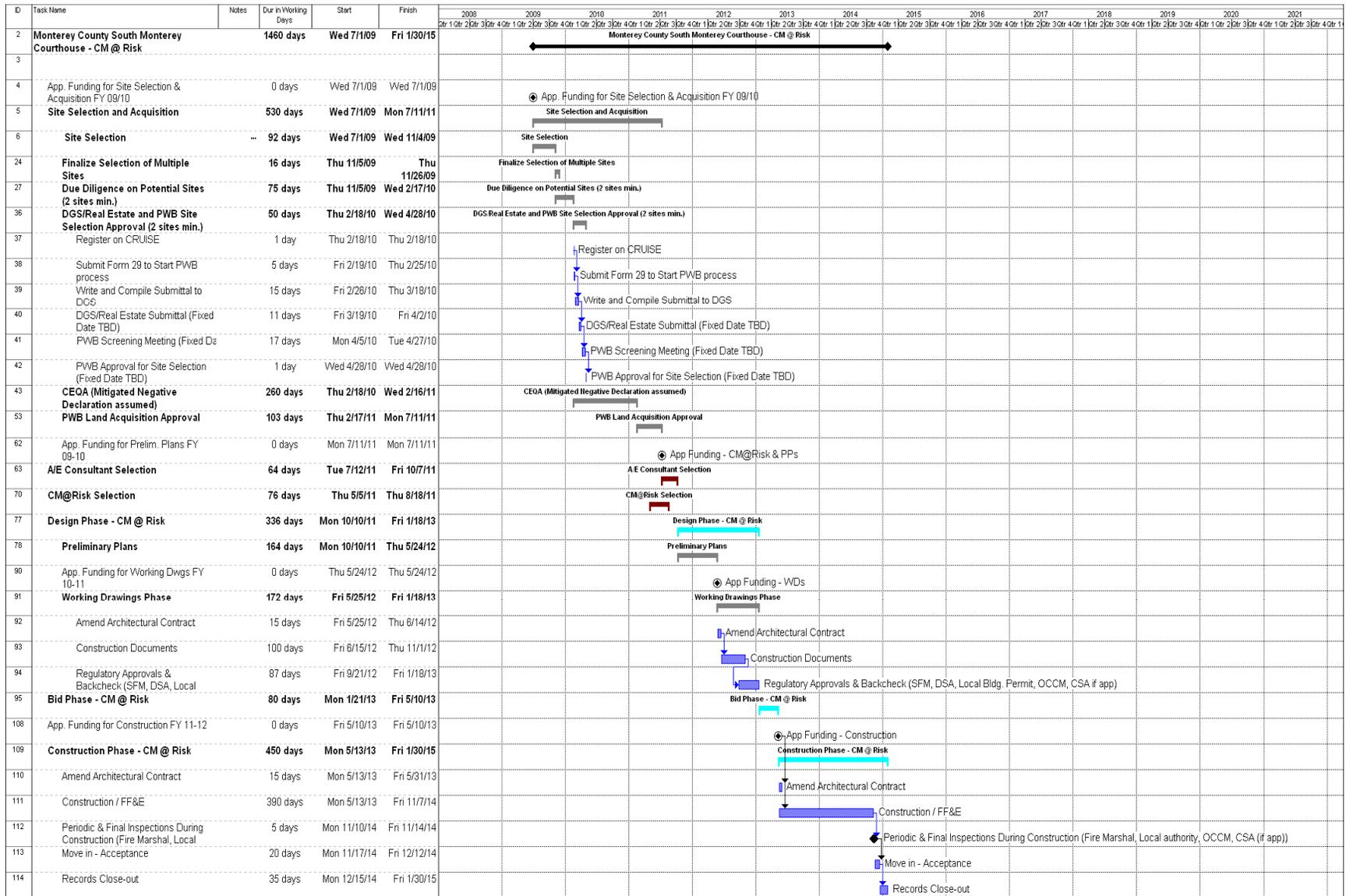
May 2012–January 2013

Construction

May 2013–January 2015

The project schedule is provided in Figure 9.

FIGURE 9
 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.

By constructing a new courthouse, the court expects annual savings to the court's support budget will be achieved. Although unknown at this time, these savings from efficiencies in court operations will be used to fund the cost of operating and maintaining the new facility to the extent allowable. The level of operational cost savings will depend on the location of the new facility, the hiring of non-judicial staff, and the expeditious implementation of court services through organizational restructuring. Examples of potential savings to judicial and non-judicial staff time are as follows:

- Clerical work can be processed on site, eliminating the need for files transfers between the other superior court divisions that are each located more than 50 miles away;
- Staff time will be improved through eliminating duplicate files currently created and later merged with the original files;
- Staff time will be improved in processing original copies of criminal complaints from the District Attorney's Office, instead of the faxed copies that are currently received;
- Three judicial officers on site instead of two will enable adequate coverage of calendars versus the current practice of having a judicial officer travel from either the Monterey Division or from the Salinas Criminal Division to fill in; and
- Three judicial officers on site instead of two will allow each court calendar (i.e., civil and small claims, criminal, and traffic) to be heard more effectively and efficiently.

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 Monterey, dated September 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.

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

Recommended Plan

The master plan option is to construct a new three-courtroom facility to replace the existing King City Courthouse.

Various options were studied, with a replacement facility only slightly more expensive, but providing standards compliant space that would not be achieved in reuse/expansion of the existing two-courtroom facility.

It was determined that the existing King City Courthouse site was not capable of supporting expansion to a three-courtroom facility without creating significant operational and site related issues. Therefore, a new site would be required, most likely in a nearby location. A nearby site location is desired, since there were no problems with the location per se, and the existing facility could be reused for court-related agency functions, thereby reducing the required size of the new facility.

This proposed site configuration for the new three-courtroom facility, assuming at-grade surface parking, requires a site area approximately 450' by 480', which is a little less than five acres. Surface parking would require approximately 40,950 square feet of the total site area. The total number of parking spaces was derived from the existing parking ratios at the current King City Courthouse, which currently has approximately 65 spaces available between two surface parking lots—one in the front and one in the rear of the building. This ratio, or 33 spaces per courtroom, was applied to the new courthouse location. Using this method of parking projections, a total need of 98 spaces was determined as a numeric value. Additional analysis suggests that this parking ratio is appropriate in proportion to other courthouses of this size in the State of California.

As a new facility, the proposed South Monterey County Courthouse would comply with planning guidelines and provide an appropriate physical venue for the superior court, including separation of secure, judicial, and public circulation, as well as overall building security screening.

Excerpted from:

Court Facilities Master Plan, Jacobs Facilities, Inc.

Superior Court of California, County of Monterey – Final Master Plan

APPENDIX B

A. Detailed Space Program

Introduction

A detailed space program was developed for the recommended option.

The following table is the summary of the program for a new three-courtroom facility. The following pages include a series of tables with a list of spaces required for each major court component, followed by a basement program.

**Superior Court of California, County of Monterey
Projected Staff and Space Requirements Summary for New South Monterey County Courthouse**

Division or Functional Area	Projected Need		
	Courtrooms	Staff	BGSF
South Monterey County Courthouse			
Court Administration (Central Admin. in Salinas)		4.00	1,120
Court Sets / Judiciary	3	17.00	12,975
Criminal Division Staff		12.00	2,382
Traffic / Small Claims Division Staff		4.00	1,365
Civil Division Staff		5.00	1,984
Court and Building Operations		3.00	9,539
Subtotal Staff & Departmental Gross Square Feet	3	45.00	29,364
Interdepartmental Circulation/Restrooms/Bldg. Support ¹		25%	7,341
Basement Component ²			6,893
Building Envelope/Mechanical/Electrical ³		10%	3,626
Total Building Gross Area			47,223
BGSF Per Courtroom			15,741

Notes:

1. Includes staff restrooms, public restrooms, public telephones, drinking fountains, janitor's closets, etc.
2. Includes vehicle sallyport, 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 Monterey
New South Monterey County Courthouse**

Appendix B

Superior Court of California, County of Monterey
Projected Staff and Space Requirements for New South Monterey County Courthouse

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court Administration (Central Admin. in Salinas)						
Executive Office						
Director of Operations	140	1.00		140		
Court Manager ¹	120	1.00		120		
Administrative Assistant	64	1.00		64		
<i>Files: 5 drawer lateral</i>	14		2	28		
Information Services²						
Systems Support Specialist	64	1.00		64		
<i>IS Work Room/Storage</i>	80		1	80		
Shared Support						
<i>Reception Waiting Area</i>	60		1	60		
<i>Training Room (use jury room or videoconference room)</i>	400		0	0		
<i>Video Conference Room</i>	240		1	240		
<i>Work/Copy Room</i>	100		1	100		
Total Court Administration / Support Services		4.00		896		1.25
Department Gross Square Feet					1,120	

Footnotes:

1. This position will directly supervise each court division: criminal, traffic, and civil.
2. The superior court's main information services infrastructure is located in the Salinas Court Complex, with back-up located in the Marina Courthouse.

**Superior Court of California, County of Monterey
New South Monterey County Courthouse**

Appendix B

Superior Court of California, County of Monterey
Projected Staff and Space Requirements for New South Monterey County Courthouse

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		1	2,400		
<i>Courtroom Multi-purpose (jury)¹</i>	1,750		2	3,500		
Subtotal Courtrooms		0.00	3	5,900	7,080	1.20
<i>Jury Suite (2 toilets, kitchenette and closet)</i>	470		2	940		
<i>Attorney/Client/Witness Rooms</i>	100		6	600		
<i>Law Enforcement Waiting</i>	80		1	80		
<i>Shared Courtroom Holding (2 cells, 1 interview)</i>	140		1	140		
<i>Courtroom Waiting</i>	200		3	600		
<i>Courtroom Technology/Equipment Room</i>	40		3	120		
<i>Exhibit Storage Closet</i>	40		3	120		
Total Court Sets		0.00		2,600	3,120	1.20
Judiciary/Courtroom Support						
<i>Judicial Chambers (includes toilet and closet)</i>	400	3.00		1,200		
<i>Judicial Secretaries</i>	80	1.00		80		
<i>Courtroom Clerks²</i>	64	6.00		384		
<i>Bailiffs (1 workstation in each courtroom)</i>	0	3.00		0		
<i>Court Reporters</i>	64	2.00		128		
<i>Staff Interpreter³</i>	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		
Total Judiciary		17.00		2,220	2,775	1.25
Total Court Sets / Judiciary		17.00		10,720		
Department Gross Square Feet					12,975	

Footnotes:

1. From the designated criminal courtroom, the superior court will continue to conduct video arraignments for persons held in the county jail facility (in Salinas) and will also be able to conduct them for prisoners in either of the two state prisons in the city of Soledad (i.e., the Correctional Training Facility and the Salinas Valley State Prison).
2. Workstations have been provided outside courtrooms.
3. Due to the large number of persons that require Spanish-speaking interpreters, two position have been allocated.

**Superior Court of California, County of Monterey
New South Monterey County Courthouse**

Appendix B

**Superior Court of California, County of Monterey
Projected Staff and Space Requirements for New South Monterey County Courthouse**

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Criminal Division Staff						
Court Services Assistant IV	100	1.00		100		
Court Services Assistant I/II/III ¹	64	7.00		448		
Account Clerk I/II (combined position for crim. & traffic)	64	1.00		64		
Court Services Support Staff ²	64	3.00		192		
<i>Service Counter Area</i>						
<i>Counter workstation (unassigned)</i>	48		2	96		
<i>Queuing Area</i>	14		16	224		
<i>Workcounter/Form Storage</i>	60		1	60		
<i>Photocopier/Printers (staff support)</i>	80		1	80		
<i>Public Document Review</i>	80		1	80		
<i>Active Records (5 years onsite)</i>						
<i>Active Criminal Files; 42" x 7 shelf unit</i>	12		12	144		
<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>	2		2	4		
<i>Copy/Work Room (share w/traffic and civil)</i>	200		1	200		
Total Criminal Division Staff		12.00		1,832		1.30
Department Gross Square Feet				2,382		

Footnotes:

1. Additional staff have been allocated to support the additional case processing that will be relocated from the Salinas Court Complex.
2. These staff persons currently support the existing courtrooms in King City. They enter dispositions of cases into electronic records for use by the DOJ and by the AOC (through the Judicial Branch Statistical Information System [JBSIS]).

**Superior Court of California, County of Monterey
New South Monterey County Courthouse**

Appendix B

Superior Court of California, County of Monterey
Projected Staff and Space Requirements for New South Monterey County Courthouse

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Traffic / Small Claims Division Staff						
Court Services Assistant IV	100	1.00		100		
Court Services Assistant I/II/III	64	3.00		192		
Account Clerk I/II (combined position for crim. & traffic)	64	0.00		0		
<i>Service Counter Area (Traffic)</i>						
<i>Counter workstation (unassigned)</i>	48		2	96		
<i>Counter workstation (Traffic School)</i>	48		1	48		
<i>Queuing Area</i>	14		15	210		
<i>Workcounter/Form Storage</i>	60		1	60		
<i>Photocopier/Printers (staff support)</i>	80		1	80		
<i>Active Records</i>						
<i>Active Traffic Files; 42" x 7 shelf unit</i>	12		10	120		
<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>	2		2	4		
<i>Copy/Work Room (share w/criminal)</i>	120		0	0		
Total Traffic / Small Claims Division Staff		4.00		1,050		1.30
Department Gross Square Feet					1,365	

**Superior Court of California, County of Monterey
New South Monterey County Courthouse**

Appendix B

Superior Court of California, County of Monterey
Projected Staff and Space Requirements for New South Monterey County Courthouse

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Civil Division Staff						
Court Services Assistant IV	100	1.00		100		
Court Services Assistant I/II/III	64	3.00		192		
Civil Settlement/ADR	150	1.00		150		
<i>Alternative Dispute Resolution Center</i>						
<i>Settlement Conference Room</i>	200		1	200		
<i>Caucus Room</i>	100		1	100		
<i>Reception/Waiting</i>	100		1	100		
<i>Service Counter Area</i>						
<i>Counter workstation (unassigned)</i>	48		2	96		
<i>Queuing Area</i>	12		16	192		
<i>Workcounter/Form Storage</i>	60		1	60		
<i>Photocopier/Printers (staff support)</i>	60		1	60		
<i>Public Document Review</i>	60		1	60		
<i>Active Records (10 years onsite)</i>						
<i>Active Files; 42" x 7 shelf unit</i>	12		6	72		
<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>	2		2	4		
<i>Copy/Work Room (share w/criminal)</i>	120		0	0		
Total Civil Division Staff		5.00		1,526		1.30
Department Gross Square Feet				1,984		

Superior Court of California, County of Monterey
 New South Monterey County Courthouse

Appendix B

Superior Court of California, County of Monterey
 Projected Staff and Space Requirements for New South Monterey County Courthouse

Functional Area	Unit Area	Projected Need				Grossing Factor
		Staff	Support	NSF	BGSF	
Court and Building Operations						
Public Area						
<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		
Subtotal Public Area		0.00		1,152	1,210	1.05
Court Security Operations						
<i>Central Control Room</i>	100		1	100		
<i>Management Office (Lieut., Sergeant)</i>	100		2	200		
<i>Deputy Workstations (Unassigned)</i>	64		2	128		
<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		
Total Court Security Operations		0.00		762	953	1.25
Jury Assembly Area						
<i>Deputy Jury Commissioner/Legal Stenographer</i>	100	1.00		100		
<i>Jury Assembly Staff</i>	64	1.00		64		
<i>Jury Processing</i>						
<i>Check-in Counter Station</i>	64		2	128		
<i>Queuing Area (25% of jury call)</i>	14		23	315		
<i>Forms Counter (10% of jury call)</i>	5		9	45		
<i>Copier/Printer/Supplies/Active Files</i>	80		1	80		
<i>Jury Assembly/Waiting (assume call of 90)</i>						
<i>General Seating</i>	12		76	912		
<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		
Total Jury Assembly Area		2.00		1,924	2,405	1.25
Self Help Service Center						
<i>Resource Staff¹</i>	64	0.00		64		
<i>Reception/Waiting Area</i>	10		4	40		
<i>Copy/Printer/Supplies</i>	40		1	40		
<i>Computer Workstation</i>	40		2	80		
<i>Book Shelving</i>	10		6	60		
<i>Work Table w/Four Seats</i>	72		1	72		
<i>Orientation Room (use Settlement Conf. Room in ADR Civil Division)</i>	200		0	0		
Total Self Help Service Center		0.00		356	445	1.25

**Superior Court of California, County of Monterey
New South Monterey County Courthouse**

Appendix B

Court Support						
<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		
Total Court Support		0.00		874	918	1.05
Related Justice Agency Space						
<i>Multipurpose Rooms (DA, PD, Prob., Health & Human Svc., etc.)²</i>	100		2	200		
Total Justice Agency Space		0.00		200	210	1.05
Children's Waiting Room						
<i>Security/Check-in Station</i>	60		1	60		
<i>Reading Area</i>	80		1	60		
<i>Computer Area</i>	40		1	40		
<i>Television Viewing Area</i>	80		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		
Total Children's Waiting		1.00		376	451	1.20
In-Custody Holding						
<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>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		
Total In-Custody Holding		0.00		1,110	1,499	1.35
Inactive Records Storage						
<i>Inactive Files/Microfilm Storage³</i>	400		1	400		
Total Records Storage		0.00		400	420	1.05
Support for Building Operations						
<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 Room⁴</i>	200		1	200		
<i>Main Electrical Room⁴</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		
Subtotal Building Operations		0.00		980	1,029	1.05
Total Court and Building Operations		3.00		8,134		
Department Gross Square Feet					9,539	

Footnotes:

1. This staff position will be shared with the self-help center position in the Monterey Courthouse.
2. This space will also be used for Interlock Program meetings (i.e., meetings that are held immediately following a court proceeding for the benefit of the court user, at which the involved county agencies can discuss probation requirements, such as mandatory attendance of substance abuse treatment programs, etc.).
3. Storage requirements assume that most archived storage is off site, until funding is available to store in imaged format.
4. Satellite telecommunications and electrical rooms are included in building gross square foot calculation.

Basement Program

The following program is included because it refers to the cost estimate prepared for construction of the new courthouse building, which is provided in the Capital-Outlay Budget Change Proposal.

Basement Component	Project Need	1-Courtroom Addition	Total Need	Comments
Structures				
Ground Level Footprint	3,979	-	3,979	
Sallyport and Sheriff's Parking	2,930	-	2,930	Bus staging plus 4 secure parking spaces
Sheriff's Transportation Storage	80	-	80	
Total Structure	6,989	-	6,989	
Parking				
Secure Judicial Parking	6	-	6	Judicial officers, key administrative staff, and future judicial officer
Total Parking Area	2,520	-	2,520	Assume basement parking at 420 SF per space
Total Basement Requirements				
Subtotal Basement Requirements	9,509	-	9,509	
Vehicle Circulation	1,363	-	1,363	25% of parking area and sallyport
Total Basement GSF	10,872	-	10,872	

APPENDIX C

A. Resolutions

Introduction

The following letters of resolution were adopted by the southern Monterey County cities of Soledad, Greenfield, and King City in an attempt to partner with the state in the acquisition of land for the new courthouse site. These cities strongly support the construction of a new courthouse in the southern region of the county.

RESOLUTION NO. 326

A RESOLUTION OF THE BOARD OF DIRECTORS OF SOLEDAD REDEVELOPMENT AGENCY PLEDGING ITS INTENT TO ASSIST THE SUPERIOR COURTS OF CALIFORNIA, COUNTY OF MONTEREY IN THE ACQUISITION OF LAND IN THE CITY OF SOLEDAD FOR THE PURPOSE OF CONSTRUCTING A NEW COURTHOUSE

WHEREAS, the Superior Court of California, County of Monterey (the "Court"), is taking a proactive approach to future planning for expansion of the Superior Courts of Monterey and has introduced its South County Court Expansion proposal to the Executive Director of the Soledad Redevelopment Agency; and

WHEREAS, the Soledad Redevelopment Agency is supportive of the Court's Courthouse facility plans; and

WHEREAS, Soledad Redevelopment Agency desires to assist the Superior Court in the construction of a new court facility in the City of Soledad; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Soledad Redevelopment Agency as follows:

1. The Board of Directors of the Soledad Redevelopment Agency pledges its support to assist the Superior Court of Monterey County in the development and construction of a new court facility in the City of Soledad.
2. Soledad Redevelopment Agency staff is hereby directed to work with the Monterey County staff to identify land or financial resources necessary to construct a new court facility in the City of Soledad.

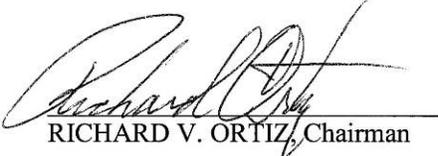
PASSED AND ADOPTED by the Board of Directors of the Soledad Redevelopment Agency at a regular meeting duly held on the 5th day of December, 2007, by the following vote:

AYES, and in favor thereof, Agencymembers: Martha Camacho, Juan Saavedra, Patricia Stephens, Vice Chairman Christopher Bourke

NOES, Agencymembers: None

ABSTAIN, Agencymembers: None

ABSENT, Agencymembers: Chairman Richard Ortiz


RICHARD V. ORTIZ, Chairman

ATTEST:


NOELIA F. CHAPA, Secretary

**REDEVELOPMENT AGENCY OF THE CITY OF GREENFIELD
RESOLUTION NO. 2007 - 13**

**A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE
CITY OF GREENFIELD ANNOUNCING AN INTENT TO ACQUIRE AND
DONATE, SUBJECT TO CERTAIN CONDITIONS, LAND COMMONLY
REFERRED TO AS S/E PORTION OF PARCEL 109-181-013 FURTHER
IDENTIFIED AS A PORTION OF LOT 206 AS IDENTIFIED ON THE MAP
OF CLARK COLONY, TO THE SUPERIOR COURT OF CALIFORNIA,
COUNTY OF MONTEREY FOR THE PURPOSE OF CONSTRUCTION OF
A NEW COURTHOUSE**

WHEREAS, the Superior Court of California, County of Monterey (the "Court"), is desirous of constructing a new courthouse on property commonly referred to as S/E portion of parcel 109-181-013 further identified as a portion of Lot 206 as identified on the Map of Clark Colony (the "Property"); and

WHEREAS, the Property is currently being considered for purchase by the Redevelopment Agency of the City of Greenfield (the "Agency") and good faith negotiations with the owner for the purchase of property have begun; and

WHEREAS, the Agency is supportive of the Court's Courthouse facility plans;

**NOW, THEREFORE, BE IT RESOLVED BY THE REDEVELOPMENT
AGENCY OF THE CITY OF GREENFIELD AS FOLLOWS:**

1. The Agency hereby announces its intent, subject to certain conditions set forth in the paragraphs below, to donate the Property for use by the Court.
2. The Greenfield Redevelopment Agency and the City of Greenfield must complete the process of purchasing the site.
3. The final decision of the City's Redevelopment Agency and the City to donate the Property is subject to, among other matters, confirmation that there are no legal prohibitions to such a transfer and subject to reaching satisfactory agreement with the County of Monterey as to the terms and conditions of such a transfer.
4. The property transfer will be considered for final approval by the Agency following the Court's communication to the Agency, in writing, that the Court has complied with the California Environmental Quality Act, has all the necessary funding, has an executable strategy

to proceed with its plans, and that the County is committed to moving forward with its facility location plans in the immediate future.

5. Upon satisfaction of the foregoing conditions and receipt of the aforementioned communication from the Court, and the satisfaction of any procedural requirements pertaining to the transfer as provided by law, the Agency intends to approve the donation. However, should there arise during the course of the Agency's review of the title to the Property, the environmental review process, or negotiation with the property owner, County of Monterey any legal or other reason that renders the donation infeasible, inappropriate or impossible, the Agency retains its discretion to not authorize the donation of the Property to the Court.

PASSED AND ADOPTED by the Board of Directors of the Greenfield Redevelopment Agency duly held on the 11th day of December, 2007, by the following vote:

AYES: Chair Huerta, Agency Member Moreno, Agency Member Vazquez, Agency Member Gonzalez

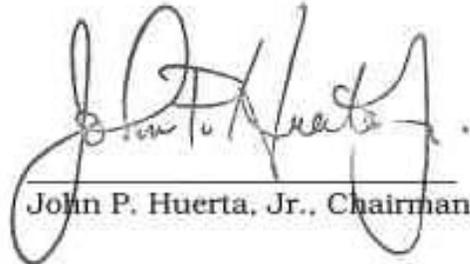
NOES: None

ABSENT: Vice-Chair Teneyuque

ABSTAIN: None

ATTEST:


Ann Rathbun, Secretary


John P. Huerta, Jr., Chairman

RESOLUTION No. 07-4216

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KING IN SUPPORT OF
MONTEREY COUNTY SUPERIOR COURT SOUTH COUNTY FACILITY**

WHEREAS, the Superior Court of California, County of Monterey is seeking to acquire land and build a new court facility in the South County;

WHEREAS, the Superior Court has been located in King City for a number of years; and

WHEREAS, King City serves as the hub of the South County and is home to a number of state and local agencies as well as an established medical community and provides a host of other amenities; and

WHEREAS, the City Council of the City of King wishes to assist the Superior Court in the acquisition and construction of a new Court facility.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council of the City of King pledges its support to assist the Superior Court in acquiring and building a new facility in King City.
2. The City Council formally directs City Staff to work with the Superior Court to locate land and the preparation of necessary documentation to formalize assistance.

PASSED AND ADOPTED by the City Council of the City of King City at a regular meeting duly held on the 13th day of November, 2007, by the following vote:

AYES, and in favor of Councilmembers: Pereira, Kleber, Campos, Hughes,

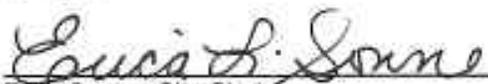
NOES, Councilmembers:

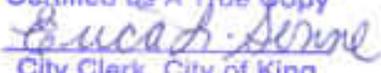
ABSENT, Councilmembers: Nuno

ABSTAIN, Councilmembers:

APPROVED: 
Jeff Pereira, Mayor

ATTEST:


Erica Sonne, City Clerk

Certified as A True Copy

City Clerk, City of King

APPROVED AS TO FORM:


Roy Hanley, City Attorney