

Superior Court of California
County of San Benito
New Hollister Court

PROJECT FEASIBILITY REPORT

SEPTEMBER 8, 2006



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF COURT CONSTRUCTION
AND MANAGEMENT

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I. EXECUTIVE SUMMARY

A. Introduction

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

B. Statement of Project Need

The County of San Benito is served by only one trial court, operating out of a county Civic Center Building that has virtually no security other than courtroom bailiff, is functionally deficient, and is among the worst in the state in terms of physical condition. This outdated and undersized building is and will remain incapable of meeting the region's growing demand for court services. The existing court space provides limited court services, as a result of its constrained size. Consequently, the court has had to lease separate, off-site space (family law lease) to provide its family law and its mediation services and to find separate, off-site shared space to process its juvenile delinquency cases. The deplorable conditions of the facilities, the court's non-consolidated functions, and the public's hindered access to court services are among the reasons why a New Hollister Court is needed. This project—ranked in the Immediate Need priority group of the Trial Court Capital-Outlay Plan, adopted by the Judicial Council in August 2006—is one of the highest priority capital-outlay projects for the judicial branch.

In June 2001, the Administrative Office of the Courts (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 project, as was identified in the Facilities Master Plan (master plan) prepared for the Superior Court of San Benito County, is summarized in Appendix A. Renovating and expanding the Civic Center Building is not a viable option to address and resolve these issues.

C. Options Analysis

Three alternatives for delivering a new facility were evaluated based on their ability to meet the programmatic requirements and the future needs of the court in a cost effective manner. These are the three project development alternatives studied:

- Project Alternative 1: Leave space unfinished in new facility for a future judgeship.
- Project Alternative 2: Complete construction of all space to meet current and future needs.
- Project Alternative 3: Construct current need and build future need as an addition.

Project Alternative 1—the recommended project alternative—provides for a four courtroom facility with one courtroom and associated support space unfinished for a future judgeship anticipated to be needed in 2016. Alternative 2 completes the construction of a four-courtroom facility in its entirety to address current and future needs. Alternative 3 provides for the acquisition of land to house a four-courtroom facility, but provides for a three-courtroom facility to address current needs now, leaving the addition of a fourth courtroom for a future phase.

In addition to the project development analysis, three financial alternatives for delivering a new facility were evaluated based on ability to meet the programmatic requirements and economic value. These are the three financing alternatives studied for the recommended project alternative:

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

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

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

TABLE 1
Comparison of Recommended Project Total Cost with Financing 2007–2041

	Alternative 1 Partial Revenue Bond Financing	Alternative 2 Pay-As-You-Go	Alternative 3 Private Financing Lease-Purchase
Total Estimated Cost	\$61,809,055	\$38,570,000	\$83,140,726
Estimated Net Present Value (NPV).....	\$40,846,669	\$34,949,063	\$47,325,331
NPV % of Total Cost.....	66%	91%	57%

D. Recommended Option

The recommended solution for meeting the court facility needs for the County of San Benito is to construct a new courthouse in the Hollister area with four courtrooms, preferably in the downtown area near the existing courthouse. The recommended option will finish three courtrooms and will leave the fourth courtroom and immediate support space unfinished for future expansion. The building will include space for court administration, court clerk, court security operations, holding, and building support space. Site support will include surface parking for court staff and visitors and a secure sallyport for in-custody transport. An updated space program for the proposed project, which has been created in collaboration with the court, outlines a need for approximately 39,984 building gross square feet (BGSF) and 44 staff, including the judicial position equivalents (JPEs). Based on a site program developed to accommodate the new facility and needed parking, the court should acquire a site of 4.17 acres.

This option is recommended as the most cost-effective solution for meeting current and mid-term needs of the court, while providing the space that can accommodate minimum future growth of one courtroom. In replacing the existing court buildings, this project will solve the current space shortfall, increase security, replace and consolidate inadequate and obsolete buildings, and consolidate court operations currently located in three separate buildings. This option will best serve the current needs of the public and the justice system, as well as provide the foundation for long-term needs.

The estimated project cost to construct the recommended project is \$38.570 million, without financing costs. This cost is based on constructing a 1-story building with a ground level of approximately 39,984 BGSF with 186 surface parking spaces. Site acquisition costs are also included to allow a purchase of a site that is large enough to accommodate a four courtroom courthouse and associated support space. For purposes of cost estimating, it is assumed that the parking spaces will be provided in a surface lot. This project will provide space for one additional judgeship to address the estimated future judicial needs by 2016 based on adjusted master plan projections.

Preliminary project schedules have been developed assuming that funding is included in the 2007–2008 State Budget Act and the site acquisition process is successful. In the current schedule, the acquisition phase will occur from July 2007 to July 2008, preliminary planning will occur from July 2008 through February 2009, working drawing construction documents will be generated from February 2009 through February 2010, and construction will begin in February 2010 with completion scheduled for August 2011. A compressed schedule for preliminary and working drawings will be evaluated during the acquisition phase and based upon progress therein.

Impact on the trial court and the AOC's support budgets for FY 2007–2008 will not be material. It is anticipated that this project will impact the AOC and trial court support budgets in fiscal years beyond the current year, as certain one-time and ongoing costs are incurred. 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.

In the selection of a site, several important considerations merit in-depth evaluation. The location should provide convenient access for the public, via major traffic arteries. Two major highways—California Routes 156 and 25—serve the central portion of the county. The most appropriate location would be in the most densely populated areas within the city of Hollister, preferably within one-half mile of one or both of the major traffic thoroughfares, as well as be located within walking distance of public transportation. Preference would be given to a site with flat topography and less site preparation, a factor that can add to project costs.

Several locations within the Hollister city limits are of adequate size and suitability for a new court site, including a property owned by the local county government adjacent to the juvenile hall and the San Benito County jail and a city-owned site directly across the street from the civic center complex. Locating the court adjacent to the existing site (i.e., Civic Center Building) and remaining in downtown Hollister has the potential for meeting the noted criteria above and for maintaining good court access for the public, court-related users, and the neighboring justice agencies. Although the county-owned property also has the potential for meeting the noted criteria above, no final site selection has been made. Upon approval of funding, site selection will commence as the first phase of this project.

Both the City of Hollister and the County of San Benito have passed resolutions expressing a commitment to donate land in order to assist in making the construction of a new court facility possible, and Appendix D includes resolution letters from both of these agencies.

II. STATEMENT OF PROJECT NEED

A. Introduction

The County of San Benito is served by only one trial court, operating out of a county civic building that has extremely poor security, is functionally deficient, and is among the worst in the state in terms of physical condition. This outdated and undersized building is and will remain incapable of meeting the region's demand for court services. The existing court space provides limited court services, as a result of its constrained size. Consequently, the court has had to lease separate, off-site space to provide its family law and its mediation services and to find separate, off-site shared space to process its juvenile delinquency cases. The deplorable conditions of the facilities, the court's non-consolidated functions, and the public's hindered access to court services are among the reasons why the proposed New Hollister Court project is a high-priority for the judicial branch.

Creation of a new, full-service court would consolidate the court's separate locations, by placing the Civil, the Criminal/Traffic, the Family Law Facilitator (FLF), and the Mediation services all on a single floor, as well as incorporate the processing of juvenile delinquency cases currently heard in the offsite Juvenile Hall. It would also allow development of self-help services never offered before in San Benito County. Currently, the Superior Court of San Benito County is discussing the possibility of establishing regional self-help services with the Superior Court of Santa Cruz County. Regional self-help services would reach a greater portion of the public in assisting them understand and navigate judicial processes for family law (i.e., divorce, adoptions, etc.), guardianships, domestic violence, conservatorships, probate, civil (i.e., landlord, debt collection, etc.), and small claims matters. This new court facility would be an unprecedented one-stop location for public access to all judicial services in this county.

The option to renovate and expand the Civic Center Building was not considered viable, as the court currently shares about half of the space with other county functions inside its primary location. In addition, the AOC will not be accepting title to this facility to make all necessary improvements, as only a transfer of responsibility is occurring. Furthermore, implementing this option would not resolve the overall space shortfall, would not consolidate the court's multiple facilities—exacerbating staffing, operational, capital, and maintenance costs—would not address inadequacies of the juvenile hall courtroom, and would neither renovate nor expand this building in compliance with the trial court facility standards.

This section provides documentation of the need to replace the existing facilities.

B. Transfer Status

Under the Trial Court Facilities Act, negotiations for transfer of responsibility of all trial court facilities from the counties to the state began July 1, 2004. The AOC and the local government of San Benito County are currently negotiating the agreement for a transfer of responsibility of the court's occupied space within the Civic Center Building. The transfer is expected to occur prior to June 2007. Additional information concerning transfers is stated in section IV of this report—Provision for Correction of Seismic Deficiencies and Disposition of Property.

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 methodology for prioritizing trial court capital-outlay projects, entitled *Methodology for Prioritization of Trial Court Capital-Outlay Projects*. A trial court capital-outlay plan identifying project priority groups was also adopted by the council at that time. Trial court projects are placed in one of five priority groups based on their project score—determined by security, overcrowding, physical conditions, and current need for additional new judgeships. The proposed New Hollister Court project is in the Immediate Need priority group, making it a high priority trial court capital-outlay project for the judicial branch.

D. Current Court Operations

The Superior Court of San Benito County currently handles criminal arraignments, pre trials, motions, short-case trials; traffic court; small claims; probation matters; and drug court, as well as felony arraignments, pre trials, motions, short-case trials, and felony probation; family matters including domestic violence, juvenile delinquency and dependency, conservatorships, probate; and limited and unlimited civil law and motion. In addition, it processes family support matters and occasional child and spousal support crossovers from the family law calendar. The probation department currently handles juvenile traffic cases; these cases come into court only if appealed.

All court proceedings take place in the Civic Center Building in central Hollister, except for juvenile delinquency. Under an agreement with the county, a judge travels to the Juvenile Hall one day per week to adjudicate juvenile delinquency cases in a small courtroom within that facility. Facility inadequacies and constraints are negatively affecting court operations in both locations; these are discussed in more detail later in this section.

All 30 support-staff positions are located in the Civic Center Building except for the Family Law Facilitator and the Mediator and their support staff, which occupy leased space across the street from this facility. Mediation services are provided in family court proceedings when ordered by the judge. A mediator is available to resolve child visitation, custody, guardianship, conservatorship, underage marriage, and stepparent adoption and emancipation matters. Facilitation services are also provided by the court through a facilitator who assists persons without attorneys in child support, health insurance, and spousal support matters. At present, the FLF and the Mediator's office has no self-help center, although one is needed.

E. Demographic Analysis

San Benito County, a predominantly rural county in the Central Coast portion of the state, has only two incorporated cities: Hollister, the county seat, and San Juan Bautista, a town frequented by tourists visiting the historic California mission there. Santa Clara and Santa Cruz Counties border San Benito County on the north, and the county is bordered on the east by Merced and

Fresno Counties, and on the south and west by Monterey County. Geographically, the county encompasses approximately 1,391 square miles, 60 percent of which is in agriculture use.

According to the most recent California Department of Finance population projections, the population of San Benito County grew from 53,790 in 2000 to 57,700 in 2005, an increase of 7 percent. Much of the growth has been in Hollister, which contains more than half of the county's total population. Families relocating from high-cost Bay Area cities to more affordable cities have been influencing Hollister's population growth. According to the State Department of Finance population projections, by 2050, San Benito County's population is projected to reach 105,032, almost doubling in size from 2000.

F. Judicial Projections

The master plan included a projection of judicial position equivalents and court staff.¹ The number of current and projected JPEs determines the number courtrooms needed now and in the future for each court. The AOC Office of Court Research reviewed these projections and developed a methodology for adjusting the JPEs projections to be more aligned with projected capital programs funding. The year 2007 Judicial Position Equivalents (JPEs) projections in the master plans are based on the actual JPEs plus 150 proposed new judgeships, 50 of which are included in Senate Bill (SB) 56, pending FY 2006–2007 approval. In the new methodology, the master plan projections for 2012, 2017, and 2022 were adjusted by computing the rate of growth in JPEs projected for each of these five-year increments and applying them to the 2007 projections, which is the adjusted starting point for the JPEs projections for planning purposes. The adjusted methodology maintains the different growth rates for each court used in the original master plan projections.

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

To determine the near-term need for this project, the existing JPEs are presented in Table 2 for year 2006 and future years, in five-year increments.

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.

TABLE 2
Current and Projected JPEs

	<u>2006</u>	<u>2012</u>	<u>2017</u>	<u>2022</u>
Master Plan	4.2	4.7	5.1	5.6
<u>Adjusted JPEs Projections</u>	3.0	3.3	3.6	3.9

* Adjusted JPEs Projections – Based on current, actual JPEs plus projected need beginning with full need of 50 new judgeships requested for funding in FY 2006–2007.

G. Staffing Plan

The staff requirements for a three courtroom facility are presented in Table 3 below. For planning purposes, staff requirements for a four courtroom facility are presented.

TABLE 3
Summary of Total Staff Requirements

<u>Description</u>	<u>Current 2006</u>	<u>4 Courtrooms 2016</u>	<u>% Change</u>
Judges.....	2	3	
Commissioner	1	1	
Court Reporters	1	2	
Bailiffs.....	0	0	
Interpreters	0	1	
Administration.....	3	4	
Court Clerks	14	16	
Family Services.....	4	7	
Court Services	7	9	
Information Technology.....	1	1	
Building Support	0	0	
Security Control Room	0	0	
	<u>33</u>	<u>44</u>	<u>33%</u>

Justification for the increase in staff above current levels includes:

- Growth in family court services, drug court, and increased pro per cases, requiring more support staff;
- Services, such as information technology and human resources previously provided by the local county government, have been and will continue to be assumed or contracted for by the court; and

- Need for new positions—such as a court manager or court clerks—to add greater efficiency to court operations and to workload processing.

H. Existing Facility

The court currently operates out of both floors of the Civic Center Building, a shared use facility in downtown Hollister. As co-tenant, the court occupies 8,431 departmental gross square feet (DGSF), 1,500 DGSF of leased space for the FLF and the Mediator located across the street from the civic center, and a 700 DGSF courtroom within the county's juvenile hall located a few miles outside of the downtown. The court is currently working in 10,631 DGSF, with a deficiency of 20,126 DGSF to meet their current needs based on the space program developed with the court in 2006 and presented in Appendix C. The court operates out of two courtrooms and one hearing room and has access to an additional courtroom within the Juvenile Hall. As a result of the numerous functional, physical, life safety, and security problems—as well as overcrowding—existing amongst the three facilities, the court's efficient processing of cases and general operations are hindered. Renovating and expanding the Civic Center Building is not a viable option to address and resolve these issues.

The court's current onsite parking conditions are grossly impacted. Approximately 95 onsite parking spaces lie adjacent to the Civic Center Building, none of which are designated for court-related business and none of which are secure. In addition to the general public, the court is required to share this lot with 15 different local-government agencies residing within the civic center area—each parking employees, service vehicles, and customers/visitors—rendering it useless to the court. Considering the reliability and severely limited bus service within the county, court employees, users, and jurors are forced to drive and park on local city streets, further impacting neighborhood congestion. Although a public parking structure exists within walking distance of the downtown court facilities, the pattern of court employees, users, and jurors thus far is to bypass this option and park closer on the surrounding streets.

Onsite parking at the juvenile hall facility is also limited for staff, users, and visitors, and its overflow must be absorbed by local streets on a regular basis.

The court occupies approximately half of the space available in the Civic Center Building, its functions interspersed with those of the county. Within this building, the court utilizes space for two courtrooms and a hearing room, clerk's offices with public counters, and court administrative space. Most spaces within this facility are accessible from the public walkway on two sides at both levels. On both floors, county staff must walk through court office space to reach the staff restrooms. The old Hall of Records is adjacent to the building and is the historic county courthouse, which has been closed for public use since it was damaged in an earthquake, is used for storage of court and county files.

In the family law lease, across the street from the civic center, the court utilizes the space for the FLF's office, the Mediator's office, two clerks that support the FLF and the Mediator, and information technology support. This building contains staff restrooms, but none are available for the public.

The juvenile hall facility, located in Hollister near the airport two miles from downtown, contains a 700 DGSF courtroom for the purposes of hearing juvenile delinquency cases. Family members, probation staff, and defendants all enter the courtroom through the same door, with juveniles remaining in their rooms until called. As there is no adequate waiting area for family members prior to the cases being heard, they typically stand outside the building or sit in their vehicles in the parking area, until such time that the cases are called. And upon entering the facility, there is no security screening station for these individuals. No space is available for attorney/client/family member(s) conferences, nor for a judge's chamber. As the juvenile hall is considered a secure facility, no bailiff or other security personnel are present while the court is in session. Consequently, the facility staff is called upon to subdue any persons in the event of a disturbance. This condition prohibits any incarcerated family member(s) from visiting the juvenile(s) while they appear in court.

Specific functional and physical problems with the three facilities include the following:

Civic Center Building

- The building is awkward, laid out more like a school building than a courthouse. There is no central lobby, and the exterior mezzanine serves most of this function. There is no interior public corridor. There are multiple entries (i.e., doors) along the exterior of the building. The building is attached to a seismically unsafe structure—the old Hall of Records built around 1900—which was closed from public use years ago, due to earthquake damage.
- The building contains no security checkpoint and has no available space to provide it. No magnetometers are utilized; security screening is not enforced at any building entrance. Many large windows face adjacent streets or open areas and are subject to firearm attack. The building is accessible on all sides to vehicle attack. No secure parking exists on site for judicial officers or staff.
- The Court clerk's offices are only accessible from the exterior of the building, causing users to exit and re-enter the building in order to pay fines, etc. At least once a week, lines form outside the door and continue onto the sidewalk, as queuing space is minimal.
- The two courtrooms and the one hearing room are non-ADA accessible, contain no sound locks, and are undersized according to the *California Trial Court Facilities Standards*. Two of the courtrooms are accessible from the interior corridors, while the hearing room is only accessible from the exterior mezzanine level by way of an exterior hallway and stairway.
- Only two courtrooms contain jury boxes and can therefore be used for jury trials. However, these courtrooms—each at a capacity of 60 seats—cannot accommodate the on-average number of 75 jury-duty respondents. The building does not have jury support spaces. No secure access to the jury deliberation rooms exists.

- No sallyport exists on site. No separate secure circulation exists for the transport of in-custodies to and from courtrooms. In-custodies are transported through public corridors and walkways and are brought to the second floor via staff stairways. They enter through the same courtroom doors as the public and staff. None of the courtrooms have adjacent holding rooms. The sheriff's department has no onsite support space for security.
- No public service counters are ADA accessible, as well as none of the judges' benches, clerks' stations, or witness stands. There is only one ADA restroom for the public use, and none for staff use.
- The building contains a single hydraulic elevator that is very old and subject to frequent breakdowns.
- The building contains no fire sprinkler system, building-wide fire alarms, and fire-rated construction. Guardrails/handrails do not meet code requirements. The building is subject to mold and asbestos problems.

Leased Space for the Family Law Facilitator and Mediator

- The building is an old, small, single story structure whose layout restricts the provision of adequate mediation and facilitation services.
- This facility lacks appropriate security—other than an outdated alarm system, the leased space is without security services.
- No space is available for in order to create a self-help center.
- No public restrooms are available.
- This lease is paid for out of the court's operating budget and through the provision of funds from Assembly Bill 1058—Family Law Support (approved by the Governor in September 1996). It will be terminated upon the completion of construction of the new facility.

Juvenile Hall

- No screening station exists for those entering the courtroom. No bailiff or other security personnel are present while court is in session.
- The courtroom within the facility is grossly undersized and is only accessible from a short, semi-secure corridor, with family members, probation staff, and defendants all entering through the same door. Egress is also limited, which poses life safety hazards.
- There is no adequate waiting area for family members prior to the cases being heard, which requires them to either stand outside the building or sit in their vehicles in the parking area, until such time that the cases are called.

- The judge’s bench and court clerk’s station are severely undersized and non-ADA accessible, as well as the witness stand. There is no court clerk’s office, nor judge’s chamber, and no space is available for attorney/client/family member(s) conferences.
- The use of this space one day per week is provided through an agreement with the county and is not subject to transfer. The use of this space will no longer be needed upon completion of construction of the new facility.

The option to renovate and expand the Civic Center Building was not considered viable, as the court currently shares about half of the space with other county functions inside its primary location. In addition, the AOC will not be accepting title to this facility to make all necessary improvements, as only a transfer of responsibility is occurring. Furthermore, implementing this option would not resolve the overall space shortfall, would not consolidate the court’s multiple facilities—exacerbating staffing, operational, capital, and maintenance costs—would not address inadequacies of the juvenile hall courtroom, and would neither renovate nor expand this building in compliance with the trial court facility standards.

Figures 1 through 6 are photographs of the court’s existing facilities. Figures 7 and 8 are floor plans of the Civic Center Building, which show court occupied areas relative to those of the county government.

FIGURE 1
Exterior—Civic Center Building—440 Fifth Street



FIGURE 2
Interior—Undersized and Unsecured Courtroom, Civic Center Building—440 Fifth Street



FIGURE 3
Exterior—Leased Space for the Family Law Facilitator and Mediator—309 Fifth Street



FIGURE 4
Interior—Leased Space for the Family Law Facilitator and Mediator—309 Fifth Street



FIGURE 5
Exterior—Juvenile Hall—708 Flynn Road



FIGURE 6
Interior—700 DGSF Courtroom, Juvenile Hall—708 Flynn Road



FIGURE 7
 First Floor Plan, Civic Center Building: Shaded areas occupied by court



00.XX CIRCULATION	05.XX JURY ASSEMBLY AREA	08.XX FAMILY COURT SERVICES	11.XX BLDG SUPPORT SERVICES
03.XX TRIAL COURTSET	06.XX COURT ADMIN./CASE MGMT.	09.XX COURT SECURITY SUPPORT	60.XX COURT-RELATED AGENCIES
04.XX TRIAL COURT JUDICIARY	07.XX TRIAL COURT SUPPORT	10.XX IN-CUSTODY HOLDING	70.XX NON-COURT RELATED SERVICES

FIGURE 8
 Second Floor Plan, Civic Center Building



	00.XX CIRCULATION		05.XX JURY ASSEMBLY AREA		08.XX FAMILY COURT SERVICES		11.XX BLDG SUPPORT SERVICES
	03.XX TRIAL COURTSET		06.XX COURT ADMIN./CASE MGMT.		09.XX COURT SECURITY SUPPORT		60.XX COURT-RELATED AGENCIES
	04.XX TRIAL COURT JUDICIARY		07.XX TRIAL COURT SUPPORT		10.XX IN-CUSTODY HOLDING		70.XX NON-COURT RELATED SERVICES

III. OPTIONS ANALYSIS

A. Introduction

The purpose of this section is to compare three project options and three financial options for construction of a new court facility in the Hollister area.

B. Project Development Alternatives

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

- **Project Alternative 1: Leave space unfinished in new facility for future judgeships.** In this alternative, space for unapproved judges will be left unfinished and completed as needed in the future. The unfinished courtroom is projected to be needed in the long-term, in approximately 2016. Under this option a building of 39,984 BGSF will be constructed, but only three of four courtrooms and associated support space will be completed. The total cost of this option is estimated to be \$38.570 million. A total of approximately 5,000 DGSF—5,000 DGSF per courtroom and support space—will be left unfinished and completed in 2016. The long term cost of this option, including finishing out the additional courtroom, is \$41.611 million.
- **Project Alternative 2: Complete construction of all space.** In this option, all courtrooms and related support space for three current judges and one future judgeship is constructed and finished at one time. A facility of 39,984 BGSF would be constructed on a site acquired by the state. The total cost of this option is \$40.908 million.
- **Project Alternative 3: Construct current need now and build future need as a future addition.** In this option, three courtrooms and related support space for three current judges is constructed at one time. The total cost of this first phase is \$37.892 million. In a future addition, one courtroom and related support space would be constructed for one additional judgeship. For the initial phase, a facility of 36,478 BGSF would be constructed on a site acquired by the state, and an addition of 6,250 BGSF—5,000 DGSF with a 25 percent factor for circulation—would be constructed in 2016. The long term cost of this option, including the cost of the addition, is \$43.931 million. Disruption of court operations during construction is not quantified in the project costs.

Analysis of Alternatives:

The unique costs, advantages, and disadvantages of each project option are described in the following section. Each option will provide a new court facility that meets the current and long term needs of the court that is appropriately sited to meet the requirements of both the state and the local community. Under each option, the functions of the court are consolidated into one facility. Land for a four-courtroom facility will be acquired as part of each project alternative.

Project Alternative 1: Leave space unfinished in new facility for future judgeships.

Advantages:

- The state is not required to complete all construction for judges not currently assigned to the court.
- The overall long-term project cost is higher in comparison to the cost of Alternative 2, but the initial cost to the state is lower than Alternative 2.
- As compared to Alternative 2, this option allows the state to save in construction costs both now and later by constructing the building envelope needed to support current and long-term needs in the first phase.
- The fourth courtroom can be available if needed in shorter amount of time than if it had to be built from the ground up.
- Potential for interim use of the shell space by the county or others can be explored and could provide rental income to offset operational or some capital costs.

Disadvantages:

- The cost of completing the unfinished space will be higher in the future than if the new facility was completely finished in one phase.
- Future court operations will be disrupted to some extent by the construction required to finish out the space left unfinished under the first construction contract.

Project Alternative 2: Complete construction of all space to meet current and future needs.

Advantages:

- All courtrooms and related spaces are made available to serve immediate and future needs of the court and the community.
- The long term cost of this option is the lowest of all options studied because construction is completed in one phase.
- The option will not result in any future disruption to court operations because construction is completed in one phase.
- If future judgeships are needed prior to the projected date of 2016, the courtroom will be available.

Disadvantages:

- The short-term cost to the state is higher in comparison to the cost of Alternative 1 and 3 in which fewer courtrooms are finished or constructed in the initial construction contract.
- The need for an additional courtroom is projected to occur in 2016, and this option is projected to provide this space in 2011.

Project Alternative 3: Construct current need and build future need as an addition.

Advantages:

- The short-term project cost is the lowest in comparison to the other alternatives.

Disadvantages:

- The overall project cost, including the future phase, is the highest in comparison to the other alternatives.
- Future court operations will be disrupted by construction of the additional courtroom required for the projected future judgeship in 2016.

Recommended Project Alternative

Based on the analysis of relative costs and benefits described above, the recommended project alternative is Project Alternative 1: Leave space unfinished in new facility for a future judgeship. This option has a lower long term cost compared to Project Alternative 3 and, unlike Project Alternative 2, does not require the state to make the current investment in providing an additional courtroom for projected 2016 needs.

C. Financial Alternatives

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

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

For purposes of this analysis, the time frame 2007 to 2037 was evaluated for results that may indicate cost savings to the state in the long-term. The long-term analysis attempts to compare the final costs to what would be considered the life expectancy of a new building.

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

These are the three alternatives studied:

1. Partial Revenue Bond Financing

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

2. Pay-As-You-Go

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

3. Private Financing/Lease Purchase

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

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

D. Analysis of Financial Alternatives

This section reviews the costs, advantages, and disadvantages of the alternatives. It is difficult to predict the economic environment in 30 years so the following assumptions were made:

- The total project cost without financing is \$38,570,000.² The cost of land acquisition is estimated to be \$5,990,000. The cost of preliminary plans and working drawings is estimated to be \$3,449,000. The cost of construction is estimated to be \$29,131,000.
- It is understood that the actual results could change, depending on the economic environment, and when the actual solution is implemented. The estimates were done by applying current cost rates and using the best estimated projected cost rates.
- For the purpose of calculating the cost analysis projections, a uniform inflation rate was used throughout the entire 30-year time study.
- The economic analysis is based on a conceptual cost estimate and on a hypothetical building; it does not represent a specific construction type, the use of specific building materials, or a predetermined design. The analysis is based on a series of set performance criteria required for buildings of similar type and specifications.
- The estimates do not include support costs such as utilities and facilities maintenance. Each option is assumed to have similar operating and maintenance expenses.

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

1. Alternative 1: Partial Revenue Bond Financing

With this alternative, the State would pay-as-you-go for site acquisition, preliminary plans, and working drawings. The construction phase would then be financed with lease revenue bonds. The final cost by the end of the time period 2007–2036 is \$61.809 million. With this alternative, the state would make a monthly-amortized payment of \$174,567 or \$2.095 million per year for 25 years beginning in 2011 and ending in 2036. The interest rate used for the purpose of this estimate was 5.25 percent.

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

In the long term, Alternative 1 has the second lowest overall costs of the three alternatives analyzed because the state will pay lower interest rates on projects funded

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

through lease revenue bonds than a developer would have to pay to secure private financing.

Advantages:

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

Disadvantages:

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

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

Under this alternative, the AOC would pay-as-you-go for all phases of the development of the new court facility. The final cost by the end of the time period 2007–2037 is \$38.570 million. This option is the least expensive of the three alternatives analyzed because there are no financing costs. However, this alternative requires funding for all project phases and greater “one-time” demands on the state budget.

Advantages:

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

Disadvantages:

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

3. Alternative 3: Private Financing/Lease Purchase

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

This alternative provides the AOC an opportunity to build a new facility with no upfront costs, but a higher overall cost than either of the other two options. The long-term cost for all project phases—site acquisition, design, and construction—is distributed over 30 years, during which time the state will make monthly lease payments and will own the facility upon retirement of debt. At the end of the 2007–2041 time period, the final estimated cost is \$83.140 million. Under this alternative, the AOC would make a monthly-amortized payment of \$230,946 or \$2.771 million per year for 30 years, beginning in 2011, when the facility is estimated to be completed, and ending in 2041. The interest rate used for the purpose of this estimate was 7 percent.

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

Advantages:

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

Disadvantages:

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

E. Recommended Financial Alternative

The 30-year analysis attempts to provide a cost comparison at the end of the life expectancy of the new building. By the end of the 30-year period analyzed, the private developer financed lease-purchase option proves to be the most costly at \$83.140 million. The second-highest cost alternative is to build a new facility through the partial revenue bonds financing option, with a final cost of approximately \$61.809 million. Building a new facility using pay-as-you-go appears to be the least costly in the long term with an estimated cost of \$38.570 million.

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

A comparison of estimated costs and NPV of the recommended project total cost with financing based on these three alternatives is provided below in Table 4.

TABLE 4
Comparison of Recommended Project Total Cost with Financing—2007–2041

	<u>Alternative 1 Partial Revenue Bond Financing</u>	<u>Alternative 2 Pay-As-You-Go</u>	<u>Alternative 3 Private Financing Lease-Purchase</u>
Total Estimated Cost	\$61,809,055	\$38,570,000	\$83,140,726
Estimated Net Present Value (NPV).....	\$40,846,669	\$34,949,063	\$47,325,331
NPV % of Total Cost.....	66%	91%	57%

See Appendix B for additional financial information.

IV. RECOMMENDED PROJECT

A. Introduction

The recommended solution to meet the court’s facilities needs in the Hollister area is to construct a new courthouse with three completed courtrooms and one courtroom left unfinished using partial revenue bond financing Alternative 1—in which the pre-construction phases are paid for on a pay-as-you-go basis and the construction is financed using lease revenue bonds. The following section outlines the components of the recommended project, including project description, project space program, courthouse organization, parking requirements, site selection and issues, 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 Hollister Court for the Superior Court of California, County of San Benito. The project replaces the court’s occupied space within the Civic Center Building, the family law leased space, and use of the courtroom within the County Juvenile Hall. The project will include four courtrooms, with one courtroom and support space left unfinished for future completion. In addition, the building will include space for court administration, court clerk, court security operations and holding, and building support space. Site support will include surface parking of 186 spaces for court staff, jurors, and visitors, and a secure sallyport for in-custody transport. A site of 4.17 acres will be acquired to accommodate a four-courtroom courthouse.

The proposed building will accommodate approximately 39,984 BGSF. Courtroom floor size and configuration strongly influence building design concepts. The mix of courtrooms and office spaces in this program favor a deployment plan that includes a single-floor layout. The first floor will accommodate, secure holding, building services, public access/lobby requirements, courtrooms, and judicial office sets, as well as office space for the court executive.

C. Space Program

The AOC and the Superior Court of San Benito County collaborated on developing a detailed space program based on the recently adopted *California Trial Court Facilities Standards*. The space program summary is provided below in Table 5 and its detailed data is provided in Appendix C.

TABLE 5
Space Program Summary for the New Hollister Court

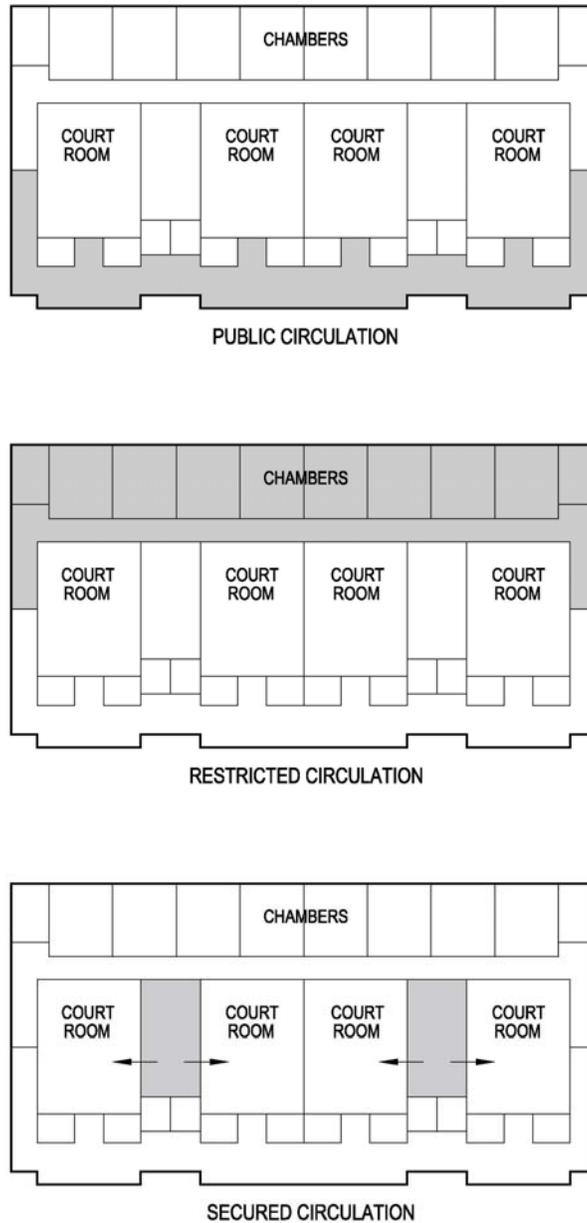
Division	Projected Staff Quantity	Projected Square Feet
A. Court Administration	8	2,073
B. Courtrooms and Related Space	7	14,730
C. Civil Clerk’s Office	8	1,626
D. Criminal/Traffic Clerk’s Office	13	2,310
E. Information Technology	1	480
F. Jury Services	1	2,564
G. Mediation/Facilitators	7	1,668
H. In-custody Holding Area	—	1,229
I. Building Support	—	4,079
Total Projected Staff and DGSF *	44	30,757
Total Projected Building Gross Square Feet (DGSF x 1.3)		39,984

* Total Projected Staff includes JPE (3.9) and excludes contract positions.

D. Courthouse Organization

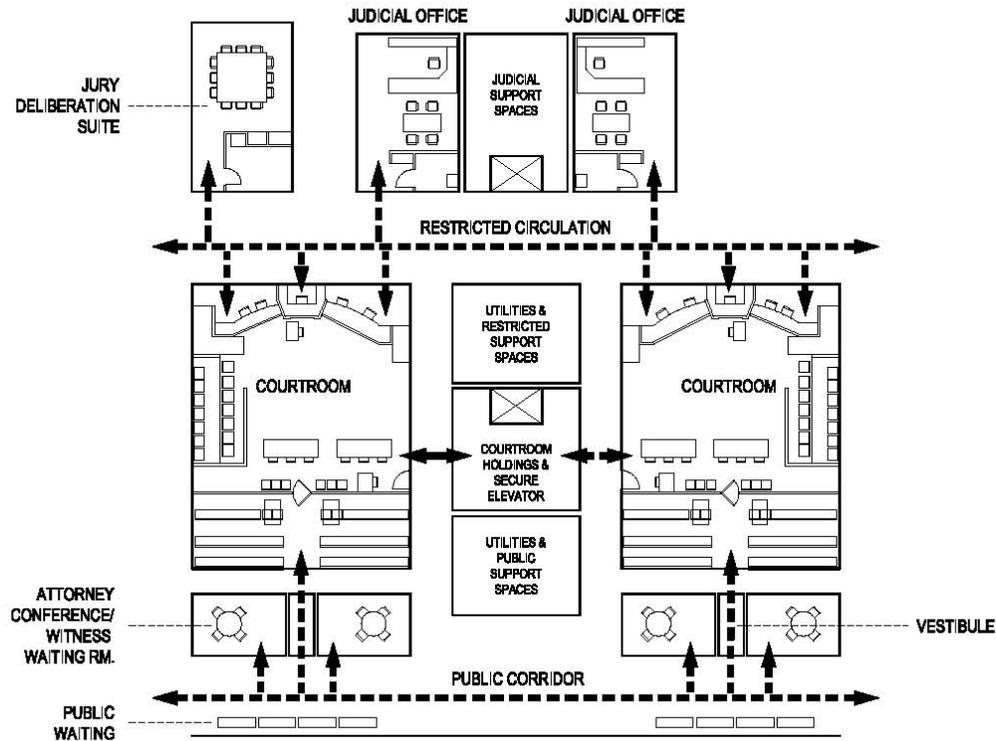
Per the *California Trial Court Facilities Standards*, courthouses that hear criminal cases require three separate and distinct zones of public, restricted, and secured circulation. The three zones of circulation shall only intersect in controlled areas, including courtrooms, sallyports, and central detention. Figure 9 below illustrates the three circulation zones.

FIGURE 9
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 10 illustrates how a typical court floor should be organized.

FIGURE 10
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

186 parking spaces are required for court use, based on a ratio of 45 spaces allotted per courtroom and one space allotted per JPE and key administrative staff. For purposes of cost estimating, it is assumed that these spaces will be provided in a surface lot. Should the court be located adjacent to the civic center in the downtown area, a public parking structure is accessible within walking distance. Its capacity at 144 spaces, however, has to be shared by downtown workers and shoppers, as well as court-related users. At present, there is no charge to park within the structure. Should the court be located adjacent to the county jail facility, a possibility for shared parking on surface lots may occur, depending upon the site's design.

The AOC will begin a parking study in September 2006 which will result in recommended parking standards for court facilities statewide. The parking required for this project will be reevaluated during the site acquisition phase and may be subject to reduction.

The court’s current onsite parking conditions are grossly impacted. Approximately 95 onsite parking spaces lie adjacent to the Civic Center Building, none of which are designated for court-related business and none of which are secure. In addition to the general public, the court is required to share this lot with 15 different local-government agencies residing within the civic center area—each parking employees, service vehicles, and customers/visitors—rendering it useless to the court. Considering the reliability and severely limited bus service within the county, court employees, users, and jurors are forced to drive and park on local city streets, further impacting neighborhood congestion. Although a public parking structure exists within walking distance of the downtown court facilities, the pattern of court employees, users, and jurors thus far is to bypass this option and park closer on the surrounding streets.

Onsite parking at the juvenile hall facility is also limited for staff, users, and visitors, and its overflow must be absorbed by local streets on a regular basis.

2. Site Program

Table 6 below delineates that a minimum site area of 4.17 acres has been identified to accommodate a one-story, 39,984-square-foot building, 186 surface parking spaces, 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, topographical features, or other unique characteristics of a site, and thus should be viewed as a guide to site acreage requirements. The total acreage needed, and cost to acquire, could increase based on the site selected.

TABLE 6
Site Program

<u>Site Function</u>	<u>Square Footage Provided</u>	<u>Comments</u>
Building and Grounds.....	47,981	Building footprint, adjacent grounds
Parking and Drives	65,100	Required parking spaces, driveways
Site Requirements and Amenities...	27,408	Public plaza, commons, pedestrian circulation, common entry drives, road extension
Easements and Setbacks	<u>40,976</u>	Easements, setbacks, existing slopes, existing trees, encroachments
Total Requirement	<u>181,464</u>	4.17 acres

3. Site Selection Criteria

In the selection of a site, several important considerations merit in-depth evaluation. The location should provide convenient access for the public, via major traffic arteries. Two major highways—California Routes 156 and 25—serve the central portion of the county. The most appropriate location would be in the most densely populated areas within the city of Hollister, preferably within one-half mile of one or both of the major traffic thoroughfares, as well within walking distance of public transportation. Preference would be given to a site with flat topography and minimal site preparation, a factor that can add to project costs.

Several locations within the Hollister city limits are of adequate size and are suitable for a new court site, including a property owned by the local county government adjacent to the juvenile hall and the San Benito County jail and a city-owned site directly across the street from the civic center complex. Locating the court adjacent to the existing site (i.e., Civic Center Building) and remaining in downtown Hollister has the potential for meeting the criteria of the site program above and for maintaining good court access for the public, court-related users, and the neighboring justice agencies. Although the county-owned property also has the potential for meeting the site program criteria, no final site selection has been made. Upon approval of funding, site selection will commence as the first phase of this project.

4. Site Availability and Real Estate Market Analysis

Market analysis was performed to identify for-sale properties meeting the project's size criterion. This analysis resulted in locating five for-sale properties within a few miles of the downtown civic center area. As confirmed by a local broker, current land values within the city of Hollister range from \$8–10 per square foot for properties in industrial areas—the average price per square foot derived in the sites summary table falling within this range—and properties in the downtown area range from \$20–30 per square foot.

The properties identified within Table 7 below, include those derived from the market analysis above and those identified by the local governments, as well as their attributes for comparison purposes.

TABLE 7
Sites Comparison

Site	Site Acreage	Site Square Footage	Proximity to Civic Center/ Downtown Hollister	Existing Structures on Site	Selling Price	Meets Size Req'm't?
A. Free Sites						
1. City-Owned (Old Fremont School)	3.08	134,165	Civic Center/ Downtown	Vacant Grammar School	Free	Yes*
2. County-Owned (adjacent to jail)	21.22	924,343	3 miles	Vacant	Free	Yes**
B. For-Sale Sites						
1. 2200 San Juan Highway	5.35	233,046	2 miles	Residence	\$1,300,000	Yes
2. Flynn/San Felipe Roads	up to 15.0	up to 653,400	3 miles	Vacant	Varies	Yes
3. San Felipe Road/Highway 25 Bypass	17.00	740,520	3 miles	Vacant	\$6,500,000	Yes, but too large
4. 1550 South Street	5.50	239,580	1.5 miles	Vacant	\$1,197,900	Yes
5. 1802 Shelton Drive	7.40	322,344	3+ miles	Manufacturing	\$4,900,000	Yes

*The City of Hollister has already conveyed to the local court that additional land may be provided through an adjacent street closure/abandonment, in order to increase this site's size to meet the needs of the new project.

**The land to be donated, as indicated in the county's letter of resolution, would be subdivided from this large parcel.

Based on the comparison table above, all sites meet the size requirement for the proposed court project, as denoted in the site program presented above in Table 6. Of those listed, four sites are vacant land, and three sites have an existing structure that would require demolition. The city-owned property is located on a block just opposite from the present court location in the Civic Center Building, whereas each of the others is located over a mile away from the civic center area and the offices of the associated justice agencies.

At this time, a site has not been recommended. However, AOC staff recognizes the support—by the local governments (both city and county)—various justice agencies, the local chamber of commerce, and other interested parties for keeping the court within the downtown area of Hollister. Appendix D of this document includes copies of resolution letters, indicating the intent of the local governments to donate land for the purposes of constructing the new courthouse.

F. Design Criteria

Per the *California Trial Court Facilities Standards*, California court facilities shall be designed to provide long-term value by balancing initial construction costs with projected life cycle operational costs. To maximize value and limit ownership costs, the standards require architects, engineers, and designers to develop building components and assemblies that function

effectively for the target lifetime. These criteria provide the basis for planning and design solutions. For exact criteria, please refer to the *California Trial Court Facilities Standards*, which were approved by the Judicial Council on April 21, 2006.

G. Sustainable Design Criteria

Per the *California Trial Court Facilities Standards*, architects and engineers shall focus on proven design approaches and building elements that improve court facilities for building occupants and result in cost-effective, sustainable buildings. All courthouse projects shall be designed for sustainability and, at a minimum, to the standards of a LEED™ 2.1 “Certified” rating. Depending upon the project’s program needs and construction cost budget, projects may be required to meet a higher standard. At the outset of the project, the AOC will determine whether the project will participate in the formal LEED certification process of the United States Green Building Council.

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

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

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

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

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

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

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

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

I. Estimated Project Cost

The estimated project cost to construct the recommended project is \$38.570 million. This is based on a project of 39,984 BGSF with 186 surface parking spaces and acquisition of a 4.17-acre site.

Construction costs are estimated to be \$29.131 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), data, communications, and security. Construction costs are escalated to the start and midpoints of construction and carry a 5 percent contingency.

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

The detailed cost estimate is provided in Appendix B, Table B-1.

J. Project Schedule

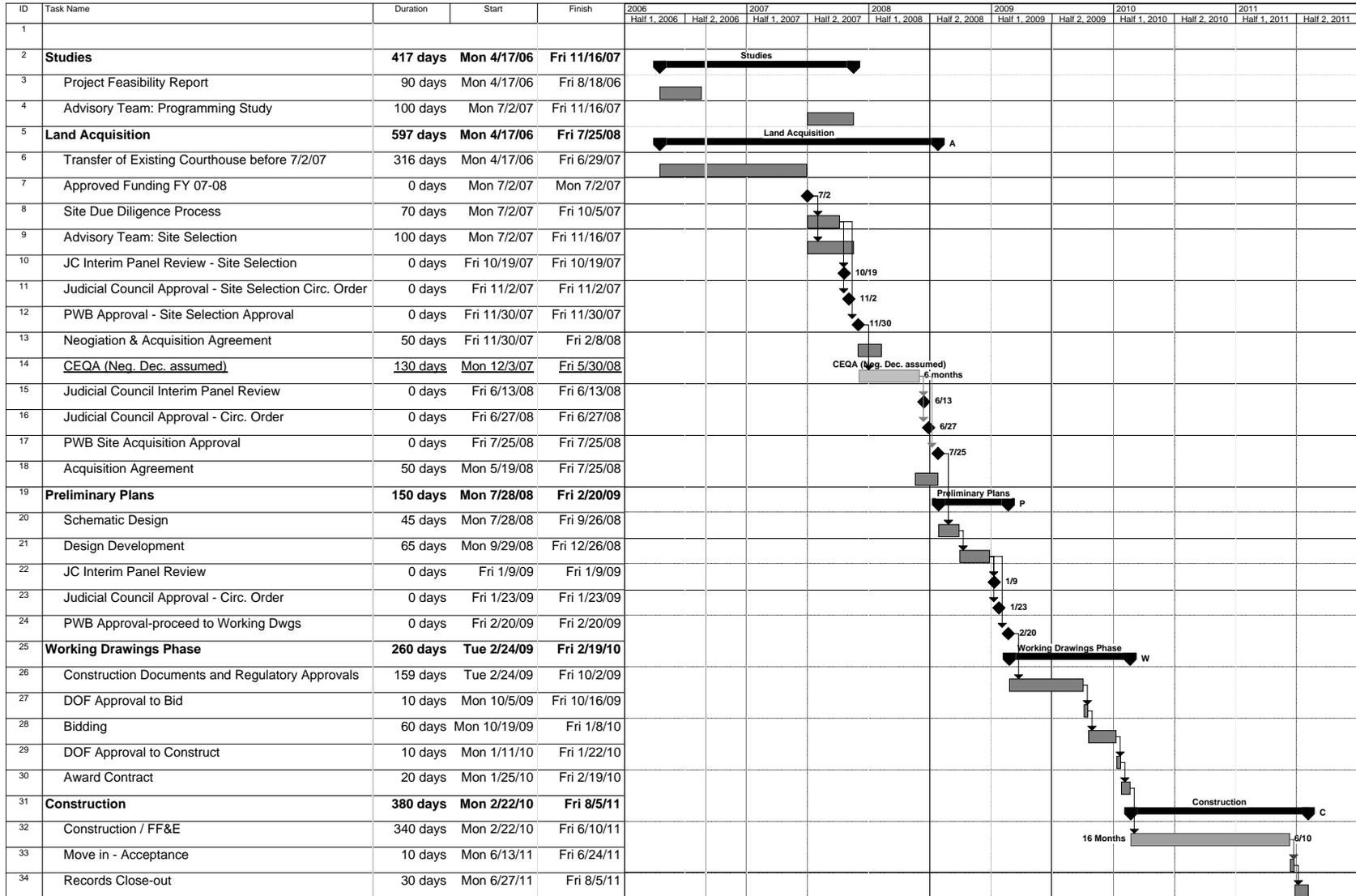
Preliminary project schedules have been developed assuming that funding is included in the 2007–2008 budget act and the site acquisition process is successful.

Proposed Project Schedule

Site Selection/Land Acquisition (including CEQA)	July 2007–July 2008
Preliminary Plans	July 2008–February 2009
Working Drawings	February 2009–February 2010
Construction	February 2010–August 2011

The project schedule is provided below in Figure 11.

FIGURE 11
 Project Schedule



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

Impact on the trial court and the AOC's support budgets for FY 2007–2008 will not be material. It is anticipated that this project will impact the AOC and the trial court support budgets in fiscal years beyond the current year as certain one-time costs and ongoing costs are incurred, such as moving. 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 improved systems and use of space. This will result in lower operating costs when reviewed incrementally.

Estimated current savings in the amount of \$2,764 monthly or \$33,170 per year—from the termination of the existing leased space occupied by the Family Law Facilitator and the Mediator—will be used, to the extent allowable, to offset increased cost of operating and maintaining the new facility. A portion of this cost is derived the provision of funds from AB 1058, which would be applied as available

The court consolidation will add efficiency and convenience to the courts operations allowing for easier cross training, mail delivery and case file access for court clerk staff. Communication will be greatly improved among all court staff. To have judicial chambers located on the same floor in the same building will greatly improve calendar management, judicial communication and collaboration. The security issues will be greatly improved in one building as opposed to three buildings that will add efficiency and enhanced safety measures for all court users.

Appendix A – Executive Summary of the 2003 Master Plan

A. Introduction

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

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

The Facilities Master Plan prepared for the Superior Court of California, County of San Benito, 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.

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

**B. Superior Court of California, County of San Benito
New Hollister Court**

The master plan analyzed the task force recommendations for the Superior Court of San Benito County using updated information. The task force report identified two options for the Superior Court of San Benito County to grow in the future. Both options were evaluated in the context of the expanded court requirements. While components of these options merited consideration, overall the master plan concluded they did not best serve the needs of the court in the longer term.

While small improvements are possible at the Civic Center Building, this facility does not offer sufficient expansion potential to meet the increased space requirements of the 20-year planning horizon.

The consensus of the master plan steering committee was that construction of a new courthouse in Hollister containing four courtrooms should be pursued and that a new site should be acquired, in order to meet space requirements and to provide necessary parking. Several locations within

the Hollister city limits are of adequate size and suitability for a new site, including property owned by San Benito County adjacent to juvenile hall and the San Benito County jail. When the new courthouse becomes available for occupancy, all court activity would relocate to the new facility; the courtroom at juvenile hall and family law leased space would no longer be used.

Appendix B – Options Analysis

A. Introduction

In order to complete the financial analysis, cost estimates were created for the Partial Revenue Bond Financing, Pay-As-You-Go, and Private Financing/Lease Purchase alternatives. It is assumed that the third-party lease-purchase alternative will have a project cost 10 percent lower than the capital outlay option, due to shorter construction period and tighter controls on the design consultants. Amortization calculations were created for a 25-year term for the partial revenue bond option and a 30-year term for the private financing option. These estimates and calculations were then used to support the 30-year economic analysis. Appendix B includes each of the estimates and calculations created to support Section III of this report.

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

Superior Court of California, County of San Benito
 New Hollister Court

Appendix B

	ADMINISTRATIVE OFFICE OF THE COURTS OFFICE OF COURT CONSTRUCTION AND MANAGEMENT	Summary of Costs by Phase
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2 San Benito - New Hollister Court New Capital Outlay

3 Date Estimated: 8/18/2006

4 Prepared by: E. Swickard

5 Location: San Benito CCCI (Cost Estimate Basis): 4609 Jul-06

6 Project ID: 91.35.001 CCCI (Basis for Adjustment): 4609 Jul-06

7 Site - Building ID: TBD Construction Start: 2/19/2010

8 AOC Project Manager: P.Freeman Construction End: 8/5/2011

9

Estimated Project Cost by Phase (\$ 000's)	Study (S)	Acquisition (A)	Preliminary Plans (P)	Working Drawings (W)	Construction (C)	Totals
Construction Costs						
Construction Costs (see prior page for detail)					\$21,183	\$21,183
Adjust CCCI					\$0	\$0
Escalation to Start of Construction					\$3,826	\$3,826
Escalation to Midpoint					\$945	\$945
Contingency					\$1,298	\$1,298
Construction Costs Subtotal	\$0	\$0	\$0	\$0	\$27,252	\$27,252
Architectural and Engineering						
A&E Design Services		\$85	\$890	\$1,144	\$508	\$2,627
Construction Inspection					\$0	\$0
Bid Advertising, Printing and Mailing				\$85		\$85
A&E Fees Subtotal	\$0	\$85	\$890	\$1,229	\$508	\$2,711
Site Acquisition						
Purchase Price		\$5,449				\$5,449
Site Acquisition Subtotal	\$0	\$5,449	\$0	\$0	\$0	\$5,449
Other Project Costs						
Special Consultants		\$106	\$169	\$220	\$186	\$682
Geotechnical Services & Land Surveying		\$106	\$104	\$51	\$40	\$301
Materials Testing Laboratory		\$53			\$106	\$159
Commissioning			\$64	\$64	\$64	\$191
Project/Construction Management		\$0	\$53	\$106	\$741	\$900
CEQA/Due Diligence/Mitigation/Documentation		\$138	\$127			\$265
Property Appraisals		\$11				\$11
Legal Services		\$42				\$42
Peer Review				\$53		\$53
Constructibility/Value Review				\$53		\$53
Minimum Code Review				\$57		\$57
Moving and Relocation Expenses						\$0
Plan Checking			\$21	\$189	\$28	\$237
Post-Occupancy Evaluation					\$47	\$47
Utility Connections/Fees/Other		\$0			\$159	\$159
Other Project Costs Subtotal	\$0	\$455	\$538	\$793	\$1,371	\$3,157
A&E Fees plus Other Project Costs Subtotal	\$0	\$5,990	\$1,428	\$2,021	\$1,879	\$11,317
Total Estimated Project Costs	\$0	\$5,990	\$1,428	\$2,021	\$29,131	\$38,570
Less Funds Transferred						
Less Funds Available not Transferred						
Carryover						
Balance of Funds Required						

TABLE B-2
 Amortization—25-Year Term Calculation
Financing Alternative 1: Partial Revenue Bond Financing

Loan Amount: \$29,131,000

Term of the Loan: 25 years

Interest Rate: 5.25 %

Monthly mortgage payments: \$ 174,566.85

Total interest paid over the life of the loan: \$ 23,239,055.69

Year	Loan Balance	Yearly Interest Paid	Yearly Principal Paid	Total Interest
2011	28,893,335.88	635,170.14	237,664.12	635,170.14
2012	28,301,323.22	1,502,789.57	592,012.66	2,137,959.71
2013	27,677,471.01	1,470,950.01	623,852.22	3,608,909.72
2014	27,020,066.84	1,437,398.06	657,404.17	5,046,307.79
2015	26,327,306.24	1,402,041.62	692,760.60	6,448,349.41
2016	25,597,287.66	1,364,783.65	730,018.58	7,813,133.06
2017	24,828,007.31	1,325,521.88	769,280.35	9,138,654.94
2018	24,017,353.61	1,284,148.53	810,653.70	10,422,803.46
2019	23,163,101.42	1,240,550.04	854,252.19	11,663,353.51
2020	22,262,905.94	1,194,606.75	900,195.48	12,857,960.25
2021	21,314,296.25	1,146,192.54	948,609.69	14,004,152.79
2022	20,314,668.54	1,095,174.52	999,627.71	15,099,327.30
2023	19,261,278.96	1,041,412.65	1,053,389.58	16,140,739.95
2024	18,151,236.11	984,759.37	1,110,042.86	17,125,499.33
2025	16,981,493.05	925,059.17	1,169,743.05	18,050,558.50
2026	15,748,839.01	862,148.18	1,232,654.04	18,912,706.68
2027	14,449,890.51	795,853.72	1,298,948.50	19,708,560.41
2028	13,081,082.10	725,993.82	1,368,808.41	20,434,554.23
2029	11,638,656.60	652,376.72	1,442,425.50	21,086,930.95
2030	10,118,654.73	574,800.36	1,520,001.87	21,661,731.31
2031	8,516,904.29	493,051.79	1,601,750.44	22,154,783.10
2032	6,829,008.69	406,906.63	1,687,895.60	22,561,689.73
2033	5,050,334.88	316,128.42	1,778,673.81	22,877,818.14
2034	3,176,000.63	220,467.98	1,874,334.24	23,098,286.13
2035	1,200,861.16	119,662.75	1,975,139.48	23,217,948.88
2036	0.00	21,106.81	1,200,861.16	23,239,055.69

TABLE B-3
Amortization—30-Year Term Calculation
Financing Alternative 3: Private Financing/Lease Purchase

Loan Amount: \$34,713,000 (Total project cost presented in Table B-1 discounted by 10%, due to expedited project schedule)

Term of the Loan: 30 years

Interest Rate: 7 %

Monthly mortgage payments: \$ 230,946.46

Total interest paid over the life of the loan: \$ 48,427,724.10

Year	Loan Balance	Yearly Interest Paid	Yearly Principal Paid	Total Interest
2011	34,569,060.70	1,010,792.98	143,939.30	1,010,792.98
2012	34,206,037.25	2,408,334.02	363,023.45	3,419,127.00
2013	33,816,770.81	2,382,091.03	389,266.44	5,801,218.03
2014	33,399,364.27	2,353,950.93	417,406.54	8,155,168.96
2015	32,951,783.37	2,323,776.57	447,580.90	10,478,945.53
2016	32,471,846.81	2,291,420.91	479,936.56	12,770,366.44
2017	31,957,215.60	2,256,726.26	514,631.21	15,027,092.70
2018	31,405,381.66	2,219,523.53	551,833.94	17,246,616.23
2019	30,813,655.60	2,179,631.41	591,726.06	19,426,247.64
2020	30,179,153.61	2,136,855.48	634,501.99	21,563,103.12
2021	29,498,783.42	2,090,987.28	680,370.19	23,654,090.40
2022	28,769,229.22	2,041,803.27	729,554.20	25,695,893.67
2023	27,986,935.48	1,989,063.73	782,293.74	27,684,957.40
2024	27,148,089.67	1,932,511.66	838,845.81	29,617,469.06
2025	26,248,603.62	1,871,871.42	899,486.05	31,489,340.48
2026	25,284,093.66	1,806,847.50	964,509.97	33,296,187.99
2027	24,249,859.19	1,737,123.00	1,034,234.47	35,033,310.99
2028	23,140,859.82	1,662,358.11	1,108,999.36	36,695,669.10
2029	21,951,690.81	1,582,188.45	1,189,169.02	38,277,857.55
2030	20,676,556.67	1,496,223.33	1,275,134.14	39,774,080.88
2031	19,309,242.97	1,404,043.78	1,367,313.69	41,178,124.66
2032	17,843,086.06	1,305,200.56	1,466,156.91	42,483,325.22
2033	16,270,940.55	1,199,211.96	1,572,145.51	43,682,537.17
2034	14,585,144.51	1,085,561.43	1,685,796.04	44,768,098.61
2035	12,777,482.14	963,695.10	1,807,662.37	45,731,793.71
2036	10,839,143.71	833,019.04	1,938,338.43	46,564,812.74
2037	8,760,682.64	692,896.40	2,078,461.07	47,257,709.14
2038	6,531,969.45	542,644.28	2,228,713.19	47,800,353.42
2039	4,142,142.40	381,530.42	2,389,827.05	48,181,883.84
2040	1,579,554.55	208,769.63	2,562,587.84	48,390,653.47
2041	0.00	37,070.64	1,579,554.55	48,427,724.10

TABLE B-4
 Economic Analysis—30-Year Period
 Cost Comparison—Compound Cost Summary—All Financing Alternatives

Year	Alternative 1 Lease/Revenue	Alternative 2 Pay-As-You-Go	Alternative 3 Third Party Financing
2007-2011	\$10,137,267	\$38,570,000	\$923,786
2012-2016	\$20,611,278	\$38,570,000	\$14,780,573
2017-2021	\$31,085,289	\$38,570,000	\$28,637,361
2022-2026	\$41,559,300	\$38,570,000	\$42,494,149
2027-2031	\$52,033,311	\$38,570,000	\$56,350,936
2032-2036	\$61,809,055	\$38,570,000	\$70,207,724
2037-2041	\$61,809,055	\$38,570,000	\$83,140,726

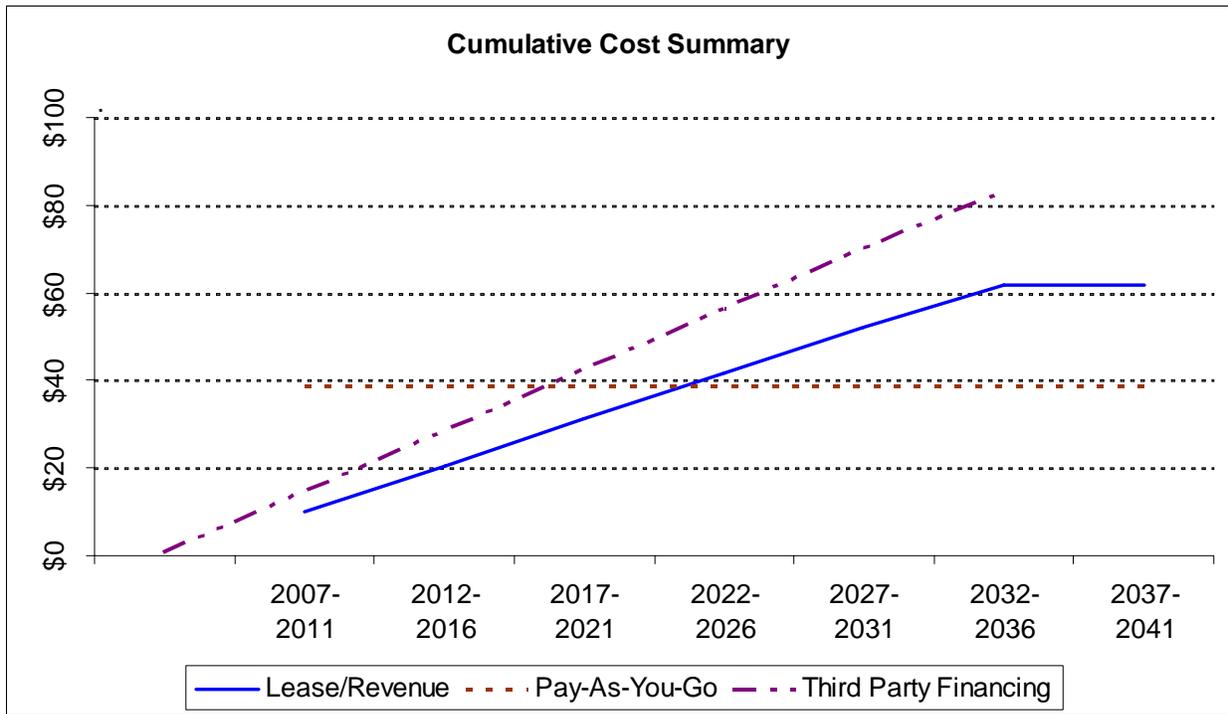


TABLE B-5
 Economic Analysis—30-Year Period
 Cost Comparison of All Financing Alternatives—5-Year Increments

Year	Alternative 1 Lease/Revenue	Alternative 2 Pay-As-You-Go	Alternative 3 Third Party Financing
2007-2011	\$10,137,267	\$38,570,000	\$923,786
2012-2016	\$10,474,011	\$0	\$13,856,788
2017-2021	\$10,474,011	\$0	\$13,856,788
2022-2026	\$10,474,011	\$0	\$13,856,788
2027-2031	\$10,474,011	\$0	\$13,856,788
2032-2036	\$9,775,744	\$0	\$13,856,788
2037-2041	\$0	\$0	\$12,933,002
Total Cost:	\$61,809,055	\$38,570,000	\$83,140,726
NPV Total:	\$40,846,669	\$34,949,063	\$47,325,331
NPV % of total cost	66%	91%	57%

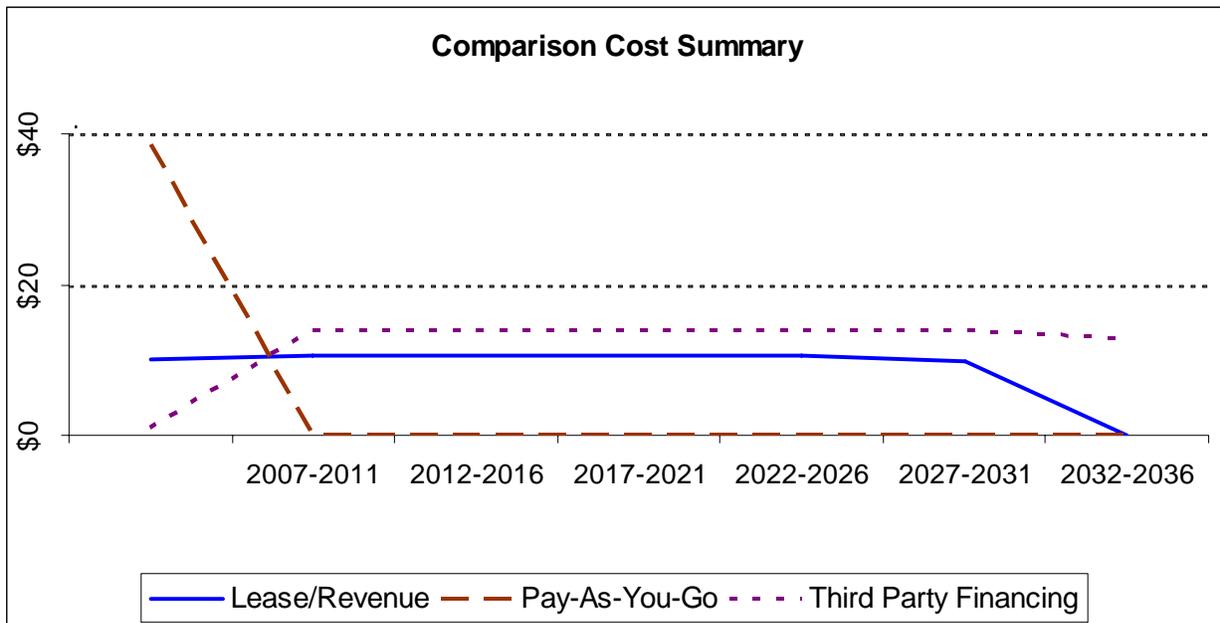


TABLE B-6
 Term of Analysis—30 Years
Cost Comparison of All Financing Alternatives—By Year

Year	Alternative 1 Lease/Revenue	Alternative 2 Pay-As-You-Go	Alternative 3 Third Party Financing
2007	\$5,990,000	\$5,990,000	\$0
2008	\$3,449,000	\$3,449,000	\$0
2009	\$0	\$0	\$0
2010	\$0	\$29,131,000	\$0
2011	\$698,267	\$0	\$923,786
2012	\$2,094,802	\$0	\$2,771,358
2013	\$2,094,802	\$0	\$2,771,358
2014	\$2,094,802	\$0	\$2,771,358
2015	\$2,094,802	\$0	\$2,771,358
2016	\$2,094,802	\$0	\$2,771,358
2017	\$2,094,802	\$0	\$2,771,358
2018	\$2,094,802	\$0	\$2,771,358
2019	\$2,094,802	\$0	\$2,771,358
2020	\$2,094,802	\$0	\$2,771,358
2021	\$2,094,802	\$0	\$2,771,358
2022	\$2,094,802	\$0	\$2,771,358
2023	\$2,094,802	\$0	\$2,771,358
2024	\$2,094,802	\$0	\$2,771,358
2025	\$2,094,802	\$0	\$2,771,358
2026	\$2,094,802	\$0	\$2,771,358
2027	\$2,094,802	\$0	\$2,771,358
2028	\$2,094,802	\$0	\$2,771,358
2029	\$2,094,802	\$0	\$2,771,358
2030	\$2,094,802	\$0	\$2,771,358
2031	\$2,094,802	\$0	\$2,771,358
2032	\$2,094,802	\$0	\$2,771,358
2033	\$2,094,802	\$0	\$2,771,358
2034	\$2,094,802	\$0	\$2,771,358
2035	\$2,094,802	\$0	\$2,771,358
2036	\$1,396,535	\$0	\$2,771,358
2037	\$0	\$0	\$2,771,358
2038	\$0	\$0	\$2,771,358
2039	\$0	\$0	\$2,771,358
2040	\$0	\$0	\$2,771,358
2041	\$0	\$0	\$1,847,572
2042	\$0	\$0	\$0
Total	\$61,809,055	\$38,570,000	\$83,140,726

TABLE B-7
 Economic Analysis—30-Year Period
Financing Alternative 1: Partial Revenue Bond Financing

Estimated Project Cost (Pay-As-You-Go): \$9,439,000	Total BGSF:	39,984
Estimated Project Cost (Bond Funds): \$29,131,000	Interest Rate:	5.25%
Term of the Bond: 25 Years	Inflation Rate:	3.00%

	Monthly Payment	Cost by Year
2007	\$0	\$5,990,000
2008	\$0	\$3,449,000
2009	\$0	\$0
2010	\$0	\$0
2011	\$174,567	\$698,267
2012	\$174,567	\$2,094,802
2013	\$174,567	\$2,094,802
2014	\$174,567	\$2,094,802
2015	\$174,567	\$2,094,802
2016	\$174,567	\$2,094,802
2017	\$174,567	\$2,094,802
2018	\$174,567	\$2,094,802
2019	\$174,567	\$2,094,802
2020	\$174,567	\$2,094,802
2021	\$174,567	\$2,094,802
2022	\$174,567	\$2,094,802
2023	\$174,567	\$2,094,802
2024	\$174,567	\$2,094,802
2025	\$174,567	\$2,094,802
2026	\$174,567	\$2,094,802
2027	\$174,567	\$2,094,802
2028	\$174,567	\$2,094,802
2029	\$174,567	\$2,094,802
2030	\$174,567	\$2,094,802
2031	\$174,567	\$2,094,802
2032	\$174,567	\$2,094,802
2033	\$174,567	\$2,094,802
2034	\$174,567	\$2,094,802
2035	\$174,567	\$2,094,802
2036	\$174,567	\$1,396,535
2037	\$0	\$0

Total Project Cost	\$61,809,055
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Total - Net Present Value	\$40,846,669
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Notes:

1. Site acquisition, preliminary planning, and working drawings will be funded on a pay-as-you-go basis.
2. Lease revenue bonds will be used for construction, payment to begin at occupancy in August 2011.

TABLE B-8
 Economic Analysis—30-Year Period
Financing Alternative 2: Pay-As-You-Go Financing

Estimated Project Cost: \$38,570,000
 Annual Inflation Rate: 3.0%
 Term of the Analysis: 30 Years

	Total Gross Sq. Ft.	Cost/yr Project
2007	39,984	\$5,990,000
2008	39,984	\$3,449,000
2009	39,984	\$0
2010	39,984	\$29,131,000
2011	39,984	\$0
2012	39,984	\$0
2013	39,984	\$0
2014	39,984	\$0
2015	39,984	\$0
2016	39,984	\$0
2017	39,984	\$0
2018	39,984	\$0
2019	39,984	\$0
2020	39,984	\$0
2021	39,984	\$0
2022	39,984	\$0
2023	39,984	\$0
2024	39,984	\$0
2025	39,984	\$0
2026	39,984	\$0
2027	39,984	\$0
2028	39,984	\$0
2029	39,984	\$0
2030	39,984	\$0
2031	39,984	\$0
2032	39,984	\$0
2033	39,984	\$0
2034	39,984	\$0
2035	39,984	\$0
2036	39,984	\$0
2037	39,984	\$0
Total - Project Cost		\$38,570,000
Total - Net Present Value		\$34,949,063

TABLE B-9
 Economic Analysis—30-Year Period
Financing Alternative 3: Private Financing/Lease Purchase

Estimated Project Cost: \$34,713,000	Total BGSF:	39,984
Term of the Contract: 30 Years	Interest Rate:	7.0%
	Inflation Rate:	3.0%

	Monthly Payment	Cost by Year
2007	\$0	\$0
2008	\$0	\$0
2009	\$0	\$0
2010	\$0	\$0
2011	\$230,946	\$923,786
2012	\$230,946	\$2,771,358
2013	\$230,946	\$2,771,358
2014	\$230,946	\$2,771,358
2015	\$230,946	\$2,771,358
2016	\$230,946	\$2,771,358
2017	\$230,946	\$2,771,358
2018	\$230,946	\$2,771,358
2019	\$230,946	\$2,771,358
2020	\$230,946	\$2,771,358
2021	\$230,946	\$2,771,358
2022	\$230,946	\$2,771,358
2023	\$230,946	\$2,771,358
2024	\$230,946	\$2,771,358
2025	\$230,946	\$2,771,358
2026	\$230,946	\$2,771,358
2027	\$230,946	\$2,771,358
2028	\$230,946	\$2,771,358
2029	\$230,946	\$2,771,358
2030	\$230,946	\$2,771,358
2031	\$230,946	\$2,771,358
2032	\$230,946	\$2,771,358
2033	\$230,946	\$2,771,358
2034	\$230,946	\$2,771,358
2035	\$230,946	\$2,771,358
2036	\$230,946	\$2,771,358
2037	\$230,946	\$2,771,358
2038	\$230,946	\$2,771,358
2039	\$230,946	\$2,771,358
2040	\$230,946	\$2,771,358
2041	\$230,946	\$1,847,572
2042	\$0	\$0
Total Project Cost		\$83,140,726
Total - Net Present Value		\$47,325,331

Appendix C – Detailed Space Program

A. Space Program for the New Hollister Court

Description	S.F./ Standard	Projected Need		Projected Sq. Ft.
		Equipment/ Space Number	Personnel	
A. Court Administration				
1. <u>Staff Work Area</u>				
a. Court Executive Officer Office	240		1	240
b. Assistant Court Executive Officer Office	168		1	168
c. Administrative Assistant	80		1	80
d. Administrative Assistant - HR	80		1	80
e. Fiscal Officer Office	150		1	150
f. Fiscal Technician Workstation.....	80		2	160
g. Research Attorney Office.....	150		1	150
h. Admin/Fiscal Files	15	4		60
Total - Staff Work Area.....			8	1,088
2. <u>Reception Area (Shared w/Chambers)</u>				
a. Reception Area 6 persons.....	90	1		90
b. HR Job Postings/Benefit Area.....	4	1		4
Total - Reception Area				94
3. <u>Judicial/Administrative Support</u>				
a. Conference Room; Capacity 12 persons	240	1		240
Total - Judicial/Administrative Support				240
4. <u>Work Room</u>				
a. Photocopier medium; freestanding.....	42	1		42
b. Storage Cabinet 2 drw; 24"x48" w locking.....	12	1		12
c. Work Table; 36" x 60"	28	1		28
d. Fax Machine.....	4	1		4
e. Printer.....	15	1		15
f. Shredder w/24" dia. Container	15	1		15
Total - Work Room				116
5. <u>Human Resources/Fiscal Support</u>				
a. Secure File Room.....	60	1		60
b. Resource Library/Training Storage.....	40	1		40
c. Safe	20	1		20
Total - Human Resources/Fiscal Support				120
Subtotal Space - Court Administration.....				1,658
Plus 25%				415
Total Workstations and Net Square Feet		8		2,073

B. Courtrooms and Related Space

1. Court Set Staff

Superior Court of California, County of San Benito
New Hollister Court

Appendix C

Description	S.F./ Standard	Projected Need		Projected Sq. Ft.
		Equipment/ Space Number	Personnel	
a. Judicial Chambers (w/restroom)*	400		4	1,600
b. Courtroom Clerk Workstation**	80		—	—
c. Court Reporter Workstation	64		2	128
d. Judicial Secretary	80		1	80
e. Unassigned Workstation	80	1		80
Total - Court Set Staff			<u>7</u>	<u>1,888</u>
2. <u>Courtroom Suites</u>				
a. Courtroom; multipurpose	1,600	4		6,400
b. Entry Vestibule/Sound lock	64	4		256
c. Courtroom Waiting	100	4		400
d. Bailiff Workstation - Sheriff's Personnel*	60	—		—
e. Holding/Interview/Secure Vestibule	120	4		480
f. Attorney/Client Conference	100	4		400
g. Jury Deliberation Room (w/ 2 restrooms)	470	2		940
h. Victim/Witness Waiting Room	100	4		400
i. Exhibit Storage	40	4		160
Total - Courtroom Suites				<u>9,436</u>
3. <u>Judicial Support</u>				
a. Shared with Court Administration***			—	—
4. <u>Alternative Dispute Resolution</u>				
a. Settlement Conference Room	200	2		400
b. Reception/Waiting Area	60	1		60
Total - Alternative Dispute Resolution				<u>460</u>
Subtotal Space - Courtrooms and Related Space				11,784
Plus 25%				<u>2,946</u>
Total Workstations and Net Square Feet			<u>7</u>	<u>14,730</u>

* Judicial Chambers will accommodate 3.9 JPEs.
** Spaces will be accounted for in courtrooms.
*** Spaces will be shared with Court Administration.

C. Civil Clerk's Office

1. <u>Staff Work Area</u>				
a. Supervising Court Clerk	120		1	120
b. Court Clerk	64		4	256
c. Legal Process Clerk	64		1	64
Total - Staff Work Area			<u>6</u>	<u>440</u>
2. <u>Public Counter</u>				
a. Public Counter; 5 lf each	40	3		120
b. Collections Counter; 5 lf each	40	1		40
c. Queuing Area; Capacity 10	90	1		90
d. Work Counter w/ form storage; 12 lf	96	1		96

Description	S.F./ Standard	Projected Need		Projected Sq. Ft.
		Equipment/ Space Number	Personnel	
e. Printer.....	9	2		18
Total - Public Counter				<u>364</u>
3. <u>Public Document Review Area</u>				
a. Workstation w/Computer	12	2		24
b. Sit-down Workstation; 5 lf each.....	42	2		84
c. Microfilm/Microfiche Reader	20	1		20
d. Photocopier; Medium, freestanding	42	1		42
Total - Public Document Review Area.....				<u>170</u>
4. <u>Work Room*</u>				
a. Photocopier Large; Production.....	80	—		—
b. Storage Cabinet 2 drw; 24”dx48”w	22	—		—
c. Work Counter; 10 lf	80	—		—
d. Fax Machine.....	4	—		—
e. Bulk Form Storage; 12”x42”x7 shelves.....	12	—		—
Total - Work Room				—
5. <u>File Area (share equipment with Criminal, Family)</u>				
a. Active Files; 45”w x 31”d x 82”h double shelf unit.....	12	14		168
b. Sorting Workstation	25	1		25
c. File Scanning Station	42	1		42
d. Courier Staging	20	1		20
e. Microfilm Storage Cabinet.....	10	1		10
f. Mobile File Cart	6	2		12
Total - File Area				<u>277</u>
Subtotal Space - Civil Clerk’s Office				1,251
Plus 30%				<u>375</u>
Total Workstations and Net Square Feet			6	<u>1,626</u>

* Spaces will be combined for shared use between the Civil and the Criminal/Traffic Clerk’s Offices.

D. Criminal/Traffic Clerk’s Office

1. <u>Staff Work Area</u>				
a. Supervising Court Clerk.....	120		1	120
b. Court Clerk.....	64		6	384
c. Legal Process Clerk.....	64		5	320
d. Court Services Representative	TBD		1	—
Total - Staff Work Area.....			<u>13</u>	<u>824</u>
2. <u>Public Counter</u>				
a. Public Counter; 5 lf each.....	40	3		120
b. Collections Counter; 5 lf each.....	40	1		40
c. Traffic School Workstation.....	40	1		40
d. Queuing Area; Capacity 20.....	180	1		180

Description	S.F./ Standard	Projected Need		Projected Sq. Ft.
		Equipment/ Space Number	Personnel	
e. Work Counter w/ form storage; 12 lf	60	1		60
f. Printer.....	9	2		18
Total - Public Counter				<u>458</u>
3. <u>Public Document Review Area**</u>				
a. Workstation w/Computer	12	—		—
b. Sit-down Workstation; 5 lf each.....	42	—		—
c. Microfilm/Microfiche Reader	20	—		—
d. Photocopier; Medium, freestanding	42	—		—
Total - Public Document Review Area.....				<u>—</u>
4. <u>Work Room</u>				
a. Photocopier Large; Production.....	80	2		160
b. Storage Cabinet 2 drw; 24”dx48”w.....	22	1		22
c. Work Counter; 10 lf	80	1		80
d. Fax Machine.....	4	1		4
e. Bulk Form Storage; 12”x42”x7 shelves.....	12	1		12
Total - Work Room				<u>278</u>
5. <u>File Area (share equipment with Civil)</u>				
a. Active Files; 45”w x 31”d x 82”h double shelf unit.....	12	14		168
b. Sorting Workstation	25	1		25
c. Mobile File Cart	6	4		24
Total - File Area				<u>217</u>
Subtotal Space - Criminal/Traffic Clerk’s Office.....				1,777
Plus 30%				<u>533</u>
Total Workstations and Net Square Feet			13	<u>2,310</u>

* The Office of General Counsel staffs this full-time position within the court, to collect criminal/traffic fees and perform other duties as assigned. Space will be appropriately allocated for this position at a future date.

** Spaces will be combined for shared use between the Civil and the Criminal/Traffic Clerk’s Offices.

E. Information Technology

1. Staff Work Area

a. Technology Analyst Office	100		1	100
b. Unassigned Workstation - Consultants	64	1		64
Total - Staff Work Area.....			1	<u>164</u>

2. Support Space

a. Computer Room.....	120	1		120
b. Lab/Testing Room.....	60	1		60
c. Software/Equipment Storage.....	40	1		40
Total - Support Space				<u>220</u>

Subtotal Space - Information Technology..... 384

Description	S.F./ Standard	Projected Need		Projected Sq. Ft.
		Equipment/ Space Number	Personnel	
Plus 25%				96
Total Workstations and Net Square Feet			1	480
F. Jury Services				
1. <u>Staff Work Area</u>				
a. Deputy Jury Commissioner Workstation	64		—	—
b. Jury Commissioner Office	120		1	120
Total - Staff Work Area.....			1	120
2. <u>Jury Processing Area</u>				
a. Public Counter; 5 lf	40	1		40
b. Queuing Area	9	20		180
c. Forms Counter	5	6		30
d. File Cabinet, vertical 5 draw; legal	9	2		18
e. Photocopier small; convenience.....	30	1		30
f. Fax/Printer.....	9	1		9
Total - Jury Processing Area				307
3. <u>Jury Assembly/Waiting Area*</u>				
a. General Seating; 12 sf ea.....	12	120		1,440
b. Computer Carrel*.....	20	—		—
Total - Jury Assembly/Waiting Area.....				1,440
4. <u>Vending Area (Share w/Public Support)</u>				
a. Vending Machine	15	3		45
b. Table w/4 chairs	60	1		60
Total - Vending Area.....				105
5. <u>Jury Amenities</u>				
a. Use public restrooms.....				—
Subtotal Space - Jury Services.....				1,972
Plus 30%				592
Total Workstations and Net Square Feet			1	2,564

* Locate near self-help center to allow shared computer workstations.

G. Family Court/Mediation/Facilitators

1. <u>Staff Work Area</u>				
a. Family Court Services Director.....	140		1	140
b. Family Law Facilitator - Office	120		2	240
c. Family Court Mediator - Office	120		1	120
d. Legal Process Clerk I Workstation.....	64		3	192
Total - Staff Work Area.....			7	692
2. <u>Reception Area</u>				
a. Reception Area; Seating 6.....	90	1		90

Description	S.F./ Standard	Projected Need		Projected Sq. Ft.
		Equipment/ Space Number	Personnel	
b. Children’s Waiting/Play Area	40	1		40
Total - Reception Area				130
3. <u>Mediation Room</u>	250	1		250
Total – Mediation Room				250
4. <u>Work Room</u>				
a. Photocopier small; convenience.....	30	1		30
b. Storage Cabinet 2 drw; 24”dx48”w locking.....	22	1		22
c. Fax Machine.....	4	1		4
d. Coffee Counter; u/c refer., micro	25	1		25
Total - Work Room				81
5. <u>File Area - (share equipment with Criminal, Civil)</u>				
a. Active Files: 45”w x 31”d x 82” h double shelf unit.....	12	12		144
b. Sorting Workstation	25	1		25
c. Mobile File Cart	6	2		12
Total - File Area				181
<i>(Self Help Center in Building Support)</i>				
Subtotal Space - Family Court/Mediation/Facilitators				1,334
Plus 25%				334
Total Workstations and Net Square Feet			7	1,668

H. In-custody Holding Area

1. <u>Central Holding</u>				
a. Vehicle Sallyport (Exterior Space).....	800	1		—
b. Secure Vestibule.....	80	1		80
c. Group Holding Cell-Male, cap 8.....	110	2		220
d. Group Holding Cell-Female, cap 2	60	2		120
e. Group Holding Cell-Juvenile, cap 2.....	60	1		60
f. Individual Holding Cell.....	50	1		50
g. Attorney Interview Booth.....	60	2		120
Total - Central Holding				650
2. <u>Holding Control Area/Support</u>				
a. Control Area.....	120	1		120
b. Staff Restroom	60	1		60
c. Safety Equipment Storage.....	40	1		40
d. Janitor’s Closet.....	40	1		40
Total - Holding Control Area/Support.....				260
Subtotal Space - Family Court/Mediation/Facilitators				910
Plus 35%				319
Total Workstations and Net Square Feet				1,229

Description	S.F./ Standard	Projected Need		Projected Sq. Ft.
		Equipment/ Space Number	Personnel	
I. Building Support				
1. <u>Building Lobby</u>				
a. Vestibule	100	1		100
b. Queuing; Security Screening.....	150	1		150
c. Security Screening Station; magnetometer/x-ray	250	1		250
d. Secure Public Lobby	350	1		350
Total - Building Lobby				850
2. <u>Information Desk</u>				
a. Brochure/Pamphlet Display	4	1		4
b. Public Access On-Line Terminals.....	9	2		18
Total - Information Desk				22
3. <u>Children's Waiting Room</u>				
a. Check-in Counter (no visual access to play area)	40	1		40
b. Reading Area; Seating for 2, bookcases.....	40	1		40
c. Computer Area	20	1		20
d. Television Viewing Area	40	1		40
e. Clerk/Volunteer Workstation	5	1		5
f. Supply/Toy Storage.....	10	1		10
g. Restroom w/diaper change area	63	1		63
h. Counter; 5 lf w/sink, microwave, u/c refer.....	25	1		25
Total - Children's Waiting Room				243
4. <u>Interpreter Workroom</u>				
a. Workstation.....	42		1	42
b. Bookcase; 36"x12"x5 shelves.....	10	2		20
Total - Interpreter Workroom			1	62
5. <u>Public Vending (Use Jury Vending Area)</u>				
a. Table w/4 chairs	60	—		—
b. Vending Machine	15	—		—
Total - Public Vending				—
6. <u>Central Building Security</u>				
a. Central Control Room	120	1		120
b. Interview/Holding Room.....	80	1		80
c. Men's Locker/Toilet/Shower Room - Sheriff's	80	1		80
d. Women's Locker/Toilet/Shower Room - Sheriff's	80	1		80
Total - Central Building Security				360
7. <u>Staff Break Room</u>				
a. Kitchenette; 14 lf w/sink, refer., micro	60	1		60
b. Table w/4 Chairs, 4 total	60	4		240
Total - Staff Break Room				300
8. <u>Self-Help Center</u>				
a. Pro per Facilitator Workstation - Contract Staff	80	2		160

**Superior Court of California, County of San Benito
New Hollister Court**

Appendix C

Description	S.F./ Standard	Projected Need		Projected Sq. Ft.
		Equipment/ Space Number	Personnel	
b. Computer Workstation	42	1		42
c. Bookcase; 36"x12"x5 shelves	10	4		40
d. Work Table w/ 4 seats	60	1		60
Total - Self-Help Center				<u>302</u>
9. <u>Agency Support</u>				
a. Workroom (DA; Pub Def; Law Enfor; Probation).....	100	3		300
Total - Agency Support				<u>300</u>
10. <u>Training Room - 24 persons</u>	240	1		240
Total - Training Room.....				<u>240</u>
11. <u>Building Support</u>				
a. Mail Room	100	1		100
b. Loading/Receiving Area	80	1		80
c. Central Storage	200	1		200
d. Main Electrical Room	120	1		120
e. Telecommunications Equipment Room	120	1		120
f. Housekeeping/Maintenance Storage	100	1		100
Total - Building Support.....				<u>720</u>
Subtotal Space - Family Court/Mediation/Facilitators				3,399
Plus 20%				<u>680</u>
Total Workstations and Net Square Feet			1	<u>4,079</u>
Total Projected Staff			<u>44</u>	
Total Departmental Gross Square Feet (DGSF)				<u>30,757</u>
Total Building Gross Square Feet (DGSF x 1.3)				<u><u>39,984</u></u>

Appendix D – Letters of Resolution for Land Donations

A. Introduction

The following letters of resolution document the willingness of both local governments—the city of Hollister and the county of San Benito—to donate land for the new courthouse project. These letters express each entity’s interest in providing a site that is suitable for the new court location, contingent upon the success of the project’s funding, CEQA analysis, etc., as indicated within the resolution language.

RESOLUTION NO. 2006-25R

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF HOLLISTER DONATING, SUBJECT TO CERTAIN CONDITIONS, LAND, COMMONLY REFERRED TO AS THE FREMONT SCHOOL SITE, TO THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BENITO FOR THE PURPOSE OF CONSTRUCTING A NEW COURTHOUSE

WHEREAS, the Superior Court of California, County of San Benito (the “Court”), is desirous of constructing a new courthouse on property commonly referred to as the Fremont School Site (the “Property”) in downtown Hollister; and

WHEREAS, the Property is owned by the Redevelopment Agency of the City of Hollister (the “Agency”); and

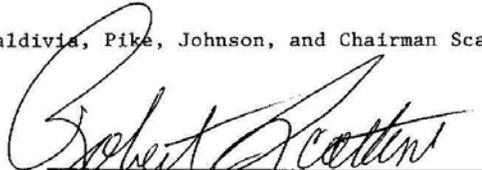
WHEREAS, the Redevelopment Agency is supportive of the Court’s Courthouse facility plans;

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

1. The City’s Redevelopment Agency and the City commits itself, subject to certain conditions set forth below, to donate the Property for use by the Court.
2. The commitment 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 San Benito as to the terms and conditions of such a transfer.
3. 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 Court is committed to moving forward with its facility location plans in the immediate future.
4. 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 commits to authorizing the transfer. 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 San Benito County any legal or other reason that is significant in the view of the Agency, the Agency retains its discretion to not authorize the donation of the Property to the Court.

PASSED AND ADOPTED by the Redevelopment Agency of the City of Hollister on the 17th day of July, 2006, by the following vote:

AYES: Agency Members Emerson, Valdivia, Pike, Johnson, and Chairman Scattini.
NOES: None.
ABSENT: None.


Robert Scattini, Chairman

ATTEST:


Geri Johnson, Secretary

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BEFORE THE BOARD OF SUPERVISORS, COUNTY OF SAN BENITO

A RESOLUTION OF THE SAN BENITO) Resolution No. 2006 - 79
COUNTY BOARD OF SUPERVISORS OF ITS)
INTENT TO DONATE LAND, COMMONLY)
REFERRED TO AS THE JAIL-JUVENILE HALL)
SITE, TO THE SUPERIOR COURTS OF)
CALIFORNIA, COUNTY OF SAN BENITO, FOR)
THE PURPOSE OF CONSTRUCTING A NEW)
COURTHOUSE AND AUTHORIZING THE)
COUNTY ADMINISTRATIVE OFFICER TO)
DELIVER A LETTER TO THE SUPERIOR)
COURTS OF CALIFORNIA, COUNTY OF SAN)
BENITO, STATING THAT THE COUNTY OF)
SAN BENITO COMMITS ITSELF TO DONATE)
LAND, COMMONLY REFERRED TO AS THE)
JAIL-JUVENILE HALL SITE, FOR THE)
PURPOSE OF CONSTRUCTING A NEW)
COURTHOUSE)

WHEREAS, the Superior Court of California, County of San Benito (the "Court"), desires to construct a new courthouse on 5 acres of public land commonly referred to as the Jail-Juvenile Hall Site (the "Property"); and

WHEREAS, the Property is owned by the County of San Benito (the "County"); and

WHEREAS, the County supports the Court's Courthouse facility plans;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of San Benito that the County commits itself, subject to certain conditions set forth below, to donate the Property to the Court; and

BE IT FURTHER RESOLVED by the Board of Supervisors that the commitment to donate the Property is subject to, among other matters, confirmation that there are no legal prohibitions to such a transfer and consideration of a preliminary title report, which has been ordered; and

BE IT FURTHER RESOLVED by the Board of Supervisors that the property transfer will be considered for final approval by the Board of Supervisors following the Court's communication to the County, 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 Court is committed to moving forward with its facility location plans in the immediate future; and

BE IT FURTHER RESOLVED by the Board of Supervisors that, upon satisfaction of the foregoing conditions and receipt of the aforementioned communication from the Court, the satisfaction of all procedural requirements and making the required findings

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pertaining to the transfer of public property as provided by law, the County commits to authorizing the transfer.

BE IT FURTHER RESOLVED by the Board of Supervisors that the donation of public property is a legislative act, subject to the Board of Supervisors' discretion at the time of final approval, and that the Board of Supervisors does not hereby cede its legislative authority regarding its final decision in this matter, and should there arise during the course of the County's review of the title to the Property or the environmental review process, any legal or other reason that is significant in the view of the County, the County retains its discretion to not authorize the donation of the Property to the Court; and

BE IT FURTHER RESOLVED by the Board of Supervisors that it hereby authorizes the County Administrative Officer to deliver a letter to the Superior Courts of California, County of San Benito, stating that the County of San Benito commits itself to donate the property, for the purpose of constructing a new courthouse.

PASSED AND ADOPTED BY THE Board of Supervisors of the County of San Benito at the meeting of said Board held on the 1st day of August, 2006 by the following vote:

AYES: SUPERVISORS: Monaco; De La Cruz; Botelho; Marcus & Loe
NOES: SUPERVISORS: none
ABSENT: SUPERVISORS: none
ABSTAIN: SUPERVISORS: none

By: Pat Loe
PAT LOE, Chair

APPROVED AS TO LEGAL FORM:
Dennis LeClere, County Counsel

By: Shirley L. Murphy 7/26/06
Shirley L. Murphy, Deputy County Counsel

ATTEST:
Linda Churchill, Clerk of the Board

Linda Churchill

This is a true and correct copy of the original on file in this office, and passed by the Board of Supervisors on:

Aug. 1, 2006

ATTEST: aug. 2, 2006
LINDA CHURCHILL, Clerk of the Board of Supervisors, San Benito County, Calif.

BY: Linda Churchill