



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 12, 2011

Title

Court Facilities: Senate Bill 1407 Courthouse Projects, FY 2012–2013 Update to Five-Year Plan, and Funding for Existing Facilities

Rules, Forms, Standards, or Statutes Affected

None

Recommended by

Court Facilities Working Group
Hon. Brad R. Hill, Chair
Hon. Patricia M. Lucas, Vice-Chair

Agenda Item Type

Action Required

Effective Date

December 12, 2011

Date of Report

December 1, 2011

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Executive Summary

The Court Facilities Working Group recommends several actions related to moving forward with the Senate Bill 1407 courthouse construction program, including canceling projects for the Superior Courts of Alpine and Sierra Counties and committing additional funds to move other projects forward in fiscal year 2011–2012. The working group also recommends submitting continuation-funding requests to the Department of Finance, along with the FY 2012–2013 annual update to the *Judicial Branch AB 1473 Five-Year Infrastructure Plan*; making reductions to SB 1407 project construction budgets and the program-wide contingency budget; and having the council request additional funding for operations and maintenance and for facility modifications.

Recommendation

The Court Facilities Working Group recommends that the Judicial Council, effective December 12, 2011, adopt the following:

1. The Alpine—New Markleeville Courthouse and the Sierra—New Downieville Courthouse projects are cancelled. Improvement needs of these courthouses will be treated as facility modifications, and prioritized and implemented in accordance with the *Prioritization Methodology for Modifications to Court Facilities* adopted by the Judicial Council in April 2009.
2. The Santa Clara—New Santa Clara Family Justice Center project will move forward into Working Drawings in FY 2011–2012 using previously committed funds.
3. The balance of available Courthouse Construction Funds (CCFs) for the County of Siskiyou will be used to pay for a portion of the costs to complete Preliminary Plans for the Siskiyou—New Yreka Courthouse.
4. All SB 1407 projects, with the exception of the projects for the Alpine and Sierra courts, are to move forward to complete their current phase, in accordance with the *Recommendations to Judicial Council on SB 1407 Projects*, column B in attached Table 1.
5. SB 1407 projects will move forward into the next project phase for each project, requiring a new fiscal year 2011–2012 commitment of funds, in accordance with *Recommendations to Judicial Council on SB 1407 Projects*, column C in attached Table 1, which is consistent with *Option 4C—November Update*. The following projects will move forward into Preliminary Plans based on when property is purchased and funding availability: Imperial—New El Centro Family Courthouse, Glenn—Renovation and Addition to Willows Courthouse, Merced—New Los Banos Courthouse, Shasta—New Redding Courthouse, Sonoma—New Santa Rosa Courthouse, and Tehama—New Red Bluff Courthouse.
6. SB 1407 projects will move forward into Fiscal Year 2012–2013 in accordance with the *Recommendations to Judicial Council on SB 1407 Projects*, column D in attached Table 1, which is consistent with *Option 4C—November Update*. Staff is directed to submit fiscal year 2012–2013 funding requests for SB 1407 projects and submit the annual update to the *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for FY 2012–2013 to the state Department of Finance in order to implement this recommendation.
7. All SB 1407 projects, including those for which staff will be submitting a fiscal year 2012–2013 funding request, will implement a two-percent reduction in the current, unescalated hard construction cost budget, and a two-percent reduction of the current, unescalated hard construction cost budget to reflect reduction in projected costs due to implementation of the Owner Controlled Insurance Program.
8. The SB 1407 program-wide contingency budget will be reduced from 4.6 to 3 percent.
9. The Judicial Council will seek additional funding for operations and maintenance and facility modifications, including the ability for the council to allocate among facility needs.

The chair of the Court Facilities Working Group recommends that the Judicial Council, effective December 12, 2011, adopt the following:

10. Authority will be delegated to the director of the AOC's Office of Court Construction and Management to make technical changes consistent with the intent of *Recommendations to Judicial Council on SB 1407* in attached Table 1, to FY 2011–2012 new commitments and FY 2012–2013 funding requests, subject to the review and approval of the chair of the Court Facilities Working Group.

Previous Council Action

On August 27, 2010, the council adopted the last updated Trial Court Capital-Outlay Plan and directed the AOC to present that plan to the Department of Finance as part of the FY 2011–2012 annual update to the *Judicial Branch AB 1473 Five-Year Infrastructure Plan*, along with the trial court capital project continuation-funding requests for FY 2011–2012. The council also authorized the execution of bond documents in connection with issuances of bonds by the State Public Works Board for financing court facilities projects. In doing so, the council delegated authority to the Administrative Director of the Courts or his designee to execute bond documents on behalf of the council, with the Administrative Director required to report to the council at least once a year on these activities.¹

In July 2011, Chief Justice Tani Cantil-Sakauye appointed the 25-member Court Facilities Working Group as a standing advisory committee to the council to oversee the judicial branch program that manages new construction, renovations, facilities operations, maintenance, and real estate for trial and appellate courts throughout the state. The working group oversees the AOC's management of court facilities statewide and efforts to implement the judicial branch's capital improvement program and makes recommendations to the council for action.

Recommendations 1–6: Moving SB 1407 Courthouse Projects Forward and Submitting FY 2012–2013 Update to Five-Year Plan

1. The Alpine—New Markleeville Courthouse and the Sierra—New Downieville Courthouse projects are cancelled. Improvement needs of these courthouses will be treated as facility modifications, and prioritized and implemented in accordance with the *Prioritization Methodology for Modifications to Court Facilities* adopted by the Judicial Council in April 2009.
2. The Santa Clara—New Santa Clara Family Justice Center project will move forward into Working Drawings in FY 2011–2012 using previously committed funds.

¹ Since August 2010, bonds sales have occurred for a total of five courthouse capital projects. In October 2011, Lease Revenue Bonds (2011 Series A) were sold for two projects: Calaveras—New San Andreas Courthouse and San Benito—New Hollister Courthouse. In November 2011, Lease Revenue Bonds (2011 Series D) were sold for three projects: Riverside—New Banning Justice Center (New Mid-County Courthouse), San Bernardino—New San Bernardino Courthouse, and Tulare—New Porterville Courthouse.

3. The balance of available Courthouse Construction Funds (CCFs) for the County of Siskiyou will be used to pay for a portion of the costs to complete Preliminary Plans for the Siskiyou—New Yreka Courthouse.
4. All SB 1407 projects, with the exception of the projects for the Alpine and Sierra courts, are to move forward to complete their current phase, in accordance with the *Recommendations to Judicial Council on SB 1407 Projects*, column B in attached Table 1.
5. SB 1407 projects will move forward into the next project phase for each project, requiring a new fiscal year 2011–2012 commitment of funds, in accordance with *Recommendations to Judicial Council on SB 1407 Projects*, column C in attached Table 1, which is consistent with *Option 4C—November Update*. The following projects will move forward into Preliminary Plans based on when property is purchased and funding availability: Imperial—New El Centro Family Courthouse, Glenn—Renovation and Addition to Willows Courthouse, Merced—New Los Banos Courthouse, Shasta—New Redding Courthouse, Sonoma—New Santa Rosa Courthouse, and Tehama—New Red Bluff Courthouse.
6. SB 1407 projects will move forward into fiscal year 2012–2013 in accordance with the *Recommendations to Judicial Council on SB 1407 Projects*, column D in attached Table 1, which is consistent with *Option 4C—November Update*. Staff is directed to submit fiscal year 2012–2013 funding requests for SB 1407 projects and submit the annual update to the *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for FY 2012–2013 to the state Department of Finance in order to implement this recommendation.

Rationale for recommendations 1–6

The FY 2011–2012 Budget Act includes a permanent redirection of \$310 million in SB 1407 funds to the General Fund. All told, more than \$500 million in SB 1407 funding has been swept to the General Fund, borrowed, or redirected to court operations this fiscal year. Since 2009, more than \$1.1 billion in funding originally designated for courthouse construction—from both the SB 1407 and SB 1732 funds—has been borrowed, swept to the General Fund, or redirected to court operations.

The working group met on August 26, October 19–20, and November 9, 2011, to develop recommendations for the Judicial Council on how to move SB 1407 courthouse projects forward despite substantial fund reductions. From those meetings, the group developed the plan summarized in *Recommendations to Judicial Council on SB 1407 Projects* in attached Table 1 (Attachment 1). The recommended plan completes the current phase of all projects except the Alpine and Sierra projects, advances projects as much as possible with limited funds so that some can be readied for bidding and begin construction in FY 2012–2013, and maintains the ability of the branch to move forward on all SB 1407 projects next year by submitting the necessary FY 2012–2013 continuation-phase funding requests.

The first component of the recommended plan is to complete the current phases of all projects underway except those for the Superior Courts of Alpine and Sierra Counties. This requires the expenditure of approximately \$104 million in previously committed SB 1407 funds. The

working group believes it is prudent to spend these funds to complete the current phase of each project to move the construction program forward.

The working group reviewed the cost of the Alpine and Sierra projects in relation to a wide variety of factors, including the population and caseload information. Given the current budgetary situation, the working group chose to eliminate these projects, which both serve very small populations generating few annual case filings and jury trials. The working group recognizes that the existing facilities serving the Alpine and Sierra courts have deficiencies and recommends that they be addressed through the facility modifications program.

The second component of the recommended plan involves new commitments of funds to advance projects toward being ready for construction bidding. Twenty-four projects are eligible for next-phase commitments in FY 2011–2012. However, to move all 24 projects forward will require approximately \$180 million this fiscal year for new commitments to next project phases. Due to the significant sweep of SB 1407 funds in this fiscal year, only \$101.9 million is estimated to be available for new commitments to next project phases this fiscal year, requiring that \$77.8 million in new commitments be deferred. The working group considered various options for accomplishing this deferment at meetings in August and October 2011. The approach of making new commitments of funds this fiscal year was confirmed for recommendation at the group's November 2011 meeting.

The working group's plan for committing new funds to next project phases in FY 2012–2013 is detailed in *Option 4C—November 2011 Update: Select Various Projects to Move Forward* (Attachment 2). This plan accomplishes the following advancements to the SB 1407 courthouse construction program:

1. Moves all eligible projects forward into working drawings except three: The Fresno—Renovate Fresno County Courthouse, Lake—New Lakeport Courthouse, and Riverside—New Indio Juvenile and Family Courthouse projects will start working drawings in FY 2012–2013 with only a minor delay of one to three months, depending on when the FY 2012–2013 Budget Act is passed. The Santa Clara—New Santa Clara Family Justice Center project will move forward into working drawings in FY 2011–2012 using funds previously committed to its current (preliminary plans) phase.
2. Allows for the purchase of property for all but two eligible projects, both in Los Angeles—Southeast Los Angeles and Glendale—whose purchase in FY 2012–2013 will result in a delay of approximately six to nine months, depending on when the FY 2012–2013 Budget Act is passed.
3. Moves up to six of the projects that will purchase property in FY 2011–2012 into preliminary plans based on when property is acquired and funding availability. Based on current schedules and estimates of SB 1407 revenues, preliminary plans may be able to proceed for these six projects:

- a) Glenn—Renovation and Addition to Willows Courthouse;
 - b) Imperial—New El Centro Family Courthouse;
 - c) Merced—New Los Banos Courthouse;
 - d) Shasta—New Redding Courthouse;
 - e) Sonoma—New Santa Rosa Courthouse; and
 - f) Tehama—New Red Bluff Courthouse.
4. Depending on when the FY 2012–2013 Budget Act is passed, preliminary plans will be delayed from one to six months for the following four projects:
- a) Kern—New Delano Courthouse;
 - b) Santa Barbara—New Santa Barbara Criminal Courthouse;
 - c) Siskiyou—New Yreka Courthouse; and
 - d) Tuolumne—New Sonora Courthouse.

For the Siskiyou—New Yreka Courthouse project, the CCF balance for the County of Siskiyou (approximately \$3.2 million) is recommended to pay for a portion of the project’s design. These funds cannot be used for another project, and use of CCFs to offset a portion of the cost of this project frees up SB 1407 funds for other projects.

The third main component of the recommended plan is to move the program forward in FY 2012–2013 by submitting FY 2012–2013 continuation-funding requests as indicated in recommendation 6. This recommended action also involves the submission of the *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for FY 2012–2013 to the Department of Finance in February 2012. The five-year plan provides the executive and legislative branches with a context for annual funding requests.²

Alternatives considered and policy implications

The working group considered multiple options as alternatives to the adopted option, *Option 4C—November 2011 Update: Select Various Projects to Move Forward*, including prioritizing Immediate Need projects when selecting projects to move forward, limiting next-phase commitments to purchasing properties and moving forward on preliminary plans, prioritizing purchase of properties and beginning working drawings on most eligible projects, and an option that prioritized moving forward on working drawings and only purchasing some properties.

² Assembly Bill 1473 (Hertzberg; Stats. 1999, ch. 606), codified at Government Code sections 13100–13104, requires the Governor to submit annually to the Legislature (1) a proposed five-year plan addressing the infrastructure needs of state executive branch agencies, schools, and postsecondary institutions; and (2) a proposal for funding the needed infrastructure. Because the AOC is not an executive branch agency, its projects are not technically required to be included in the Governor’s five-year infrastructure plans under AB 1473. However, because Government Code section 13103 empowers the Governor to order *any entity* of state government to assist in preparation of the infrastructure plan, the AOC on a voluntary basis has historically submitted an annual infrastructure plan to the Department of Finance to facilitate executive branch approval of judicial branch capital project funding requests. The council is the authority responsible for adopting updates to the five-year plan and for directing AOC staff to submit the five-year plan to the Department of Finance.

Recommendations 7 and 8: Budget Reductions to SB 1407 Courthouse Projects

7. All SB 1407 projects, including those for which staff will be submitting a fiscal year 2012–2013 funding request, will implement a two percent reduction in the current, unescalated hard construction cost budget, and a two percent reduction of the current, unescalated hard construction cost budget to reflect reduction in projected costs due to implementation of the Owner Controlled Insurance Program.
8. The SB 1407 program-wide contingency budget will be reduced from 4.6 to 3 percent.

Rationale for recommendations 7 and 8

The working group seeks to reduce the cost of all SB 1407 projects and initially considered ways to reduce project budgets. The AOC provided information that showed how project budgets could be reduced by \$166.2 million, pending the adoption of recommendations 7 and 8.³

The recommended modifications to the program-wide contingency budget and various components of each project budget arrive at reductions totaling 5.6 percent: 2 percent from each project's hard construction budget, 2 percent from insurance costs included in each project's hard construction budget, and 1.6 percent from the program-wide contingency budget. The working group believes these budget reductions should be made, while recognizing a potential decrease in building quality and potential increase in risk if unforeseen increases in escalation or other project-specific issues result in future project cost increases. Each recommended reduction is described in more detail as follows.

1. ***Reducing the current, unescalated hard construction budget for each project by 2 percent would result in a total estimated budget reduction of \$46.6 million.*** This reduction would apply to the unit cost per square foot of each project. The unit construction cost budget for each of the projects to be funded under SB 1407 includes basic construction and other construction costs related to security, data, and communication. It excludes escalation; soft costs (such as architectural and engineering design); land acquisition; and furniture, fixtures, and equipment. The projects are currently bidding and being delivered below budget reflecting the current competitive market environment, which makes a reduction of 2 percent reasonable at this time. Escalation factors notwithstanding, and assuming that the competitive market is sustained, this reduction should not impact the delivery of the program.
2. ***Reducing each project's current, unescalated hard construction budget to reflect implementation of the Owner-Controlled Insurance Program (OCIP) would result in an estimated total budget reduction of \$46.6 million.*** The AOC has implemented an OCIP for each project as it moves through the construction phase. For all SB 1407 projects, an estimate of the project cost for general conditions, bonds, and insurance is

³ Estimated potential budget reductions of approximately \$166.2 million are based on calculations for 39 of 41 SB 1407 projects (which excludes the Alpine and Sierra projects).

included in the unit construction cost of the budget. With the implementation of the AOC's OCIP, the AOC covers the insurance requirements for the projects rather than having insurance be provided by the general contractors and subcontractors. Because of the large scale of the SB 1407 construction program, the total cost to the state for the OCIP program will be less per project than normally incurred when these insurance costs are covered by the general contractors and their subcontractors. The cost to the AOC for the OCIP program is charged against each capital project based on that project's hard construction cost. However, bids submitted by general contractors and their subcontractors will no longer include insurance and will therefore be lower. Cost savings due to implementation of the OCIP are estimated to be approximately 2 percent of the total construction cost of the SB 1407 capital program.

- 3. *Reducing the program-wide contingency from 4.6 to 3 percent would result in an estimated budget reduction of \$73.0 million.*** The SB 1407 program has a budget of 4.6 percent designated as a program-wide contingency for escalation related to potential schedule delays, unforeseen changes such as increases in labor rates or materials costs, or substantial issues that arise related to building on a particular site. This contingency is in place to also address cost escalation variations based on the California Construction Cost Index. With the current low escalation rate and based on the AOC's experience to date, a reduced contingency should be sufficient to allow successful completion of each project. In the near future, it is unlikely that the projects will need to draw from this program-wide contingency other than for normal escalation because of schedule delays. Scheduling delays through the implementation of the recommended plan for moving forward with SB 1407 projects will be addressed through the program-wide contingency, to account for any increases in construction escalation budgets.

Alternatives considered and policy implications

Reducing the program-wide contingency may increase the risk of having insufficient resources to fund unforeseeable program cost increases, such as potentially higher escalation rates because of extended schedule delays or unanticipated increases in labor or commodity prices.

Monitoring the OCIP program will be necessary to substantiate the actual savings in insurance costs. The AOC becomes responsible for administration of the insurance program instead of the contractors having that responsibility.

A two-percent reduction in construction budget per square foot may reduce the quality of each building constructed. While the AOC would work to maintain the quality of each project's infrastructure, such as heating, ventilation, air conditioning, and building structure, the proposed reduction may require a lower quality of interior finish materials, such as flooring and wall materials. For example, high-traffic public areas may have to be finished in less durable materials. The quality of exterior materials might also be reduced, such as using precast concrete instead of stone. Project-specific choices will be dependent on inflation and the market environment at the time a project is readied for bidding.

In addition to recommendations 7 and 8, the working group has taken further steps to examine potential reduction of project costs by establishing a Courthouse Cost-Reduction Subcommittee to review the SB 1407 program for cost-reduction opportunities.

Recommendation 9: Funding for Existing Facilities

9. The Judicial Council will seek additional funding for operations and maintenance and facility modifications, including the ability for the council to allocate among facility needs.

Rationale for recommendation 9

The working group has reviewed the insufficient funding to operate, maintain, and complete facility modifications in more than 500 buildings and the management responsibility for approximately 20 million square feet of space occupied by the courts. SB 1732 legislation was supposed to supplement operations and maintenance (O&M) funding—which is based on historical expenses (i.e., county facility payments)—from the General Fund. Recent budget change proposals (BCPs) submitted by the AOC to the Department of Finance to increase the level of O&M funding have been denied. In addition, the annual cost of living adjustment for O&M from the General Fund, as authorized under Assembly Bill 1806 (Stats. 2006, ch. 69), has been suspended since FY 2009–2010. Currently, only one of the three BCPs submitted for FY 2012–2013 is still under consideration. The average condition of the portfolio that is not being replaced by new or renovated courthouses is in fair-to-poor condition, and delays to the courthouse construction program will extend the time these existing building systems must perform.

With funding limited through Court Facility Payments, the number of deferred maintenance projects has increased, placing further demands on the facility modifications program funded by SB 1732 and SB 1407 funds. At the same time, these funds have been borrowed or swept for court operations or the General Fund. Deferred facility modifications will increase system failures and court outages, since deferred preventive maintenance incurs increased repair and remediation costs.

Gaining additional funding for O&M and facility modifications has the immediate benefit of increasing preventive maintenance work and completion of repair work. Without additional funding to address the current budget shortfalls for O&M and facility modifications, long-term program costs will increase, there will be insufficient ability to repair system failures, court outages will increase, and the judicial branch mission of providing equal access to justice will be compromised.

Alternatives considered and policy implications

The working group discussed the use of SB 1407 funds for O&M but rejected this strategy because even if current law allowed the application of SB 1407 funds for O&M, their use would delay the implementation of the courthouse construction program. The working group also

discussed the possibility of finding additional funds through increased fines or fees as well as continuing to advocate for General Fund augmentation for O&M inflation and growth.

With the goal of determining whether local courts and the branch can benefit, the working group supports decentralization of O&M to interested courts, pending the outcome of the pilot program on delegation and funding availability.

Recommendation 10: Authority Delegation for Specific Technical Changes

10. Authority will be delegated to the director of the AOC's Office of Court Construction and Management to make technical changes consistent with the intent of *Recommendations to Judicial Council on SB 1407* in attached Table 1, to FY 2011–2012 new commitments and FY 2012–2013 funding requests, subject to the review and approval of the chair of the Court Facilities Working Group.

Rationale for recommendation 10

Technical changes to FY 2011–2012's new commitments and FY 2012–2013's funding requests may be necessary in response to schedule adjustments that occur to the courthouse projects as they move forward. Such changes may require adjusting the timing of a funding request from one fiscal year to another or allow for making a new funding commitment for another courthouse project. The working group chair recommends the council adopt recommendation 10, which will eliminate the working group and the council's burden of reviewing each technical change by deferring that responsibility—subject to the review and approval of the chair of the Court Facilities Working Group—to the director of the AOC's Office of Court Construction and Management.

Comments From Interested Parties

The working group solicited written comments from the 34 superior courts with SB 1407 courthouse projects and posted the responses on the California Courts public website's Court Facilities Working Group page at www.courts.ca.gov/15693.htm, under the Meeting Materials tab for the group's October 19–20 meeting. The written comments from the court overwhelmingly expressed the importance of moving forward with the SB 1407 projects to correct unsafe, overcrowded, and poor physical conditions and, in many cases, to consolidate operations for more efficient and effective public service.

Comments from the public were also solicited and a three-week comment period established during which hundreds of pages of letters and e-mail were received from local officials and members of the public. Most written comments (with the primary exception of those that singled out the Nevada—New Nevada City Courthouse project) advocated advancing the SB 1407 projects for the benefit of the public, the economic vitality of the community, and the creation of jobs.

The first hour of the working group’s two-day meeting in October 2011 was open for public comment, with comments made by officials of seven cities, one private attorney, one architect, and one private citizen. Again, with the exception of the private citizen, who requested that the working group delay and substantially modify the Nevada courthouse project, everyone who spoke at the meeting enthusiastically supported moving forward with the SB 1407 projects in their respective communities or with the program as a whole.

Implementation Requirements, Costs, and Operational Impacts

No costs are involved in implementing the recommended council actions, as they are performed on behalf of the Judicial Council by the AOC.

Relevant Strategic Plan Goals and Operational Plan Objectives

The recommended Judicial Council action supports Goal III (Modernization of Management and Administration) and Goal VI (Branchwide Infrastructure for Service Excellence).

Attachments

1. *Table 1: Recommendations to Judicial Council on SB 1407 Projects*, at pages 12–16
2. *Option 4C—November Update: Select Various Projects to Move Forward*, at page 17

Table 1
Recommendations to Judicial Council on SB 1407 Projects
Court Facilities Working Group
November 9, 2011

A Project	B Current Phase (FY 11-12)	C New FY 11-12 Funding Commitment	D FY 12-13 Phase
(1) Alameda <i>East County Hall of Justice</i>	Complete Preliminary Plans ¹	Maintaining project schedule does not require new FY 11–12 funding commitment	SB 1407 contribution of construction funds previously authorized
(2) Alpine <i>New Markleeville Courthouse</i>	Project cancelled		
(3) Butte <i>New North Butte County Courthouse</i>	Complete Preliminary Plans	Working Drawings	Construction
(4) El Dorado <i>New Placerville Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(5) Fresno <i>Renovate Fresno Courthouse</i>	Complete Preliminary Plans	Minor delay is incurred by not making a new FY 11–12 funding commitment	Working Drawings
(6) Glenn <i>Renovation and Addition to Willows Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans (in case needed) Working Drawings (in case needed)
(7) Imperial <i>New El Centro Family Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans (in case needed) Working Drawings (in case needed)
(8) Inyo <i>New County Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans

¹ Proceeding with completion of development and disposition agreement with the county and lease-purchase agreement for DOF and legislative approvals for this county managed and financed project.

Table 1
Recommendations to Judicial Council on SB 1407 Projects
Court Facilities Working Group
November 9, 2011

A Project	B Current Phase (FY 11-12)	C New FY 11-12 Funding Commitment	D FY 12-13 Phase
(9) Kern <i>New Delano Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans
(10) Kern <i>New Mojave Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(11) Kings <i>New Hanford Courthouse</i>	Complete Preliminary Plans	Working Drawings	Construction
(12) Lake <i>New Lakeport Courthouse</i>	Complete Preliminary Plans	Minor delay is incurred by not making a new FY 11–12 funding commitment	Working Drawings
(13) Los Angeles <i>New Eastlake Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(14) Los Angeles <i>New Glendale Courthouse</i>	Proceed with Site Acquisition	Moderate delay is incurred by not making a new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(15) Los Angeles <i>New Mental Health Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(16) Los Angeles <i>New Santa Clarita Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(17) Los Angeles <i>New Southeast LA Courthouse</i>	Proceed with Site Acquisition	Moderate delay is incurred by not making a new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(18) Mendocino <i>New Ukiah Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans

Table 1
Recommendations to Judicial Council on SB 1407 Projects
 Court Facilities Working Group
 November 9, 2011

A Project	B Current Phase (FY 11-12)	C New FY 11-12 Funding Commitment	D FY 12-13 Phase
(19) Merced <i>New Los Banos Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans (in case needed) Working Drawings (in case needed)
(20) Monterey <i>New South Monterey County Courthouse</i>	Complete Preliminary Plans	Working Drawings	Construction
(21) Nevada <i>New Nevada City Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(22) Placer <i>New Tahoe Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(23) Plumas <i>New Quincy Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11-12 funding commitment	Purchase Property Preliminary Plans
(24) Riverside <i>New Indio Juvenile and Family Courthouse</i>	Complete Preliminary Plans	Maintaining project schedule does not require new FY 11–12 funding commitment	Working Drawings
(25) Riverside <i>New Hemet Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(26) Sacramento <i>New Sacramento Criminal Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(27) San Diego <i>New San Diego Central Courthouse</i>	Complete Preliminary Plans	Working Drawings	Construction

Table 1
Recommendations to Judicial Council on SB 1407 Projects
Court Facilities Working Group
November 9, 2011

A Project	B Current Phase (FY 11-12)	C New FY 11-12 Funding Commitment	D FY 12-13 Phase
(28) San Joaquin <i>Juvenile Justice Center Expansion</i>	Complete Preliminary Plans	Working Drawings	Construction
(29) Santa Barbara <i>New Santa Barbara Criminal Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans
(30) Santa Clara <i>New Family Justice Center</i>	Complete Preliminary Plans	Working Drawings ²	Working Drawings (balance of funds needed to complete) Construction
(31) Shasta <i>New Redding Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans (in case needed) Working Drawings (in case needed)
(32) Sierra <i>New Downieville Courthouse</i>	Project cancelled		
(33) Siskiyou <i>New Yreka Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans
(34) Solano <i>Fairfield Old Solano Renovation</i>	Complete Preliminary Plans	Working Drawings	Construction

² There was a separate Court Facilities Working Group action regarding initiating Working Drawings in FY 2011–2012 using previously committed funds.

Table 1
Recommendations to Judicial Council on SB 1407 Projects
 Court Facilities Working Group
 November 9, 2011

A Project	B Current Phase (FY 11-12)	C New FY 11-12 Funding Commitment	D FY 12-13 Phase
(35) Sonoma <i>New Santa Rosa Criminal Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans (in case needed) Working Drawings (in case needed)
(36) Stanislaus <i>New Modesto Courthouse</i>	Proceed with Site Acquisition	Maintaining project schedule does not require new FY 11–12 funding commitment	Purchase Property Preliminary Plans
(37) Sutter <i>New Yuba City Courthouse</i>	Complete Preliminary Plans	Working Drawings	Construction
(38) Tehama <i>New Red Bluff Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans (in case needed) Working Drawings (in case needed)
(39) Tuolumne <i>New Sonora Courthouse</i>	Complete Site Acquisition, except for purchasing property	Purchase property Preliminary Plans proceed pending funding availability—priority based on when property is purchased	Preliminary Plans
(40) Yolo <i>New Woodland Courthouse</i>	Complete Preliminary Plans	Working Drawings	Construction

Key Question No. 2
Option 4C - November Update
Select Various Projects to Move Forward
Court Facilities Working Group
November 9, 2011

1. Total New Commitment of Funds Needed in FY 11-12 to Move into Next Phase if No Projects are Delayed (A3 + B3 + B5)	\$ 105,070,000
2. Maximum Projected Available FY 11-12 Funds for New Commitments (1)	\$ 104,400,000
3. Various Next Phase New Commitments to Delay in Option A 3 = line 2 - line 1)	(line \$ (670,000)

1	2	3	5
Project Group Based on Current Phase (Listed by FY 11-12 quarter current phase is scheduled to complete, then in alphabetical order by court)	Estimated FY 11-12 Quarter Current Phase to Complete	Estimated FY 11-12 New Commitment of Funds Needed to Proceed with Next Phase	

Prioritization Methodology - Priority Group	Results of Prioritization Methodology - Total Score	A 13 Projects - Now in Preliminary Plans and Eligible to Move into Working Drawings in FY 11-12	A3. Proceed with Working Drawings
Critical	14	1 Alameda - East County Hall of Justice	Q2 \$ -
Immediate	19	2 Butte - New North Butte County Courthouse	Q2 \$ 4,358,000
Immediate	17	3 Monterey - New S Monterey County Courthouse	Q2 \$ 2,985,000
Immediate	15.5	4 San Joaquin - Juvenile Justice Center Renovation	Q2 \$ 259,000
Immediate	16	5 Solano - Fairfield Old Solano - Renovation	Q2 \$ 1,393,000
Immediate	16.5	6 Sutter - New Yuba City Courthouse	Q2 \$ 4,693,000
Immediate	14.5	7 Yolo - New Woodland Courthouse	Q2 \$ 9,639,000
Critical	13	8 Kings - New Hanford Courthouse	Q3 \$ 8,342,000
Critical	13	9 San Diego - New San Diego Central Courthouse	Q3 \$ 32,367,000
Immediate	18	10 Fresno - Renovate Fresno Courthouse	Q4 \$ 6,142,000
Immediate	15	11 Lake - New Lakeport Courthouse	Q4 \$ 3,646,000
Immediate	20	12 Riverside - New Indio Juvenile & Family Courthouse	Q4 \$ 3,789,000
Critical	13	13 Santa Clara - New Family Justice Center (2)	Q4 \$ -
Total A1 through A9			\$ 64,036,000

Prioritization Methodology - Priority Group	Results of Prioritization Methodology - Total Score	B 12 Projects - Now in Site Acquisition Phase (have secured Site Selection approval on preferred site), are Eligible to Purchase Property in FY 11-12, and are Then Eligible to Move into Preliminary Plans in FY 11-12 (if property is purchased)	B3. Purchase Property	B5. Proceed with Preliminary Plans
Immediate	15	1 Tehama - Red Bluff Courthouse	Q2 (3) \$ -	\$ 2,655,000
Critical	12.5	2 Glenn - Renovation and Addition to Willows Courthouse	Q2 \$ 339,000	\$ 1,930,000
Immediate	16	3 Merced - New Los Banos Courthouse	Q2 \$ 729,000	\$ 1,279,000
Immediate	16	4 Shasta - New Redding Courthouse	Q2 \$ 3,982,000	\$ 4,750,000
Immediate	15.5	5 Sonoma - New Santa Rosa Criminal Courthouse	Q2 \$ 5,703,000	\$ 8,172,000
Immediate	14.5	6 Imperial - New El Centro Family Courthouse	Q2 (3) \$ 990,000	\$ 1,875,000
Immediate	14.5	7 Los Angeles - New Glendale Courthouse	Q3 \$ 13,272,000	\$ 4,928,000
Immediate	15	8 Los Angeles - New SE Los Angeles Courthouse	Q3 \$ 16,262,000	\$ 4,664,000
Immediate	14.5	9 Santa Barbara - New Santa Barbara Criminal Courthouse	Q3 \$ 7,392,000	\$ 5,058,000
Critical	13	10 Siskiyou - New Yreka Courthouse	Q3 \$ 27,000	\$ 4,378,000
Critical	12.5	11 Tuolumne - New Sonora Courthouse	Q3 \$ 490,000	\$ 2,486,000
Immediate	15	12 Kern - New Delano Courthouse	Q4 \$ 721,000	\$ 1,510,000
B3 Total = to B6 plus B9 to B12 and B5 Total = B1 to B6			\$ 20,373,000	\$ 20,661,000

Footnotes:

1. Maximum Projected Available FY 11-12 Funds for New Commitments is increased from \$101.9 million by adding \$2.5 million in unspent and unencumbered funds for the Alpine and Sierra projects, which the CFWG recommends be cancelled.
2. Moving the Santa Clara project forward into Working Drawings near the end of FY 11-12 does not require a new commitment of FY 11-12 funds.
3. Quarter to complete reflects an update to the project schedule reported at the October CFWG meeting.

