



CITY OF LONG BEACH

R-32

DEPARTMENT OF COMMUNITY DEVELOPMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

September 6, 2005

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

1. Receive and file this report on the physical condition and operation of the Long Beach Courthouse;
2. Authorize the City Manager to execute a professional services contract with Beverly Prior Architects, for a period of 12 months, in the amount of \$157,758, for a Courthouse Site Feasibility Study in Downtown Long Beach. (District 2); and,
3. Increase appropriations in the General Fund in the Department of Community Development by \$157,758.

DISCUSSION

In 2002, Senate Bill 1732 shifted the governance of California's courthouses from the counties to the State, allowing more than 450 court facilities in California to transfer jurisdiction between October 2004 and June 2007. Trial court and county leaders collaborated with the State Office of Court Construction and Management (OCCM) to develop a 20-year facility master plan. Potential rehabilitation projects were rated using a procedure approved by the State Judicial Council, and were subsequently consolidated in the State's Administrative Office of the Courts (AOC), Trial Courts Five-Year Capital Outlay Plan (Capital Outlay Plan).

The Capital Outlay Plan evaluated over 200 court facilities and ranked them according to the pressing need for substantial improvements. It identified the need for two new courthouses in Long Beach; a criminal courthouse to replace the existing Los Angeles County Superior Courthouse on Ocean Boulevard (County Courthouse), and a new civil courthouse. The Capital Outlay Plan currently ranks construction of a replacement criminal courthouse in Long Beach 30th on its priority list, and a new civil courthouse in Long Beach is ranked 103rd. Although the Capital Outlay Plan has established a project priority list for all courthouse projects, the State only has the financial resources to complete the first two or three projects. It is unclear at this time how the additional projects would be completed.

In November 2003, the AOC completed a seismic assessment of court buildings in California. The assessment was mandated as a result of Senate Bill 1732, and requires that a licensed structural engineer conduct a seismic evaluation of any court building subject to transfer to the State. Before a building transfer can occur, it must meet specific seismic criteria set by the State. The AOC's seismic assessment report indicated that the existing Long Beach County Courthouse will not meet the seismic standard required to transfer the building to the State, even after the County of Los Angeles completes a planned \$15 million seismic retrofit.

Under the Capital Outlay Plan, the proposed 34-courtroom criminal courthouse would serve as the South District's (District) consolidated criminal courthouse, providing space for all adult and juvenile criminal operations in the South District. The Capital Outlay Plan suggests that the new criminal courthouse would ideally be located near the Long Beach Civic Center, and would have an estimated project cost of \$126,349,364. As stated above, the State does not have adequate financial resources, so the timing for the criminal courthouse project is uncertain, and no movement has been made to start the project.

If and when a new Long Beach Criminal Courthouse is completed, the Capital Outlay Plan calls for all court functions in the existing County Courthouse to be relocated so that the existing building could be demolished and construction of the new Long Beach Civil Courthouse could begin. This proposed 17-courtroom civil courthouse would serve as the South District's consolidated non-criminal courthouse, providing space for current and projected civil, family and probate operations in the District. According to the Capital Outlay Plan, the civil courthouse project would cost an estimated \$44,497,709. As with the criminal courthouse, funding has not been earmarked and the project has not started.

Existing Conditions

In February 2005, the County of Los Angeles released a South District Long Beach Courthouse Building Deficiencies and Public Impact report (Report). The Report summarizes the inadequacies of the existing County Courthouse, which includes seismic deficiencies, inoperable custody elevators, an inadequate custody lockup area, defective public elevators and escalators, and an inadequate number of courtrooms and space for support functions.

In an effort to address the County Courthouse's equipment deficiencies, the County established a maintenance program that logs inoperable equipment and completed repairs. The County also authorized the funding necessary to seismically retrofit the Courthouse. It is anticipated that the retrofit will be completed in April 2008, but as stated earlier, the seismic retrofit will not meet the State's seismic criteria, and the County Courthouse will not be eligible for transfer to State control. These funds are not available for any other purpose than for the seismic retrofit.

Next Steps

Given the financial uncertainties of relying on State resources for these two projects and the glaring need for new courthouse facilities and expanded functions, staff has been asked to explore alternative methods of financing and constructing new facilities. One such option is to enter into a public-private partnership whereby a private developer would design, build and finance the project. However, before that occurs, all involved parties need to agree upon the most appropriate location or area of the City in which the new courthouses would be built. In addition, there needs to be consensus on all levels whether two separate facilities are needed or if one facility will meet the District needs.

In order to identify the most appropriate site, staff recommends a site feasibility analysis be performed. This will require obtaining a private consultant that will convene all interested stakeholders (City, County, State, etc.) in an effort to build consensus on the location of a new courthouse. By utilizing a private consultant as a liaison, it will allow staff to facilitate sensitive political issues that may arise during this process.

Over the past six months, staff solicited proposals from qualified architectural firms specializing in the programming and design of judicial facilities. Based upon its review, staff recommends contracting with Beverly Prior Architects to conduct a site feasibility analysis on a select number of locations within the Downtown. Beverly Prior Architects is an award-winning firm with expertise in planning and design of justice and civil facilities. The firm has provided master planning, feasibility and space needs studies for counties such as Alameda, San Francisco and Sacramento and cities such as Newark, San Francisco and Modesto. They also have experience working with the State Judicial Council and the State Office of Administrative Courts.

The proposed scope of work for the site feasibility analysis includes the development of a short list of sites in the Downtown. The advantages and disadvantages of each site would be analyzed, so that an informed decision may be made on where to build a new criminal/civil courthouse. The study could lead to the issuance of a Request for Proposals to the development community for a design/build/finance opportunity.

This letter was reviewed by Assistant City Attorney Michael J. Mais on August 18, 2005, and Budget Management Officer David Wodynski on August 26, 2005.

TIMING CONSIDERATIONS

City Council action on this matter is requested on September 6, 2005, in order for work to commence immediately on this study.

FISCAL IMPACT

The cost for the scope of services proposed by Beverly Prior Architects is \$157,758. This cost will be partially offset by a contribution of \$78,879 (50 percent of total cost) from the County of Los Angeles, Supervisorial District 4, Supervisor Don Knabe. An

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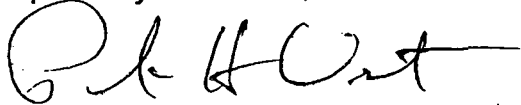
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appropriation increase is included in the recommended action. The net impact to the General Fund is \$78,879.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST
DIRECTOR OF COMMUNITY DEVELOPMENT

APPROVED:



GERALD R. MILLER
CITY MANAGER

PHW/AJB/nb

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