



# CITY OF LONG BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

# R-31

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

December 5, 2006

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

## RECOMMENDATION:

Adopt the attached resolution expressing the City's support for development of a new County Courthouse in Downtown Long Beach. (District 2)

## DISCUSSION

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

This building is among the most outdated and undersized of courthouses in the State and will remain incapable of meeting the region's demand for current and near-term need for court services. The Long Beach Courthouse's existing court space provides limited court services as a result of its constrained size. Consequently, the court has had to utilize a modular building to hold its traffic court. The poor condition of the facilities, the significant lack of security and overcrowded conditions, and the public's hindered access to court services are among the many reasons a new courthouse is needed.

As a result of the glaring need for a new courthouse and to highlight the desire to retain the courthouse in Downtown Long Beach, the City Council authorized a joint Courthouse Site Feasibility Study (Study) with the County of Los Angeles (County) in September 2005. The purpose of the Study was to evaluate identified sites and establish an optimal location for a new criminal/civil County courthouse in the downtown area. The project considered the replacement of the existing decaying courthouse. The Study identified three potential sites and evaluated the condition of each site as well as design criteria for a new courthouse. The Study was distributed to City Council in September 2006. Attached is the executive summary of the Study (Attachment B).

In late-August 2006, the Judicial Council for the State of California recommended to the Governor that funding for the construction of a new 34-courtroom courthouse to replace the existing Long Beach Courthouse be allocated in the 2007-2008 proposed State budget.

In late November 2006, staff was informed that the State Department of Finance (DOF) rejected the funding request for a new courthouse in Long Beach. The DOF has requested additional information from the State Administrative Office of the Courts (AOC) regarding the costs associated with renovating the existing courthouse versus financial implications of new construction. It is anticipated that once the DOF understands the expense associated with renovating the courthouse they will understand that renovation is not a viable option.

The AOC has requested the City of Long Beach to provide a Resolution supporting the need for a new courthouse in Long Beach so they may include the Resolution as supplemental information to the DOF.

This report was reviewed by Assistant City Attorney Michael J. Mais on November 28, 2006 and Budget Management Officer David Wodynski on November 27, 2006.

#### TIMING CONSIDERATIONS

City Council action on this matter is requested on December 5, 2006, so that it may be considered in the Governor's May 2007, revised budget.

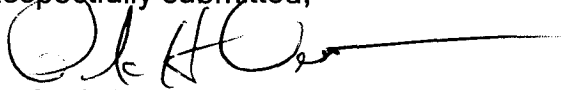
#### FISCAL IMPACT

There is no fiscal impact associated with the suggested action.

#### SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



PATRICK H. WEST  
DIRECTOR OF  
COMMUNITY DEVELOPMENT

APPROVED:

*for*   
GERALD R. MILLER  
CITY MANAGER

PHW:AJB:SLR

Attachment(s):

A – South District Long Beach Courthouse Building Deficiencies and Public Impact Report

B – Executive Summary, New Courthouse Site Feasibility Study

J:\CCL.Courthouse.State.Res.12.05.06

Attachment A

Superior Court of California  
County of Los Angeles



South District, Long Beach Courthouse

***Building Deficiencies  
and  
Public Impact***

**FEBRUARY 2005**

Superior Court of California, County of Los Angeles  
**South District, Long Beach Courthouse**  
415 West Ocean Boulevard, Long Beach, CA 90802

- Recent rainstorms, coupled with high winds, have cause further movement and damage in the east wing. New leaks developed, and court files were damaged. (See PHOTOS on pages 48-49)
- The County of Los Angeles is currently planning a limited retrofit at an estimated cost of \$14 million, not including incidental related expenses of between \$5-7 million.
- After the proposed retrofit is completed, it is estimated that the courthouse would remain standing long enough to evacuate, but could not be re-occupied following a medium sized earthquake from a nearby fault.
- The proposed retrofit would not bring the building up to the seismic standards required for transfer of the building to the State of California.
- **PUBLIC IMPACT** - If the courthouse is closed, all of the cases would necessarily have to be transferred to remote locations for adjudication. There is presently no single courthouse in Los Angeles County large enough to accommodate all of the criminal cases assigned to South District.

**Inoperable Custody Elevator:**

- The elevator used to transport criminal defendants in custody is not operable approximately 39% of the time.
- When the custody elevator is not operable, the Sheriff's deputies are required to load and unload the busses with in-custody defendants in an unsecured parking lot behind the building.
- The security elevator normally used by judges and court employees is used for the transport of in-custody criminal defendants. Judges and employees are required to use public elevators, escalators, and stairways, thus compromising security.

Superior Court of California, County of Los Angeles  
**South District, Long Beach Courthouse**  
415 West Ocean Boulevard, Long Beach, CA 90802

- When the security elevator is being used to transport in-custody defendants, the defendants must be walked through hallways with access to judge's chambers, jury deliberation rooms, and unlocked doors to courtrooms.
- **PUBLIC IMPACT** - When the security elevator is being used by the Sheriff's deputies, there is no access to the sixth floor by disabled persons. (See Americans with Disabilities Act on page 1)

**Inadequate Custody Lockup Area:**

- The in-custody jail cells are located on two floors of the courthouse, 2D and 4D.
- The location of the jail cells on two floors requires additional Sheriff's deputies to manage the inmates.
- There are not enough individual cells to segregate gang members, informants, and other "keep-aways" from the general population of inmates, which results in frequent attacks on prisoners by other prisoners.
- Attorney interview areas are used to house "keep-aways," thus eliminating private areas for attorneys to interview criminal defendants. Attorneys are forced to interview their clients in the busy courtrooms where the cases are scheduled to be heard. (See PHOTO on page 31; see also letters from attorneys and mental health employee on pages 59-62)
- In-custody juvenile criminal defendants are taken to courtrooms through public hallways, which are often filled with family members, witnesses, and rival gang members. (See PHOTO on page 32)

Superior Court of California, County of Los Angeles  
**South District, Long Beach Courthouse**  
415 West Ocean Boulevard, Long Beach, CA 90802

- **PUBLIC IMPACT** – Delays commencement of court hearings which effects court staff, witnesses scheduled to testify, and increases the security risk for all persons, and increases security costs.

**Defective Public Elevators and Escalators:**

- Frequent elevator and escalator breakdowns pose a hazardous condition exposing the Court and County to potential liability.
- Of the 10 escalators in the building, approximately 70% are non-functioning on a daily basis. (See PHOTO on pages 33 and 50-51, see also Letters to Editor – “SENTENCED TO JURY DUTY” on page 28 “COURTHOUSE” on pages 10 and 15)
- The Office of Risk Management has reported that 26% of all escalator injury claims occurring in the Superior Court arise from accidents in the Long Beach Courthouse.
- Approximately 4,800 people per day enter the Long Beach Courthouse.
- The frequent breakdown of the escalators causes overcrowding in the lobby area, which in turn delays entry into the courthouse resulting in long lines outside the building. (See PHOTO on page 34)
- It is not uncommon for at least one of the three public elevators to be inoperable, and there are some occasions when all public elevators have ceased functioning.
- **PUBLIC IMPACT** - Attorneys, litigants, witnesses and visitors are required to use overcrowded elevators and/or climb up to 10 flights of stairs to make appearances in court, or to access various administrative offices.

Superior Court of California, County of Los Angeles  
**South District, Long Beach Courthouse**  
415 West Ocean Boulevard, Long Beach, CA 90802

**Inadequate Number of Courtrooms:**

- Applying current standards, the number of criminal filings in the South District requires 32 judicial officers.
- There are presently only 27 courtrooms available, and 7 of those courtrooms are dedicated to handle civil or family law cases.
- Some of the existing courtrooms were created in spaces designed as clerks' offices. There are structural support columns in the center of the courtroom and the judges' chambers do not have restroom facilities. (See PHOTO on page 35)
- One of the "courtrooms" is a trailer parked behind the courthouse, which is presently not useable because of leaks, mold, and termite infestation. (See PHOTOS on pages 53-54)
- **PUBLIC IMPACT** - The courtrooms are too small to accommodate all of the litigants and witnesses. The public is required to wait outside the courtroom for their turn to enter to have their case heard by a judge or commissioner. If, while waiting in the hallway, they miss hearing their name called, a warrant may be issued, a case dismissed, or a default judgment entered. Often, attorneys, litigants, witnesses, and even jurors are required to travel to distant courthouses to have cases adjudicated.

**Inadequate Space for Support Functions:**

- The public lobby in the Public Defender's office and the hallways leading to the attorneys' offices are lined with filing cabinets and boxes of files. (See PHOTOS on pages 36-39)
- Spaces originally designed as janitorial supply rooms have been converted to office space by placing makeshift air conditioning units on the wall for ventilation. (See PHOTO on page 40)

Superior Court of California, County of Los Angeles  
**South District, Long Beach Courthouse**  
415 West Ocean Boulevard, Long Beach, CA 90802

- Long lines are a common occurrence at clerks' counters as the public attempts to pay traffic fines, file documents, and access criminal and civil case files. (See PHOTO on page 52)
- **PUBLIC IMPACT** – Attorney, litigant and visitor frustration is apparent due to the waiting required to transact court business, and adds to the already difficult task by employees of processing matters of litigants and attorneys.

**Antiquated Systems:**

- The heating and cooling systems are 45 years old, and were never designed to service the increased number of people who use the courthouse on a daily basis.
- The addition of computers and other electrical devices causes frequent power outages by overtaxing the outdated electrical system.
- Flooding in courtrooms, jury deliberation rooms, and in the jail cell area are a nearly daily occurrence due to leaking plumbing and overflowing toilets.
- Constant leaks from drinking fountains have caused them to be removed from nearly every courtroom and jury deliberation room. Bottled water is now provided at the individual expense of the judges.
- **PUBLIC IMPACT** - In January 2005, one courtroom and the office of the District Attorney closed due to the failure of the air conditioning system. Since January 10, 2005, one courtroom has been closed due to leaks and mold.

**General Lack of Maintenance:**

- Portions of the ceilings in several courtrooms have fallen down, and even the repair patches have failed. (See PHOTO on page 41)



Superior Court of California, County of Los Angeles  
**South District, Long Beach Courthouse**

415 West Ocean Boulevard, Long Beach, CA 90802

- Several of the public entrances to the courtrooms have large holes in the walls where the courtroom doors have struck the walls. (See PHOTO on page 42)
- Vermin infestation is rampant. Rattraps are a permanent fixture in the courtrooms and offices throughout the building. (See PHOTO on page 43)
- The mirrors and walls in the public restrooms are covered in graffiti. (See PHOTO on page 44)
- The tiles in the public restrooms have broken or fallen from the walls. (See PHOTO on page 45)
- The furniture in the public hallways and jury waiting areas are covered with graffiti and markers. (See PHOTO on page 46)
- **PUBLIC IMPACT** – A public perception of less than professional service and accommodation is projected by the inadequate appearance of the Long Beach Courthouse. The image of professionalism by the public and the morale of the employees is diminished due to the dismal work environment.

BA/RU/ln  
RU/BDPI.0205

County of Los Angeles / City of Long Beach

# **New Courthouse Site Feasibility Study**

September 1, 2006



## 1. EXECUTIVE SUMMARY

### Background

The existing 25-courtroom courthouse including County and City functions is extremely deficient by current courthouse standards for safety, security, and efficiency. The State and County recognize that the courthouse's deficiencies cannot be remedied within the existing building, so a replacement facility is required. In the meantime, the existing courthouse is being seismically upgraded as a requirement for its transfer to the State. However even with this upgrade, the building will not meet all the minimum standards required for transfer.

The County of Los Angeles and City of Long Beach have teamed on this study to identify land feasible for constructing a new courthouse with the potential for a developer using the design-build approach, a bold, proactive approach that could yield a replacement courthouse project that meets the goals and interests of the State of California, County of Los Angeles, and City of Long Beach.

### Purpose of the Study

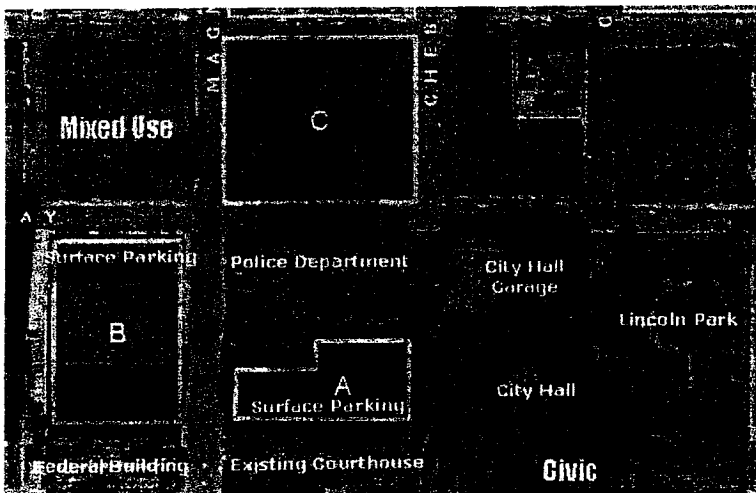
The purpose of the Long Beach Courthouse Site Feasibility Study was to establish the optimal location for a new courthouse among three Long Beach sites located in the downtown civic center area. The study included developing design criteria including square footage and massing requirements for a new courthouse, evaluating existing site conditions, developing site evaluation criteria, preparing site development alternatives, consideration of construction phasing and staging factors, and the recommendation of a preferred site.

### Basic Program

Based on the Administrative Office of the Courts' master plan for the Long Beach area, the proposed replacement courthouse will include space for 34 courtrooms and support functions. County offices for Sheriff, District Attorney, Public Defender, and Alternate Public Defender are also planned to facilitate their interaction with the court. Existing Probation Department uses in the existing courthouse building will be provided by the County in an alternate location.

### Alternative Sites

The three alternative sites included Site 'A', which is on County land between the existing courthouse and existing police station, Site 'B' which is on the existing County parking structure and the strip of land to its north, and Site 'C' which is on the block to the north of the existing police headquarters.

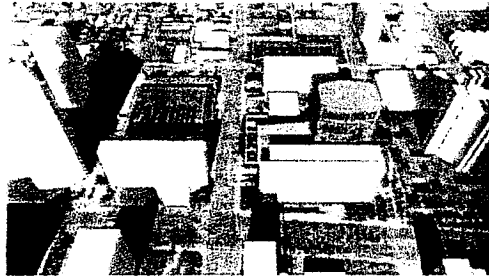


COUNTY OF LOS ANGELES / CITY OF LONG BEACH  
NEW COURTHOUSE SITE FEASIBILITY STUDY

**Summary Evaluation**

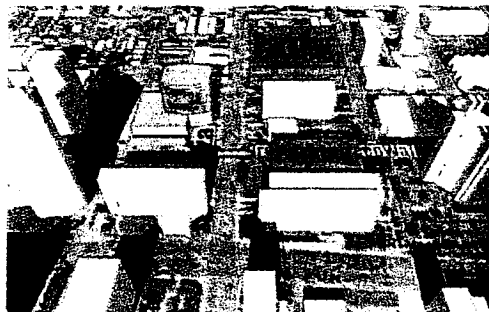
Each site has development constraints but could be viable for the development of a new courthouse with County offices as described below.

**Site 'A':** This site is the most constrained for construction and for impact on the existing courthouse and police operations during construction. Additional parking would be required and could be accommodated on top of the County's existing parking structure. Its location is excellent relative to the police headquarters and the existing County parking structure.



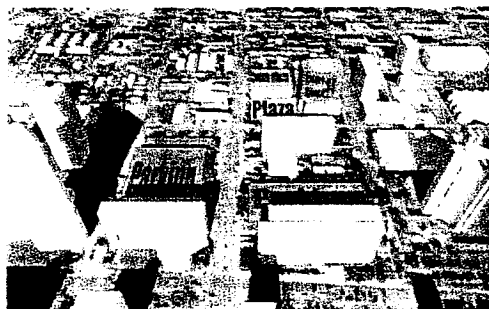
Site A development

**Site 'B':** This site requires demolition of the existing County parking structure (the land to the north is not large enough for a standalone courthouse) and replacement of that parking, which would need to be phased to accommodate parking while the existing courthouse is operating. Because of the full replacement parking requirement, this site is likely to have the highest construction cost.



Site B development

**Site 'C':** This site is the easiest to construct on and would have a minimum impact on the existing courthouse and police operations during construction. It is fairly remote from the County's existing parking structure, and like Site A, additional parking would be required. This site is inconsistent with Long Beach's redevelopment plans, and it falls outside the fabric of the city's civic core.



Site C development



# City of Long Beach


*Working Together to Serve*

**OFFICE OF THE CITY ATTORNEY**

## Memorandum

Date: November 28, 2006

To: Sheri Rossillo, Development Project Manager, Community Development

From: Michael J. Mais, Assistant City Attorney, Extension 82230 

Subject: Resolution in support of the development of a new Downtown Long Beach Courthouse

---

Pursuant to your request, the subject document has been prepared and is transmitted to you for placement on the City Council agenda.

If you have any questions, please do not hesitate to contact me.

MJM:KJM

Encls.

L:\APPS\CtyLaw32\WPDOCS\D028\PO05\00097266.WPD  
#06-06124

Robert E. Shannon  
City Attorney of Long Beach  
333 West Ocean Boulevard  
Long Beach, California 90802-4664  
Telephone (562) 570-2200

1 RESOLUTION NO.  
2

3 A RESOLUTION OF THE CITY COUNCIL OF THE  
4 CITY OF LONG BEACH IN SUPPORT OF FUNDING AND  
5 CONSTRUCTION OF A NEW DOWNTOWN LONG BEACH  
6 COURTHOUSE BY THE STATE OF CALIFORNIA  
7

8 WHEREAS, the Trial Court Facilities Act of 2002 passed by the California  
9 Legislature on August 31, 2002, and signed into law on September 29, 2002 provides a  
10 procedure for transfer of responsibility for court facilities from the counties to the state,  
11 and the transfer of titles of court facilities from the counties to the state; and

12 WHEREAS, the transfer process of the South District Los Angeles County  
13 Courts was essentially completed through a memorandum of understanding between  
14 the Los Angeles County (the "County"), the Administrative Office of the Courts ("AOC"),  
15 and the Los Angeles Superior Court, signed by the Los Angeles County Board of  
16 Supervisors in July 2006; and

17 WHEREAS, the South District of the Los Angeles Superior Court is served  
18 by four court facilities: Long Beach, the Beacon Street Annex, San Pedro, and Catalina.  
19 The Court in the city of Long Beach operates out of a shared-use building that is  
20 functionally and physically deficient and is among the worst in the state in terms of  
21 security and overcrowding. This outdated and undersized building is and will remain  
22 incapable of meeting the region's growing demand for court services. The existing  
23 court space provides limited court services as a result of its constrained size.  
24 Consequently, the court has had to utilize a modular building to hold its traffic court.  
25 The deplorable conditions of the facilities, the extreme lack of security and overcrowded  
26 conditions, and the public's hindered access to court services are among the reasons  
27 why a new downtown Long Beach Court is needed; and

28 WHEREAS, a new Long Beach Courthouse for the Los Angeles Superior

1 Court is ranked in the "Immediate Need" priority group in the Trial Court Capital-Outlay  
2 Plan adopted by the Judicial Council in August 2006 and is one of the highest priority  
3 trial court capital-outlay projects for the judicial branch; and

4 WHEREAS, the Administrative Office of the Courts, Office of Court  
5 Construction and Management, has prepared a "Project Feasibility Report" dated  
6 September 8, 2006, outlining the need for the financing and construction by the State of  
7 California for a new downtown Long Beach Court facility to be located on a new, yet-to-  
8 be-selected, site with a minimum of 2.96 acres at Long Beach, Los Angeles County,  
9 California, consisting of a building of approximately 307,2132 gross square feet at an  
10 estimated project cost of \$321.5 million without financing costs. This cost is based on  
11 construction of a seven-story court building with 34 courtrooms, a basement, and partial  
12 penthouse, a sallyport, and in-custody holding located within the basement. An onsite  
13 parking structure is proposed of 500 spaces to accommodate visitors, staff and jurors,  
14 and short-term surface parking will be provided at street level. In addition, 10 surface  
15 parking spaces, and secure parking for judicial officers and key administrative staff will  
16 be provided; and

17 WHEREAS, the existing Long Beach facility is a busy criminal court  
18 requiring the daily movement of hundreds of in-custody defendants within hallways also  
19 used by judges and staff and its holding cells were not designed by accommodate the  
20 number of in-custody defendants brought to court each day;

21 WHEREAS, on November 21, 2006, a resolution was adopted by the the  
22 Board of Supervisors of the County of Los Angeles supporting the Judicial Council's  
23 action to recommend inclusion of the New Long Beach Court in the Governor's Budget  
24 for Fiscal Year 2007-2008, and requested their support for this project;

25 NOW, THEREFORE, the City Council of the City of Long Beach resolves  
26 as follows:

27 Sec. 1. The City Council of the City of Long Beach is in support of  
28 financing and construction by the State of California of a new downtown Long Beach

