

## STATE OF CALIFORNIA

## Capital Outlay Budget Change Proposal (COBCP) - Cover Sheet

DF-151 (REV 07/21)

<b>Fiscal Year</b> 2023-24	<b>Business Unit</b> 0250	<b>Department</b> Judicial Branch	<b>Priority No.</b> 3
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<b>Budget Request Name</b> 0250-026-COBCP-2023-GB	<b>Capital Outlay Program ID</b> 0165	<b>Capital Outlay Project ID</b> 0000096
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**Project Title**

Nevada County - New Nevada City Courthouse

**Project Status and Type**Status: ☐ New ☒ ContinuingType: ☒ Major ☐ Minor**Project Category (Select one)**

<input checked="" type="checkbox"/> CRI (Critical Infrastructure)	<input type="checkbox"/> WSD (Workload Space Deficiencies)	<input type="checkbox"/> ECP (Enrollment Caseload Population)	<input type="checkbox"/> SM (Seismic)
<input type="checkbox"/> FLS (Fire Life Safety)	<input type="checkbox"/> FM (Facility Modernization)	<input type="checkbox"/> PAR (Public Access Recreation)	<input type="checkbox"/> RC (Resource Conservation)

<b>Total Request (in thousands)</b> \$ 8,115	<b>Phase(s) to be Funded</b> Acquisition	<b>Total Project Cost (in thousands)</b> \$ 178,418
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**Budget Request Summary**

The Judicial Council of California requests \$8,115,000 General Fund for the Acquisition phase of the New Nevada City Courthouse in Nevada County. The proposed new courthouse project will provide construction of a new 6-courtroom courthouse of approximately 77,000square feet (SF) in the city of Nevada City. The project includes secured parking for judicial officers and surface parking spaces. The estimated total project cost is \$178,418,000. The project will require acquisition of a site of approximately 5 acres. The project will use the Design-Build delivery method. The project will replace and consolidate two facilities.

<b>Requires Legislation</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Code Section(s) to be Added/Amended/Repealed</b>	<b>CCCI</b> 9001
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<b>Requires Provisional Language</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Budget Package Status</b> <input type="checkbox"/> Needed <input checked="" type="checkbox"/> Not Needed <input type="checkbox"/> Existing
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**Impact on Support Budget**

One-Time Costs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Swing Space Needed	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Future Savings	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Generate Surplus Property	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Future Costs	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

**If proposal affects another department, does other department concur with proposal?** ☐ Yes ☐ No

Attach comments of affected department, signed and dated by the department director or designee.

<b>Prepared By</b> McCormick	<b>Date</b> 1/3/2023	<b>Reviewed By</b> Gan/Cowan	<b>Date</b> 1/3/2023
<b>Chief Administrative Officer</b> John Wordlaw	<b>Date</b> 1/3/2023	<b>Acting Administrative Director</b> Millicent Tidwell	<b>Date</b> 1/3/2023

**Department of Finance Use Only**

<b>Principal Program Budget Analyst</b> Koreen H van Ravenhorst	<b>Date submitted to the Legislature</b> 1/10/2023
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**A. COBCP Abstract:**

Nevada County - New Nevada City Courthouse – \$8,115,000 for Acquisition. The project includes the construction of a new 6-courtroom courthouse of approximately 77,000 SF in the city of Nevada City. The project includes secured parking for judicial officers and surface parking spaces. Total project costs are estimated at \$178,418,000, including Acquisition (\$9,701,000) Performance Criteria (\$1,289,000) and Design-Build (\$167,428,000). The design-build amount includes \$137,095,000 for the construction contract, \$4,113,000 for contingency, \$6,923,000 for architectural and engineering services, and \$19,297,000 for other project costs. The Acquisition is scheduled to begin in July 2023 and complete in September 2025. The Performance Criteria is scheduled to begin in November 2025 and will be approved in June 2026. Design-Build is scheduled to begin in July 2026 and will be completed in August 2030.

Due to insufficient resources in the Immediate and Critical Needs Account, at its meetings on October 26, 2012, and January 17, 2013, the Judicial Council made a policy decision to place some projects on hold until proper funding could be restored. The impact of the Judicial Council direction to this project was to stop the project in the Acquisition phase. In 2021–22, the project was reactivated to complete a Planning Study, which is described below. The estimated total project cost of \$178,418,000 includes \$1,586,000 for Acquisition/Study expenditures incurred under the prior authority.

**B. Purpose of the Project:**

Problem: The existing condition and capacity of the Superior Court of Nevada County facilities were evaluated pursuant to Senate Bill 847, which revised Government Code section 70371.9 and required the Judicial Council of California to reassess projects identified in its Trial Court Capital Outlay Plan and Prioritization Methodology adopted on October 24, 2008. The reassessment which is the basis for the judicial branch's Trial Court Five-Year Infrastructure Plan, was submitted to the Senate Committee on Budget and Fiscal Review and the Assembly Committee on Budget in December 2019.

The Infrastructure Plan project rankings were established through a detailed and systematic analysis of the following criteria:

- The general physical condition of the building
- Needed improvement to the physical condition of buildings to alleviate the totality of risks associated with seismic conditions, fire & life safety conditions, Americans with Disabilities Act (ADA) requirements, and environmental hazard
- Court security features within buildings
- Access to court services
- Overcrowding
- Projects that replace or renovate courtrooms in court buildings where there is a risk to court users due to potential catastrophic events

Through this assessment process, the need for a Nevada City Courthouse capital outlay project was identified, as Nevada County Courthouse facilities affected by this project were determined to be deficient in all categories. This project is ranked in the Immediate Need priority group, and consequently is one of the highest priority trial court capital outlay projects for the Judicial Branch. The *Reassessment of Trial Court Capital Outlay Projects* is located here: [www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371\\_9.pdf](http://www.courts.ca.gov/documents/lr-2019-JC-reassessment-trial-court-capital-outlay-projects-gov70371_9.pdf).

Planning Study: In 2021–22, a Planning Study was funded for the Nevada City Courthouse project to compare the advantages and disadvantages of three options for the Superior Court of Nevada County in the city of Nevada City. These options included analysis of (1) renovating the existing Nevada City Courthouse, (2) constructing a new courthouse on the existing courthouse site, and (3) constructing a new courthouse on a new site. These options are described below under Section D. Alternatives. The Planning Study was completed in June 2022 and is available at [www.courts.ca.gov/documents/facilities\\_Nevada\\_Planning\\_Study.pdf](http://www.courts.ca.gov/documents/facilities_Nevada_Planning_Study.pdf). The Judicial Council's Court Facilities Advisory Committee (CFAC) reviewed and discussed the study at its public meetings in June

2022, concurring with its findings—that the option of *New Construction on a New Site* is the recommended project option. This decision was based on this option scoring substantially higher than the other options because of its high functionality and low cost, which are main goals of the project. The CFAC further indicated preference for land acquisition as close to downtown Nevada City as financially and otherwise possible. Costs for this recommended option are reflected in both this COBCP and the Judicial Council's *Judicial Branch Five-Year Infrastructure Plan for Fiscal Year 2023–24*, which was adopted by the Judicial Council in July 2022.

Program Need: The New Nevada City Courthouse will accomplish the following immediately needed improvements to the Superior Court and enhance its ability to serve the public:

- Provides an accessible, safe, and efficient courthouse to serve all county residents.
- Enhances the public's access to justice by relieving the current space shortfall, increasing security, improving operational efficiency and customer service, and replacing inadequate and obsolete buildings in Nevada County.
- Allows the court to operate in a facility with adequate space for greater functionality than in current conditions, including:
  - Safe and secure internal circulation that maintains separate zones for the public, judicial officers and staff, and in-custody defendants.
  - Secure, dedicated in-custody sally port to the courthouse and secure in-custody holding areas.
  - Adequate visitor security screening and queuing in the entrance area.
  - Provides attorney-client interview rooms.
  - Improves public service, including an adequately-sized self-help area.
  - Jury assembly with capacity for typical jury pools.
  - Has ADA accessible spaces.
  - Adequate onsite parking for jurors, visitors, and court users.
  - Adequate staff workstations and meeting spaces.
  - Infrastructure to accommodate modern technology, particularly in the courtrooms.
  - Facility with dependable physical infrastructure.
- Improves public safety by replacing facilities that are not in compliance with contemporary fire/ life/safety and ADA codes.
- Decommissions two Federal Emergency Management Agency (FEMA) P-154 (Very High Risk and Moderate Risk) seismically-deficient buildings from court use.
- Consolidates operations and functions to optimize use of court facilities.
- Vacates two facilities in poor condition with aging systems, with court-occupied space in both the Nevada City Courthouse and Courthouse Annex that could be surrendered back to the county.
- Avoids future expenditure of approximately \$6.2 million for deferred maintenance and needed security system refresh.

The Superior Court of Nevada County occupies three buildings in two cities in Nevada County. Court facilities are located in Nevada City and Truckee. The Superior Court uses a mixed service model. The Nevada City Courthouse serves as the primary court location for court filings and all case types. The one branch court facility, the Truckee Courthouse, is located at the Joseph Government Center in the town of Truckee and serves the eastern portion of the county with all case types except for probate and juvenile dependency. Main administrative functions are housed in Nevada City, the county seat. Nevada County is geologically bisected by the Sierra Nevada mountain range, which presents challenges for access to court services during winter months.

The Superior Court of Nevada County occupies two buildings in Nevada City and one building in Truckee with a total of approximately 30,000 SF of space.

Name	City	Number of Courtrooms	Type	Owner	Year Built
Nevada City Courthouse	Nevada City	2	Courthouse	County	1937
Nevada City Courthouse Annex	Nevada City	4	Office	County	1964
Truckee Courthouse	Truckee	2	Office	County	1970

The project will replace and consolidate the Nevada City Courthouse and Courthouse Annex.

#### 1. Nevada City Courthouse (County-Owned)

##### 2019 Assessment Data

Year Built	1864 (last remodel in 1937)
Number of Courtrooms	2 courtrooms
10 Year Facility Condition Index (FCI)	Poor Condition
FEMA P-154 Seismic Rating	Very High Risk Seismic Rating
Deferred Maintenance	\$2,679,029
Annual O&M Costs	\$28,599
Security System Refresh Costs	\$94,629

Located at 201 Church Street in the city of Nevada City, the Nevada City Courthouse is a three-story building of approximately 28,000 SF that is owned and operated by the county. The Nevada court exclusively occupies approximately 11,000 SF, sharing the building with county justice partners. All case types are heard at this location, as this main facility provides service to all county residents.

The building's square footage is too small to address overcrowded public areas and security screening. Currently, queuing for the public/court users security screening occurs outside the building. Additional space is needed to improve operational efficiencies, specifically to consolidate the Clerk's Office public service counters and to provide adequate space for jurors to check in, assemble, and deliberate. The facility is used for matters involving in-custody defendants but does not have separated and secured paths of circulation for in-custody defendants, the public, jurors, or judges and staff. In addition, staff space is at full capacity with no room for growth.

The courthouse was constructed in 1864, and remodeled and expanded in 1900 and 1937. It also includes an interconnected Annex building (described below) constructed in 1964. The courthouse and Courthouse Annex total approximately 80,000 SF—of which approximately 24,000 SF is exclusively occupied by the court, with the balance of space occupied by county functions. The court's space is unsafe, undersized, substandard, overcrowded, lacks parking for jurors, visitors, and court users, and is functionally deficient. It has seismic and fire and life safety system deficiencies—including no fire sprinkler system—and is not compliant with ADA standards.

#### 2. Nevada City Courthouse Annex (County-Owned)

##### 2019 Assessment Data

Year Built	1964
Number of Courtrooms	4 courtrooms
10 Year Facility Condition Index (FCI)	Poor Condition
FEMA P-154 Seismic Rating	Moderate Risk Seismic Rating
Deferred Maintenance	\$3,364,685
Annual O&M Costs	\$32,265
Security System Refresh Costs	\$99,421

Located at 201 Church Street in the city of Nevada City, the Nevada City Courthouse Annex is a two-story building with a basement of approximately 52,000 SF that is owned and operated by the county. The Nevada court exclusively occupies approximately 13,000 SF, sharing the building with county justice partners. All case types are heard at this location, as this building is interconnected to the courthouse building described above and together provides service to all county residents.

Infrastructure Deficiencies in Facilities Affected by Project: The existing Nevada City Courthouse and Courthouse Annex are inadequate for public service and for the operational needs of the court. The court's current space is unsafe, undersized, substandard, overcrowded, and functionally deficient. Square footage constraints have resulted in many deficiencies including a lack of an entrance lobby, insufficient space for security screening and jury assembly and deliberation, overcrowding of public and staff areas, and no separate paths of circulation for in-custody defendants from the public, jurors, and judges and staff. These deficiencies pose a safety and security risk to all facility users.

**C. Relationship to the Strategic Plan:**

The Judicial Council, as the policymaking body for the judicial branch, has the following responsibilities and authorities with regard to court facilities, in addition to any other responsibilities or authorities established by law:

- Exercise full responsibility, jurisdiction, control, and authority as an owner would have over trial court facilities whose title is held by the state, including, but not limited to, the acquisition and development of facilities;
- Exercise the full range of policymaking authority over trial court facilities, including, but not limited to, planning, construction, acquisition, and operation, to the extent not expressly otherwise limited by law;
- Establish policies, procedures, and guidelines for ensuring that the courts have adequate and sufficient facilities, including, but not limited to, facilities planning, acquisition, construction, design, operation, and maintenance;
- Allocate appropriated funds for court facilities maintenance and construction;
- Prepare funding requests for court facility construction, repair, and maintenance;
- Implement the design, bid, award, and construction of all court construction projects, except as delegated to others; and
- Provide for capital outlay projects that may be built with funds appropriated or otherwise available for these purposes according to an approved five-year infrastructure plan for each court.

The provision of this capital outlay request is directly related to the Judicial Council's strategic plan Goal VI: "Branch-wide Infrastructure for Service Excellence." By providing the trial courts with the facilities required to carry out the Judiciary's constitutional functions, the proposed project immediately addresses this goal.

In addition, the proposed project supports the Judicial Council's commitment to Goal I: "Access, Fairness, and Diversity", Goal IV: "Enhancing the Quality of Service and Justice Provided to the Public" and Goal VII: "Adequate, Stable, and Predictable Funding for a Fully Functioning Branch".

**D. Alternatives:**

Alternative 1: Build a New 6-Courtroom Courthouse on a New Site.

This alternative will construct a new 6-courtroom courthouse of approximately 77,000 SF in the city of Nevada City. The project will include secured parking for judicial officers and surface parking spaces. The estimated total project cost is \$178,418,000. The project will require acquisition of a site of approximately 5 acres.

#### Advantages

- Compared to Alternatives 2 and 3, and from the Planning Study, this alternative scored substantially higher because of its high functionality and lowest cost, which are main goals of the project. It scored highest in the study's evaluation criteria of court function, site function, Judicial Council goals, and project delivery.
- Enhances the public's access to justice by providing a modern, safe, and secure courthouse to serve all county residents, relieving the current space shortfall, increasing security, improving operational efficiency and customer service, and replacing inadequate and obsolete buildings in Nevada County.
- Provides four multipurpose courtrooms and two large courtrooms for arraignment, traffic, or high-profile cases. Space will be provided in the facility for jury assembly, central holding, self-help, alternative dispute resolution, and family law services.
- Allows the Court to operate in a facility with adequate space for greater functionality than in current conditions, alleviating overcrowding in public and staff areas; providing adequate space for an entrance lobby and security screening and separate paths of circulation for in-custody defendants from the public, jurors, judges, and staff; consolidating Clerk's Office public service counters and operations for improved public service; addressing the lack of jury assembly space and jury deliberation rooms; including infrastructure to accommodate modern technology, particularly in the courtrooms; and providing adequate onsite parking for jurors, visitors, and court users.
- Improves public safety by replacing facilities that are not in compliance with contemporary fire/life/safety and ADA codes.
- Decommissions two FEMA P-154 (Very High Risk and Moderate Risk) seismically deficient buildings from court use.
- Consolidates operations and functions to optimize use of court facilities by vacating two facilities in poor condition with aging systems, with court-occupied space in both the Nevada City Courthouse and Courthouse Annex that could be surrendered back to the county.
- Avoids future expenditure of approximately \$6.2 million for deferred maintenance and needed security system refresh.

#### Disadvantages:

- This alternative requires authorization of funds for site acquisition, design, and construction.
- Does not meet the local community goal of maintaining court operations on the existing courthouse site, which could result in approximately six percent decline in downtown economic activity unless another site for the project becomes available in downtown Nevada City.

#### Alternative 2: Renovation of Existing Courthouse.

This alternative will renovate the existing Nevada City Courthouse and Courthouse Annex buildings within the existing footprints on the existing site for a contemporary 6-courtroom courthouse of approximately 80,000 SF. The project will include secured onsite parking for judicial officers and offsite improvements to provide a two-level parking structure for the public and staff. The estimated total project cost is \$219,780,000. The project will require acquisition of the existing approximately 1-acre courthouse site plus additional land to construct the offsite parking structure and its ADA accessible path to the courthouse via street closure.

#### Advantages:

- This option will improve court security, correct infrastructure and seismic deficiencies, and more closely align the renovated court space with Judicial Council space standards.
- The Nevada City Courthouse and Courthouse Annex are not prevented from being renovated, as they are not currently listed on the National Register of Historic Places, the

California Register of Historical Resources, or the local Nevada City register of historical resources.

- Meets the local community goal of maintaining court operations on the existing site.

Disadvantages:

- Compared to Alternative 1, this alternative is more costly. It requires authorization of funds for acquisition, design, and construction to complete the renovation project.
- The county holds title to the land of the Nevada City Courthouse and Courthouse Annex. The Judicial Council has no right to renovate the existing buildings on the existing site without the cooperation, collaboration, and compensation to the county.
- The acquisition of additional land off site, which is not state owned, is required to construct the offsite parking structure.
- This alternative does not allow for the existing site to be expanded comparable to Alternative 1's site acreage, which provides a courthouse site and building meeting all ADA standards and Judicial Council court facility standards.
- Renovation of both buildings, without combining them into a single new building like Alternative 3, does not remedy inherent functional issues and prevents compliance with Judicial Council court facility standards including space, adjacency, and circulation requirements.
- Based on its size, configuration, location, and topography, the existing courthouse site has inherent, unresolved security, access, and functional issues.
- This alternative will be disruptive to court users and to court and county operations and will incur costs for swing space while the renovation project is ongoing.
- Suitable and available swing space is difficult to obtain within Nevada City.

Alternative 3: New Construction on Existing Site.

This alternative will demolish the existing Nevada City Courthouse and Courthouse Annex buildings to provide a new, contemporary 6-courtroom courthouse of approximately 77,000 SF on the existing site. The project will include secured onsite parking for judicial officers and offsite improvements to provide a two-level parking structure for the public and staff. The estimated total project cost is \$246,683,000. The project will require acquisition of the existing approximately 1-acre courthouse site plus additional land to construct the offsite parking structure and its ADA accessible path to the courthouse via street closure.

Advantages

- This option will improve court security, correct infrastructure and seismic deficiencies, and more closely align the renovated court space with Judicial Council space standards.
- The Nevada City Courthouse and Courthouse Annex are not prevented from being demolished, as they are not currently listed on the National Register of Historic Places, the California Register of Historical Resources, or the local Nevada City register of historical resources.
- Meets the local community goal of maintaining court operations on the existing site.

Disadvantages:

- Compared to Alternatives 1 and 2, this alternative is more costly and has the longest construction schedule. It requires authorization of funds for acquisition, design, and construction to complete the new construction project.
- The county holds title to the land of the Nevada City Courthouse and Courthouse Annex. The Judicial Council has no right to demolish the existing buildings and construct on the existing site without the cooperation, collaboration, and compensation to the county.
- The acquisition of additional land off site, which is not state owned, is required to construct the offsite parking structure.

- This alternative does not allow for the existing site to be expanded comparable to Alternative 1's site acreage, which provides a courthouse site and building meeting all ADA standards and Judicial Council court facility standards.
- Based on its size, configuration, location, and topography, the existing courthouse site has inherent, unresolved security, access, and functional issues.
- This alternative will be disruptive to court users and to court and county operations and will incur costs for swing space while the new construction project is ongoing.
- Suitable and available swing space is difficult to obtain within Nevada City.

**E. Recommended Solution:**

1. Which alternative and why?

The recommended solution is Alternative 1: Construct a new 6-courtroom courthouse. This alternative provides the best solution for the superior court and for Nevada County residents.

2. Detailed scope description.

The proposed new courthouse project will provide construction of a new 6-courtroom courthouse of approximately 77,000 SF in the city of Nevada City. Four multipurpose courtrooms and two large courtrooms for arraignment, traffic, or high-profile cases will be provided. Space will be provided in the facility for jury assembly, central holding, self-help, alternative dispute resolution, and family law services. The project includes secured parking for judicial officers and surface parking spaces. The project will require acquisition of a site of approximately 5 acres.

The proposed New Nevada City Courthouse will replace and consolidate two facilities: the existing Nevada City Courthouse and Courthouse Annex. The project will relieve the current space shortfall, improve security, accessibility, and safety, and allow the court to co-locate functions for operational efficiency.

3. Basis for cost information.

Estimated total project costs are based on a conceptual space program and three-page estimate.

4. Factors/benefits for recommended solution other than the least expensive alternative.

The recommended option is Alternative 1: Construct a New 6-Courtroom Courthouse. This option is the best solution for the superior court and will accomplish immediately needed improvements to enhance its ability to serve the public:

- Provides an accessible, safe, and efficient courthouse to serve all county residents.
- Enhances the public's access to justice by consolidating court operations into a single building and providing adequate onsite parking for jurors, visitors, and court users.
- Relieves severe overcrowding and increases security.
- Improves operational efficiencies allowing the court to operate effectively and efficiently.
- Consolidates functions and optimizes the use of court facilities.
- Improves public safety by replacing facilities that are not in compliance with contemporary fire and life safety and ADA codes.
- Decommissions two FEMA P-154 (Very High Risk and Moderate Risk) seismically deficient buildings from court use.
- Vacates two non-state-owned facilities, allowing the possibility of court-occupied space to be surrendered back to the county.

5. Complete description of impact on support budget.

Impact on the trial court operation budgets for 2023–24 will not be material. It is anticipated that this project will affect trial court operations budgets in fiscal years beyond the current year.



Impact on the sheriff security funding for 2023–24 will not be material. It is anticipated that this project will affect sheriff security budgets in future fiscal years.

It is anticipated that there will be ongoing costs of \$376,000 for Judicial Council funded O&M and security. The county facility payments established pursuant to Government Code Section 70353 with the transfer of each county facility replaced by this project will be used to partially offset ongoing operations and maintenance costs of the new facility.

As additional programmatic workload and funding drives the need for additional administrative funding, an administrative overhead cost has been included in each capital outlay budget change proposal. The additional funding of \$152,000 will be used to support successful implementation of this request.

6. Identify and explain any project risks.

Any construction project carries risk of increased scope due to discovery of unknown subsurface site conditions throughout the design and construction process that can alter the projected construction cost. These risks can be mitigated or minimized by concurrently developing a prioritized itemization of project features that can be reduced in scope, alternatively approached, or eliminated without affecting the building functionality. The list should be updated at the completion of each stage of the design process in connection with the preparation and review of the updated estimates. Some risk is inherent with transfer of real property from one entity to another, regarding schedule and ancillary appropriation timing for funds. Risk is always inherent in the construction and ownership of real property and improvements. Standard risk management procedures are used to control and/or delegate these risks.

The risks associated with not developing a replacement court facility, as responsibility for the facilities it will replace has transferred to the state, are equally compelling. Given the existing physical conditions and practical limitations of improving these facilities, they will generate liabilities for the state the longer they remain unaddressed.

7. List requested interdepartmental coordination and/or special project approval (including mandatory reviews and approvals, e.g. technology proposals).

Inter-agency cooperation will be required among state, county, and local jurisdictional authorities for successful completion of this project. The updated drawings will be reviewed by the State Fire Marshal, the Board of State and Community Corrections for compliance with corrections standards, and Department of State Architect for fire/life/safety and accessibility. The State Fire Marshal will perform inspections, required by the California Building Code for fire/life/safety, during the construction phase.

**F. Consistency with Government Code Section 65041.1:**

Does the recommended solution (project) promote infill development by rehabilitating existing infrastructure and how? Explain.

The recommended solution does not include the rehabilitation of existing infrastructure. Rehabilitating the existing courthouse buildings (Nevada City Courthouse and Courthouse Annex) through renovation is not cost effective, does not remedy inherent functional issues, and prevents compliance with Judicial Council court facility standards including space, adjacency, and circulation requirements. Such efforts are further constrained by nonstate ownership (i.e., county ownership) of both buildings and the additional land required to construct an offsite parking structure, by disruption to court and county operations, and by the lack of suitable and available swing space.

Does the project improve the protection of environmental and agricultural resources by protecting and preserving the state's most valuable natural resources? Explain.

The Judicial Branch is committed to selecting sites with no or least impact to these resources by utilizing previously developed land with existing infrastructure. The Planning Study identified three potential sites for the new courthouse—each of which are close (one mile or less) to the existing

courthouse site in downtown Nevada City, Nevada County Government Center (including the Nevada County Jail), and Nevada County Juvenile Hall. The CFAC indicated preference for land acquisition as close to downtown Nevada City as financially and otherwise possible. This project will complete a thorough and responsible CEQA process.

Does the project encourage efficient development patterns by ensuring that infrastructure associated with development, other than infill, support efficient use of land and is appropriately planned for growth? Explain.

During the Planning Study, the Judicial Council established a Project Advisory Group (PAG) composed of representatives from the local community, including the court, the county (offices of the District Attorney, Sheriff, Public Defender, Probation, and General Services), city of Nevada City (Mayor and City Manager), the town of Truckee (Town Manager), the city of Grass Valley (City Manager), Nevada County Bar Association (President), and a community member. The PAG will develop site selection criteria that addresses proximity to public transportation, availability of existing infrastructure, and proximity and relationship to other land uses and current development patterns.