COUNTY OF SAN DIEGO

CHIEF ADMINISTRATIVE OFFICE

AGENDA ITEM

BOARD OF SUPERVISORS
BRIAN P. BILBRAY
FIRST DISTRICT
GEORGE F. BAILEY
SECOND DISTRICT
SUSAN GOLDING
THIRD DISTRICT
LEON L. WILLIAMS
FOURTH DISTRICT
JOHN MACDONALD
FIFTH DISTRICT

[MS-0398.039.009.008]

OFF-DOCKET

BILBRAY _____

BAILEY _____

GOLDING SG

WILLIAMS _____

MACDONALD _____

REQUEST FOR THE BOARD OF SUPERVISORS TO TAKE ACTION ON A MATTER NOT ON THE POSTED AGENDA

Date: November 6, 1991

To: Board of Supervisors

From: Supervisor Susan Golding

Subject: Downtown Court/Office Building

In accordance with Government Code Section 54954.2 and Board Policy A-72, your consent is requested to take action on a matter not on the posted Agenda. The reason for this request is as follows:

The need to take action arose subsequent to the Agenda being posted.

The facts supporting the reason for off-docket consideration are:
The need to take action arose subsequent to the Agenda being posted. Yesterday, on Tuesday, November 5, 1991, the Board of Supervisors took action on the proposed RFP for a new 16-court Downtown Court/Office Building. The proposed action would give clear direction to the Chief Administrative Officer to return to the Board of Supervisors with recommendations to reduce the project's costs and space requirement.

Respectfully submitted,

Susan Golding

SUSAN GOLDING
Supervisor
Third District

SUSAN GOLDING
SUPERVISOR, THIRD DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

DATE: Wednesday, November 6, 1991

TO: Board of Supervisors

FROM: Supervisor Susan Golding

SUBJECT: Downtown Court/Office Building

SUMMARY:

Issue
Because of the seriousness with which the Board of Supervisors views the $3 million annual budget deficit in the proposed new sixteen Court/Office Building project for downtown San Diego, the Board of Supervisors should express its clear support for the project, and direct the Chief Administrative Officer to return to the Board with recommendations to reduce the County's costs for the new 16 Court Downtown Court/Office Building.

Recommendation
SUPERVISOR GOLDING:

1) Direct the Chief Administrative Officer to request an analysis and report to the Board of Supervisors from the County's real-estate consultant team and from the County's lease-negotiation consultants on recommendations to minimize the County's costs for the new 16 Court Downtown Court/Office Building, and to recommend ways to maximize the County's negotiating options in the RFP process. The Chief Administrative Officer should ensure that the questions and policy issues contained herein and submitted by the Board are responded to by the consultants.

2) Direct the Chief Administrative Officer to schedule through the Chairman a two-hour court-space planning workshop to review and discuss the space planning assumptions, projections and consultants' recommendations for the proposed new 16 Court Downtown Court/Office Building.

3) Direct the Chief Administrative Officer to circulate the consultants reports to the Board and to the public two weeks in advance of the court-space planning meeting.

Advisory Statement
No advisory statements, concurrences, or other recommendations have been received relative to this action.

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SUBJECT: Downtown Court/Office Building

Fiscal Impact
The funding source is current year budgets. If approved, this request should not result in additional current year costs, no additional annual costs and will not require the addition of staff years.

Alternatives
Do not seek the County's real-estate consultants' recommendations on ways to reduce the Court/Office Building's budget deficit and its space requirements; and do not schedule a two-hour court space planning workshop to review and discuss the policy issues and planning assumptions proposed for the new 16 Court Downtown Court/Office Building.

BACKGROUND

Yesterday, on Tuesday, November 5, 1991, the Board of Supervisors unanimously approved my motion to have the County's real-estate consultant teams provide the Board with their recommendations on ways to reduce the Court/Office Building's budget shortfall and its space requirements.

My motion should not be interpreted in any way to stop the project from moving forward, but to guarantee to the public that the project can be built within budget. I have been and will continue to be a strong advocate of building more justice facilities, but a $3 million budget deficit exists today in planning for this project. I cannot condone a courtroom plan that cannot be built within its budget, and proposed my motion to have both of the County's real-estate consultant teams recommend ways to eliminate the Court/Office Building's $3 million budget deficit.

During the Board's discussion yesterday, Board members expressed similar concerns about the project's costs, its space needs, and ways to maximize the County's negotiating position in the negotiation process. Although the Chief Administrative Officer has done an admirable job under the circumstances, the project as proposed already has a $3 million budget deficit, committing increasingly scarce General Funds in future years for debt-service payments.

As a follow-up to the Board's action, I wanted to expressly clarify those issues in which both of the County's real-estate teams ought to directly advise the Board of Supervisors. My intent is in no way to slow-down or stop the process, but to ensure that we design a process that is fair to everyone, and a project that maximizes the taxpayer's investment. If slowing the process down can save the taxpayer's funds, then this pause will financially be worth the wait.

The Board raised a number of issues and questions about the project and its design that ought to be reviewed and responded to in detail by the consultant's. Among the issues raised during our discussion were:

SUBJECT: Downtown Court/Office Building

BACKGROUND: (continued)

o SPACE STANDARDS AND SPACE PROJECTIONS. The space standards and space projections need to be reviewed for their cost-implications, and recommendations need to be made on reducing the project's space needs to reduce costs: the square footage needed for each courtroom and the support staff; the accuracy of long-term space-need projections for each of the building's proposed tenants; restroom and library space requirements; and the number of elevators are just a few of the issues the Board discussed.

In their report back to the Board, the Chief Administrative Officer and the County's real-estate consultants need to clarify and document the square-footage and space projections for the Courts, the District Attorney, and the Marshal's needs through the year 2010. Detail needs to be provided on the estimated costs for construction and tenant improvements. The Board has not seen these assumptions and projections as part of the space planning process.

o LOCATION ISSUES.
The real-estate consultants need to advise the Board on the question of specifying a 3 or 5 block radius in the RFP, and whether or not all or part of the project can be built on County-owned property at Front & B. Given the need to minimize the space requirements and to reduce the project's costs, wouldn't the 5-block radius maximize competition among developers to reduce the project's costs?

Can all or some of the Downtown Court/Office Building be built on County-owned property? How would this impact the project's budget? The Board has not seen the data to support or eliminate any specific properties at this time.

o BASIC DESIGN AND MATERIALS CRITERIA.
As I indicated at the Board meeting, I will not support a design element in the RFP if only one or two firms can produce a design in the short timeline required. However, a design component that details the construction materials proposed for the building's facade is needed because of its cost-implications.

Given the structure of the RFP as proposed, what level of detail should the RFP require for construction materials for both the interior and exterior improvements?

Glass, marble, and concrete all have different construction prices. Pictures and models are inappropriate at this time. After finalists are selected for negotiations, further architectural plans may be more appropriate.

o TRANSIT AND PARKING REQUIREMENTS.
The RFP suggests 1 parking space for every 1,000 square feet of space, but questions were raised about the adequacy and inadequacy of the parking space requirements. Documentation needs to be provided on projected parking requirements for public use, for jury members, for County use, and for revenue-generating purposes to support debt-service payments.

SUBJECT: Downtown Court/Office Building

BACKGROUND: (continued)

o LEASE REVENUES.
The RFP proposal suggests that lease and parking revenues will be generated to offset debt-service payments. The Board has not seen the data to justify the revenue projections.

o ROLES AND STRATEGIES FOR NEGOTIATIONS.
What roles, and when, will the County's real-estate consultant and the County's lease-consultants play in the negotiating process? Have both teams played a role in developing the RFP? Which team will be negotiating the final project for the County?

Given the County's budget constraints, do the consultants have different recommendations on strategies for an open and public selection process that treats all proponents equitably and one that will give the County the greatest negotiating strength during the selection process? Do both of the consultant teams agree with the proposed RFP?

The Board of Supervisors needs to make a policy decision as to whether or not one or both of the real-estate consultants will be included in developing the RFP and in the final negotiations. My aim is to provide the County with the widest latitude possible in negotiating the best deal possible.

With these questions in mind as a starting point for reducing the project's costs, I would like that my colleagues should suggest additional issues and questions they may have that need to be responded to by the consultant's and by the Chief Administrative Officer before we proceed with the RFP.

My hope is that the Chief Administrative Officer and our real-estate consultants can jointly provide the Board with the information and assurances we need to meet the County's space needs at the lowest possible cost.

Respectfully submitted,

Susan Golding

SUSAN GOLDING
Supervisor
Third District

BOARD OF SUPERVISORS
AGENDA ITEM
INFORMATION SHEET

SUBJECT: Downtown Court/Office Building

SUPV. DISTRICT: ALL

COUNTY COUNSEL APPROVAL: Form and Legality ( )Yes (x)N/A
( )Standard Form ( )Ordinance ( )Resolution

AUDITOR APPROVAL: (x)N/A ( )Yes 4 VOTES: ( )Yes ( )No

FINANCIAL MANAGEMENT REVIEW: ( )Yes (x)No

CONTRACT REVIEW PANEL: ( )Approved _____ (x)N/A

CONTRACT NUMBER(S): N/A

PREVIOUS RELEVANT BOARD ACTION: N/A

BOARD POLICIES APPLICABLE: N/A

CITIZEN COMMITTEE STATEMENT: N/A

POLICY B-51 STATEMENT OF SUPPORT: N/A

CONCURRENCES: N/A

ORIGINATING DEPARTMENT: Third Supervisorial District

CONTACT PERSON: Mitchell Berner 730/531-5533, A-500

Norman Hickey
CHIEF ADMINISTRATIVE OFFICER

November 6, 1991
MEETING DATE