



Lane County Courthouse

Informational Submittal



**Joint Committee on Ways and Means
Subcommittee on Capital Construction**

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CONTENTS

Section I: Executive Summary.....	1
Funding Request	1
Problem With the Current Courthouse Facility	1
Chief Justice Determinations	1
Structural or Seismic Defects Presenting Actual or Potential Threat to Human Health and Safety	1
Remodel / Replace Cost Analysis	3
Opportunity for Colocation with Other State Office.....	5
Timing and Readiness of Project.....	5
Funding Availability and Status of Funding	6
Section II: Current System Profile	6
Section III: Current Courthouse Facility Assessment	7
Year Built:.....	7
Original Purpose of Building	7
Date and Nature of Major Remodels, Renovations, Repairs	7
Occupancy by Floor.....	8
Functionality Assessment	8
Building Image and Space Adequacy	11
Accessibility for Disabled Individuals	11
Security and Chief Justice Standards for Courthouse Security	12
Section IV: Court System Growth Analysis	14
Historical and Projected Population Data for the County.....	14
Historical and Projected Caseload Data	14
Overview of Filings for Major Case Types	14
Staffing Projections	15
Section V: Facility Requirements	15
Section VI: Master Plan Implementation Analysis.....	16
Goals of the New Court Facility	16
Site Options and Summary of Feasibility	16
Cost Estimates and Revenue Streams.....	16
Fund Matching Method and Co-Location Plans.....	17
Timeline Goals:	17
Appendix A: Historical and Projected Population Data for the County	
Appendix B: Historical Caseload Data	
Appendix C: Letters of Support	

SECTION I: EXECUTIVE SUMMARY

FUNDING REQUEST

In support of Lane County's request for funding assistance through the Oregon Courthouse Capital Construction Improvement Fund (OCCCIF), this document and the attached letters of support are intended to specifically address each of the criteria the Oregon Judicial Department established for the prioritization of courthouse projects shortly after the OCCCIF was created by the 2013 Legislative Assembly. It is important to note that Lane County's request was previously approved by the Association of Oregon Counties (AOC) Court Facilities Task Force and included in the Chief Justice's 2015-17 budget request to the legislature. Unfortunately, the legislature did not include Lane County's request in the final state budget.

Lane County's request will help assist with up to \$2.8 million dollars in project planning the County foresees undertaking in an effort to produce a detailed project design and budget. To date, this work has included engaging the consulting services of the National Center for State Courts (NCSC) to prepare a long-term court development profile, formulate functional space standards that will serve as a baseline for the design and construction of a new courthouse, and develop of a building space requirements program with estimates for occupant, functional and ancillary needs. Should Lane County's funding request be approved, the County's intent is that the NCSC study will provide a basis for a detailed request for proposals (RFP) for design services. Once an architectural design firm is competitively selected through the RFP process, the County will work to complete a detailed programming effort and commence design development work for the new Courthouse. As part of this work, the County will likely engage the services of a Construction Manager/General Contractor (CM/GC) to provide guidance with regard to the cost impacts of design elements and help develop a detailed project cost estimate. It is anticipated that these efforts will result in a courthouse design and construction budget in sufficient detail to formulate a funding plan and support a formal request for OCCCIF assistance with construction funding.

PROBLEM WITH THE CURRENT COURTHOUSE FACILITY

The Lane County Courthouse has structural deficiencies, including vulnerability in a seismic event, that present an actual or potential threat to human health and safety. Despite being 50 years old, it is not a structure that meets or is likely to meet the designation as an historically significant building. Additionally, the courthouse has an inaccessible split level entrance, making access for persons with disabilities more difficult than in many courthouses that are much older. Within the confines of its current location and structure, ADA accessibility standards cannot be met, nor can the needs of modern court buildings with regard to space standards, technology infrastructure, security provisions and public service. HVAC and electrical systems are insufficient or failing and hazardous construction materials are found throughout the building. In short, the building has become obsolete and no longer meets the community's requirements for the seat of justice. Upgrades that could potentially address any of the current issues are typically either infeasible due to the limited confines or prohibitively expensive given the building's current condition.

CHIEF JUSTICE DETERMINATIONS

STRUCTURAL OR SEISMIC DEFECTS PRESENTING ACTUAL OR POTENTIAL THREAT TO HUMAN HEALTH AND SAFETY

In 2008, the State of Oregon formed an Interim Committee on Courts Facilities. The committee was charged with evaluating the status of the state's court facilities and making recommendations on the cost of meeting standards for reasonable and sufficient court facilities. The committee's work product has been regularly cited as part of the application process for OCCCIF funding assistance and its ranking of court facilities provides a convenient reference for categorizing the relative condition of a given court facility. Unfortunately, the work of the committee and its

consultants in reviewing the Lane County Courthouse was incomplete, especially with regard to assessment of the facility's structure.

The 2008 assessment of the Lane County Courthouse stated:

The structural drawings were not available for this building, and although a seismic assessment is reported to have been done in 1997, a copy of this report was unavailable for review. The facility reports that there are concrete walls at the basement level, and concrete on metal deck floors throughout, but the building's primary lateral system is unidentified. We have assumed for this evaluation, using the information we do have, that this is a reinforced concrete shear wall building.

The assumption in the evaluation is incorrect. The structure is a complete steel space frame above ground with insufficiently reinforced brick masonry providing an inadequate level of shear resistance. Without this knowledge, the assessment team was unable to propose a specific strengthening scheme, instead stating:

No structural drawings were available for this building; while we have assumed that the lateral system consists of reinforced concrete shear walls and metal deck with concrete diaphragms, this should be confirmed during a future phase. Based on this assumption, however, seismic strengthening could include adding shotcrete to the existing concrete shear walls and new footings, and reinforcing the connections to the existing floor diaphragms. The diaphragms themselves would likely not need strengthening.

This incomplete and inaccurate analysis of the Courthouse's structure led to a significant underestimation of the cost of seismic rehabilitation and, in turn, understated to scope and cost of a comprehensive remodel concept that would address structural deficiencies. This, of course, affected the Lane County Courthouse's ranking with regard to condition as well. For this reason, and others, the County feels strongly that the 2008 assessment should not be relied upon for cost estimates or facility condition ranking without an understanding and acknowledgment of deficiencies within the supporting assessment data.

More informative for understanding the seismic vulnerability of the Lane County Courthouse is a 1997 condition assessment of the structure prepared by K-Net Engineering of Eugene in association with Preece/Goudie & Associates of San Francisco. At the time K-Net concluded "the courthouse structure is weak and brittle and is very vulnerable under seismic load." Further, the engineers indicated they "expect this building to suffer severe structural and nonstructural damage in case of a major earthquake" and made clear "the building does not satisfy basic life safety requirements of the building code".

There are several findings forming the basis for the conclusions of the 1997 structural assessment. In reviewing the courthouse's four-story steel frame and concrete basement, the engineer found:

1. The steel frame's beam-to-column connections are both weak and brittle, with inadequate welding.
2. The steel frame's exterior columns are not compatible with the interior columns in that the exterior columns are embedded in five foot high concrete perimeter walls, which makes them almost eight times stiffer. Thus, an exterior column will attract eight times the lateral load of a typical interior column. These columns were not designed to resist that high of a lateral load and will therefore fail earlier than the interior columns, in a non-ductile, brittle type failure that loses all strength in a very short time. Once the exterior columns fail, the lateral load will necessarily be redistributed to interior connections, further loading these already vulnerable elements, causing major structural damage and even collapse.
3. The building's original design used reinforced brick masonry to resist lateral load in the north-south direction. These elements are too weak in both shear and flexural capacity and also non-ductile.
4. The concrete columns in the basement of the courthouse are not adequately confined; the reinforcing steel ties or hoops are too small and spaced too far apart. These columns will be subject to high axial load cycles in a seismic event; especially those located directly under shear wall and at the exterior columns of the steel frame, and will likely fail in a brittle manner.

5. The building's concrete and masonry walls and stairs are rigid enough to attract most of the structure's lateral load. Since these walls and stairs are weak and brittle, they can collapse in a seismic event, creating falling hazards and compromising critical egress routes. Failure of these elements then produces a shock loading on the steel frame, which can instantaneously overload weak, non-ductile elements.
6. The connection between the structure's horizontal diaphragms (floors and roof) and the shear walls is not strong enough, per current seismic load criteria.
7. Several non-structural elements should become falling hazards during an earthquake, including glass and glass block at the building's exterior façade, ceilings and light fixtures which are not braced to resist lateral movement and interior masonry partitions as they are not adequately connected to the floor above.

While the assessment concluded with a strong recommendation for seismically retrofitting the courthouse and presented several corrective measures for consideration, the scope and cost of the work coupled with the impact to operations both during and after construction rendered each infeasible. Given the nearly two decades that have passed since the evaluation, and considering the increased standards for seismic performance of public structures and the rising cost of construction, it is reasonable to assume the deficiencies are even greater than the 1997 report summarizes and the cost to address them has grown exponentially.

REMODEL / REPLACE COST ANALYSIS

To receive funding assistance through the OCCIF, the Chief Justice must determine that “replacing the courthouse, whether by acquiring and remodeling or repairing an existing building or by constructing a new building, is more cost-effective than remodeling or repairing the courthouse.” This criterion necessitates a direct cost comparison of a scenario in which the current courthouse is replaced and a scenario in which the current courthouse is rehabilitated to the same standards and to last for the same time period as a replacement building (e.g. 50-80 years).

While a cost comparison of the two scenarios may seem fairly straightforward, the primary challenge is defining each scenario so that each is feasible and each obtains essentially the same outcome (i.e. they both generally meet the same standards). The replacement scenario, in which a new facility is constructed that adopts best practices, incorporates modern standards, and facilitates efficient operations can be conceptualized and budgeted with reasonable certainty. However, a remodel concept, by which the current courthouse is rehabilitated to achieve a similar outcome, is not possible given the physical limitations of the current facility. This reality precludes a cost comparison of a “replacement” and a “remodel” concept. Instead, a more detailed discussion of the alternatives is most appropriate for supporting the Chief Justice's determination on this criterion.

The Lane County courthouse was originally constructed to house almost all County functions. Over time, the Courts have grown to occupy most of the building's space, displacing County functions to other locations. This expansion over time has, by necessity, resulted in numerous substandard features and associated operational challenges. The current courthouse has long ago passed the limit on its ability to accommodate growth or adapt to the evolving needs of the Court. It is not feasible to comprehensively transform the current Courthouse to meet modern standards within its confined footprint and given its structural limitations. The cost to make even incremental improvements exceeds the cost of incorporating those elements into a new structure. Should the Courts relocate to a purpose-built facility the County intends to repurpose the current Courthouse, but for a use that would be better suited for the structure, allowing for a much more reasonable cost to remodel.

There are a number of reasons a remodel concept that brings the current Lane County Courthouse to modern courthouse standards is infeasible. A 2005 study completed by facilities planning consultant, Carter Goble Lee, highlighted a number of practical challenges precluding the current Courthouse from achieving compliance with even basic standards. Key findings included in the report include:

1. The Lane county courthouse is not an architecturally significant building and while 50 years old, the building does not meet a designation as a “significant historical structure”.

2. The timing for funding future judicial positions and support staff is in the hands of the state, but accommodation of more than the current 15 judges, not to mention state-funded support staff, in the existing courthouse will be near impossible.
3. The existing Courthouse is ill-equipped to accommodate even the most basic applications of technology. The installation of additional telephone and data lines represents a major initiative. Existing courtrooms cannot accommodate the camera-monitor functions of televised arraignments or remote testimony. The small size of even the largest courtrooms makes the installation of equipment rooms and under-floor conduit trays virtually impossible. Wireless technology could reduce some of the cabling requirements but teleconferencing requirements will require additional conduit.
4. The existing Courthouse was designed for traditional court operations and cannot easily be modified to provide specialty courtrooms and attendant mediation and counseling spaces. This will ultimately influence the flexibility of the Court and limit the implementation of services that could improve the efficiency of the Court and the responsiveness to legal and social needs of the community.
5. Without total renovation of courtroom floors that will require a temporary relocation of Courthouse functions, the achievement of the most minimal of contemporary space standards is impossible.

The consultant goes on to conclude that “even with a total renovation, the ability to create additional standard-based courtrooms in the existing Courthouse is infeasible from a structural and financial perspective.” The paper goes on to suggest that in order “to expand space within the Courthouse to accommodate additional judicial personnel will require relocating functions in the Courthouse to other structures.” In essence, any remodel concept would need to include expansion into other facilities, which currently don’t exist. Such an approach would require funding for new construction, would segregate work units to the detriment of customer service and operational efficiency, and would increase annual maintenance and operating costs.

Instead of fully exploring the above challenges and determining whether viable solutions existed, the State’s 2008 assessment of the Lane County Courthouse assigned an estimated cost to remedy each, without outlining a specific work scope or identifying secondary cost impacts. Recognizing this deficiency, then Presiding Judge Mary Ann Bearden convened a group of local stakeholders shortly after the assessment was published to formulate a response that highlighted the limitations of the study. The stakeholder group included several county commissioners, the mayor of Eugene, judges from circuit and municipal courts, the Lane County Sheriff, local police chiefs, and a number of administrators and staff; all people with a high degree of knowledge of and interest in the best use of publicly owned downtown Eugene properties. Provided with the above-cited studies and reports, as well as more detailed seismic information, the stakeholder group took issue with the cost estimates included in the assessment, stating that:

It is unlikely that a 20-year building upgrade could be performed for \$23M as estimated in the current assessment. The methodology of this assessment breaks the building into components and does not assess the interaction of the various improvements. In addition, some of the suggested improvements are impossible within the physical boundaries of the current building.

One example of this is section 2.01 that asks, “is public lobby sized to accommodate 10 people per every courtroom in the building?” Answer- “doesn’t meet.” The assessment assigns a cost for the improvement of \$807,116. However, the courthouse is full and each floor is taken up with offices or courtrooms. There is no space to enlarge the central core public lobbies without taking space from courtrooms or clerical areas that are currently undersized or adequate.

By applying template solutions to complex problems, the report underestimates costs in some areas. For example, the split-level building requires new ADA access at the main (split-level) entrance. The report suggests installation of a new ADA lift at that entrance to replace the existing lift (see item 4.03) at a cost of \$39,329. However, the court cannot afford to maintain two security-screening entrances that would allow access to the first floor elevator while opening the main entrance. ADA lifts are not designed to accommodate aides to persons with disabilities, people carrying loads, strollers or other such court users.

If a new lift were installed at the main entrance, the court would still be unable to open the main entrance without either additional security screening funds, or an additional elevator at the main entrance.

With the stakeholder's concerns over the assessment's findings well-established, the group drew a very certain conclusion over the optimal path forward, stating:

By clear consensus, the stakeholders concluded that the expense of remodeling and renovating the structure is extreme and would not likely result in a long-term solution that would meet the needs of the community and the court and the court system partners. The stakeholders concluded that the high cost of doing significant upgrades to the existing structure – relative to building life span with those upgrades - make investigating options for a new structure the best option to meet future courthouse needs.

Lane County feels that, with a complete understanding of the limited ability to adapt the current Courthouse to meet even the most basic standards, the cost-effectiveness of replacing the current courthouse with a new, purpose-built facility becomes clear. Independent consultants and local stakeholders have concluded that replacing the courthouse is more cost-effective than remodeling the current facility and Lane County believes our application has provided sufficient information for the Chief Justice to reach the same conclusion.

OPPORTUNITY FOR COLOCATION WITH OTHER STATE OFFICE

To receive funding assistance through the OCCIF, the Chief Justice must determine that "Replacing the courthouse must create an opportunity for co-location of the court with other state offices." This criterion has been taken into account as the County works with NCSC to determine building space requirements that will form the basis of our space programming concept. As Lane County and the Courts have worked to identify potential tenants for a new courthouse facility, several state agencies with offices in the Eugene area have been contacted to discuss the potential benefits of co-location and their level of interest in having offices of some scale in the new courthouse. To date, Lane County has received statements of interest from the Oregon Department of Justice and the Office of Public Defense Services with regard to establishing offices at a new Lane County Courthouse. Lane County will continue to work with these state agencies to more specifically define their space needs and incorporate this information into the courthouse concept and design. With courthouse space planning work underway but ongoing, Lane County feels this is the best assurance that can be provided at this point that the project will "create opportunities for co-location of the court with other state offices."

TIMING AND READINESS OF PROJECT

READINESS - COLLABORATION

The County has formed a strong, collaborative relationship with the Circuit Court in pursuing this project. The County's Capital Projects Manager has been working closely with the Trial Court Administrator to develop the plan necessary to fulfill the vision of a new Lane County Courthouse. As necessary, key stakeholders from the County and the Court are apprised of the status of this effort and provide direction to staff. Several meetings have included the County Administrator and the Lane County Circuit Court Presiding Judge. The data collection, workgroup and interview phase of the programming study has demanded a high level of involvement and collaboration between the County and Court to help ensure the project's design fully accounts for the operational needs of the Court, and we feel a strong working relationship has been established that will contribute to the success of the project.

With regard to political commitments, a strong coalition of local stakeholders continues to grow. With consensus among those who work in the judicial system over the need for a new courthouse long established, more recent discussions over the role a new county courthouse could play as a landmark in a renewed downtown landscape has spurred interest among a broad array of community members. The County has been actively exploring how a new courthouse could positively impact Eugene's civic center with the City of Eugene, and has involved local groups in

the process including the Eugene Saturday Market, Lane County Farmers Market, Chamber of Commerce, and local businesses. There is increasing excitement over the possibilities that exist, and the County is eager to meet this enthusiasm with a specific project plan that realizes benefits for the entire community.

To demonstrate the strong support for the County's efforts in pursuit of a new courthouse and the political commitment to achieve this goal, attached please find several letters of support signed or co-signed by a broad range of supporters including state legislators, local elected officials, county management, circuit court leadership, and law enforcement.

READINESS – COURTHOUSE PROGRAMMING, DESIGN, BUDGET

The County has been actively collaborating with Circuit Court staff and has engaged the National Center for the State Courts (NCSC) to assist in assessing the future needs of the court and other state agencies. NCSC has provided the County with the initial findings of their study, including a long-term court development profile, formulation of functional space standards that will serve as a baseline for the design and construction of a new courthouse, and development of a building space requirements program with estimates for occupant, functional and ancillary needs.

The County's intent is that the NCSC study will provide a basis for a detailed request for proposals (RFP) for design services. Once an architectural design firm is competitively selected through the RFP process, the County will work to complete a detailed programming effort and commence design development work for the new Courthouse. As part of this work, the County will likely engage the services of a Construction Manager/General Contractor (CM/GC) to provide guidance with regard to the cost impacts of design elements and help develop a detailed project cost estimate. It is anticipated that these efforts will result in a courthouse design and construction budget in sufficient detail to make a formal request for assistance with construction funding.

FUNDING AVAILABILITY AND STATUS OF FUNDING

Lane County recognizes that any financial assistance through the OCCIF will require a commitment of county funds. Lane County maintains a capital improvement fund intended to address the cost of planning, design, and construction of improvements to county facilities. The fund currently has reserves capable of addressing the County's commitment to match funds, should its current request for funding assistance be approved. The work funded and completed as part of this initial request will produce a project design and construction budget that will be used to evaluate project feasibility, specifically with regard to financial commitments that will be required. It is anticipated a detailed project funding plan will be completed prior to any submission for construction funding assistance through the OCCIF.

With regard specifically to the work associated with Lane County's initial funding request, no other transactions need to occur before work can begin. In fact, preliminary planning work has begun and will ramp up immediately if funding assistance is provided. This work will include programming, design development, and cost estimating. As a result of this effort, a project design and budget will be produced that will then be examined for feasibility. The technical aspects of the project plan are not likely to present significant obstacles, as the county currently owns land well suited for a courthouse facility. More likely, project financing will present the largest challenge, and the Board of County Commissioners will need to explore financing mechanisms once a project budget is developed. Through this process, it is anticipated a financing plan in sufficient detail to demonstrate the County's readiness to proceed with construction will accompany any request for OCCIF funds intended to pay for construction.

SECTION II: CURRENT SYSTEM PROFILE

- Number of courtrooms: 15 (5 – 2nd Floor, 7 – 3rd Floor, 3 – 4th Floor)

- Number of judges: 15, Floors 2-4
- Number of court staff: 103, Floors B-4 (Note: Jury Assembly is located in the adjacent Public Service Building)
- Technology currently available:
 - FTR Audio Recording: Microphone wiring and mixers are outdated
 - Courtroom Sound Systems: Microphones, amps, mixers, speakers, hardware. Wiring and hardware is outdated.
 - Wi-Fi: Provided by Lane County and by OJD. County Wi-Fi has superior coverage and signal strength.
 - Video Conferencing: One Polycom video conferencing unit per floor
 - Listening Assistive Devices: One set/unit per courtroom
- eCourt go-live date: March 9, 2014
- Other agencies or offices currently housed in the courthouse including number of staff:
 - District Attorney’s Office: 52 Staff, 4th Floor
 - Lane County Sheriff’s Office (Administration, Records, Dispatch, Civil Service, and Patrol): 99 Staff reporting to this location, not all have work stations. 1st Floor and Basement
 - County Facilities Maintenance: 10 Staff, Basement
 - Law Library - Basement: 1 Staff

SECTION III: CURRENT COURTHOUSE FACILITY ASSESSMENT

YEAR BUILT: 1958

ORIGINAL PURPOSE OF BUILDING

The courthouse was built to house the Circuit Court and District Courts as a county function. Other county functions were co-located.

DATE AND NATURE OF MAJOR REMODELS, RENOVATIONS, REPAIRS

Year	Remodel, Renovation, or Repair
1979	4 th Floor remodeled to house DA office. Court clerical operations and District Courtrooms moved to 2 nd floor.
1994	HCAC update
2004	Front plaza (exterior) lowered to street level
2007	Court clerical office on second floor remodeled (west) – asbestos abated. New carpet, data, electrical.
2007	Courtroom 409. Asbestos abated. New carpet, data, electrical.
2011	Single floor elevator installed from plaza level to courthouse 2 nd floor to address accessibility to front door. (Lottery project)
2014	Court clerical office on second floor remodeled (east) – asbestos abated. New carpet, data, electrical.

OCCUPANCY BY FLOOR

Basement:	Court Archives (Archival file storage – open to the public) Law Library County Mail Room County Maintenance and Mechanical Rooms Sheriff's Office – Storage
1 st Floor:	Sheriff's Office. (Administration, Records, Dispatch, Civil Service, Patrol)
2 nd Floor:	Administration and Court Clerk's Office Court Records 5 Courtrooms, Judges and Judicial Staff
3 rd Floor:	7 Courtrooms, Judges and Judicial Staff
4 th Floor:	3 Courtrooms, Judges and Judicial Staff District Attorney's Office including Victim Services and Grand Jury

NOTE: The Jury Assembly Room is located in the adjacent County Public Service Building rather than in the Courthouse.

FUNCTIONALITY ASSESSMENT

The 2008 Courthouse Facilities Assessment commissioned by the Legislature is just one of several past studies to evaluate the condition of Lane County's courthouse. The number and significance of deficiencies presenting actual or potential threat to human health and safety identified by these studies, coupled with the rising cost of operating and maintaining the building, represent the most significant liability among the County's diverse portfolio of facilities. To provide a sense of the current condition of the Lane County Courthouse, below is a brief review of some relevant past studies and their findings.

- **1991 survey of hazardous materials performed by PBS Environmental:**

The inventory identified as asbestos containing material: 100,000 square feet of textured ceilings, 7000 square feet of fireproofing in the basement, 1800 piping insulation hard-fittings, 1200 feet of pipe wrap insulation, 470 feet of mag block insulation, 2000 square feet of flooring, and several fire doors.

- **1993 survey of existing architectural barriers by WBGS Architects and Planners:**

Survey produced a spreadsheet listing specific architectural barriers spanning 79 pages.

- **1997 condition assessment by WEGROUP Architects and Planners:**

In 1997, the County commissioned a comprehensive condition assessment of all its facilities, with WEGROUP Architects and Planners leading a review team that included consulting firms representing different design disciplines. The assessment included several categories of analysis, including: Maintenance/repairs, energy conservation, ADA compliance, code compliance, structural, mechanical, electrical, and asbestos. While several of these categories identified concerning deficiencies that had the potential to compromise occupants' health and safety, K-net Engineering's structural analysis presented as summary of perhaps the most compelling issue. It concluded "the courthouse structure is weak and brittle and is very vulnerable under seismic load." Further, the consultant indicated they "expect this building to suffer severe structural

and nonstructural damage in case of a major earthquake” and made clear “the building does not satisfy basic life safety requirements of the building code”.

There are several findings that form the basis for the conclusions of the 1997 structural assessment. In reviewing the courthouse’s four-story steel frame and concrete basement, the engineer found:

1. The steel frame’s beam-to-column connections are both weak and brittle, with inadequate welding.
2. The steel frame’s exterior columns are not compatible with the interior columns in that the exterior columns are embedded in five foot high concrete perimeter walls, which makes them almost eight times stiffer. Thus, an exterior column will attract eight times the lateral load of a typical interior column. These columns were not designed to resist that high of a lateral load and will therefore fail earlier than the interior columns, in a non-ductile, brittle type failure that loses all strength in a very short time. Once the exterior columns fail, the lateral load will necessarily be redistributed to interior connections, further loading these already vulnerable elements, causing major structural damage and even collapse.
3. The building’s original design used reinforced brick masonry to resist lateral load in the north-south direction. These elements are too weak in both shear and flexural capacity and also non-ductile.
4. The concrete columns in the basement of the courthouse are not adequately confined; the reinforcing steel ties or hoops are too small and spaced too far apart. These columns will be subject to high axial load cycles in a seismic event; especially those located directly under shear wall and at the exterior columns of the steel frame, and will likely fail in a brittle manner.
5. The building’s concrete and masonry walls and stairs are rigid enough to attract most of the structure’s lateral load. Since these walls and stairs are weak and brittle, they can collapse in a seismic event, creating falling hazards and compromising critical egress routes. Failure of these elements then produces a shock loading on the steel frame, which can instantaneously overload weak, non-ductile elements.
6. The connection between the structure’s horizontal diaphragms (floors and roof) and the shear walls is not strong enough, per current seismic load criteria.
7. Several non-structural elements should become falling hazards during an earthquake, including glass and glass block at the building’s exterior façade, ceilings and light fixtures which are not braced to resist lateral movement and interior masonry partitions as they are not adequately connected to the floor above.

While the assessment concluded with a strong recommendation for seismically retrofitting the courthouse and presented several corrective measures for consideration, the scope and cost of the work coupled with the impact to operations both during and after construction rendered each infeasible.

▪ **2005 discussion paper, “Lane County Courthouse, The Need for a New Courthouse”, prepared by Carter Goble Lee:**

1. The Lane County Courthouse is not an architecturally significant building and while 50 years old, the building does not yet meet a designation as a “significant historical structure”.
2. The timing for funding future judicial positions and support staff is in the hands of the state, but accommodation of more than the current 15 judges, not to mention state-funded support staff, in the existing courthouse will be near impossible.
3. The existing Courthouse is ill-equipped to accommodate even the most basic applications of technology. The installation of additional telephone and data lines represents a major initiative. Existing courtrooms cannot accommodate the camera-monitor functions of televised arraignments or remote testimony. The small size of even the largest courtrooms makes the installation of equipment rooms and under-floor

conduit trays virtually impossible. Wireless technology could reduce some of the cabling requirements but teleconferencing requirements will require additional conduit.

4. The existing Courthouse was designed for traditional court operations and cannot easily be modified to provide specialty courtrooms and attendant mediation and counseling spaces. This will ultimately influence the flexibility of the Court and limit the implementation of services that could improve the efficiency of the Court and the responsiveness to legal and social needs of the community.

5. The continued capital investment required to improve safety and security in the existing Courthouse for the visiting public and staff is not the best use of public funds because the age and construction limits the physical ability to achieve the improvements without a significant loss of space.

6. Without total renovation of courtroom floors that will require a temporary relocation of Courthouse functions, the achievement of the most minimal of contemporary space standards is impossible. Even with a total renovation, the ability to create additional standard-based courtrooms in the existing Courthouse is infeasible from a structural and financial perspective.

▪ **2008 Oregon Court Facilities Assessment prepared by Hennebery Eddy Architects:**

The Lane County Courthouse received an overall rating of 3.4, or “Does Not Meet” the criteria. The building received especially low rankings in the area of ADA accommodation and security. The cost to upgrade the Lane County Courthouse was estimated at \$23,228,526. This ranked the Lane County Courthouse at number 26 and number 42 with regard to worst rating and highest cost to upgrade, respectively.

1. The building is ranked amongst the 7 worst courthouses in the state for accessibility for people with disabilities. The cost for improving accommodation is third highest at over \$2 million.
2. Most HVAC system equipment is well into or beyond the expected service life including cooling towers, fans, boilers and chillers.
3. Identifies 6 major areas requiring significant to excessive upgrade including plumbing, courtroom audio visual systems, public waiting areas, power system, security system, and public safety systems.

At the time of issuance, the findings of the 2008 courthouse facilities assessment were challenged by county staff, court staff, and local stakeholders. Having completed several different studies in recent years, the 2008 assessment’s relatively understated characterization of the courthouse’s current condition and its comparatively conservative estimated cost to upgrade did not align with local perception. Two of the primary incongruities that were identified at the time were:

1. A 2005 report from the Court Administrator to the Lane County Public Safety Task Force proposed several specific upgrades to the courthouse, intended to extend the facility’s service life 20 years (see item 5b of this submission for additional detail). That proposal included a detailed cost estimated that totaled \$45 million. With this previously established, the 2008 assessment’s \$23 million dollar estimate was met with skepticism.
2. County technical staff reviewed the 2008 assessment and noted the assessment team did not review structural design documents or past seismic studies for the building. Rather, relying on several assumptions, the assessment prescribed a very limited retrofit scope of work with a conservative cost estimate. This portion of the analysis failed to identify the significant deficiencies associated with the lateral load resisting capability of the existing structure and the comprehensive and costly structural retrofit that would be required to address them (see item 5a of this submission for additional detail). The gross underestimation of this deficiency significantly influenced the study’s conclusions with regard to the Lane County Courthouse by overstating the facility’s life safety rating and underestimating the cost to upgrade.

Ultimately, a group of local stakeholders, convened by then Presiding Judge Mary Ann Bearden, met in 2009 to discuss the findings of the report and concluded the following:

“It is unlikely that a 20-year building upgrade could be performed for \$23M as estimated in the assessment. The methodology of this assessment breaks the building into components and does not assess the interaction of the various improvements. In addition, some of the suggested improvements are impossible within the physical boundaries of the current building.”

“By clear consensus, the stakeholders concluded that the expense of remodeling and renovating the structure is extreme and would not likely result in a long-term solution that would meet the needs of the community, the court and the court system’s partners.”

BUILDING IMAGE AND SPACE ADEQUACY

As mentioned above in the functionality assessment, the 2005 discussion paper, “Lane County Courthouse, The Need for a New Courthouse”, prepared by Carter Goble Lee found the following image and space issues:

1. The Lane county courthouse is not an architecturally significant building and while 50 years old, the building does not meet a designation as a “significant historical structure”.
2. The timing for funding future judicial positions and support staff is in the hands of the state, but accommodation of more than the current 15 judges, not to mention state-funded support staff, in the existing courthouse will be near impossible.
3. The existing Courthouse is ill-equipped to accommodate even the most basic applications of technology. The installation of additional telephone and data lines represents a major initiative. Existing courtrooms cannot accommodate the camera-monitor functions of televised arraignments or remote testimony. The small size of even the largest courtrooms makes the installation of equipment rooms and under-floor conduit trays virtually impossible. Wireless technology could reduce some of the cabling requirements but teleconferencing requirements will require additional conduit.
4. The existing Courthouse was designed for traditional court operations and cannot easily be modified to provide specialty courtrooms and attendant mediation and counseling spaces. This will ultimately influence the flexibility of the Court and limit the implementation of services that could improve the efficiency of the Court and the responsiveness to legal and social needs of the community.
5. Without total renovation of courtroom floors that will require a temporary relocation of Courthouse functions, the achievement of the most minimal of contemporary space standards is impossible. Even with a total renovation, the ability to create additional standard-based courtrooms in the existing Courthouse is infeasible from a structural and financial perspective.

ACCESSIBILITY FOR DISABLED INDIVIDUALS

The Lane County Courthouse received an overall rating of 3.4, or “Does Not Meet” the criteria in the 2008 Assessment. That study ranked the building amongst the 7 worst courthouses in the state for accessibility for people with disabilities. The cost for improving accommodation is rated third highest at over \$2 million. Among the findings were the following:

- There is no reliable ADA access through the building at the main split-level public access point, only at the secondary access point on the ground level.

- The designated parking lot associated with the buildings requires persons with disabilities to enter the building at the basement level, exit at the first floor and travel out doors to the secondary or main entrances.
- The secured elevator is not ADA accessible.
- There are not ADA compliant restrooms on the basement, first and second building levels.
- The private restrooms are not ADA compliant.
- The courtroom benches and witness boxes are not ADA compliant.
- Many accessible routes require circulation through the connected Public service building [or out of doors].

SECURITY AND CHIEF JUSTICE STANDARDS FOR COURTHOUSE SECURITY

SECURITY STUDIES

Two studies have shown the building to have significant security deficiencies.

- **2005 Security Improvement Concepts prepared by Carter Goble Lee in association with KMD Architects:**
 1. The courthouse was constructed with no setbacks for “blast-resistance” zones that are currently recommended for public buildings. Given the building’s configuration and construction, achieving the recommended level of “hardening” is not feasible.
 2. The number of unsecured entrances into the larger government complex connected to the courthouse creates a security exposure for the court.
 3. Jurors and staff must regularly pass from within the secure envelope of the courthouse to adjacent areas outside the secure perimeter, and vice versa. While there are security provisions that account for this movement, the regular flow of individuals to and from the secure area creates opportunities for vulnerability.
 4. The inmate transport route is circuitous, relying on a court staff elevator and traveling through judicial corridors, court staff areas, and public lobbies. The route begins at a multi-purpose vehicle loading area in an adjacent building, when a sally port solely dedicated to inmate transport is preferred. To access the secured courts area, inmates are escorted from the vehicle loading area across a public corridor in a non-secure building.
 5. One of the greatest security problems with the courthouse is the vulnerability of staff that park in the attached underground parking structure. Parking is restricted by policy and signage, but without physical barriers.
- **2011 Court Facilities Security Systems assessment prepared by Hennebery Eddy Architects:**
 1. Existing access control equipment is obsolete and/or incomplete and therefore requires significant upgrade
 2. The building does not currently utilize security cameras. Cameras need to be provided at several locations.

CHIEF JUSTICE STANDARDS FOR BUILDING SECURITY

Standard	Met or Unmet
External video surveillance cameras positioned at each pedestrian and vehicular entrance	Unmet
Building entrances configured with unobtrusive security barriers	Unmet
Grounds configured to inhibit access of unauthorized vehicles	Unmet On two building sides
No public parking adjacent to structure	Unmet Street is adjacent to building on two sides.
Air Intake vents for the HVAC system are secured from public access	Partially Met, majority of intake is at roof, but second floor intake is at exterior façade, just on floor above street level/sidewalk
Architectural barriers protect entrances	Unmet
Illuminated circulation around building and parking lot	Partially Met
Illuminated parking lots	Met
Tamper resistant utility connections to building	Not met, gas and water meters at street level are screened, but not fully enclosed. Electrical transformer is at public sidewalk.
Low height landscaping	Unmet
Secured parking for judges	Unmet
Surveillance cameras in parking lots	Unmet
Security weapons screening	Met
Intrusion detection alarms	Unmet
High security door locks	Partially met
Intercom/PA system at entry door	Unmet
Controlled access to loading dock	Partially met
Screening equipment for incoming packages	Unmet
Electronic control of non-public access doors (keycard or other)	Partially met

SECTION IV: COURT SYSTEM GROWTH ANALYSIS

HISTORICAL AND PROJECTED POPULATION DATA FOR THE COUNTY

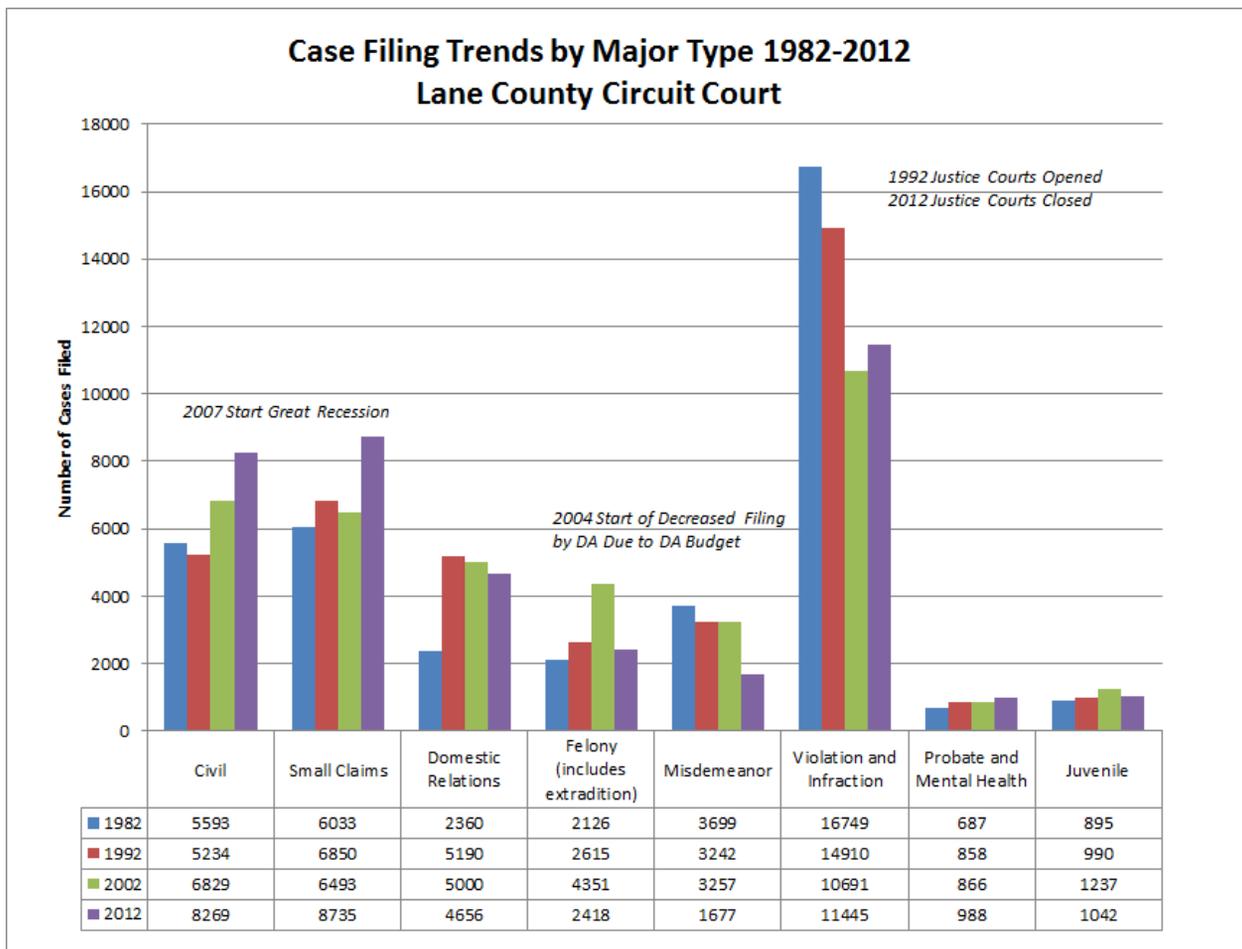
See Appendix A

HISTORICAL AND PROJECTED CASELOAD DATA

Historical Caseload Data – See Appendix B

Projected caseload data is a deliverable in the upcoming NCSC study.

OVERVIEW OF FILINGS FOR MAJOR CASE TYPES



OFFENSES

Violations: Violation filings are at a low point due to the cut backs to the Sheriff’s Office over the last decade. As revenue becomes available for more Sheriff’s patrols, all violation cases will be filed with the Circuit Court as the county has closed all Justice Courts. Trend will be increasing violation filings.

Misdemeanors: Misdemeanor filings are at a low point due to the cut backs to the District Attorney's Office over the last decade. The DA is not able to prosecute any misdemeanors except DUII and person crimes. As revenue becomes available to that operation, misdemeanor case filings will likely increase to the 2002 levels. Trend will be increased misdemeanor filings.

Felonies: Felony case filings at a low point due to the cut backs to the District Attorney's Office over the last decade. The DA is not able to low level felonies such as drug possession. As revenue becomes available to that operation, felony filings may increase to 2002 levels. Trend will be increased felony filings.

CIVIL, FAMILY AND OTHER CASE TYPES

Civil: Case filings have steadily increased since 2002 and are likely to remain at current levels. Trend will be current level maintained.

Family: The recession saw a decrease in domestic relations case filings. As the economy steadily improves, family law cases will likely return to 2002 levels.

Probate, Mental Health and Juvenile: These case types have seen relatively consistent filing levels over the last 30 years. Trend will be slight and steady increase as population increases and ages.

STAFFING PROJECTIONS

Staffing projections are related to caseload projections which are a deliverable in the upcoming NCSC study.

SECTION V: FACILITY REQUIREMENTS

Lane County has been actively working with the National Center for State Courts (NCSC). The scope of services that NCSC has been providing to Lane County include focused data collection, court operations site surveys, in person user interviews, and a long-term needs assessment in an effort to achieve the following:

1. Preparation of a long-term (40 years) Lane County Circuit Court development profile. The long-term system development profile will feature projected future court evolutions, service enhancement alternatives, and the resulting court judgeship requirement for the proposed Courthouse. The projection of future court system evolutions will be substantiated by supporting statistical models of quantitative court case filings and related demographical data along with consideration of best practices of modern court operational practices and visions of advanced technology utilization.
2. Development of court functional space standards as the baseline for the design and construction of the Courthouse. The square footage space standards with graphical configuration diagram for the identified court functions and office operations will be prepared with reference to applicable progressive courthouse design standards observed in other states and the courthouse design guidelines developed by the NCSC.
3. Development of a building space program with space requirement estimates for respective Courthouse occupants, major court functional areas, and courthouse ancillary space. The space program will tabulate respective functional areas and offices by the space standards identified and the required number of units assigned. Conceptual court functional space blocking diagrams and building space stacking diagrams to illustrate the functional space adjacency relationship and building circulations between major court functional elements both within the Courthouse and other court functions and associated services projected to be located either inside or outside the building.

These work products will both meet the specific needs of the Lane County circuit Court based on NCSC's research and incorporate best practices from around the nation by leveraging NCSC's expertise and experience. This will then form a clear set of business needs around which the County can develop a detailed RFP for professional design services, ensuring the successful respondent will incorporate these best practices into the final design.

SECTION VI: MASTER PLAN IMPLEMENTATION ANALYSIS

GOALS OF THE NEW COURT FACILITY

A new court facility will strive to achieve each of the goals the County has established for its capital improvements with the added aim of establishing a civic landmark, given the prominently situated property that it will be sited on and the critical role the Court plays in the community. Briefly, the goals the County has established for capital improvements and how they are achieved include:

- **Energy Efficiency:** Meet the requirements of the current Oregon Energy Efficiency Code and incorporate additional elements that demonstrate a relatively short payback period.
- **Technology:** "Future-proof" facilities through data infrastructure capable of expanding and supporting operations as technology advances.
- **Accessibility:** Incorporate ample ingress and egress routes that meet ADA standards and reasonable user expectations for parking proximity, convenience, and expediency
- **Security:** Meet modern standards for occupant security and building protection associated with the facility's type and use
- **Life Safety:** Meet current building code standards for life safety including those associated with structural integrity, safe egress, fire suppression, and fire detection/alarm.
- **Cost of Ownership:** Exploit new technologies in finish products, building systems, and equipment to lower annual cost of custodial services and facilities maintenance.
- **Operational Efficiency:** Optimize occupant efficiency by strategically locating resources and infrastructure and co-locating dependent work groups.
- **Environmental Health:** Eliminate elements that adversely impact building environment; incorporate equipment, systems and technology that improve interior air quality, quantity of natural light, etc.

SITE OPTIONS AND SUMMARY OF FEASIBILITY

Lane County owns property immediately across the street from the current courthouse, which has been considered the site for a future courthouse for some time. Recently, the City of Eugene and the local farmers market expressed interest in this property and initiated discussions regarding a potential exchange of properties that would support a plan for a renewed civic center. The County's ongoing needs assessment and space programming work with the National Center for State Courts (NCSC) will evaluate both site options so that each receives due consideration from a technical and policy perspective. In either scenario, the County has suitable land available for a new courthouse and will have completed its site selection prior to commencing design work.

COST ESTIMATES AND REVENUE STREAMS

The project's construction cost estimate will vary widely based on a number of factors. Cost drivers include the number and variety of co-located services that will be housed at the courthouse, the means by which parking

needs will be addressed, how accessibility and security will be balanced, among many others. The County appreciates the complexity of these items and their influence on cost, which is why its current funding request is for a detailed and deliberate project planning scope of work. The County is confident that, through this initial funding request, a detailed and accurate project plan can be produced that can then be utilized to substantiate construction costs, build a financing plan around, and gain public support for the project. This project planning effort is estimated to cost \$2.8 million.

The County is prepared to match funding assistance associated with its current request with reserves in its capital fund. The actual construction costs will require a much larger County commitment than its capital fund can provide for. As part of the project planning effort, the County plans to develop a detailed project financing plan that identifies all necessary sources of project revenue.

FUND MATCHING METHOD AND CO-LOCATION PLANS

To receive the maximum 50% funding assistance through the OCCIF, the Chief Justice must determine that “Replacing the courthouse must create an opportunity for co-location of the court with other state offices.” This criterion has been taken into account as the County works with NCSC to determine building space requirements that will form the basis of our space programming concept. As Lane County and the Courts have worked to identify potential tenants for a new courthouse facility, several state agencies with offices in the Eugene area have been contacted to discuss the potential benefits of co-location and their level of interest in having offices of some scale in the new courthouse. To date, Lane County has received statements of interest from the Oregon Department of Justice and the Office of Public Defense Services with regard to establishing offices at a new Lane County Courthouse. Lane County will continue to work with these state agencies to more specifically define their space needs and incorporate this information into the courthouse concept and design. With courthouse space planning work underway but ongoing, Lane County feels this is the best assurance that can be provided at this point that the project will “create opportunities for co-location of the court with other state offices.”

TIMELINE GOALS:

Biennium	Goals
2015-17	Complete Court Needs Assessment Produce Programming Plan with Space Standards Contract with Lead Architectural Design Firm (through RFP process) Contract with CM/GC Firm (through RFP process) Complete Conceptual Design, Begin Public Outreach
2017-19	Complete 95% design docs Produce Detailed Construction Budget (with Guaranteed Maximum Price (GMP)) Develop Financing Plan
2019-21	Secure Financing for Construction (OCCIF funds, debt financing, other sources) Issue bid documents, execute construction contracts Commence Construction
2021-23	Complete Construction Commission Facility Relocate Court Operations to New Facility

Appendix A

Forecasts of Oregon's County Populations and Components of Change, 2010 - 2050

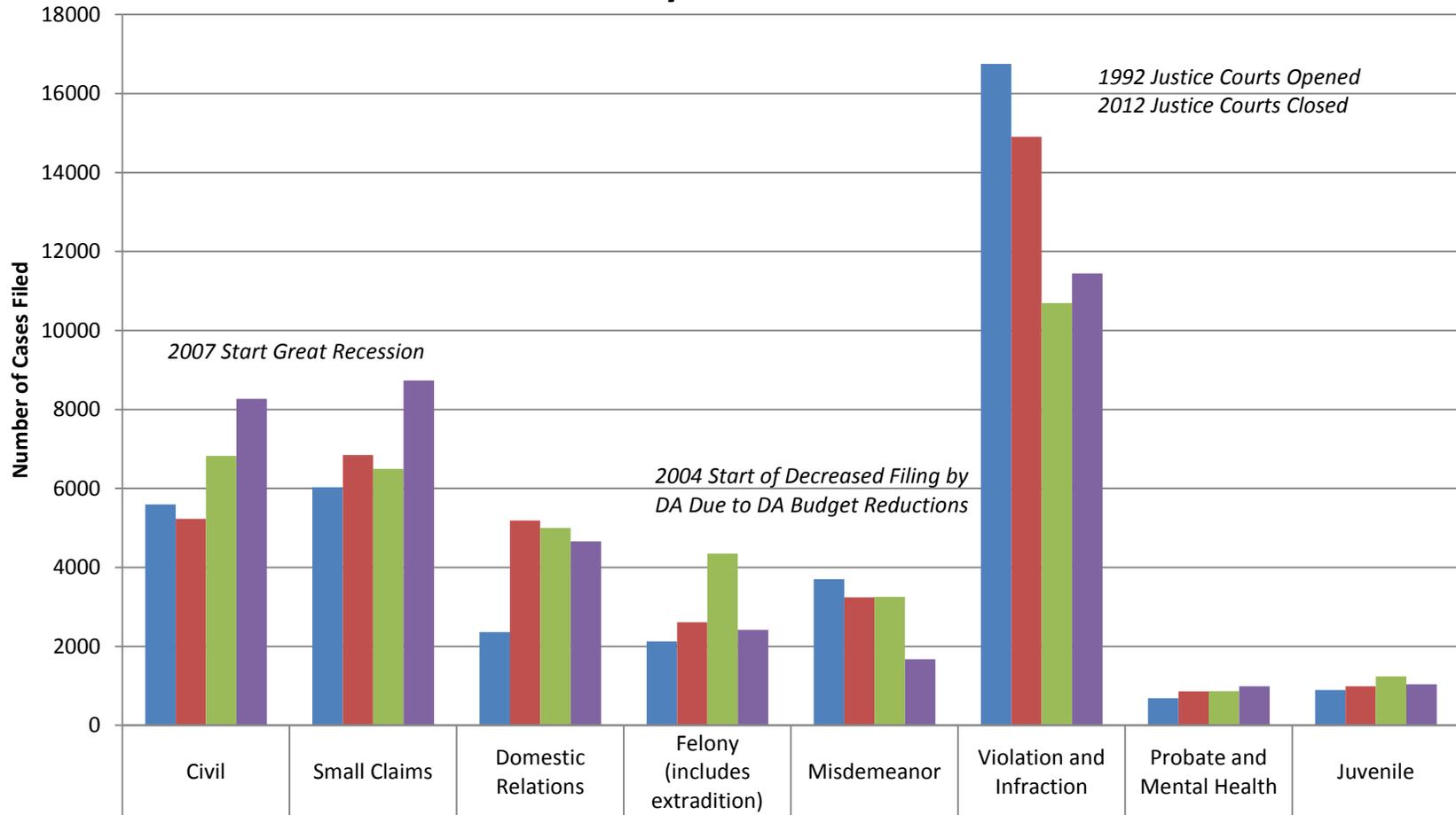
Prepared by Office of Economic Analysis, Department of Administrative Services, State of Oregon

Release date: March 28, 2013

Area Name	Estimate							PSU'S ESTIMATES		FORECAST							
	1980	1985	1990	1995	2000	2005	2010	2011	2012	2015	2020	2025	2030	2035	2040	2045	2050
Oregon	2,642,128	2,672,648	2,860,375	3,184,369	3,431,100	3,626,900	3,837,300	3,857,625	3,883,735	4,001,600	4,252,100	4,516,200	4,768,000	4,995,200	5,203,000	5,398,800	5,588,500
Baker	16,158	15,731	15,433	16,691	16,726	16,326	16,185	16,215	16,210	16,235	16,315	16,373	16,395	16,371	16,325	16,267	16,238
Benton	68,493	67,275	71,059	76,517	78,334	82,070	85,735	85,995	86,785	87,977	91,379	94,984	98,516	101,848	105,050	108,297	111,666
Clackamas	242,981	250,118	280,862	314,922	339,299	358,301	376,780	378,480	381,680	393,217	422,576	454,311	485,054	512,731	537,753	561,011	583,814
Clatsop	32,561	32,452	33,436	35,527	35,666	36,179	37,070	37,145	37,190	37,604	38,461	39,358	40,072	40,521	40,751	40,934	41,149
Columbia	35,744	35,707	37,809	40,576	43,698	46,662	49,430	49,625	49,680	51,319	54,517	58,012	61,273	64,130	66,683	69,053	71,406
Coos	63,944	59,941	60,441	63,549	62,788	62,739	63,035	62,960	62,890	63,299	64,098	64,816	65,210	65,172	64,934	64,695	64,654
Crook	13,099	13,137	14,258	16,843	19,226	19,228	21,020	20,855	20,650	21,124	21,933	22,793	23,821	24,974	26,117	27,270	28,496
Curry	17,078	16,664	19,449	21,009	21,168	21,844	22,355	22,335	22,295	22,321	23,087	23,854	24,440	24,751	24,912	25,019	25,187
Deschutes	62,397	64,959	76,053	95,491	116,278	135,588	157,905	158,875	160,140	166,892	182,455	198,650	214,288	228,501	241,223	252,555	262,958
Douglas	93,837	91,956	95,050	98,874	100,579	104,253	107,690	107,795	108,195	110,562	116,113	121,715	126,642	130,550	133,786	136,710	139,675
Gilliam	2,045	1,840	1,719	1,799	1,914	1,882	1,870	1,880	1,900	1,958	2,062	2,172	2,280	2,378	2,472	2,567	2,672
Grant	8,210	8,137	7,870	8,042	7,923	7,646	7,460	7,450	7,450	7,414	7,321	7,199	7,029	6,785	6,486	6,158	5,840
Harney	8,237	7,209	7,068	7,238	7,605	7,492	7,445	7,375	7,315	7,425	7,404	7,358	7,280	7,175	7,066	6,960	6,861
Hood River	15,863	16,245	16,960	18,916	20,458	21,478	22,385	22,625	22,875	23,675	25,628	27,827	29,979	31,909	33,530	34,888	36,066
Jackson	133,000	136,444	147,392	167,378	181,796	192,052	203,340	203,950	204,630	210,015	223,458	238,955	253,274	265,624	276,551	286,648	296,388
Jefferson	11,692	12,748	13,853	16,949	19,073	19,974	21,750	21,845	21,940	22,625	24,054	25,593	26,995	28,239	29,413	30,534	31,595
Josephine	58,982	60,666	62,985	71,313	75,897	79,134	82,775	82,820	82,775	85,313	90,776	96,468	101,596	105,829	109,526	112,906	116,217
Klamath	59,280	57,476	57,948	61,132	63,842	65,018	66,505	66,580	66,740	67,292	68,853	70,331	71,483	72,243	72,835	73,446	74,111
Lake	7,584	7,608	7,182	7,484	7,434	7,684	7,890	7,885	7,920	7,919	7,936	7,948	7,931	7,893	7,865	7,856	7,880
Lane	275,828	267,051	284,261	306,704	323,663	337,992	352,010	353,155	354,200	361,474	378,335	394,921	410,247	424,117	437,345	450,866	464,839
Lincoln	35,443	35,979	39,075	44,112	44,519	45,192	46,135	46,155	46,295	47,590	49,535	51,371	52,857	53,895	54,688	55,421	56,245
Linn	89,716	88,019	91,690	98,853	103,394	110,222	116,840	117,340	118,035	121,142	128,454	136,224	143,673	150,395	156,505	162,360	168,189
Malheur	26,980	27,878	26,162	29,550	31,609	31,508	31,345	31,445	31,395	32,033	32,723	33,377	33,906	34,287	34,528	34,708	34,837
Marion	205,599	213,019	229,938	260,879	285,572	299,481	315,900	318,150	320,495	331,643	355,189	381,089	406,612	430,652	453,557	476,060	498,624
Morrow	7,497	8,090	7,618	9,075	11,000	11,149	11,175	11,270	11,300	11,668	12,307	13,011	13,726	14,373	14,964	15,527	16,098
Multnomah	563,632	564,249	586,617	629,617	662,290	696,519	736,785	741,925	748,445	768,632	807,198	845,356	879,987	909,947	936,729	960,930	982,504
Polk	45,362	45,231	49,924	56,759	62,679	69,256	75,495	75,965	76,625	80,204	88,081	96,731	105,274	113,348	121,044	128,496	135,877
Sherman	2,168	2,141	1,924	1,988	1,930	1,845	1,765	1,765	1,765	1,735	1,716	1,718	1,731	1,745	1,758	1,767	1,782
Tillamook	21,259	21,022	21,638	23,593	24,287	24,691	25,260	25,255	25,305	25,733	26,760	27,791	28,723	29,485	30,127	30,716	31,328
Umatilla	59,145	60,024	59,433	65,535	70,680	74,226	76,000	76,580	77,120	78,887	83,359	88,366	93,673	98,820	103,809	108,860	114,054
Union	24,050	24,131	23,674	24,931	24,561	25,096	25,810	25,980	26,175	26,964	28,216	29,419	30,530	31,548	32,572	34,211	35,973
Wallowa	7,301	7,323	6,945	7,504	7,221	7,084	7,005	6,995	7,015	7,070	7,058	7,016	6,954	6,865	6,744	6,604	6,476
Wasco	21,951	22,627	21,781	23,011	23,827	24,469	25,235	25,300	25,485	26,037	27,388	28,827	30,186	31,359	32,405	33,351	34,274
Washington	247,848	269,244	315,469	384,335	447,298	488,902	531,070	536,370	542,845	570,672	622,368	677,017	731,125	782,316	830,100	874,372	915,979
Wheeler	1,504	1,470	1,400	1,565	1,544	1,467	1,440	1,435	1,425	1,407	1,378	1,353	1,332	1,311	1,285	1,266	1,250
Yamhill	55,660	58,837	65,999	76,108	85,325	92,250	99,405	99,850	100,550	104,525	113,611	123,897	133,907	143,117	151,564	159,512	167,300

Appendix B

Case Filing Trends by Major Type 1982-2012 Lane County Circuit Court



	Civil	Small Claims	Domestic Relations	Felony (includes extradition)	Misdemeanor	Violation and Infraction	Probate and Mental Health	Juvenile
■ 1982	5593	6033	2360	2126	3699	16749	687	895
■ 1992	5234	6850	5190	2615	3242	14910	858	990
■ 2002	6829	6493	5000	4351	3257	10691	866	1237
■ 2012	8269	8735	4656	2418	1677	11445	988	1042

Senator President Peter Courtney
900 Court St., NE, S-201
Salem OR 97301

Dear Senator Courtney:

We are writing today in an effort to restore Lane County's courthouse replacement project to the list of courthouse capital projects legislatively approved for the March, 2017 bond sale. The project was included in the initial POP (#304) brought forward by the Chief Justice, and was the only project omitted in the final bonding limit language in HB 5005. Over the course of the session the project was under consideration and was highlighted in a hearing at the Ways and Means subcommittees of Public Safety (as part of the OJD budget bill, SB 5514) and Capital Construction (where each project was described). The Lane County delegation was not informed that the project would be dropped from the package proposed by the Chief Justice.

In August, Lane County's Board Chair and the Presiding Judge of the Lane County Circuit Court invited us to a meeting to debrief the session and re-emphasize the importance and timeliness of the project. The meeting included a tour of the existing courthouse where we saw firsthand the structural deficiencies, operational challenges, and public safety issues inherent in the existing building. Additionally, we came to understand the physical limitations that make renovating the existing facility infeasible and the basis upon which local stakeholders have concluded a courthouse replacement is the optimal solution. Given the nature of current conversations around several public construction projects in downtown Eugene, we wish to express to you the urgency and importance of regaining Lane County's place "in the queue". Lane County's project would require \$1.4M of state resource, which would be matched by \$1.4M of county resource. This would enable Lane County's initial design and construction budgeting work to proceed at a timely pace, and importantly allow Lane County to engage in a more formal and productive dialogue with the City of Eugene regarding redevelopment of publicly owned parcels in downtown Eugene and the significant role they play in continued urban revitalization.

We are aware that concerns exist regarding the timing of this project vis a vis the Multnomah County courthouse replacement project. We recognize the State has a limited ability to support two large courthouse replacement projects simultaneously, a reality Lane County understands as well. Given this and the fact that these bond sales occur late in the biennium, Lane County is exploring an alternative by which their project timeline can be adjusted so construction funding would not be required in the 17-19 biennium. Under this scenario, Lane County would complete a final design and construction budget with modest funding assistance in the 15-17 and 17-19 bienniums, and would be seeking a commitment of community support towards a combination of state and local construction funding during 2019-2021. It is Lane County's intent that this approach address concerns over the parallel schedules of Multnomah

County's and Lane County's projects, while affording Lane County additional time to develop a sound project plan and build community support for the local funding match.

We hope you will consider our support of this important project as you plan for the 2016 Legislature. We request the project be included in the bonding limit bill designed for 2016, such that it can be re-included with the other courthouse projects being readied for the late biennium bond sale.

Sincerely:

Senator Chris Edwards

A handwritten signature in black ink that reads "Chris Edwards". The signature is fluid and cursive, with the first name "Chris" and last name "Edwards" clearly legible.

Senator Floyd Prozanski

A handwritten signature in blue ink that reads "Floyd Prozanski". The signature is cursive and somewhat stylized, with the first name "Floyd" and last name "Prozanski" clearly legible.

Senator Arnie Roblan

A handwritten signature in blue ink that reads "Arnie Roblan". The signature is cursive and clearly legible, with the first name "Arnie" and last name "Roblan" clearly visible.

Senator Lee Beyer

A handwritten signature in black ink that reads "Lee Beyer". The signature is cursive and clearly legible, with the first name "Lee" and last name "Beyer" clearly visible.



PHIL BARNHART
STATE REPRESENTATIVE
CENTRAL LANE AND LINN COUNTIES

January 22, 2016

Rep. Dan Rayfield
900 Court St. NE, H-375
Salem, Oregon 97301

RE: Lane County's request for 2016 bond authorization for Courthouse project

Dear Rep. Rayfield:

I write to you in your role as House Co-chair of the Joint Ways and Means Subcommittee on Public Safety. As you know, Lane County comprises a significant portion of my district, and they are seeking bonding authorization for a worthy project in the 2016 legislative session. If there is bonding capacity available in 2016, I ask that you consider Lane County's request for \$1.4 million in bonds to support pre-construction planning of their Circuit Court replacement project.

As you know, over the past several biennia, the Legislature has made it a policy to help counties replace courthouses with available state bonding capacity. Oregon's Chief Justice and the Judicial Department have overseen a vetting procedure for such projects, and four projects that resulted from that vetting procedure were under consideration for state bond funding last session, including Lane County's.

The Lane County project received favorable attention in what is now your subcommittee during the Judicial Department's budget hearings, and again in the Capital Construction Subcommittee. In fact, stakeholders were stunned when the final bond bill appeared in the final days of session. Of the four projects resulting from the Judicial Department's vetting process, the Lane County project was the only one omitted from the 2015 bond bill.

I hope we can find a way to get this funding authorized in 2016. Please let me know how I can be of assistance, and thank you for your consideration.

Sincerely,

Phil Barnhart
Chair, House Committee on Revenue
Oregon House of Representatives

CC: Rep. Peter Buckley
CC: Sen. Richard Devlin

District Office: PO Box 71188, Eugene, OR 97401, 541-607-9207, www.leg.state.or.us/barnhart
Capitol Office: State Capitol, Salem, OR 97301, 503-986-1411, rep.philbarnhart@state.or.us





CIRCUIT COURT OF THE STATE OF
OREGON
 FOR THE 2nd JUDICIAL DISTRICT
 LANE COUNTY COURTHOUSE
 125 E. 8th Ave.
 Eugene, OR 97401-2926



LANE COUNTY DISTRICT
ATTORNEY
 125 E. 8th Ave. #400
 Eugene, OR 97401



CITY OF EUGENE
 125 E. 8th Ave., 2nd floor
 Eugene, Oregon 97401



LANE COUNTY SHERIFF'S
OFFICE
 125 E 8th Ave.
 Eugene, OR 97401

June 18, 2014

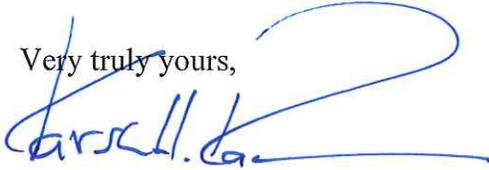
We, the undersigned, recognize that the effort to plan and construct a public building requires strong intergovernmental support to ensure success. To this end, the Lane County Circuit Court, the Lane County District Attorney's Office, the Lane County Sheriff's Office, and the City of Eugene join in this letter of support for the Lane County Board of Commissioner's application for state bond matching funds for the purpose of planning and design of a future courthouse. We see a new courthouse as an opportunity to broaden community access to the seat of justice for our County and improve the civic landscape of downtown Eugene by working together toward a shared vision.

For many years, the County has explored options to address growing issues with the aging Courthouse. The Lane County Courthouse was designed and constructed in 1957-1958. The Courthouse has served as the County's primary justice center since that time, housing the State Circuit Court, the District Attorney's Office and the Sheriff's Office. Over recent years, the condition of the building has steadily deteriorated. Independent studies have identified major deficiencies including security, accessibility, electrical and mechanical systems, seismic, and hazardous materials. Additionally, the aging building does not provide the data system, electricity, or space necessary to perform modern court functions, while annual costs to operate the building have risen steeply over time.

In 2009, we participated in a local stakeholder forum to review the results of the State of Oregon Court Facilities Assessment. In our response to the Assessment, we conclude that the high cost of comprehensively upgrading the existing courthouse relative to the lifespan of such an upgrade, makes construction of a new facility the preferred solution. The establishment of the Oregon Courthouse Construction Improvement Fund (OCCCIF), in combination with emerging local attention to the condition of the Courthouse, provides an opportunity to evaluate how we locate government buildings and work to continue downtown revitalization. A new seat of justice will provide a significantly improved venue for the citizens of Lane County to obtain speedy and fair resolution of the serious matters they bring before the court and will serve as a prominent landmark in Eugene's civic center.

Our organizations share the goal of improving access to the seat of justice for Lane County and other local government offices. The Courthouse planning effort is one of many steps we are taking toward realizing that goal. We fully support the Lane County Board of Commissioners in their effort to seek funding for the purpose of planning and designing a new Lane County Courthouse.

Very truly yours,



Karsten H. Rasmussen
Presiding Judge



Alex Gardner
Lane County District Attorney



Kitty Piercy
Mayor of Eugene



Thomas Turner
Lane County Sheriff



Eugene Mayor's Office
Kitty Piercy

January 28, 2016

The Honorable Peter Courtney
The Honorable Tina Kotek
Oregon State Legislature
900 Court Street, NE
Salem, OR 97301

RE: Support of state bonding for Lane County Courthouse redevelopment

Dear Speaker Kotek and President Courtney;

I am writing to express my support for the inclusion of the Lane County Courthouse project within the 2016 Legislative Assembly bond allocation for the Oregon Courthouse Capital Construction and Improvement Fund scheduled for sale in March 2017.

Downtown Eugene is experiencing a development renaissance that is spurred by public investments. Over the past five years, approximately \$20 million in public funding has leveraged additional investment of over \$300 million. This has resulted in the development of 618 new housing units, bringing 2,000 new residents downtown, with over 25 new restaurants and retail establishments opening up during this period.

Our success includes educational facilities and lodging as well, working with Lane Community College to locate their LEED Platinum Downtown Campus on a former pit and the addition of a high end boutique hotel at the historic 5th Street Market. Lastly, we are poised to expand our High Speed Broadband district throughout the downtown area in the next 12 months, providing infrastructure for 1gigabit internet service to businesses and public agencies within the district.

Our own City Hall is in the process of being rebuilt on its former site, with a smaller more efficient footprint. The vision of a civic heart of Eugene is predicated upon accessible and connected government. Along our 'great street' of Eighth Avenue, sits the US Federal Courthouse, the Eugene City Hall, the Lane County Public Service Building, and the Lane County Courthouse. We see a new modern County Courthouse, as key to accessible government for our citizens.

I supported this project in 2014, which the Chief Justice selected for authority, but it did not make the authorization bill that the Legislature passed last year. Please include the Lane County Courthouse project within this year's projects that will receive state bonding authority, as it will continue the positive trajectory our community has created in our downtown.

Sincerely,

Kitty Piercy
Mayor



LANE COUNTY BOARD OF COMMISSIONERS

Jay Bozievich
Pat Farr
Sid Leiken
Pete Sorenson
Faye Hills Stewart

June 17, 2014

Chief Justice Thomas Balmer
Supreme Court Building
1163 State Street
Salem OR 97301-2563

Honorable Chief Justice Balmer:

The Lane County Board of Commissioners has been encouraged by the work of the Oregon State Legislature and Oregon Judicial Department in assisting Oregon counties in addressing the capital improvement needs of county courthouses. We feel there is a unique opportunity in Lane County, as the recent establishment of the Oregon Courthouse Capital Construction and Improvement Fund (OCCCIF) coincides with renewed local interest in the role a new courthouse could play in improving access to local government and continuing the revitalization of Eugene's civic center. This letter is intended to highlight our efforts to improve access to justice in Lane County through the construction of a new Lane County Courthouse, and to express our support of Lane County's application for funding assistance through the OCCCIF.

For some time now, Lane County has worked to identify means by which we can remedy growing issues with our aging courthouse. Small scale projects have addressed specific challenges in recent years, but the overarching issues associated with the facility's original construction and deteriorating condition remain significant impediments to courthouse operations and represent a costly burden to the County. Deteriorating electrical and mechanical systems, barriers to accessibility, security vulnerabilities, seismic susceptibility, and the presence of hazardous materials all contribute to a high cost of ownership for a facility that in many ways fails to adequately perform its intended function given the evolving operational standards of modern courthouses. Considering the significant scope and cost of work that would be required to transform our current courthouse in a way that comprehensively addresses these issues, there has been growing consensus among local stakeholders that a new courthouse facility is the optimal solution, and our board has been actively engaged in pursuing this outcome.

To fulfill the vision of a new Lane County Courthouse, we recognize the critical role a collaborative working relationship between the County and the Circuit Court will play. Additionally, we appreciate the contribution a strong coalition of stakeholders will provide to the process. Therefore, County staff has partnered with the Presiding Judge and Trial Court Administrator in developing a facilities plan that addresses the current and future needs of the Courts and identifies other opportunities a new courthouse can provide in the delivery of local government services. As part of this process, excitement and enthusiasm has grown among local stakeholders for what a new courthouse can achieve, not only for Court and County operations, but also as a civic landmark in a renewed downtown

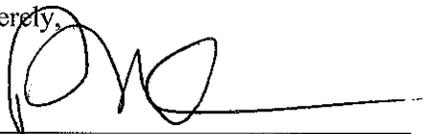
June 17, 2014

Page 2

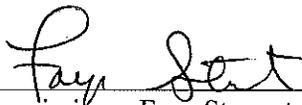
landscape. It is our hope that, with funding assistance through the OCCIF, the County and Circuit Court can further develop a plan in sufficient detail to sustain this interest and broaden community support for the construction of a new courthouse in the near term, and ultimately produce a project design and budget we can act on.

We appreciate any assistance the OCCIF can provide as we continue to pursue this opportunity to improve access to justice in Lane County.

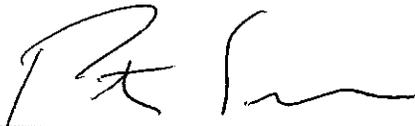
Sincerely,



Commissioner Pat Farr, Chair
District 4, North Eugene



Commissioner Faye Stewart, Vice Chair
District 5, East Lane



Commissioner Pete Sorenson
District 3, South Eugene



Commissioner Sid Leiken
District 2, Springfield



Commissioner Jay Bozievich
District 1, West Lane



Chief Justice Thomas Balmer
Supreme Court Building
1163 State Street
Salem OR 97301-2563

Commissioner Earl Fisher
AOC President
1201 Court St. NE Ste. 300
Salem, OR 97301-4110

Honorable Chief Justice Balmer and Commissioner Fisher:

Lane County and the Lane County Circuit Court are excited about the prospect of partnering in an effort to address long-standing needs at our County Courthouse. While the issues at our current courthouse have been well documented for some time, we feel the State's recently established courthouse capital construction fund coupled with renewed local interest around the role a new courthouse could play in the continued revitalization of Downtown Eugene present an improved and unique opportunity to address several important objectives for the Court and the County. To develop a plan that achieves these objectives, we expect to undertake a significant planning and design effort over the next two years and would like to request assistance with the cost of this work through the courthouse capital construction fund.

Lane County's Courthouse has been the subject of several independent studies that have identified significant deficiencies when measuring the building against current security requirements, building code standards, accessibility regulations and seismic loading scenarios, as well as in its ability to support modern judicial proceedings. Perhaps most significantly, Lane County's Courthouse was evaluated in 2008 as part of the Legislature's Courthouse Task Force. That statewide effort yielded a significant amount of data related to courthouses and alerted Lane County and its Board to the dire condition of its courthouse, as well as its relative ranking with other courthouses. At that time, a stakeholder work session was held and local leaders unanimously recommended an entirely new facility as the optimal solution to meet the needs of the community. Unfortunately, 2008 was the beginning of the Great Recession, and neither Oregon nor the County was in a financial position to pursue such a project.

Recently, however, the County has realized a significant opportunity to address the needs of its courthouse. That opportunity has come in the form of discussions with the City of Eugene to exchange county owned property with city owned property in downtown Eugene as part of a master plan for the City's civic center. This plan would site a new county courthouse prominently along 8th Ave in Downtown Eugene, making it a focal point in the City's vision for a great civic street that connects the city center to the river and continues the momentum of downtown revitalization. Given this potential partnership, there is a reinvigoration of the community's awareness of courthouse related issues and a renewed effort to identify potential funding for a new courthouse.

The County is currently collaborating with Circuit Court staff and has engaged the National Center for the State Courts (NCSC) to assist in assessing the future needs of the court and other state agencies. NCSC has provided the County with a proposal for professional services that includes the preparation of a long-term court development profile, formulation of functional space standards that will serve as a baseline for the design and construction of a new courthouse, and development of a building space requirements program with estimates for occupant, functional and ancillary needs. We anticipate the resulting work product will be delivered in the fall of 2014.

The County's intent is that the NCSC study will provide a basis for a detailed request for proposals (RFP) for design services. Once an architectural design firm is competitively selected through the RFP process, the County will work to complete a detailed programming effort and commence design development work for the new Courthouse. As part of this work, the County will likely engage the services of a Construction Manager/General Contractor (CM/GC) to provide guidance with regard to the cost impacts of design elements and help develop a detailed project cost estimate. It is anticipated that these efforts will result in a courthouse design and construction budget in sufficient detail to make a formal request for project funding in the 2017-19 budget cycle.

As we consider the work necessary to develop a plan that addresses our courthouse facility needs and the costs associated with this effort, we would submit this request to prioritize our project and for assistance with the expenditures anticipated in the next budget cycle. As stated above, this work will largely consist of professional services over the next two years culminating in a detailed project plan and budget to serve as the basis of the formal request for project funding. At this time, we estimate the cost of this work will be approximately \$2.8 Million. We look forward to discussing available financial assistance through the Oregon Courthouse Capital Construction Improvement Fund (OCCCIF).

Sincerely,



Steve Mokrohisky
County Administrator
Lane County



Elizabeth Rambo
Trial Court Administrator
Lane County Circuit Court