

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: 3/27/13 **Approx Start Time:** 10:30 am **Approx Length:** 60 minutes

Presentation Title: Justice Court Update

Department: County Administration, Finance/Facilities, Justice Court

Presenters: Nancy Newton, Deputy County Administrator

Other Invitees: Judge Karen Brisbin, Finance Director Marc Gonzales, Facilities Manager Jeff Jorgensen

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

To authorize locating the Justice Court at the Green Castle Mall; 13207-13233 SE Mcloughlin Blvd. Milwaukie, OR.

EXECUTIVE SUMMARY: Since 2010, the Board of County Commissioners and staff have been working on finalizing a location for the Justice Court. The Justice Court currently is located in rented space in the Oak Grove area; the current space is substandard in its size for Court operations, safety, and efficiency. There are five baseline standards that are applied when determining if a location is suitable for the Justice Court. They are:

1. Access to public transportation/transit: this is of utmost importance as many of the clients of the Court have suspended licenses or other driving restrictions. This usually requires that the Court be located along a major roadway.
2. Adequate parking for staff and Court clients: there are 120 available parking spaces at the Green Castle Mall location which is more than adequate for busy Court days (that use up to 80 parking spaces at staggered times).
3. Appropriate capacity and configuration of the space: Courts require specific space configurations for judicial and administration functions. The proposed Green Castle Mall location is 7,420 square feet vs. the current Justice Court location square footage of 3,850 (which is inadequate for Court operations).
4. Cost: The County is committed to finding the lowest cost facilities possible provided they meet minimum County standards (i.e. habitability, safety, structural and interior conditions, etc.).
5. Owned vs. rented space: County policy is to locate its facilities in owned buildings, preferably on the Red Soils Campus unless there is a departmental business case not to do so. In the case of the Justice Court, by statute it cannot be located in the County Seat (Oregon City). Facilities is working with a realtor to determine if there is suitable commercial space for sale; we are waiting for that information. This information will not be available until the week of March 25 and staff will make every effort to have a list of commercial properties by the March 27 study session.

On March 12, 2013 the Board directed staff to provide the front-end costs of locating the Justice Court to the Green Castle Mall and to conduct a brief search on available and suitable properties to purchase. The issue of owned space is addressed above; following is information on up-front costs for a leased space solution.

FINANCIAL IMPLICATIONS: (current year and ongoing): The Justice Court has set aside \$800,000 in their FY 2012-13 budget in anticipation of relocating the Court and has projected sufficient funding from fees/fines for a new location. Additionally, the Justice Court has supplied data on numerous occasions that Justice Court is a self-supporting operation and will continue to be so if relocated to a more suitable space such as the Green Castle Mall location.

LEGAL/POLICY REQUIREMENTS:

The latest direction of the Board as of March 12, 2013 is to provide additional information regarding the proposed Green Castle Mall space for the Justice Court. This purpose of this study session is to address final questions regarding the location. As mentioned, the Justice Court may not be located in the County Seat.

PUBLIC/GOVERNMENTAL PARTICIPATION:

There are two Community Planning Organizations (CPOs) that overlay the proposed location. Staff is prepared to present at these CPO meetings to answer questions about the Court. Staff has also received an inquiry from a citizen regarding the potential of locating the Justice Court in school buildings that may not be used by the North Clackamas School District. Although the philosophy of owned vs. leased space is supported by the Board and staff there are issues that make the proposed former school properties unsuitable for the Justice Court; namely:

- Access to public transportation and a main transportation thoroughfare.
- The age, size and condition of the buildings:
 - Older buildings such as those proposed will likely require extensive remodeling. A comparative analysis was the research staff conducted of the vacated Oregon Institute of Technology (OIT) building on the Harmony Road Campus. Estimates to remodel that space were approximately \$1.4 million not including operational costs.
 - The size of the buildings proposed would involve higher utilities costs in the square footage of the entire building (it would be cost prohibitive to remodel the building with separate "zones" for heating, cooling, etc.).

COURT SECURITY:

The Board has inquired about the potential of having an armed security presence at the Justice Court. Judge Brisbin is working with the Sheriff's Office to provide a Deputy at the Court.

OPTIONS:

1. The Board may approve locating the Justice Court at the Green Castle Mall; 13207-13233 SE Mcloughlin Blvd. in Milwaukie;
2. The Board may propose an alternate location, or
3. The Board may determine not to take action at this time.

RECOMMENDATION:

Staff respectfully recommends option one, locating the Justice Court at the Green Castle Mall; 13207-13233 SE Mcloughlin Blvd. in Milwaukie;

ATTACHMENTS:

- Fiscal Impact Form
- Map of proposed Green Castle Mall location

SUBMITTED BY:

Division Director/Head Approval _____
Department Director/Head Approval _____
County Administrator Approval SW

For information on this issue or copies of attachments, please contact Nancy Newton @ (503-453-2828)

Fiscal Impact Form

RESOURCES:

Is this item in your current work plan and budget?

- YES
 NO

START-UP EXPENSES AND STAFFING (if applicable):

The initial estimate for Justice Court facilities construction is \$486,651. The Justice Court has provided \$800,000 in their current FY 2012-13 budget for Court relocation and associated costs.

ONGOING OPERATING EXPENSES/SAVINGS AND STAFFING (if applicable):

There will be no ongoing construction expenses. Efficiencies will be gained in Court operations through providing adequate space per County standards as well as being housed in a space constructed for maximum Court efficiency/effectiveness.

ANTICIPATED RESULTS:

The Court will operate in a space that meets current requirements for the adjudication of traffic violations, Forcible Eviction and Detainer (FED) and small claims. Additionally, the space provides for future, modest growth in Court operations.

COSTS & BENEFITS:

Costs:							
	Item	Start-up Capital	Other Start-up	Annual Operations	Annual Capital	TOTAL	
	Construction estimate	\$339,702			n/a	\$339,702	
	Technology costs	\$146,949			n/a	\$146,949	
Construction Total	See attached estimate sheet					\$486,651	
	Lease current location	\$6,160			n/a	\$6,160	
	Allocated costs current location	\$22,483			n/a	\$22,483	
Total Start-up Costs	Construction + final lease/allocated costs					\$515,294	
	Lease new location			\$109,074	n/a	7,420 square feet at \$14/sq. ft. including common areas. A 3% annual increase will be added after 5 years.	
	Allocated costs new location			\$43,650	n/a		
Ongoing Annual Facility Costs						\$152,754	
Benefits/Savings: Benefits/Savings will be realized through operational and energy/utility efficiencies. Equating these savings to a dollar amount is difficult at this time.							
	Item	Hours	Start-up Capital	Other Start-up	Annual Operations	Annual Capital	TOTAL
	Owner has paid costs such as Tenant Improvements that would have added to estimated County construction costs.		\$150,000				\$150,000

