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From the Director, Facilities Management Division, Department of Administrative Services, requesting authorization to proceed with the 2017 Phase III effort of the Milwaukee County Courthouse Planning Program, to include recommendations for the appropriate space programming, swing space coordination, ownership, financing, project delivery method strategies, and long-term operation and maintenance requirements to facilitate sustainable occupancy of the new criminal courthouse, by recommending adoption of the following:

**AN AMENDED RESOLUTION**

WHEREAS, the State of Wisconsin First Judicial District, the Committee on Transportation, Public Works and Transit, the Milwaukee County Executive, and the Consolidated Facilities Planning Steering Committee, identified a need to develop a Strategic Facilities Master Plan to better support the Milwaukee County (the County) Circuit Courts and their operations contained within the Historic Courthouse, Criminal Justice Facility, Public Safety Building, and Vel R. Phillips Juvenile Justice Center; and

WHEREAS, this need was generated from widespread concern regarding the safety, security, and deferred maintenance associated with these facilities; and

WHEREAS, it is widely recognized that a status quo solution for the delivery of County services out of these facilities is not a viable option for the future; and

WHEREAS, because this undertaking would require significant public investment and directly impacts numerous County stakeholders, the Consolidated Facilities Planning Steering Committee created an Advisory Group to oversee the mission, vision, and priorities of the planning program, validate the need, as well as monitor progress and communication strategies; and

WHEREAS, the makeup of this Advisory Group consists of representatives from the State of Wisconsin First Judicial District, the County District Attorney’s Office, the Sheriff’s Office, Clerk of Circuit Courts, the Milwaukee County Board of Supervisors, and the Department of Administrative Services; and

WHEREAS, the vision of all phases of the County Courthouse Planning Program addresses the following five ideals:

- Reflects a Culture of Quality, Efficiency, and Innovation
- Provides a Safe and Secure Environment
- Is Fiscally and Environmentally Sustainable
- Includes a Healthy Learning Environment

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- Operates as Part of a Cooperative Regional System

; and

WHEREAS, due to the project’s complexity, it was divided into five phases which vary in duration and a specific phase may last multiple years depending on the workload and funding levels available to support the effort; and

WHEREAS, the mission of the five phases are:

I. Identify a consolidated, redesigned space for the people working in and served by the County Courts, and identify the highest and best use of the County Courthouse.

II. Define a consolidated, redesigned space for the people working in the areas of non-court functions within the County Courthouse and Public Safety Building, and establish existing conditions and identify opportunities for increased efficiencies.

III. Determine ultimate space locations for all Departments associated with Phases I and II; complete space programming, designing, and build outs for swing space required for completion of Phases IV and V; determine preferred ownership, financing, and delivery methods for interim and ultimate solutions.

IV. Complete planning, programming, and design of the new Criminal Courthouse and other required facility improvements.

V. Construct a new Criminal Courthouse, complete other required facility improvements, and relocate Departments to ultimate locations.

; and

WHEREAS, Phase I of the County Courthouse Planning Program, completed and presented in March 2016, considered the County Courthouse, the Public Safety Building, and the Vel R. Phillips Juvenile Justice Center; and

WHEREAS, the County Courthouse, opened in 1932, is an iconic, twentieth-century classical design structure with over 700,000 square feet of floor space, is listed on the National Register of Historic Places, consists of courtrooms and related support offices, County government offices, and mechanical, storage, and maintenance spaces; and

90 WHEREAS, Phase I of the County Courthouse Planning Program determined  
91 that the County Courthouse earned an overall space component quantity and quality  
92 score of 3.9 (on a scale of 1 to 10) based primarily on the hazardous prisoner  
93 movement for the Criminal Courts and overcrowded conditions for the Family Courts;  
94 and  
95

96 WHEREAS, the Public Safety Building, opened in 1930 with almost 300,000  
97 square feet of floor space, consists of courtrooms and related support offices, District  
98 Attorney offices, and Sheriff's Department offices; and  
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100 WHEREAS, Phase I of the County Courthouse Planning Program determined  
101 that the Public Safety Building earned an overall space component quantity and quality  
102 score of 2.8 (on a scale of 1 to 10) based on overcrowding, poor physical conditions  
103 within the facility, lack of consolidation and adjacencies, and the estimated costs of  
104 required structural, mechanical, electrical, plumbing, and public access upgrades to  
105 meet modern code; and  
106

107 WHEREAS, the Vel R. Phillips Juvenile Justice Center, opened in 1962 with over  
108 260,000 square feet of floor space, consists of juvenile courtrooms and related support  
109 offices, juvenile detention facilities, and related support spaces; and  
110

111 WHEREAS, Phase I of the County Courthouse Planning Program determined  
112 that the Vel R. Phillips Juvenile Justice Center earned an overall space component  
113 quantity and quality score of 5 (on a scale of 1 to 10) and considered modest  
114 renovations to achieve recommended standards; and  
115

116 WHEREAS, Phase I of the County Courthouse Planning Program recommended  
117 that the Historic Courthouse should be re-purposed such that Criminal Court functions  
118 are relocated to a different facility; and  
119

120 WHEREAS, the Historic Courthouse should be improved to better serve the  
121 needs of civil, probate, and family court functions, and potentially other County  
122 departments based on current and projected programming; and  
123

124 WHEREAS, Phase I of the County Courthouse Planning Program developed  
125 programmatic cost estimates for construction of a new Criminal Courthouse, to be  
126 located at either the site of the Public Safety Building or on property currently owned by  
127 the County and leased for surface parking at the intersection of North 6<sup>th</sup> Street and  
128 West State Street; and  
129

130 WHEREAS, the scope of Phase II of the County Courthouse Planning Program  
131 consists of verifying space needs for functions other than courtroom and related support  
132 spaces, recommending appropriate space planning, and potential re-use of all or a  
133 portion of the Public Safety Building, and swing space scenarios, and investigating  
134 potential siting options for new facilities; and  
135

136 WHEREAS, potential ownership model options for the County Criminal  
137 Courthouse and swing space include both County ownership and leasing, and the swing  
138 space requirements for court functions would not be suitable in typical office building  
139 layouts and will require significant alterations and improvements; and

140  
141 WHEREAS, the County Criminal Courthouse will require substantial investment  
142 by the taxpayers in the form of amortized financing, potentially including public financing  
143 or private financing through a public-private partnership delivery method, or some  
144 combination thereof; and

145  
146 WHEREAS, commonly utilized project delivery methods available to the County  
147 include design-bid-build, design-build (with State approval), public-private partnership,  
148 and Construction Manager At Risk; and

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150 WHEREAS, the County Courthouse Planning Program has been and will remain  
151 in alignment with the County capital project policies; and

152  
153 WHEREAS, the County Courthouse Project Final Report, dated February 8,  
154 2016, and prepared by HGA, Justice Planning Associates, Inc., and IBC Engineering  
155 Services, Inc., recommended Option 1B, with an estimated conceptual cost of \$184  
156 million, for the construction of a new Criminal Courthouse on the existing site of the  
157 Safety Building, which does not include other potentially significant costs, such as swing  
158 space costs, relocation and tenant improvement costs, and improvements to the  
159 Historic Courthouse; and

160  
161 WHEREAS, no funding for the implementation of Option 1B is being requested at  
162 this time because the conceptual cost estimate for the demolition of the Safety Building  
163 and construction of the new Criminal Courthouse will be refined as a part of Phase III of  
164 the Courthouse Complex Planning Program; and

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166 WHEREAS, the Committee on Transportation, Public Works, and Transit, at its  
167 meeting of November 30, 2016, recommended adoption of this resolution as amended  
168 (vote 4-1); now, therefore,

169  
170 WHEREAS, the Milwaukee County Board of Supervisors, at its meeting of  
171 February 2, 2017, referred File No. 16-673 to the Committee on Transportation, Public  
172 Works, and Transit (vote 18-0); and

173  
174 WHEREAS, the Committee on Transportation, Public Works, and Transit, at its  
175 meeting of March 8, 2017, recommended adoption of File No. 16-673 (vote 3-1); now,  
176 therefore,

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178 BE IT RESOLVED, the Facilities Management Division, Department of  
179 Administrative Services, is responsible for the Courthouse Complex Planning Program,  
180 and shall develop implementation strategies to recapitalize the Complex as part of  
181 Phase III; and

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BE IT FURTHER RESOLVED, the Public Safety Building should be, at a minimum, substantially demolished; and

BE IT FURTHER RESOLVED, criminal court functions shall ultimately be relocated to a new Criminal Courthouse, to be constructed at the site of the existing Public Safety Building; and

BE IT FURTHER RESOLVED, the Historic Courthouse should be improved to realize the Phase I strategic goals of safety, security, and highest and best use; and

BE IT FURTHER RESOLVED, the Vel R. Phillips Juvenile Justice Center should continue operating in its current location and manner for the foreseeable future, however, this does not eliminate future relocation planning when directed by Milwaukee County (the County) leadership, but establishes priorities regarding this specific program towards the Complex and its higher priority needs; and

BE IT FURTHER RESOLVED, the existing maintenance requirements of the Historic Courthouse and Public Safety Building will continue to require extensive funding for the safety and security of the building occupants until the Complex is recapitalized; and

BE IT FURTHER RESOLVED, Phase III of the County Courthouse Planning Program, budgeted for \$500,000 in the 2017 Capital Improvements Budget and likely to extend through 2018, shall include recommendations for the appropriate space programming, swing space coordination, ~~ownership~~, financing, and project delivery method strategies, as well as long-term operation and maintenance requirements to facilitate sustainable occupancy of the new Criminal Courthouse; and

BE IT FURTHER RESOLVED, conceptual costs for implementing the County Courthouse Planning Program, such as construction of a new Criminal Courthouse, real estate and move management, swing space acquisition and coordination, and improvements to the Historic Courthouse, will be developed at the highest priority in Phase III of the County Courthouse Planning Program; and

BE IT FURTHER RESOLVED, Phase III of the County Courthouse Planning Program shall include assistance from a broad based group of consultants including those with expertise in judicial planning, communications, architecture, engineering, construction, and real estate, with experience in planning for and design of public municipal facilities, specifically courts, of a similar size while maintaining continuity of operations; and

BE IT FURTHER RESOLVED, the scope of Phase III of the County Courthouse Planning Program shall include the following detailed tasks:

- Validate essential and preferred operating adjacencies from Phases I and II.

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- Define short and long-term reuse scenarios for the Historic Courthouse, based on its highest and best use.
- Define short and long-term administrative space needs that exceed the Criminal Courthouse and Historic Courthouse capabilities to support.
- Develop scenarios for interim and permanent relocation of Public Safety Building occupants.
- Develop scenarios for interim and permanent relocation of Historic Courthouse occupants, as required to facilitate the highest and best use of the Historic Courthouse.
- Investigate potential permanent and temporary (swing space) locations for identified components (may include site visits with judicial officers or others).
- Continue research and recommend new Criminal Courthouse ownership, financing, and project delivery method strategies.
- Refine conceptual cost ranges for demolition of the Public Safety Building, construction of a new Criminal Courthouse, real estate and move management, swing space acquisition and coordination, and improvements to the Historic Courthouse.

; and

BE IT FURTHER RESOLVED, the 2017 Phase III effort of the County Courthouse Planning Program may competitively seek and retain a consultant who will finalize develop options for the Courthouse Complex master space plan to present to the Milwaukee County Board of Supervisors for review and approval and develop implementation strategies and options to present to the Milwaukee County Board of Supervisors for review and approval; and

BE IT FURTHER RESOLVED, that throughout the duration of the process for the Courthouse Planning Program, and in its completion, the Milwaukee County Courthouse Complex will continue to exist as a publically owned asset.

srb  
03/23/17  
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