

Capital Plan Review Committee
Regular Meeting Minutes
Wednesday, November 17, 2010 3:30 PM
Scott Heyman Conference Room

Approved 12/9/10

Attendee Name	Title	Status	Arrived
Kathy Luz Herrera	Legislator	Present	
Frank Proto	Legislator	Present	
Dooley Kiefer	Legislator	Late	3:36 PM
Martha Robertson	Legislator	Present	
Michael Lane	Legislator	Present	

Staff: J. Mareane, County Administrator; C. Covert, Clerk of the Legislature; E. Marx, Planning and Public Works Commissioner; M. Lynch, Public Information Officer; A. LeMaro, Facilities Manager

Guests: Administrative Law Judge Robert Mulvey, Amanda Garnar and Karen Ambrozik, Sixth Judicial District

Call to Order

The meeting was called to order at 3:33 p.m.

Changes to Agenda

There were no changes to the agenda.

Minutes Approval

It was MOVED by Mr. Proto, seconded by Mr. Lane, to approve the minutes of the August 3 and September 9, 2010, meetings as submitted. A voice vote resulted as follows: Ayes – 3 (Legislators Lane, Proto, and Robertson); Noes – 1 (Legislator Herrera); Excused – 1 (Legislator Kiefer). MINUTES APPROVED.

Center of Government

Mr. Mareane redistributed and provided an updated on the July 8, 2010, document *An Approach to Analyzing a Center of Government Concept*.

Ms. Kiefer arrived at this time.

He said this concept has been on the table for some time. It is at a point now to look at the next steps if this project is a direction the Legislature wishes to go. The concept provides a framework on how a decision could be made. It is based on a business-case approach as outlined in the July 18th report. The project should demonstrate savings and be cost effective over the status quo and not be done otherwise. In exploring the business case it should show the estimate of life-cycle costs of status quo compared to life-cycle costs for a new building.

This business-case study requires expertise beyond what staff can offer and he believes the analysis should be done in an objective thorough manner. He recommends hiring a consultant from an architectural firm or an engineering firm that would provide those relative costs of the two alternatives.

At the time this report was first presented there was also discussion concerning prospective occupants of the building including the City and County being co-tenants of the building. Although that discussion was held, the first decision that needs to be made is does this new building make sense for the County.

Some questions that will need to be answered include the occupants (County departments only) and what would happen to the space that would be vacated by departments.

Once the business plan is completed, that would be the time to discuss prospective occupants other than the County such as the City of Ithaca or not-for-profit organizations.

If the decision is to begin moving this project forward, it is time to begin pulling together resources and putting out a Request for Proposals or Request for Qualifications and select a firm to prepare the cost analysis as outlined in the July 18th report.

Mr. Proto referenced the Space Needs study done approximately five years ago and asked if it should be reviewed and updated. In addition he asked if the Old Library site was still being looked at as the primary site for the Center of Government building. Mr. Mareane said there have been no sites confirmed; the Old Library site may be an option. There has also been some discussion to build near the Human Services building bringing together more County operations. Mr. Proto commented that he brought up the Old Library site because it is already off the tax rolls.

Mr. Lane said that most of the space studies done in the past have focused on the Old Library site. He addressed the comment made about co-locating with the City or not-for-profit organizations and said the problem is that there would come a time when the non-county offices would have to relocate due to growth. He also believes it could create unnecessary conflict. He commented that locating the County Clerk's office in the Center of Government should be considered as well so that the public would not be required to go through security. The other issue he raised is the Jail project and the need to address the issues at that building. The Jail is in need of remediation and he does not want to see the Center of Government building project on the list before the Jail project.

Ms. Robertson recalled this Committee looking at the jail project and the timeframe. She believes this project needs to be evaluated including the condition of the Old Library. Mr. Lane reminded the Committee of the resolution approved directing County Administration to find new space for the programs located in the Old Library building.

Ms. Herrera spoke about the Jail project and recalled the pressures that have come from the State Commission of Corrections and the fiscal pressures caused by boarding out inmates. There is new administration coming in both at the State and County levels and she commented on the uncertainties that now exist with regulations for the Jail. She also referenced the similar pressures by the State Court System to build a Center of Government building to accommodate the courts' need for more space in the Courthouse. Ms. Herrera agrees with Mr. Lane and that we should not assume a foregone conclusion and that she would like to make an informed decision. She appreciates the business-plan approach and taking these items step-by-step. As a person who works with facility-related projects, she agrees with building more adequate facilities. She wants to move cautiously in going forward, but with keeping options open.

In answer to Ms. Robertson's question, Mr. Marx said the Capital Plan will be revised and updated next year. If a decision is not made on which project to do first, the plan could show two scenarios of what the projects will look like in the long term. Mr. Marx spoke of a "window of opportunity" and said after 2015 the debt service declines fairly substantially from existing projects. The intent is to have some project prepared to move forward and financed without having a major impact on the tax base. He said the construction for a project could begin one or two years prior to financing with the planning and design being done before that.

Mr. Mareane believes the professional analysis done through an RFP or RFQ would cost approximately \$50,000 and if the Committee decided to move in that direction, he would prepare the

necessary resolution(s) for Committee and Legislature approval. In response to Mr. Proto, Mr. Mareane said the scope of work is mostly outlined in the July 8th Report.

Mr. Mareane clarified for Ms. Herrera that he views the Jail project as a separate and distinct project and that this proposal is for one building and that the Jail would not be included. Mr. Marx clarified his comments made earlier and said it would be appropriate to make a decision from a fiscal perspective that there should be a decision for which direction the Legislature wants to go in the next couple of years.

In response to Mr. Proto about doing a similar schematic for the Jail, Mr. Marx stated a comprehensive analysis was done with several alternatives of the scope and scale of the project. There is also comprehensive renovation of the existing building that has been looked at briefly. It may be appropriate to do that if that is the direction provided and suggested the Public Safety Committee should look at this. He commented that there are some facility needs and it would be appropriate to determine the future of that building.

Ms. Kiefer asked if the Jail report concerning the study done with Cortland County should be looked at again. Mr. Lane said he hopes that would be looked at again.

Ms. Herrera reiterated her comments to keep options open and that informed decisions are made based on existing information and the proposal to do an RRP or RFQ. She does not want the concern raised about the Jail project to be “pushed aside”.

It was MOVED by Mr. Proto, seconded by Ms. Herrera, to give permission to the County Administrator to proceed with preparing the necessary resolution(s) to authorize the funding for a Request for Qualifications.

Ms. Robertson clarified that for the next meeting, the resolution will be presented as well as the scope of work for the RFQ.

Mr. Lane addressed the task of relocating the programs in the Old Library and said he wants to make sure that continues to move ahead. Mr. Mareane said the space for drug court is now being considered as part of the Courts space in the Courthouse. There continues to be work done on scanning the records and there is a need to confirm how much space is needed for that program. Mr. Mareane said space for the Day Reporting program was put on hold until the County Budget was adopted as it was unknown what level the program would continue to be funded. Mr. Lane reminded the Committee of Mr. LeMaro’s caution for that building if a mechanical system fails.

A voice vote resulted as follows on the motion: Ayes – 5, Noes – 0. MOTION CARRIED.

Review of Courthouse Space Study

Mr. LeMaro distributed updated concept-diagram floor plans for the Courthouse. This process began with a kick-off meeting in May with representatives from the Courts and each of the departments in the building. There were six meetings held with the focus being on the Court space and program needs. As a guide, the space standards from the State Courts were used, which are very similar to the County’s policy. However, in many instances the amount of space in the study is below the standard. He was very grateful to the Courts representatives for their support with working in the confines of an historical building. County departments were not interviewed about their space needs as this study focused on space needs for the Court system.

Minutes
Capital Plan Review Committee
Wednesday, November 17, 2010

At this time, Mr. LeMaro provided a detailed overview of the conceptual floor plan of the Courthouse as prepared by LaBella Consultants. There will be some minor reconfigurations made to a few areas highlighted in the plan following a meeting with the Administrative Judge yesterday before the plan is finalized.

The impact of this plan on County departments would be to relocate the County Office for the Aging, Legislature, and a portion of the County Clerk's space that is currently being used for court records that are in the process of being digitized and the space for which would be vacated in a year or two.

Ms. Kiefer referenced a comment made at an Expanded Budget Committee by the Director of Probation concerning some adjacencies and needs that seemed ideal for probation and asked if it had any relevance. Mr. LeMaro said he spoke to the Probation Director about the Drug Court relocating to the Courthouse. Ms. Ambrozik also addressed the question and said when drug courts first started in this County, there was no space in the Courthouse to house it. In all other Courts where there is a facility, drug court staff is located with the judges and other court staff. She spoke to the importance of having the Judges and staff located in the same facility including meeting room space and security.

Mr. Proto recalled that during a renovation project to relocate the Ladies restroom door in the Deputy Clerk's office of the Legislature, a time capsule was placed in the wall with some items from former Board Chairman James Mason.

In response to Mr. Lane, Mr. LeMaro said this is a plan the Court has agreed will work for them. This study was done to identify the Court's needs and how their needs could be met within the confines of the present building.

Ms. Garnar clarified this plan as presented removes the court from the Old Courthouse, which is what is desired as it brings all the courts into one secured building.

Ms. Ambrozik explained that when visiting judges come in trying to find adequate courtroom space is very difficult. She also addressed Mr. Proto's question about additional entities that may be added in the future. Ms. Ambrozik said the State is in the same position as the County is and does not anticipate any additional growth in staff at this time. She commented on the scanning project in the County Clerk's office and said that as that continues to move forward, the more paperless the courts will become and more space available. She also stated in response to Mr. Proto's question about parking that the State Courts do not anticipate any change in the number of parking spaces needed.

Ms. Ambrozik spoke about the benefits of having the County Clerk in the building with the courts, but when the court offices become paperless, that need would become much less.

Mr. Mareane said the State could basically mandate a requirement to provide adequate space for the courts. This plan attempts to accommodate that mandate and was done in cooperation with both entities. The plan should not be characterized as a fluid, hypothetical plan. It is a significant step towards coming up with an arrangement for the State and the County with the understanding there are still some points that need to be negotiated.

In response to Ms. Robertson's question about moving the court from the Old Courthouse, Ms. Ambrozik said it is a strong preference to have all the courts in one building for security, scheduling, and efficiency purposes.

Ms. Herrera said she is unclear if this is a mandate, a proposal, etc., and would like clarification on how to present this plan to her constituents. Ms. Ambrozik said it could ultimately become a mandate,

however, that has not happened in this district. Ms. Herrera said she appreciates the collaboration that has taken place and believes it will be less costly to the taxpayers.

Ms. Ambrozik commented that the State courts reimburse the County 100% for the maintenance operation of all the space occupied, which includes cleaning, maintenance, etc. Items such as HVAC systems, the courts pay a percentage of that cost. As the footprint of a building increases so does the maintenance of operation.

Ms. Kiefer stated this was her first preview of the plan and spoke about the compromises the State Courts have made. However, she is uncomfortable with the historical courtroom in the Old Courthouse building not continuing to be used as a courtroom. Another issue she raised was the study did not address the move of the historic Legislature Chambers and if the Legislature should be the department that relocates or the County Clerk's office.

Mr. LeMaro said the study was done with a limited footprint and will be used to make decisions on how much will be accomplished and what the cost would be. Mr. Marx said the County has reassured the State courts for years the Office for the Aging space would be vacated and made available to the State Courts. Basically this plan, other than the Legislature's space, accommodates all the courts needs as the County said it would do.

Ms. Garnar addressed some of the earlier comments made. One of the reasons the County Clerk's office is included in the plan is the close relationship it has with the courts. The second issue that needs to be addressed is the lack of a handicapped accessible courtroom. Mr. LeMaro commented that it costs less to have the handicap-accessible courtroom in the Legislature's space than the ground floor. There are also efficiencies with having both courtrooms next to each other with the holding area nearby. Ms. Ambrozik said it was preferred not to touch the historical nature of the existing main courtroom in the Courthouse. It would have required a major renovation project to make that courtroom handicap accessible.

Ms. Robertson noted that the State's goals are also the County's goals with improving the space needs for County residents. Mr. Marx said the space study was not done just to reflect the State courts space needs and adjacencies, it also took into consideration other departmental administrative programs that should be co-located for efficiencies and operations. Also identified was the Legislature space having very poor space to accommodate the public's interest.

Mr. Proto asked if the space in the Old Courthouse would be looked at for moving the Legislature into.

Mr. LeMaro spoke about next steps and said upon completion of this conceptual plan, LeBella will prepare an estimate of what the cost would be to renovate the Courthouse. The information would be presented to the State Court representatives followed with a presentation to this Committee. He said he has directed the consultants to present the information and cost estimates in a phased manner.

Ms. Robertson also commented that there should also be another look at the evaluations done for the Old Courthouse.

Ms. Ambrozik said once the numbers are received, a decision would be made based on the State's priorities on where the money will be spent. Ms. Garnar explained how the money is dispensed and said there is a separate facility budget used for these types of projects. It is more likely that the funding would be available if project(s) can be identified sooner rather than later.

Mr. LeMaro anticipates the final report and presentation being complete in January 2011.

Minutes
Capital Plan Review Committee
Wednesday, November 17, 2010

Adjournment

The meeting adjourned at 5:33 p.m.