

	COL A03	COL A06	COL A07	COL A08	COL A09	
	AGY REQUEST	AG FCO PLAN	AG FCO PLAN	AG FCO PLAN	AG FCO PLAN	
	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	
POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	CODES
STATE COURT SYSTEM						22000000
PGM: DIST COURTS OF APPEAL						22100000
COURT OPER/APPELLATE COURT						22100600
STATE COURTS						15
STATE COURT SYSTEM						1501.00.00.00
CAPITAL IMPROVEMENT PLAN						9900000
SPECIAL PURPOSE						990S000
FIXED CAPITAL OUTLAY						080000
2ND DCA CONS - DMS MGD						080073
GENERAL REVENUE FUND						1000 1
	-STATE	21,000,000	29,395,000			

AGENCY NARRATIVE:

2020-2021 BUDGET YEAR NARRATIVE: 2ND DCA CONS - DMS MGD IT COMPONENT? NO

SECOND DISTRICT COURT OF APPEAL NEW COURTHOUSE BUILDING

The Second District Court of Appeal (2nd DCA) requests \$21.0 million in General Revenue funding as the first-year appropriation for a new courthouse building requiring two years of appropriations.

The Florida Legislature, in Specific Appropriation 3142A of the 2016 General Appropriations Act, directed the Department of Management Services (DMS) to "contract for a study of the courthouse space and location needs of the Second District Court of Appeal." On December 22, 2016, DMS submitted the "Second District Court of Appeal Space and Location Needs Study." The Study's Executive Summary includes the following facts and recommendations:

- * The 2nd DCA has vacated its Lakeland courthouse due to health concerns presented by the 55-year old courthouse's degradation (p. 8).
- * The 2nd DCA now operates in Lakeland in separate leased space (p. 8). However, space exists for only three judges in the Lakeland leased space (p. 8). The Lakeland leased space also includes space for only two central staff attorneys, various support staff, and the Clerk's and Marshal's offices, but does not include a courtroom (p. 8).
- * The 2nd DCA continues to operate in Tampa in leased space controlled by Stetson University's College of Law (p. 8). However, the 2nd DCA currently does not have a courtroom under its control (p. 5). All oral arguments take place in a classroom with a bench designed to host moot court and mock trial competitions (p. 5). The lease will expire in 2023.
- * All 2nd DCA judges are provided with limited space in the Tampa leased space (p. 8). However, some of the offices are less than ideal (p. 8). By necessity, several of the judges' staff attorneys and the 2nd DCA's central staff attorneys work in cubicles and shared offices (p. 8).
- * Consolidation into one location would significantly improve the efficiency of the court by streamlining operations, reducing duplicative costs, and improving productivity (pp. 4-5).
- * The best long-term option is to build a new state-owned courthouse (p. 6).
- * The parcel selection process should first explore state-owned land located in identified submarkets in the Tampa Bay region (p. 6). Consideration should also be given to land owned by other governmental jurisdictions (p. 6).
- * Should the acquisition of privately-owned land be necessary, the potential purchase price could be high. Although land prices in 2016 ranged up to \$150 per square foot (p. 7), land prices in the booming Tampa market have escalated, even by conservative estimates, by 5-10%, perhaps up to \$165 per square foot.
- * The estimated square foot requirement to build a new state-owned courthouse is 73,149 square feet (pp. 6, 40).
- * In addition to land acquisition costs, the estimated design and construction costs in 2016 were approximately \$440-\$460

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POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	POS	AMOUNT	
STATE COURT SYSTEM										22000000
PGM: DIST COURTS OF APPEAL										22100000
COURT OPER/APPELLATE COURT										22100600
STATE COURTS										15
STATE COURT SYSTEM										<u>1501.00.00.00</u>
CAPITAL IMPROVEMENT PLAN										9900000
SPECIAL PURPOSE										990S000

per sq. ft. or \$32.2 to \$33.7 million (p. 6). With a 5-10% escalation since 2016, costs may now be up to \$37.1 million.
 * This range of anticipated cost includes the cost differences between developing in a downtown submarket versus other submarkets in addition to specific site conditions (p. 6).
 * The impact of secured parking - including surface versus structured parking - will also impact overall cost (p. 6).
 * The estimated cost would also be impacted by the commencement date of construction as pricing changes over time, plus or minus 5% each year (p. 6).
 * The estimated cost does not include furniture, fixtures, and equipment, which also would need to be purchased (p. 6).

Based on the Study, the 2nd DCA, during the 2018 session, requested \$8.2 million for only pre-construction costs, including the cost to acquire a site if not already state-owned, for DMS to retain an architect to design a new courthouse on the selected site, and for DMS to retain a contractor to estimate the costs to construct that design on the selected site, so the 2nd DCA could request those construction costs in future years. However, the requested funds were not included within the 2018 General Appropriations Act.

The 2nd DCA's request for the 2019 session increased to \$20.0 million, reflecting not only pre-construction costs, but also a portion of the construction costs. The estimates in the Study's 2016 Executive Summary, adjusted for annual construction inflation, indicate a total project cost of approximately \$48 million:

Site/building acquisition:\$4.0 million (moderate-priced site based on Study)
 Design/construction/fees: \$37.1 to \$38.7 million (Study's estimate, plus recent construction inflation, plus fees)
 Site development/parking: \$3 million
 Furniture/fixtures/equip.:\$2.3 million (based on DMS Study dated 10-27-15).

The requested funds were not included within the 2019 General Appropriations Act.

Due to the continued urgent need for a courthouse, the 2nd DCA requests \$21.0 million in FY 2020-21 (year one) for:

- 1)the Legislature to select a new courthouse site;
- 2)the cost to acquire a site or existing building if not already state-owned;
- 3)DMS to retain an architect to design a new courthouse for the selected site/bldg.;
- 4)DMS to retain a contractor to estimate the costs of the courthouse design; and
- 5)construction, to be applied along with the FY 2021-22 (year two) appropriation.

If a consolidated state-owned courthouse is not constructed, the 2nd DCA estimates that it will require an additional \$1.5 million (recurring) expense dollars for additional leased space for the Tampa branch, beginning in FY 2023-24. Specifically, the Study program plan estimated a total square foot requirement of 73,149. The leased space in Tampa is 26,415 square feet, and the leased space in Lakeland is 12,850 square feet. Based on use and occupancy, the Tampa branch should occupy 60,000 square feet, to include offices and a courtroom located in a secure single-tenant building.
