

The attached document was submitted to the
Washoe County Board of Commissioners during
the meeting held on February 26, 2019.
by District Court
for Agenda Item No. 3
and included here pursuant to NRS 241.020(8).

Washoe County District Court New Courthouse Project: 22-Year Historical Timeline

During 1996, Washoe County and the Second Judicial District Court opened the \$26 million Family Division and Reno Justice Court courthouse located at One South Sierra Street across the street from the Historic Courthouse at 75 Court Street.

On January 12, 1999, the Board of County Commissioners (BCC) approved a Consultant Agreement with Tate & Snyder Architects and Dan L. Wiley and Associates, Inc., for a Master Plan Update of the Washoe County Courts Complex.

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During 2008, consultants for the Washoe County Engineering and Capital Projects Division issued an update the Washoe County Court Complex Master Plan as authorized by the BCC.

On April 15, 2008, the BCC acknowledged the 2008 Washoe County Court Complex Master Plan Update as a valid identification of the long-term requirements for the Downtown Court Complex and provided direction to staff on proceeding with the expansion of the Downtown Court Complex.

BCC 2-26-19 #3
District Court

On July 1, 2009, Nevada Assembly Bill 65 authorizing the Second Judicial District Court to collect additional court fees for the purpose of “. . . Construct[ing] or acquir[ing] additional facilities for the district court. . .” became effective. See NRS 19.0302.

On October 1, 2009, Nevada Assembly Bill 64 increasing the number of Family Court district judges by one in the Second Judicial District Court became effective.

On November 13, 2012, the BCC approved a request to establish a court-restricted capital expansion account pilot program to support the long-term capital needs of the new courthouse project.

On May 19, 2014, County Manager Slaughter approved an extension through FY 17 of the court-restricted capital expansion account pilot program approved by the Board on November 13, 2012. Manager Slaughter also approved a budget shift for the Department 15 Bailiff and all associated expenses to the Washoe County Sheriff’s Office, while simultaneously increasing the WCSO budget for said transfer.

During March 2016, the National Center for State Courts issued a Second Judicial District Court Space Needs Assessment.

On June 23 and 26, 2016, the National Sheriff’s Association (NSA) conducted a review of court security practices, facilities and procedures for the Second Judicial District Court and shortly thereafter issued its findings. The NSA’s final report stated: *“Certainly the assessors would recommend the relocation of all court functions from the 75 Court Street facility, as many of the design flaws are impossible to overcome.”*

On May 31, 2017, Parsons Behle & Latimer issued a preliminary legal summary analyzing the authority of the Second Judicial District Court and County of Washoe to enter into contracts with private industry for the purpose of cooperative development of a mixed use private and public facility related to the new courthouse project.

On June 23, 2017, GSD Nevada principal Brad Mamer and Michael Dermody met to discuss a restart to the new courthouse project.

On July 1, 2017, the SJDC entered into a professional services agreement with GSD Nevada to perform development manager services for the new courthouse project coordinating pre-construction services including but not limited to space needs assessment update, preliminary design, preliminary cost estimating, funding resource identification and preliminary financing planning for the new courthouse project.

On July 12, 2017, Frederic Dorwart Lawyers PLLC issued a preliminary legal summary of Potential Public Private Partnership for new courthouse project.

On August 11, 2017, at the direction of Board Chairman Lucey and County Manager Slaughter, county and district court staff and GSD Nevada met for the first of a series of core group meetings to discuss the new courthouse project “next steps.”

On August 18, 2017, Board Chairman Lucey directed a new courthouse discussion with members of the core group and some development/real estate local representatives.

During November 2017, the National Center for State Courts issued an update to the Second Judicial District Court Space Needs Assessment originally presented on March 2016.

On December 4, 2017, the SJDC entered into a professional services agreement with Washington D.C. based District Strategies to investigate potential federal funding programs which may be available the new courthouse project.

On December 14, 2017, the SJDC entered into an agreement with United Construction for a preconstruction new courthouse conceptual budget, including constructability reviews and a conceptual schedule.

On December 21, 2017, Judge Hardy and District Court Administrator Bryant presented a new courthouse project update to the Washoe County Capital Improvement Project Committee.

On December 29, 2017, Judge Hardy and Chief Judge Freeman appeared before the BCC to present a status update on the new courthouse project.

On December 19, 2017, the BCC accepted (1) the status report and request to proceed from the SJDC related to a potential new courthouse project; and (2) provided direction to county staff to begin work on the new courthouse project which is not currently listed in the approved Washoe County Capital Improvement Program FY 18.

On December 19, 2017, the BCC provided (1) direction to county staff to initiate an update to the Washoe County Courts Complex Master Plan to include all county uses downtown to maximize county assets in the area around the Second Judicial District Court; (2) approve a resolution to augment the Capital Improvements Fund in the amount of \$200,000 to increase expenditure authority for this update.

On January 19, 2018, District Court Administrator Bryant presented a new courthouse update as part of the 2018 Judges' Retreat.

On January 30, 2018, United Construction presented the completed \$117 million new courthouse conceptual budget, including a series of budget clarifications and conceptual schedule.

On February 1, 2018, the GSD Nevada professional services agreement was extended for up to nine (9) months conditioned on a not-to-exceed services amount.

On March 8, 2018, GSD Nevada principal Brad Mamer presented a new courthouse update and potential public-private partnership presentation as part of a meeting of the Second Judicial District Court judiciary.

On March 9, 2018, District Strategies submitted to Nevada Congressman Amodei various information related to an appropriation request for the new courthouse project.

On April 23, 2018, Governor Brian Sandoval nominated 61 opportunity zones pursuant to the Tax Cuts and Jobs Act of 2017, including the census tract on which the new courthouse is proposed to be constructed. Opportunity Zone federal tax incentives are designed to encourage long-term private investment in low-income communities, which SJDC consultants believe may provide a financing option attractive to private developers and investors. On June 14, 2018, U.S. Secretary Mnuchin certified Nevada's Opportunity Zone designations.

On April 24, 2018, Washoe County Manager Slaughter presented to the BCC an Executive Summary of the FY19 Budget, including a discussion regarding the County's efforts to identify funding sources for the new courthouse project.

On May 4, 2018, the Second Judicial District Court (SJDC) Bench voted the courthouse should: (i) be located on the old Pioneer parking lot; (ii) contain the Family Division and General Jurisdiction Division; and (iii) should contain one (1) Large General Jurisdiction Ceremonial courtroom.

During June 2018 Washoe County issued to the BCC its Executive Summary of Fiscal Year 2019 Tentative Budget including \$5,318,000 in General Fund transfers to the County's capital improvement program for various projects that were prioritized from over \$16,000,000 in requests, in addition to other estimated capital expenditure needs of over \$200,000,000, including the new Second Judicial District Court building, for which no funding sources are currently available.

On June 20, 2018, Washoe County Community Services Department posted a public Request for Qualifications regarding a professional services agreement to update the Washoe County Court Complex Master Plan. After interviews by County and Court staff, Arrington Watkins was selected in July 2018 with a target completion date of the updated Courts Complex Master Plan by March 2019.

During July 2018 the SJDC entered into a professional services agreement with Crowley & Associates to perform government and public affairs services for the new Second Judicial District Court building.

On July 27, 2018, Washoe County Assistant County Manager Thomas confirmed a financial advisor Request for Qualifications was to be posted with a target selection by October 2018. Once in place, Court and County administration have discussed having the County financial advisor, in coordination with GSD Nevada, developing preliminary financing options for the new courthouse project.

On June 22, 2018, the General Jurisdiction Division Bench discussed and voted upon various recommendations regarding the new courthouse.

On June 29, 2018, the General Jurisdiction Division Bench discussed and voted upon various recommendations regarding the new courthouse.

On August 10, 2018, the SJDC Bench voted to accept the recommendations made at the respective Family Division and General Jurisdiction Division meetings.

During September 2018 the SJDC prepared draft financing summaries related to two potential options its consultant identified as sufficient to fund the renamed Washoe County Civic Center project. These summaries were shared with Washoe County management for comment in advance of release to the BCC and general public.

On September 19, 2018, Washoe County issued a staff report requesting approval from the BCC of the engagement of Sherman & Howard L.L.C. for bond and special counsel services regarding several debt financing projects on the horizon, including the Washoe County Civic Center project. The BCC approved this recommendation at its September 25, 2018, regularly scheduled meeting.

During October 2018 the SJDC and Washoe County reviewed as a potential comparable Nevada courthouse project the announced Public-Private Partnership structure for the approved Las Vegas Municipal Courthouse project.

During October 2018 Washoe County began preliminary discussions with developers interested in the Washoe County Civic Center project.

During November 2018 the SJDC reviewed as a potential regional comparable courthouse project the under construction 17-story Multnomah County courthouse located in downtown Portland.

During November 2018 Washoe County announced its selection of a qualified pool of independent registered municipal advisors, including the team of Hobbs, Ong & Associates, Inc. and PFM Financial Advisors LLC, JNA Consulting Group LLC, and Zions Bank Public Finance regarding issuance of municipal securities and municipal financial products, including the Washoe County Civic Center project.



Second Judicial District Court State of Nevada Washoe County

NEW COURTHOUSE PROJECT FACT SHEET SERIES **FUNDING OPTION NO. 1: NRS 371 SUPPLEMENTAL GOVERNMENT SERVICES TAX**

Objective

This fact sheet presents information about the potential use of chapter 371 by the Washoe County Commissioners to impose a supplemental governmental services tax to fund the construction or lease of a new district courthouse located on the old Pioneer parking lot across from 75 Court Street.

1. What is the Supplemental Governmental Service Tax?

Added to chapter 371 of the NRS in 2009, sub-section 371.043 grants the Board of County Commissioners (BCC) the authority, but not the requirement, to impose by ordinance a supplemental government services tax (Supplemental GST) on state-licensed vehicles located in the related county. In lieu of personal property tax on vehicles, in 1963, chapter 371 was approved by the legislature to authorize a similar but mandatory vehicle fee known as the basic "governmental services tax" (GST).

2. What are the GST and Supplemental GST tax rates?

The mandatory GST tax is imposed throughout the state at a rate of 4 cents on each \$1 of valuation of the vehicle as determined by the Nevada Department of Motor Vehicles and state law, with some exceptions. In a county whose population is 100,000 or more but less than 700,000 (currently Washoe County), the BCC can impose a discretionary additional GST (i.e. "Supplemental GST") of not more than 1 cent on each \$1 of valuation of the vehicle for the privilege of operating upon the streets, roads and highways of each vehicle based in the County, also with certain exceptions. Washoe County does not currently assess a Supplemental GST.

3. How are GST and Supplemental GST taxes collected and distributed?

Both taxes are collected by the Department of Motor Vehicles (DMV) and distributed by the state. Of the total GST tax collected by the DMV, the state collects a 6 percent commission. Of the remaining 94%, 20% is distributed to the State General Fund and State Highway Fund. Around 42 percent of the remaining 74% is directly allocated and distributed to the Washoe County School District (WCSD), with the remaining 58 percent distributed to Washoe County. Of this Washoe County portion, around 49 percent of the GST collections are distributed to the cities, enterprise and special districts in the County, leaving around 22% of total GST collections for direct County use. Unlike GST distributions, 100 percent of the Supplemental GST collections, less the 6 percent commission (i.e., 94%), are distributed to the originating county with no mandatory allocations to WCSD or the cities, enterprise or special districts. The County is authorized to use the proceeds of the Supplemental GST to pay the construction and maintenance costs of certain county roadway projects, including interlocal regional transportation commission projects, or to pay for other county



Second Judicial District Court State of Nevada Washoe County

operating costs, or for any other costs to carry out the governmental functions of the County as approved by the BCC. If approved by the BCC, the new courthouse project is such a governmental function.

A breakdown of the FY18 Basic GST distributions is below:

Entity	Amount	% of Total
State Commission	4,365,607	6.0%
State General & Hw	14,434,961	19.9%
WC Other Entities	15,475,656	21.3%
WCSD	22,562,907	31.1%
Washoe County	15,817,284	21.8%
Total	\$ 72,656,415	100.0%
*Source: County Manager's Office, Budget Division per FY18 Nevada DMV Distribution Reports		

4. How are vehicle valuations determined for the GST and Supplemental GST?

Both the GST and Supplemental GST are levied at the time: at the initial and annual renewal registration. The initial valuation of the vehicle is determined at 35% of the manufacturer's suggested retail price. Vehicle values are depreciated to 95% after the first year and graduated down to 15% after 9 years.

5. Has the Supplemental GST been implemented in Nevada?

Yes, currently Clark and Churchill Counties impose the maximum Supplemental GST.

6. Has Washoe County considered the implementation of a Supplemental GST?

Yes, the County has considered the Supplemental GST at various times since the law's adoption in 2009. More formally, as part of the 2012 General Election, the County presented an advisory ballot question (WC-2) requesting voter input on whether the BCC should implement the Supplemental GST to expand public services funding. While this question was advisory in nature and did not place any legal requirement on the BCC, voters were not in favor of this question by a margin of 59.6% to 40.4%.

7. Why did voters reject WC-2?

The exact reason was not reported, however a primary argument in opposition to WC-2 was that the proposed uses were not specifically described in the ballot language which instead said, "funding for essential services **such as** senior services, public safety services and public infrastructure" (emphasis added). Another opposing view was that the County budget was balanced, and with strong housing



Second Judicial District Court State of Nevada Washoe County

sales, and increasing median home prices, the Supplemental GST was therefore not necessary to meet the needs of existing public services.

Contrary to the 2012 ballot advisory, this fact sheet analyzes use of the proposed Supplemental GST to fund the construction or lease of the new district courthouse project. Unlike expanding undefined existing public services, as argued by the opposing view to WC-2 (2012), the new district courthouse project would address documented deficiencies with current court facilities, while the district court's operating costs would continue to be paid by State and County funds. In this regard, the 75 Court Street courthouse was constructed in five phases over a period of 90 years (1873, 1911, 1946, 1949, 1963), which means the historical courthouse is over 100-years old, making it the oldest daily use building that the County operates. 75 Court Street includes substantial unusable space that once housed Washoe County Jail inmates which was condemned for further use by the Nevada Supreme Court following an inmate lawsuit. 75 Court Street is not designed for a unified court, which was why the 1 South Sierra courthouse was constructed in 2005. The family division already occupies all usable space at 1 South Sierra, which is not expandable to address existing and projected near-term family court demands driven, in large part, by actual and projected population growth. The proposed unified courthouse would improve citizen access and safety, allow for contemporary judicial technology, integrate judicial services and departments, increase inmate transport efficiencies, allow for the development of a secure marshal infrastructure, and is estimated to reduce operating/maintenance expenses. More simply, the proposed new courthouse addresses a specific demand for a crucial County service.

8. Reuse of Existing Court Facilities

A commenced downtown court master plan will analyze existing and future uses of both courthouses. Portions of the original 75 Court Street courthouse are proposed to be renovated and preserved as a state registered historic place, with the 1963 addition proposed to be demolished to construct weekday structured court parking which can be used for downtown weekend/holiday special events.

9. How much new tax revenue would be generated by the Supplemental GST?

Of the reported FY 2018 GST distribution to Washoe County entities of \$53.8 million, around \$22.4 million was allocated to WCSD, and around \$15.4 million was distributed to the cities, enterprise and special districts in the County. The remaining \$15.8 million in GST collections was used directly by the County. Assuming the full 1 percent Supplemental GST is approved by the BCC, an estimated \$14 million in Supplemental GST collections would be available for construction and/or operation of certain projects approved by ordinance by the BCC. A portion of these collections would fully-fund the new courthouse project, leaving the remaining proceeds available for use by the County for other BCC-approved projects. It is important to note that there is no "minimum/base" collection amount guaranteed for Basic GST or Supplemental GST. For example, if the average age or number of vehicles registered in Washoe County declines, this could reduce the collections. In fact, during the



Second Judicial District Court State of Nevada Washoe County

Great Recession, Basic GST distributions to Washoe County declined by 24%, a total reduction of \$3.1M, from 2007 to 2012. Washoe County did not return to pre-recession levels until mid-2015.

Historical Basic GST Allocations to Washoe County		
Fiscal Year	Amount	% Change of Prior Year
2007	12,924,397	0.7%
2008	12,632,316	-2.3%
2009	11,493,022	-9.0%
2010	10,811,143	-5.9%
2011	10,228,187	-5.4%
2012	9,812,791	-4.1%
2013	9,949,590	1.4%
2014	10,874,264	9.3%
2015	12,087,485	11.2%
2016	13,266,891	9.8%
2017	14,256,602	7.5%
2018	15,817,284	10.9%
*Source: County Manager's Office, Budget Division per C-Tax Distribution Reports from Nevada Taxation		

10. What would be the local impacts of the Supplemental GST?

As part of the WC-2 ballot advisory, published County ballot materials estimated the average additional cost to a motor vehicle owner would be approximately \$43 per year. Based on an MSRP Vehicle cost of \$30,000, the estimated motor vehicle impact would be \$58 given a 2013 vehicle. This amount will be more or less depending on the MSRP and age of vehicle being registered. Per Vehicle Increase impacts based on three different scenarios are outlined below as provided by the online DMV Registration Estimate tool.

Vehicle MSRP Cost = \$30,000	Vehicle Year		
	2018	2013	2008
Basic Registration Fee	33	33	33
Governmental Services Tax	420	231	63
Supplemental Government Services Tax	105	58	16
Technology Fee	1	1	1
	\$ 559	\$ 323	\$ 113
*Source: Manager's Office, Budget Division per online DMV Registration Estimate			

Board of County Commissioners Annual Update

Washoe County
New Courthouse Project
(February 2019)

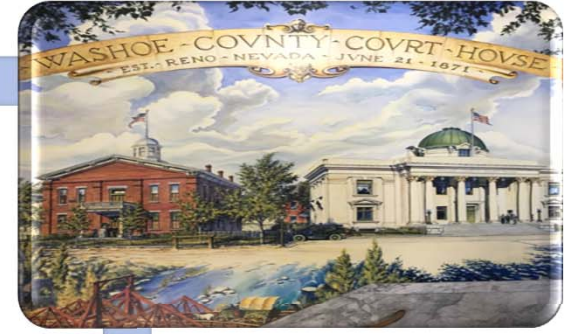




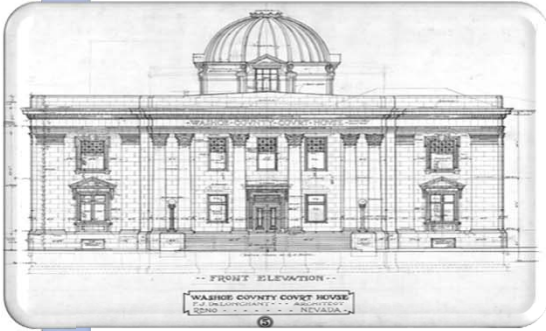
1872 ORIGINAL COURTHOUSE



1940s NORTH & SOUTH WINGS



1999 HISTORIC RENOVATION



1909 DELONGCHAMPS REDESIGN



1963 WEST ANNEX ADDITION



2003 FAMILY COURTROOM EXP.



1911 REOPENING



1996 NEW FAMILY COURTHOUSE



2010 RENOVATIONS

Washoe County Courthouse Construction, Expansions and Renovations since 1872



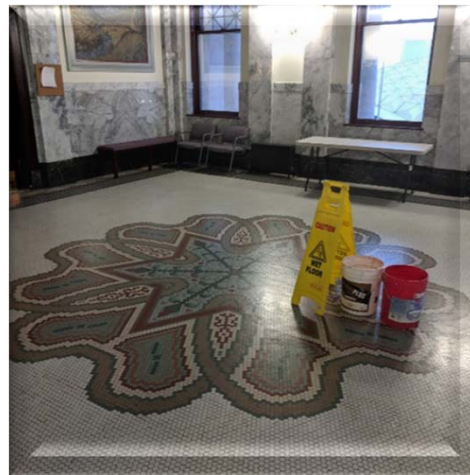
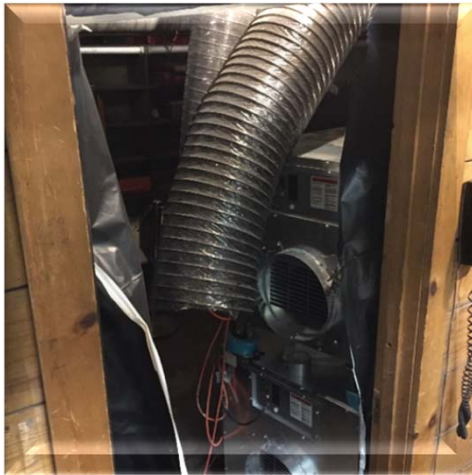
**Decommissioned
Radon System**



**Historic Courthouse
Leaking Ceiling**



**Raw Sewage Spill in
Annex Basement**



Examining the New Courthouse Need:
Not If or Why, But When and How

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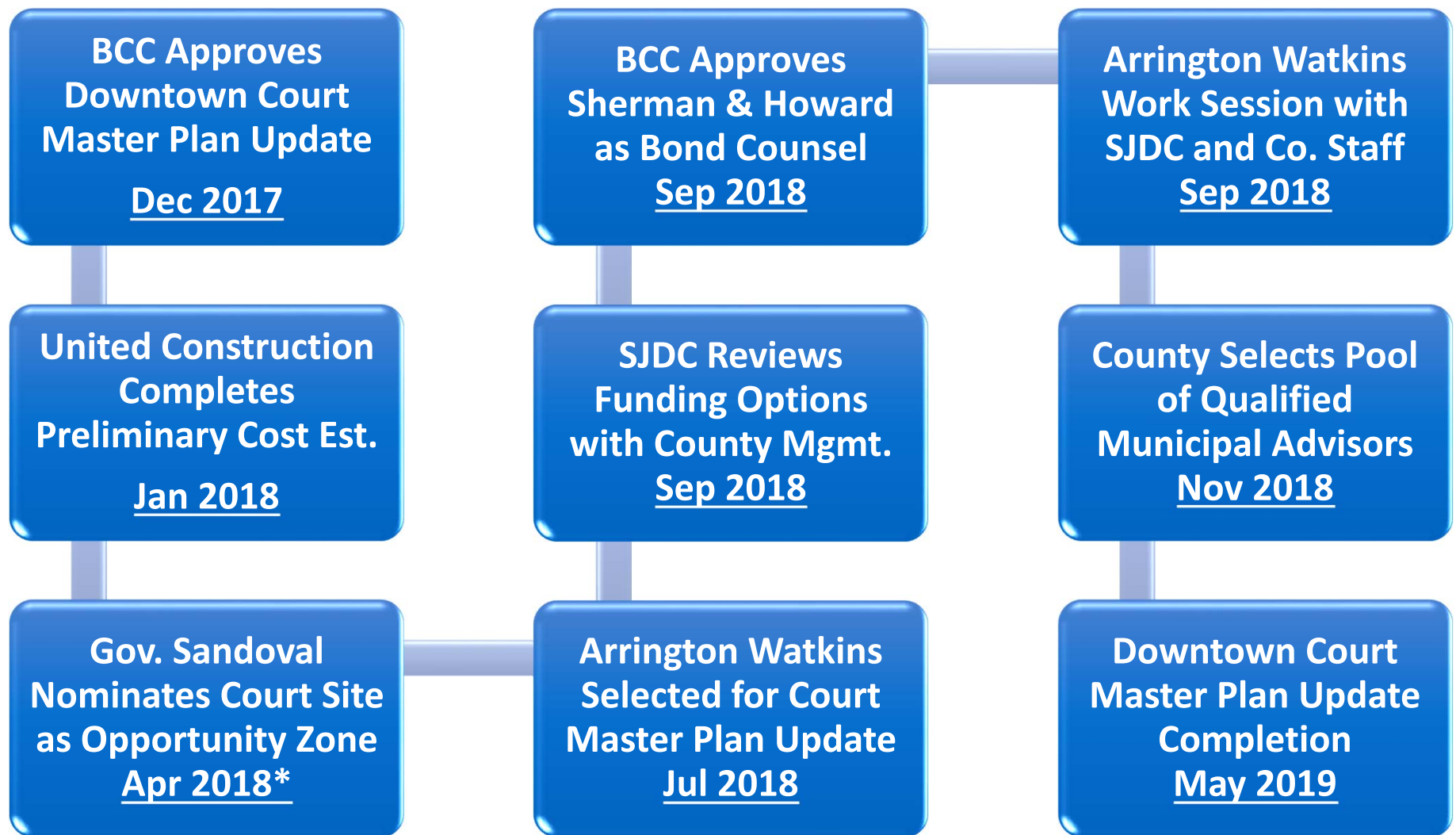
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A County Process Spanning Over 22 Years



*U.S. Treasury Secretary Mnuchin certified Nevada's Opportunity Zones on June 14, 2018

2018 Significant Washoe County New Courthouse Progress Milestones

WASHOE COUNTY
COMMUNITY SERVICES DEPARTMENT
REQUEST FOR QUALIFICATIONS

Project Specifications and Instructions
for Submitting Qualifications to Furnish

Professional Services for
Washoe County Court Complex Master Plan Update



Due: June 20, 2018



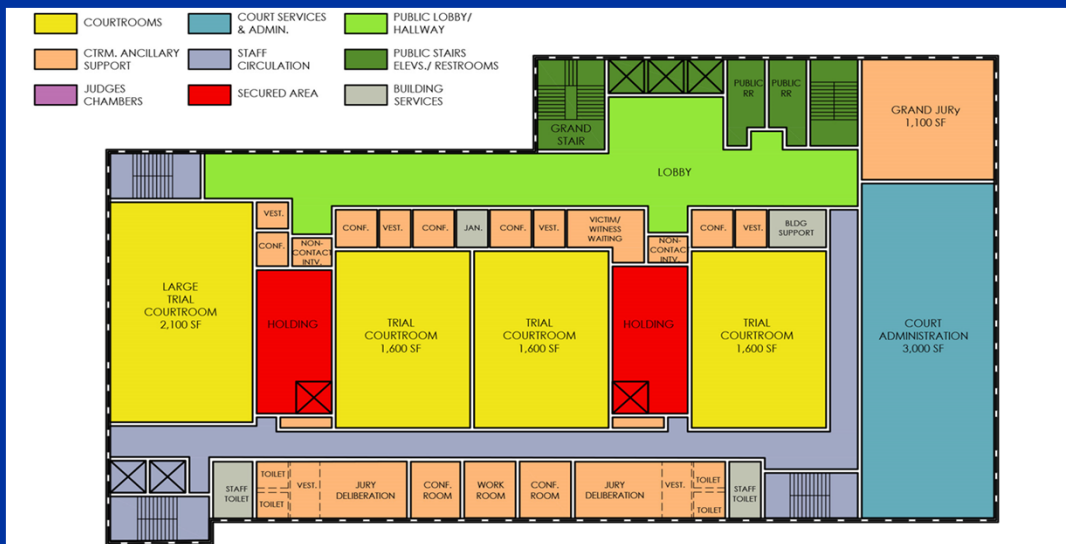
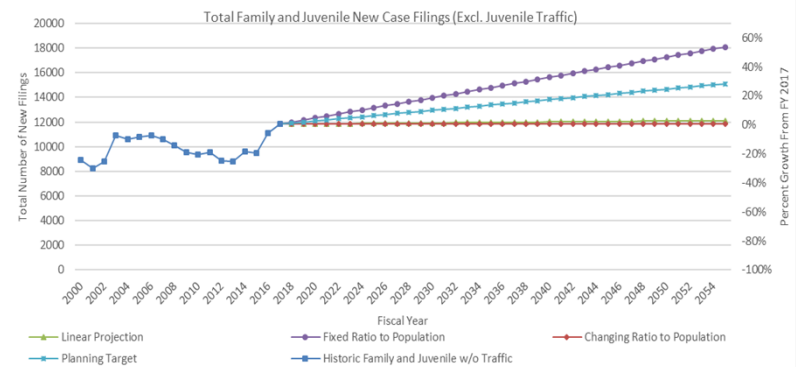
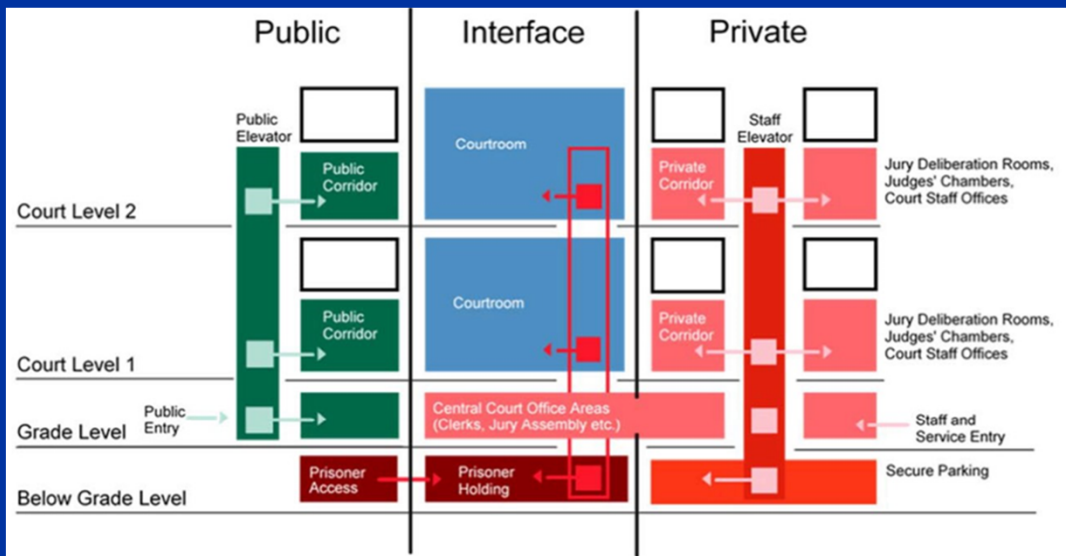
Washoe County, Nevada
Second Judicial District Court
Space Needs Assessment

Revised Final Report
November 2017

National Center for State Courts
Chang-Ming Yeh, Principal Court Facility Planner
Gordon Griller, Principal Court Management Consultant
Nathan Hall, Senior Staff Architect
David Sayles, Project Analyst
Alex Liu, Staff Architect

Daniel J. Hall, Vice President
Court Consulting Services
707 Seventeenth Street, Suite 2900
Denver, Colorado 80202

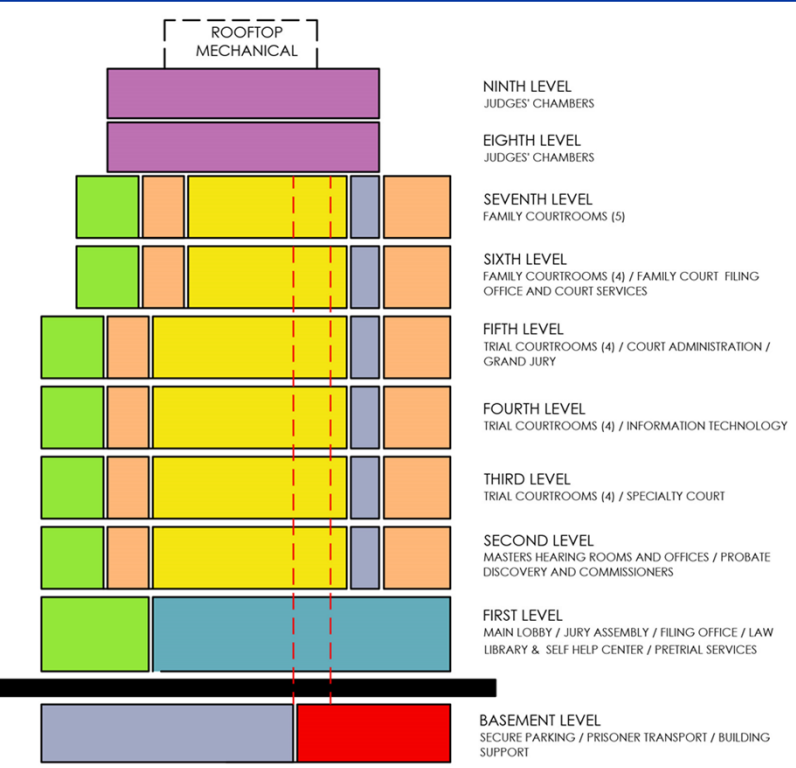
3 Years of Joint County-Court Master Planning



FOOTPRINT AREA:
25,000 SF (APPROX.)

FIFTH FLOOR
Scale 1" = 30'-0"
OCTOBER 20, 2017

WASHOE COUNTY COURTHOUSE
CONCEPTUAL BLOCKING



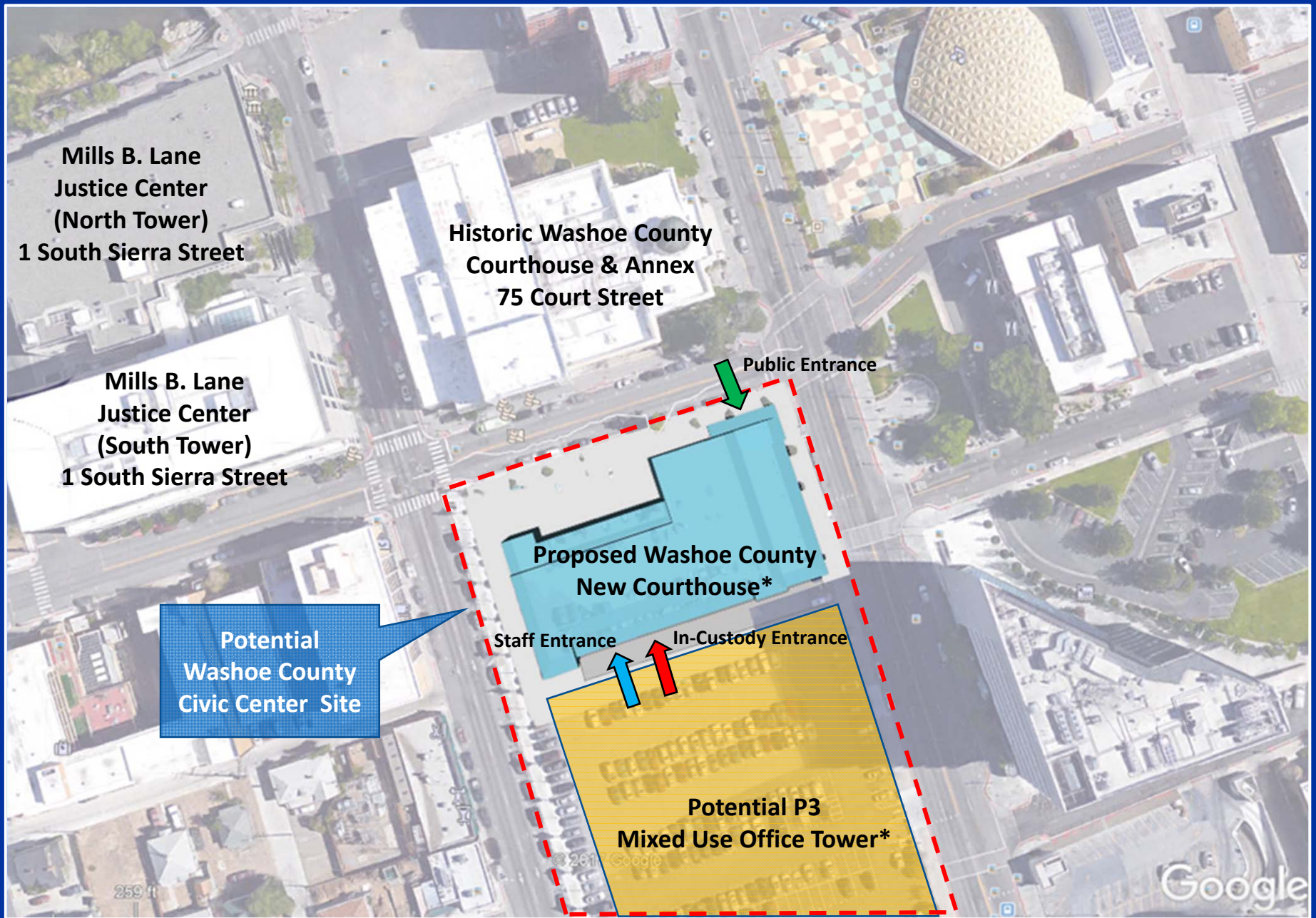
OPTION 2 STACKING DIAGRAM
Scale 1" = 30'-0"

OCTOBER 20, 2017



Modern Courthouse Planning to Address Washoe County's Next 50 Years*

*Discussion draft only. Subject to Pending Washoe County Court Complex Master Plan Update and any necessary Commissioner approvals.



Washoe County Civic Center Complex Site Analysis*



Potential Washoe County Court Complex Master Plan Update Options*

*Discussion draft only. Subject to Pending Washoe County Court Complex Master Plan Update and any necessary Commissioner approvals.

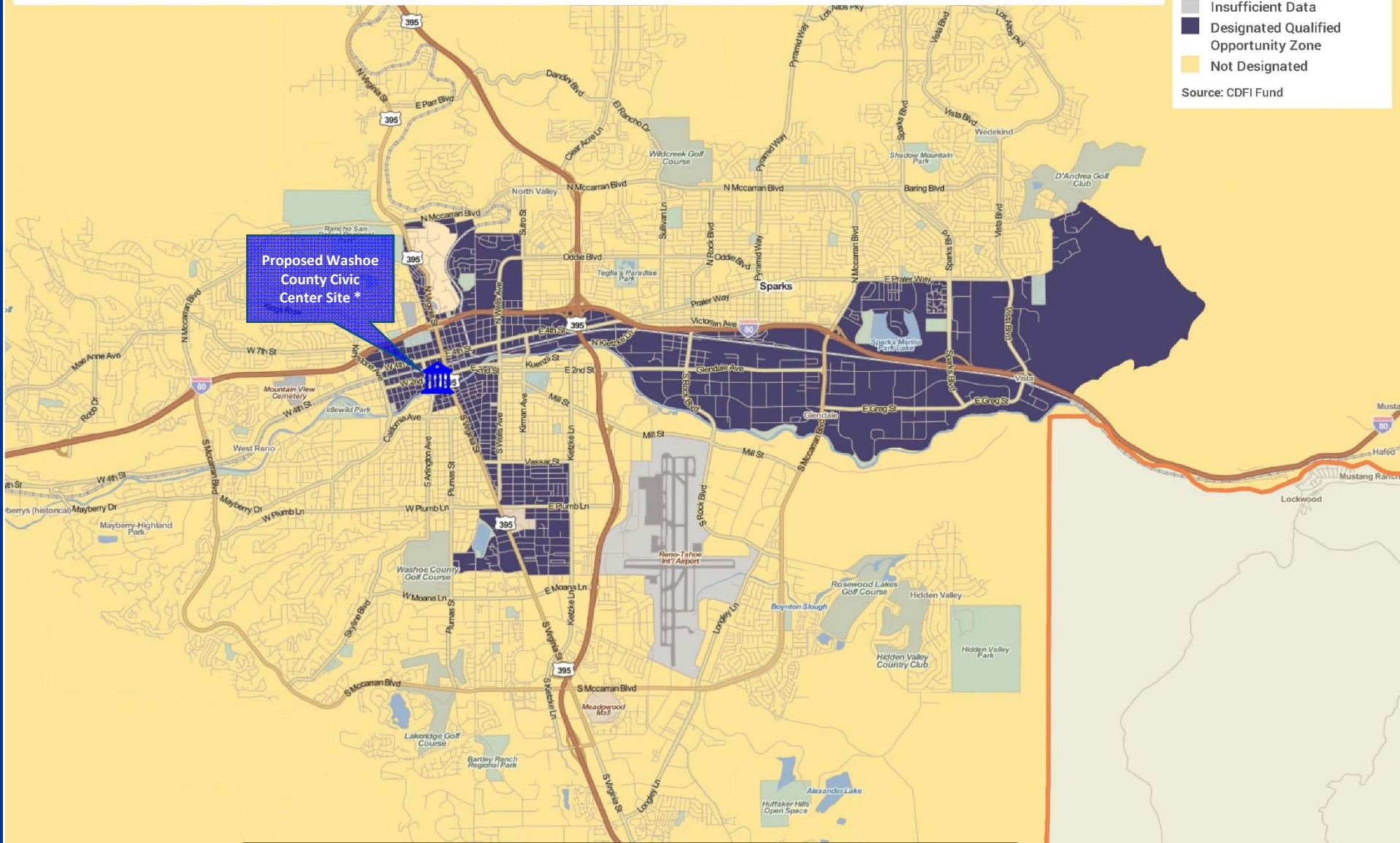
Washoe County Nevada Designated Qualified Opportunity Zones

Census tracts labeled as "Designated Qualified Opportunity Zone" are census tracts that have been nominated and designated as a Qualified Opportunity Zone (QOZ). Data updated from the CDFI Fund as of June 14, 2018.

Designated Qualified Opportunity Zone
 Year: 2018
 Shaded by: Census Tract, 2010

- Insufficient Data
- Designated Qualified Opportunity Zone
- Not Designated

Source: CDFI Fund



Potential Opportunity Zone Benefits*





**Example: Public Private Partnership Mixed Use Office Project
Las Vegas Molasky Corporate Center (2007)**

Potential Mixed Use Tenants

Example Government Uses

- Washoe County Ancillary Services (e.g., County Downtown Annex, Community Meeting Center, Public Library, etc.)
- City of Reno, State of Nevada or Other Local Agencies

Example Professional Offices

- Law Firms Desiring Court Proximity
- Other Class A Professional Offices (e.g., Commercial Real Estate, Investment Advisors, Property Management, Collaborative Working Center, etc.)
- Full Service Bank Center and Title Companies
- Fitness and Wellness

Example Retail Uses

- Medical Clinic or Urgent Care
- Specialty Coffee, Tea and Espresso
- Delicatessens and Breakfast/Lunch Providers
- Legal Copy or Full Service Print/Pack/Ship Centers



Washoe County New Courthouse Architectural Massing Study*

*Discussion draft only. Subject to Pending Washoe County Court Complex Master Plan Update and any necessary Commissioner approvals.

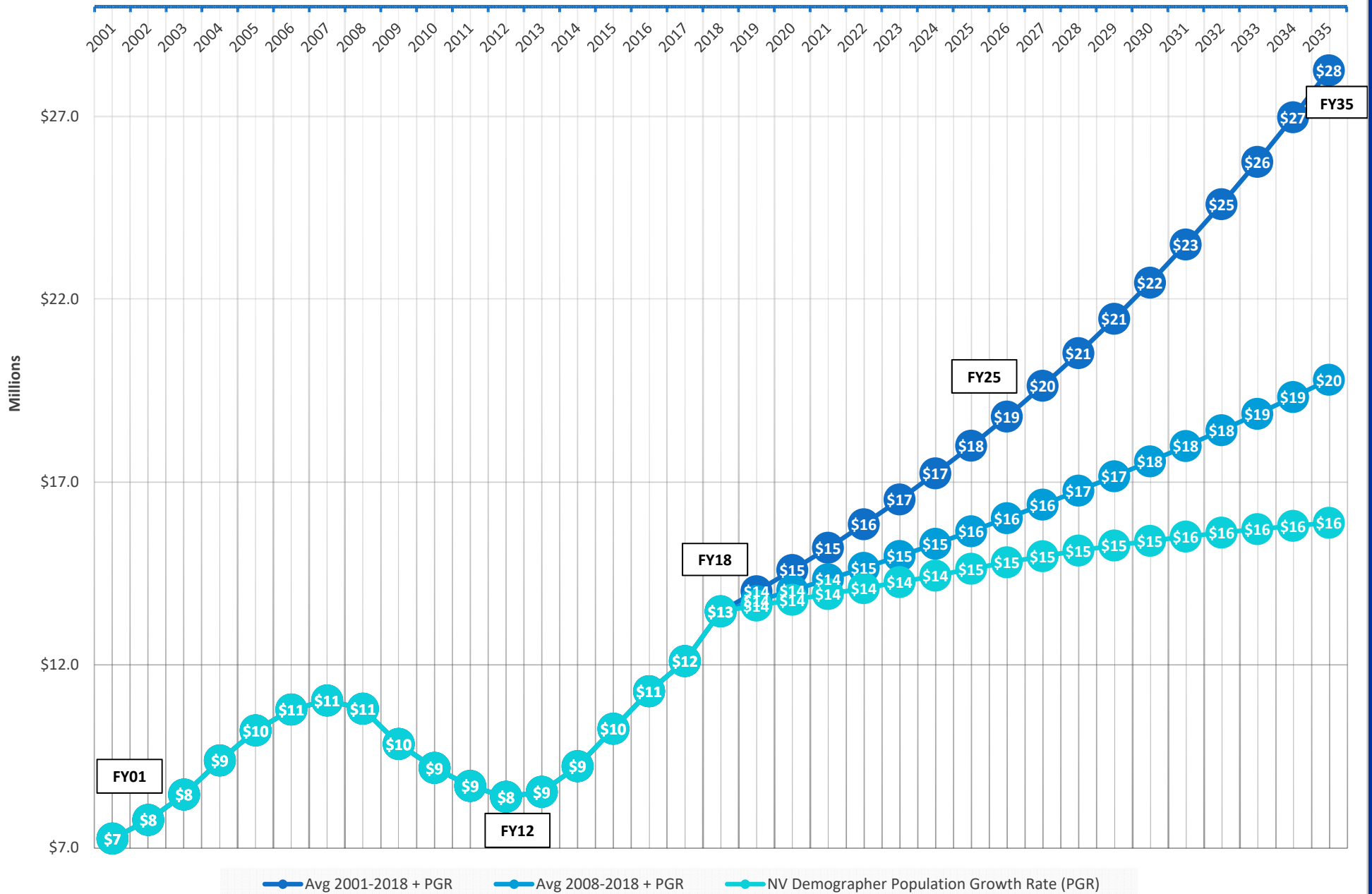


Example: Ralph L. Carr Colorado Justice Center (2016)

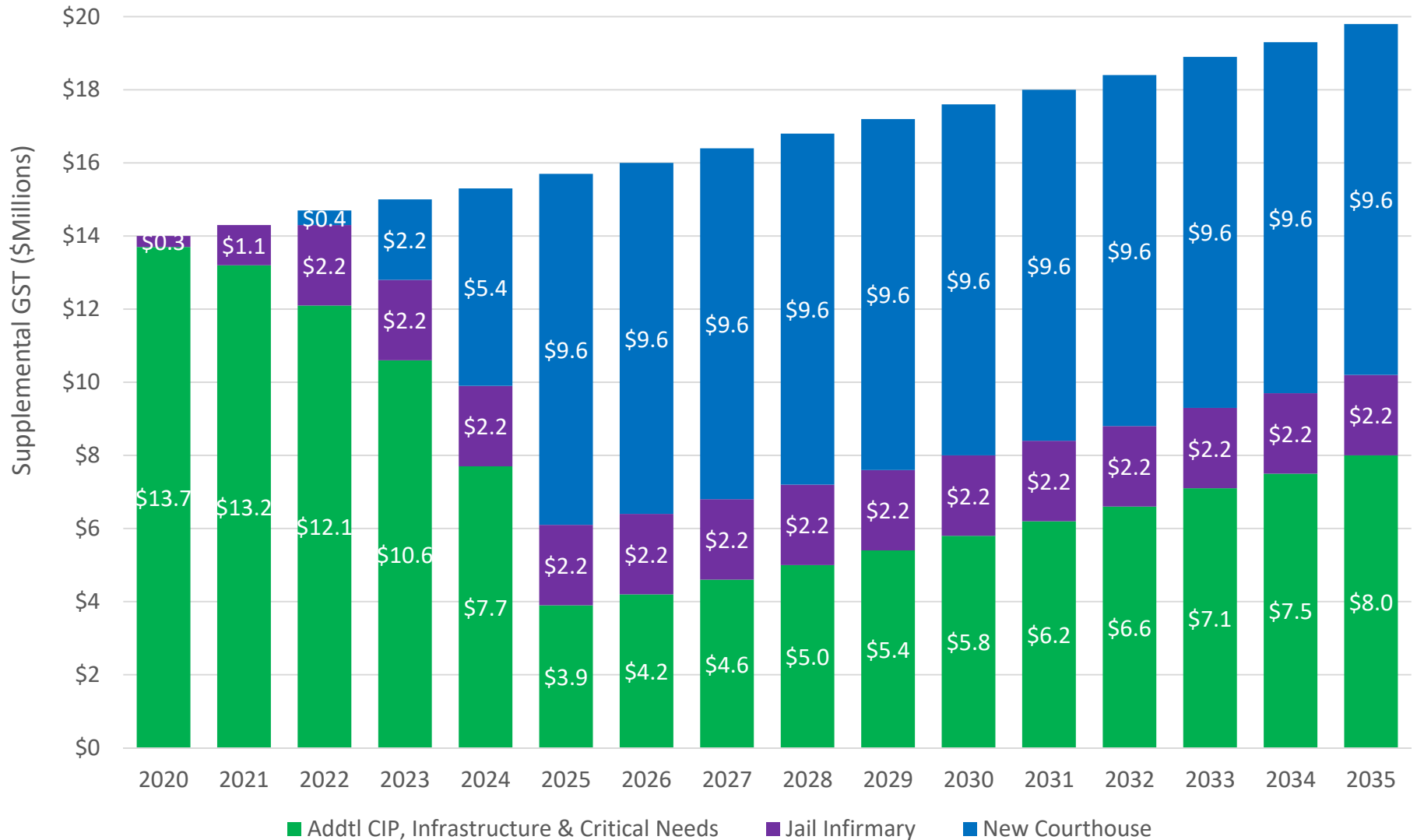
Supplemental Govt. Services Tax (SGST)

- **SGST Fact Sheet Developed by County and Court Management**
- **Government Function Analysis Emphasizing Hard Assets vs. Expanded Operations (Serving Widest Possible Segment of County and Available to all County Residents)**
- **Public Safety and Social Order Projects (New Courthouse and Jail Infirmary) Compel Priority Capital Improvement Plan (CIP) Classification**
- **Additional SGST Revenues Recognize the Need for Other County CIP Projects**
- **Early SGST Enactment with Delayed Courthouse Construction Builds Essential Reserves While Providing Funding for Other County CIP Projects***

Projected Supplemental Government Services Tax Analysis (Sustainability and Predictability)



Early Enactment Allows County Commissioners Prioritization of Other Critical Infrastructure Needs* (Conceptual Only)



Assumptions: Infirmary design/construction starts 2020 with 24-month duration, with Courthouse design/construction delayed to 2022 with a 36-month duration. Interest only payments, or equivalent, during design/construction with other SGST collections reserved for CIP, Infrastructure and Critical Need Projects* Infirmary and Courthouse annual costs are based on a preliminary estimate only, and assume 30-Year GO Revenue Bonds.

Accomplishing the Vision Through Collaboration



County – Judiciary – Community