

MILWAUKEE COUNTY
Inter-Office Communication

Date: August 16, 2024

To: Marcelia Nicholson, Chairwoman, Milwaukee County Board of Supervisors

From: Aaron Hertzberg, Director, Department of Administrative Services
Ashley Adsit, Director of Project & Performance Management, Office of Strategy, Budget & Performance

Subject: A report from the Department of Administrative Services and Office of Strategy, Budget & Performance, providing an update on the Courthouse Complex Planning Program

File Type: Informational Report

REQUEST

This informational report from the Department of Administrative Services (DAS) and the Office of Strategy, Budget and Performance (SBP) provides an update on the Courthouse Complex Planning Program, which includes planning for the replacement of the Public Safety Building. The report provides a summary of the facility's current state, recent project progress, and information on upcoming milestones.

POLICY

This report follows information presented to the Milwaukee County Board of Supervisors in prior years through files [17-592](#), [17-535](#), [16-673](#), [18-427](#), [18-430](#). This file reflects the reinvigoration of the project in 2024.

BACKGROUND

The existing Judicial Complex facilities are severely outdated and, in some cases, functionally obsolete, presenting significant public safety and security issues. In fact, the Public Safety Building was built nearly 100 years ago and does not meet modern needs for supporting the safety of the region, the health of the community, nor the rehabilitation of neighbors.

In 2014, the State of Wisconsin First Judicial District, the Milwaukee County Board Committee on Transportation, Public Works and Transit, the Milwaukee County Executive, and the Milwaukee County Consolidated Facilities Planning Steering Committee, identified a need to develop a Strategic Facilities Master Plan to better support the Milwaukee County Circuit Courts and their operations contained within the Historic Courthouse, Criminal Justice Facility, Public Safety Building, and Vel R. Phillips Juvenile Justice Center. This need was generated from widespread concern regarding the safety, security, and deferred maintenance associated with these facilities. It is widely recognized that a status quo solution for the delivery of County services out of these facilities is not a viable long-term option.

Due to the project's complexity, planning and construction was divided into five phases which vary in duration depending on the workload and funding levels available to support the effort. The mission of the five phases as originally defined:

- Phase I. (Previous Phase) 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.
- Phase II. (Previous Phase) 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.
- Phase III. (Previous Phase) 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.
- Phase IV. (Current phase) Complete planning, programming, and design of a new Criminal Courthouse facility and other required facility improvements – including by incorporating community input. Complete master plans.
- Phase V. (Future phase) Construct new facilities, complete other required facility improvements, and relocate Departments to ultimate locations.

The remainder of this report describes the current state of the Public Safety Building, the relevancy of replacement for Milwaukee County, and the structure for completing Phase IV work efforts. Phase IV launched in 2024 and will continue through pre-construction (anticipated to conclude in 2028).

I. Current State of the Public Safety Building

Public Safety Building Created to Support Mandated Judicial and Public Safety Services

Built in 1929 by and for the City and County, the Public Safety Building was designed with partnership in mind; to serve several jurisdictions and purposes. Milwaukee County fully took over the building in 1971. The 322,000 square foot building is now home to the Milwaukee County criminal courts, County Sheriff and District Attorney's offices, and other related uses.

The State's largest Judicial District is in Milwaukee County and is comprised of 47 Trial Courts & 23 Court Commissioners. The First Judicial District of the Wisconsin State Court System is comprised of 8 Children's, 11 Civil, 5 Family, and 22 Criminal Courts. In 2022, 107,305 cases came into Milwaukee County. This represents 14.7% of all cases in the state (more than Dane, Waukesha and Brown Counties combined).

Public Safety Building Risks

The building is severely outdated, functionally obsolete, has significant public safety and security issues, and does not reflect the quality of service for which the County is responsible. The issues can be organized in the following categories:

- **Poor Building Flow Impacts Court Outcomes:**
 - Mistrials occur due to interactions in common hallways.
 - Transportation of defendants and juries cause delays.
 - Slow justice leads to backlogs.
 - No secure path to transport defendants.
- **Functionally Obsolete:**
 - Many spaces not ADA compliant.
 - 60,000 square feet of former jail space and other areas obsolete.
 - Potential air quality issues due to limited distribution.
- **Failing Infrastructure:**
 - Crumbing façade, plumbing leaks, broken windows, electrical system is beyond useful life.
 - \$500,000 is reserved annually for emergency repairs.
- **Unsafe by State Standards:** does not comply with [Supreme Court Rule #68](#) (Structure and Design of Courthouses). The current facility impedes justice and risks safety.

Challenges & Recommendations

The Public Safety Building has over \$75M in deferred system replacements, not including code and safety issues. Upgrading the building to current code would cost an estimated \$150M (as of 2017), which still would not address inefficient and unsafe layout of the facility. With inflationary factors considered, deferred maintenance and code compliance upgrades would cost an estimated \$334M without resolving unusable, obsolete building space issues.

Table A: Estimated Costs of Deferred Maintenance & Code Compliance

Year(s)	Inflationary Rate	Deferred Maintenance	Code Compliance	Total
2017	Original Estimate	\$75,000,000	\$150,000,000	\$225,000,000
2018-19	1.86% (actual)	\$76,395,000	\$152,790,000	\$229,185,000
2019-23	25.5% (actual)	\$95,875,725	\$191,751,450	\$287,627,175
2023-24	3.2% (actual)	\$98,943,748	\$197,887,496	\$296,831,245
2024-26*	2% (estimated)	\$102,941,076	\$205,882,151	\$308,823,227
	6% (estimated)	\$111,173,195	\$222,346,391	\$333,519,586

* Years 2024-26 include inflationary factors at 2% and 6% due to the potential for rate variability.

The 2017 Milwaukee County Courthouse Advisory Group recommended to replace the facility and consider the functionality of the other buildings in the Courthouse Complex. Due to the

integrated nature of the current Public Safety Building and other Judicial Complex facilities, this work will influence the renovations and optimizations that will be needed across existing facilities to maximize efficiency and resources.

II. Investing in Justice

Public Safety Continuum

Milwaukee County plays a critical role in the public safety continuum by coordinating and delivering various services that ensure the safety and well-being of its residents. These services are often facilitated in county facilities, such as the Public Safety Building, as well as within the community. To effectively support community safety, it is critical that key County facilities are conducive to conducting this work effectively.

Milwaukee County Public Safety Continuum

- ↓ Community-based Prevention
- ↓ Law Enforcement Response to Crime
- ↓ Arrest and Custody
- ↓ Pretrial Release and Supervision
- ↓ Court Processing and Backlog Remediation
- ↓ Safe and Successful Reentry

Project Vision

Our vision is to create efficient, adaptable, safe and welcoming judicial facilities that serve as a cornerstone of justice, equity, and community well-being and reflect our ongoing commitment to addressing the holistic needs of the public and staff.

Project Mission

Our mission is to re-envision and invest in Judicial Complex facilities to ensure safety, enhance operational efficiency, and enable a system that is restorative, accessible and effective in meeting the needs of the Milwaukee community.

We aim to integrate advanced technology, sustainable practices, and design for evolution to deliver exceptional, trauma-informed public services and uphold the principles of justice and fairness.

Preliminary Project Goals

Milwaukee County maintains the following bold, holistic goals, which balance current needs with the desire to have facilities that can evolve with changes in the system and community.

Diagram A: Guiding Principles



Equity

Ensure access to fair, safe, and valuable judicial services and programs



Integrity

Uphold the values of justice and accountability under the law



Excellence

Embody our commitment to effectively meet the needs of our community

1. **Enhance Operational Efficiency:** Implement advanced technologies and streamlined processes to improve the functionality and efficiency of courthouse operations, reducing wait times and increasing productivity.
2. **Ensure Safety and Security:** Design the facility with upgraded security measures to maintain a safe environment for staff, visitors, and persons in custody.
3. **Promote Accessibility and Inclusivity:** Create an inclusive and accessible environment that accommodates the diverse needs of the community now and in the future, ensuring equal access to justice for all individuals.
4. **Advance the Organization’s Climate Policy:** Modernize facilities in alignment with Milwaukee County’s Climate Action 2050 Plan.
5. **Design for System Outcomes:** Ensure the flow and function of facilities enable improvement in justice system outcomes and experiences and are adaptable to meet future needs.
6. **Support Community Well-being:** Integrate services and spaces that address the holistic needs of the community, including spaces for legal aid, mental health support, and community engagement, fostering a supportive and responsive judicial setting.

Improvement Efforts

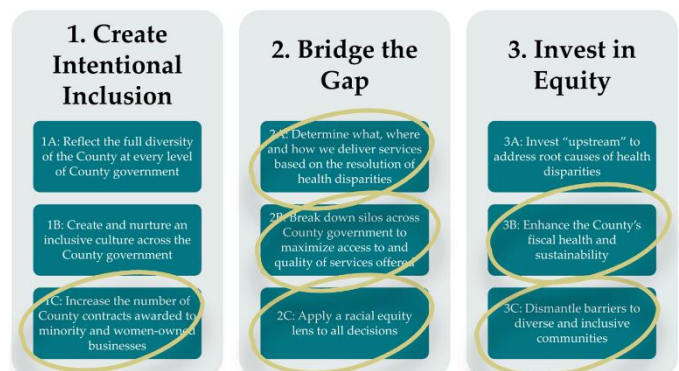
As Milwaukee County renovates existing and builds new facilities that will last decades into the future, the organization is taking advantage of the opportunity to intentionally assess for process and policy improvements. Systems-level and continuous improvement can be undertaken simultaneously to achieve distinct outcomes.

Justice policy and program improvement: changes to identified policies, practices and programs facilitated within the justice system that impact justice system outcomes. It aims to address issues and achieve long-term improvements in specific areas of the justice system that have high likelihood to impact system outcomes. **Outcomes:** Systems-level

Process improvement: focusing on enhancing specific processes within the justice system to increase efficiency, reduce waste, improve quality, meet specific performance goals, and improve customer satisfaction. It often involves making incremental changes to specific processes with a defined scope. Impact is short to medium term and limited to specific processes. **Outcomes:** Process or service area-level

Strategic Alignment

Replacement of the Public Safety Building will advance and emphasize Milwaukee County’s strategic efforts in the following pillars. These priorities are exercised throughout the planning and design process and endure throughout the life of the facilities.

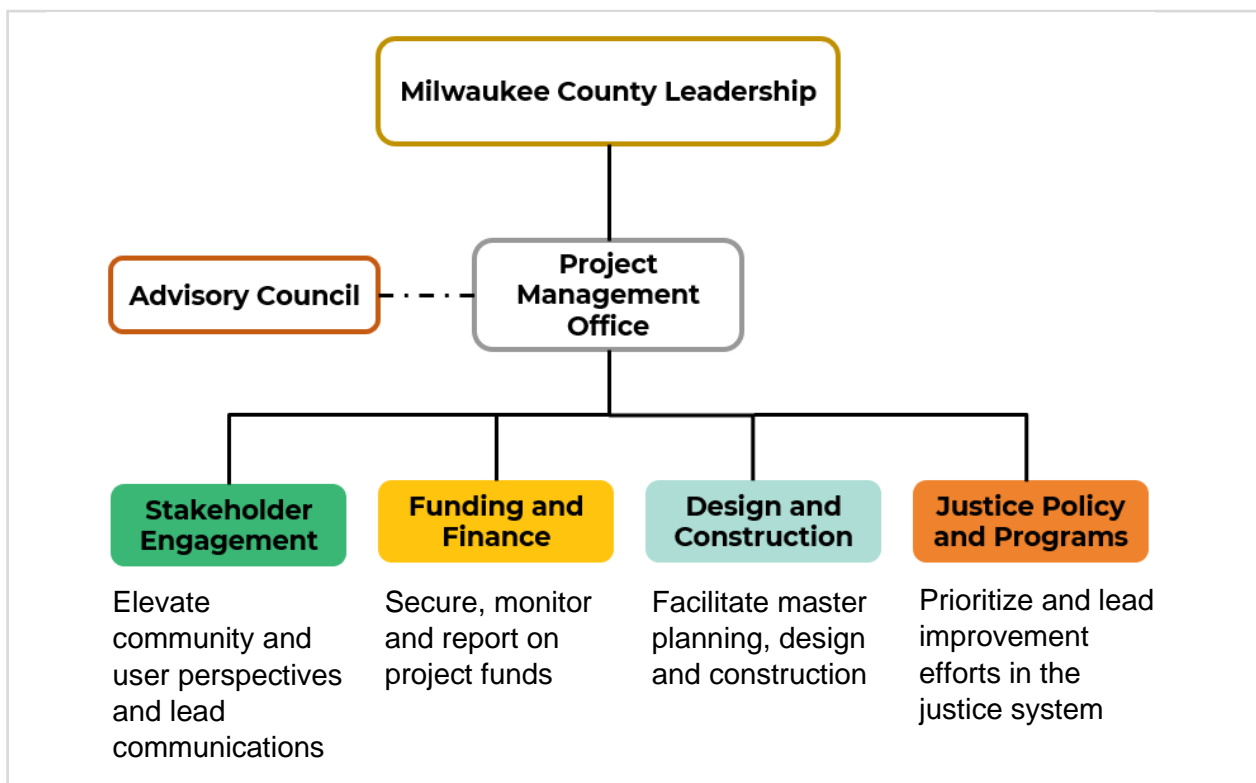


III. Structure for Project Support

Project Management Structure

Key project activities will be organized into four work groups which will be coordinated by the Office of Strategy, Budget & Performance (SBP) Project Management Office (PMO). Each work group reports out to the PMO and interacts with it for guidance, resources, and coordination. While the work groups focus on specific areas of the project, the PMO ensures alignment and integration of their efforts to achieve project objectives. Milwaukee County leadership within the County Executive’s administration will provide strategic guidance and decision-making leadership throughout the project, while the Advisory Council will act as the recommending body.

Diagram B: Structure of Support



Project Management Role

The relationship between the SBP-PMO and the work groups is one of coordination, support, and oversight.

- **Coordination:** Serves as the central hub for project management activities and coordination efforts between the four work groups.
- **Support:** Provides support to the work groups by offering resources, tools, and expertise.
- **Reporting:** Reports on project progress to County leaders including the County Executive, County Board of Supervisors, and Advisory Council.

- **Oversight:** Maintains oversight of the overall project, ensuring that each work group is fulfilling its responsibilities and adhering to project plans, etc.
- **Decision-making:** Convenes core project team meetings with work group leads to discuss and resolve cross-functional issues, make strategic decisions, and align on project priorities.

Work Group Role

Work groups will conduct the day-to-day business necessary to advance the project. Work group leaders will assemble their teams and collectively:

- Plan, manage, and track the activities required to successfully achieve major milestones of the project work stream,
- Participate in a core project team to address project risks, issues and change orders, and collaborate on interwoven activities, and
- Provide report outs on major milestone progress during Advisory Council meetings.

Advisory Council Role

This group is representative of judicial system leaders and partners who play a key role in providing guidance for the project to ensure strategic decisions are informed by subject matter experts. Members will:

- Engage in discussion on items elevated by Work Groups during council meetings,
- Ensure perspectives of staff and users within the representative’s purview are reflected in group discussion,
- Provide expert recommendations on strategic decisions that will advance the project,
- Identify staff and resources to support achievement of project milestones related to process and policy improvement, and
- Be champions of the project.

Advisory Council Members:

Circuit Court
 Board of Supervisors
 County Executive Office
 District Attorney
 Office of Equity
 Court Appeals
 Health and Human Services
 Strategy, Budget, & Performance
 Sheriff’s Office
 Clerk of Courts
 Administrative Services
 Comptroller’s Office
 Public Defender’s Office
 Community Justice Council
 Project Consultants

Integrated Design Process

An integrated design process is a collaborative and holistic approach used by the Design and Construction workstream to bring together various stakeholders early in the project to ensure the design is functional, sustainable, cost-effective, and meets the needs of its users. This approach allows for a wider range of experts to contribute throughout the project as a team.

Design Timeline

1. Programming Process: Q4 2024-Q2 2025
2. Master Planning: Q2 2025-Q3 2025
3. Conceptual Design: Q4 2025-Q1 2026
4. Completion of Design*: Q1 2026-2028

**Schematic design, design development, construction documents*

Stakeholder Engagement

A dynamic group of community outreach and communications staff and contractors form the Stakeholder Engagement Workgroup to ensure that project progress is informed by diverse perspectives. The group will create an engagement plan, facilitate and disseminate communication, and foster collaboration through multiple avenues.

Design and construction consultants onboarded during the design process will also have a role in engaging staff and community users to better understand facility form and function needs. Partnership in engaging community groups and individuals with lived experiences has been initiated with the Milwaukee Community Justice Council as well.

The [Milwaukee Community Justice Council](#) (CJC) is an independent multi-agency cooperative formed in 2007 to advise and promote a more efficient and effective justice system for the community. The CJC's on-going efforts to advise, recommend and develop policy changes to the criminal justice system that enhances public safety and quality of life in Milwaukee will have a significant impact on the design of facilities. This partnership will bolster stakeholder engagement as well as the justice policy and program work stream.

IV. Resources & Next Steps

Project Timeline

The Courthouse Complex Planning project represents one of the largest, most complex capital efforts undertaken by Milwaukee County. Phase IV of this work is segmented and spans multiple years as outlined below.

Table B: Estimated Project Timeline

Phase	Initiation	Closing
Intake and Planning	Q2 2024	Q4 2025
Design Phase	Q4 2024	Q1 2028
Justice Policy & Program Action Planning	Q3 2024	Sustained in CJC
Process Improvement	Q4 2024	Q3 2025
Pre-Construction	Q4 2024	Q4 2027
Relocation and Demo	Q1 2027	Q4 2028
New Justice Facility Construction	Q1 2029	Q4 2031
Historic Courthouse Renovation	Q4 2031	Q4 2032

Project Budget

Considerable work was conducted in the first three project phases to assess facilities that support Milwaukee County Courts Systems, including the Public Safety Building, leading to preliminary conceptual designs that met program requirements. Complimentary cost

estimates were generated by 2019, however, cost escalation due to inflation of labor and materials costs has been unavoidable. Ongoing planning allows for funding alignment and design development to ensure Milwaukee County is positioned to carry the project forward. Construction of a new facility to house criminal courts and related services is anticipated to begin in 2027.

Table D: Projected Project Cost Estimate with Inflation

Year(s)	Inflation Impacts	Estimated Project Cost
2019	Baseline	\$327,251,000
2019-2023	25.5% increase	\$410,385,000
2024-2026*	31% increase (assuming 2% annual inflation)	\$435,504,000
	43.5% increase (assuming 6% annual inflation)	\$488,775,000

* Years 2024-26 include inflationary factors at 2% and 6% due to the potential for rate variability.

Efforts to engage state and federal funding partners are led by the Funding and Finance Work Group under the assumptions of the project timeline. The work group is responsible for securing, managing, and monitoring all financial resources and budgets to confirm the fiscal health of the project. The work group will:

- Research funding models
- Identify and pursue federal, state and private funding sources
- Develop a portfolio of proposal and supplemental materials
- Conduct research and forecasting on fiscal aspects of the project

Upcoming fiscal milestones include requests for: 1) FY25 Milwaukee County capital cash financing, 2) FY26 congressionally directed spending (also known as Earmarks), and 3) FY25-27 State of Wisconsin funds.

RECOMMENDATION

The Department of Administrative Services and the Office of Strategy, Budget and Performance respectfully request that this informational report be received and placed on file.

FISCAL EFFECT

The report is informational only and there is no fiscal impact.

PREPARED BY:

- Aaron Hertzberg, Director of Administrative Services
- Carl Ashley, Chief Judge, First Judicial District
- Ashley Adsit, Director of Project & Performance Management, SBP-PMO
- Claire Miller, Senior Manager, SBP-PMO
- Peter Nilles, Director, Facilities Planning, DAS-Facilities Management
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ALIGNMENT TO STRATEGIC PLAN

Describe how the item aligns to the objectives in the strategic plan:

3A: Invest “upstream” to address root causes of health disparities

3B: Enhance the County’s fiscal health and sustainability

3C: Dismantle barriers to diverse and inclusive communities