



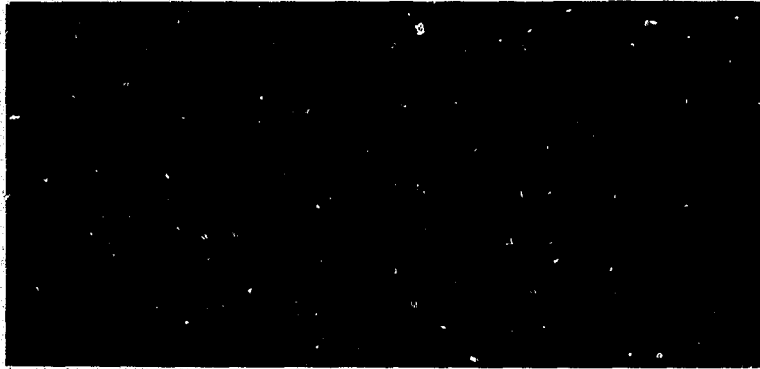
THE AMERICAN UNIVERSITY

CRIMINAL COURTS TECHNICAL ASSISTANCE PROJECT
Institute for Advanced Studies in Justice
The American University Law School
Washington, D.C.

A Program of the
Adjudication Division
Office of Criminal Justice Programs
Law Enforcement Assistance Administration
U.S. Department of Justice

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✓ ANALYSIS OF EXISTING SPACE, PRESENT AND FUTURE
FACILITY NEEDS AND ALTERNATIVE SITES FOR A NEW
OR RENOVATED FACILITY, ✓ ISLAND COUNTY
DISTRICT COURT, ✓ OAK HARBOR, WASHINGTON

July 1979

NCJRS

JAN 15 1980

Consultant

Kenneth Ricci, A.I.A.

ACQUISITIONS

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LAW ENFORCEMENT ASSISTANCE ADMINISTRATION CONTRACT NUMBER: J-LEAA-011-78

This report was prepared in conjunction with The American University Law School Criminal Courts Technical Assistance Project, under a contract with the Law Enforcement Assistance Administration of the U.S. Department of Justice.

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I. INTRODUCTION

Island County, Washington, is composed of two islands - Whidbey and Camano (see Appendix C). The three main population centers are Oak Harbor (the present location of the Island County District Court), Camano Island, and Langley, with a total county population of 40,000. The population of this insular jurisdiction has risen 35% (from 26,000) since 1973. Furthermore, the County District Court caseload has tripled since 1973 and is expected to increase even further in the next six years. The District Court in Oak Harbor handles the bulk of criminal, small claims and civil cases, as well as the Municipal Court caseload for the City. Its physical facility, located on the Naval Reservation in a building the Court must share with the Shore Patrol, is inadequate to meet current needs. Ultimately, the District Court is seeking a new facility site, with the approval of and appropriations planned for by the County Commissioners for courthouse construction.

Judge Marvin Buchanan, full-time judge for the Island County District Court, requested technical assistance from LEAA's Criminal Courts Technical Assistance Project at The American University Law Institute for the purpose of: 1) evaluating the existing facility; 2) reviewing plans and progress to date for the proposed new facility; 3) identifying critical planning and design issues unique to court facility construction; and 4) evaluating proposed sites for the new facility.

The consultant selected to provide this assistance was Mr. Kenneth Ricci, an architect and Vice-President of The Ehrenkrantz Group in New York City, who has had extensive experience in the area of court facility planning and design. Mr. Ricci conducted the on-site visit for this Project

April 23 - 26, 1979.* In addition to visiting the existing facility and possible sites for the new facility, Mr. Ricci met with elected officials, law enforcement officials, building committee members, and court staff in order to obtain an understanding of the background and current developments regarding a new courthouse facility (See Appendix A). Mr. Ricci's analysis and recommendations are presented in this technical assistance report.

* Mr. Ricci delivered brief and limited on-site assistance to Snohomish County (Everett), Washington, April 27, 1979 following his on-site visit to Island County. He concentrated this one-day effort on inspecting the court facility and providing on-the-spot suggestions on how the court could accommodate the spatial needs of new judges coming on the bench. Mr. Ricci submitted a letter report including analysis of existing conditions of the court structure and offering short-term recommendations.

II. ANALYSIS OF EXISTING SITUATION

The existing District Court facility in Oak Harbor is located on the Naval Reservation in a two-story wood frame building. The first floor is occupied in part by the District Court. The remainder of the first floor and the entire second floor are occupied by Naval functions, primarily Base Security (Shore Patrol).

The District Court facility was found to have a number of shortcomings, as identified below:

A. Space

The area allotted for the various court-related functions (clerk, public counter, courtroom, deputy clerks, storage) is inadequate. There is no space allocated for attorney/client conference rooms or prisoner holding areas.

B. Function

The layout of existing space is poor. The only access to the courtroom is directly past the public counter area. The judge must pass through both the public counter area and the courtroom to reach his/her chambers.

C. Environment

Acoustics are a problem. The public counter and clerk's area are directly adjacent to the courtroom. Sitting inside the courtroom, normal conversation can be heard from the clerk's area. The ringing of the phone and the clank of the xerox machine further distract court proceedings, even through the flimsy doors that separate the areas. Footsteps and movement from the second floor are painfully clear and intrusive throughout the District Court quarters. Immediately adjacent to the Judge's chambers is a pump house, the noise of which drowns normal conversation.

D. Parking

The parking lot is small and poorly situated. Those who can find a spot must summon all their parking skill to negotiate a sharp turn out of a busy road, and immediately ascend a sharply inclined entry into a postage stamp size lot with minimal area for maneuverability. As a result, most are forced to park on the other side of the busy main street leading into the base, or on public streets, an inconvenient distance from the District Court.

E. Life Safety Principles

Life Safety Principles refer to those provisions recognized by the National Fire Protection Association (NFPA) and those of the applicable building code concerning the safety of occupants in the event of fire, explosion and other life threatening events. The existing courtroom, judge's chambers and some offices have only one means of egress, in direct conflict with the NFPA provisions.

III. RECOMMENDATIONS

A. Design Guidelines for New Facilities

1. Facilities in the Public Sector

a. Attorney/Client Conference Rooms and Witness Waiting Rooms

These spaces should be located away from public circulation, near the courtroom, and should be unassigned. Various sizes are needed to accommodate multipurpose functions such as attorney/client conferences, negotiations, settlements, depositions, hearings, and non-sequestered witness waiting rooms when these persons are excluded from trials in progress.

b. Attorney Work Rooms

These rooms are intended for attorneys' use while awaiting court appearances. Communications capability should be provided to court rooms, administration, chambers, court security officers and Clerks of Court.

c. Jury Assembly

Since Jury service is often a citizen's first exposure to the judicial process, the assembly room should be designed for the comfort of the prospective juror when he/she reports in and waits for impaneling. The space functions as a closed unit once the citizen has signed in; therefore, vending, coat and toilet spaces should be provided. Differential waiting areas, i.e., for reading, writing and conversation, as well as non-smoking areas, should be considered.

2. Facilities in the Public/Private Sector

a. Court Room

Contemporary standards of sight lines should reflect the relationships of the participants. Standards for acoustics, audio-visual capabilities and potentialities, flexibility and workable space

should be developed into a design which reflects the deliberative dignity of the judicial process.

The "Well" should contain:

- Bench for 1 Judge
- Witness Stand
- Jury Box for 14 (12 jurors; 2 officers)
- 2 Attorneys' Tables
- Lectern (portable)
- Seating for Additional Lawyer/Participants or a Panel of Unseated Jurors during Voir Dire
- Court Clerk's Table and Secure Exhibit Storage (short term)
- Provision for a Future Computer Terminal
- Court Security Officers' Chairs
- Court Reporter's Table
- Spectator Seating Outside the "Well" as Required

Other court room configurations should be developed by the designers to reflect various geometries. Each option ought to reflect criteria outlined and all should be reviewed to choose the most workable design for local procedures.

The Judge's bench should be bullet proof, have emergency call capacity to the Sheriff's central monitor, contain book shelves for about 40 books, be fitted with a lawyer's shelf, have a durable facing, and be developed with a 2-inch raised lip to hide papers on the bench.

The witness stand ought to have a ledge for papers and an inconspicuous but effective microphone. The stand might be designed as a movable unit to suit the needs of various types of trials.

The court reporter needs space for stenographic equipment to keep tapes and supplies and to house future electronic recording gear. Special consideration is necessary to locate the reporter in the "well" to allow maximum visibility of all participants, yet not interfere with the actions of the arena.

The clerk's desk should be close enough to the bench to allow quiet and easy verbal and visual communication. Provisions should be made for future installation of a computer terminal. The area should include adequate space for short-term files and exhibits of cases being heard. A secure closet off the court room might be provided to keep exhibits during the term of a trial.

Microphones with multi-track recording capacity are needed at the bench, witness stand, jury box, attorneys' tables, and at two locations to serve the portable lectern. Screens are required to project pictures, overheads, X-rays, movies and T.V. replays, and cork and chalk boards will need adequate space provisions. Dimmers are necessary and electronic detection devices should be roughed in at entrances. Sound isolation is requisite for each court room.

b. Court Clerk's Office

The Court Clerk's office is part of the public/private sector. This implies public circulation for attorneys, searchers, prospective jurors, defendants, and plaintiffs and witnesses. Clerks need access for private circulation between court room and chambers.

3. Facilities in the Private/Judicial Sector

a. Judge's Chambers

Each chamber should be an office designed for study, research and conference. There should be shelf space for 1000 books and private toilet and robing space. Sound isolation is required.

b. Jury Deliberation/Hearing Room

Deliberation areas should be located conveniently to court rooms, to permit "swing" use, but need not be integral with them. Each room should have a table for 12, extra seats for two alternates, a coat space, cork and chalk board, coffee bar, drinking fountain and audio-visual capacity. Private toilets should be provided for both sexes.

Jurors must be isolated from prejudicial actions, therefore, panels which are sequestered should be moved through a secure entrance into private circulation.

Because of occasional concurrent court and hearing procedures, the need for a hearing room was expressed during the site visit. The jury deliberation room may serve this function.

4. Facilities in the Private/Prisoner Sector

a. Sally port/Reception

A secure reception area is advised since the detention facility is not adjacent to the Courthouse.

b. Prisoner Holding Room

Clear definition of prisoner circulation between the detention facility and the courtroom is requisite. There should be no mix of prisoners with the public, jurors, or the Judiciary before appearing in Court. A holding room (with toilets) should be near the court room and on the same level.

B. Space Allotment for New Facilities

The following area standards are given as a guide to the Court and its architect. These standards should be considered as a point of departure, rather than as a definitive statement. Modifications should reflect local practices of unique aspects to the Washington District Court System.

1.	<u>Public Sector</u>	<u>NET S.F.</u>
	Public Waiting Space	320
	Attorney/Client Conference Room (minimum of 2 @ 80 s.f. each)	160
	Witness Room (one)	80
	Attorney Work Room	<u>160</u>
	Sub-Total	720
2.	<u>Public/Private Sector</u>	
	Typical Jury Court Room	1,290
	Hearing Room	800
	Control to Private Sector	<u>100</u>
	Sub-Total	2,190
3.	<u>Private/Judicial Sector</u>	
	Judge's Set Chambers	340
	Staff Toilet	<u>100</u>
	Sub-Total	440

4.	<u>Private/Prisoner Sector</u>	<u>NET S.F.</u>
	Sally Port/Reception (prisoner delivery by vehicle where required)	360
	Group Holding	150
	Individual Holding	85
	Attorney/Prisoner Conference Room (one)	80
	Sub-Total	675
5.	<u>Clerks of Court</u>	
	Clerks of Court	150
	Deputy Clerk (2 @ 100 s.f. each)	200
	Clerk/Typist	80
	Public Counter	440
	Reader Unit by Place	20
	Work Table	50
	Searcher Space by Place	20
	Reproduction Space	100
	Computer Terminal by Place	50
	Docket Shelf Unit	10
	Vertical File Units	10
	Microfilm File Unit	10
	Evidence Storage	100
	Sub-Total	1,240

6. Jury Space

Entry & Registration	200
Waiting Room	180
Jury Deliberation	300
Toilets (M/F)	As Required
Coat Closet	<u>15</u>
Sub-Total	695

Approximate Net Area Total 5,950

Approximate Gross Area Total 8,750

C. Criteria for Site Selection

Adequate site selection is imperative in order to satisfy criteria that will assure proper functioning of the District Court. An overview of these criteria is offered below:

1. Accessibility to User Groups

The users of the District Court include the public, jurors, attorneys, law enforcement personnel, prosecutors, and judges. The location of the District Court ought to make it easily accessible by car and public transportation. Under the Revised Code of Washington, the Island District also serves the city of Oak Harbor as its Municipal Court. Further, census figures from 1977 indicate that as many as 27,000 people (out of a total County population of 37,500) live within a 10 mile radius of Oak Harbor. (See Appendix C). Therefore, the accessibility of the public in and around Oak Harbor is of paramount importance.

Relative to this accessibility, it appears from an informal survey conducted by the District Court that the frequency of attendance for arraignments, hearings and trials by Oak Harbor police and Sheriff's deputies coming from Coupeville during the first quarter of 1979 were approximately equal to those law enforcement personnel coming directly from Oak Harbor. This could have considerable bearing on facility site selection and will be discussed further.

2. Municipal Boundaries

The Municipal Court of Oak Harbor is subsumed under the District Court of Island County, in return for which the City of Oak Harbor contributes 35% of the cost of District Courts operations. The Municipal Court budget for 1979 is \$30,149.00. Should the District Court locate its new facility outside Division I, Oak Harbor could choose to discontinue the current arrangement.

This criterion, coupled with the accessibility criterion above, would indicate a favorable site within the city limits of Oak Harbor.

3. Image

The site of the new District Court must serve as a suitable setting for the administration of justice. It need not be isolated or set apart in a contrived fashion, but enable the Court to be part of the mainstream of community life.

4. Parking

Adequate and well arranged parking space is imperative for the Court, not only to insure spaces for the judiciary, staff, attorneys, prosecutors and jurors, but also to insure that the public users of the court will be properly served.

It is not the purpose of this report to determine precisely the number of spaces required. However, in terms of general criteria, any new site ought to provide at least sufficient reserved space for all of the intended regular users, including jurors. (Since the frequency of jury trials is not great, there is a tendency to ignore this group during planning, yet it is precisely this group that forms the backbone of our system of justice and therefore should be accommodated as they serve their duty to their community).

5. Expansion

The new building should be so situated and planned to allow future expansion to occur with no or minimal disruption to on-going activities and no loss in the quality of the courthouse setting when expansion becomes necessary.

6. Handicapped Access

Site considerations for handicapped accessibility include:

- reserved parking spaces easily accessible to building
- ease of transition from parking or public transportation drop-off point into the building

Statutory local and state codes may also have special provisions for handicapped and must be considered. If Federal funds are used for land acquisition or construction, certain Federal guidelines for handicapped accessibility may be applicable.

7. Noise

The proximity and extensive activity of the Naval Air Station makes noise considerations a major factor in site selection. While it is

possible to design the facility with noise abatement techniques and materials, this is a costly procedure. The selection of a site with minimal noise problems would be a more effective prevention procedure.

8. Lead Time

In view of the pressing need for a new District Court facility, the amount of lead time needed to acquire a site is an important consideration. Lead time in this case is primarily a function of ownership, e.g., Naval land will have to go through a surplus declaration and local procurement procedure, which can be quite lengthy, municipal land may require a transfer agreement with the County, and School District land may be subject to certain statutory procedures.

Building construction cost inflation makes delay a costly commodity, therefore, the lead time implications of each site selection strategy must be considered carefully.

9. Energy Consideration

Selection of the site for the new District Court building and the positioning of the building itself should be done with a consideration of energy conservation for both winter and summer. While it is beyond the scope of this report to detail how energy conservation relates to site selection, the District Courthouse Building Committee should consult a professional architect to study the energy-related aspects of various sites prior to making a decision.

D. Analysis and Recommendations for a New District Courthouse Site

The primary issue in this T/A assignment is whether the Island County District Court should remain in Oak Harbor, Island County's population center, or whether it should be re-located to Coupeville, the County seat. Based on a study evaluating population, access to user groups, relative number of appearances by law enforcement offices, and the role of the District Court as Oak Harbor Municipal Court, it is the recommendation of this report that the future site of the District Courthouse be located within the city limits of Oak Harbor.

In light of the unique geography of the County, it will be necessary to continue to provide services to the other population centers; namely Langley, Camano Island, Coupeville and Clinton, using court commissioners and visiting judges. If the southern end of Whidbey Island begins to increase in population, as a result of spillover from Everett across the bay as some predict, then further management measures will have to be taken to meet the increased workload.

Presently, however, it appears that a new court facility is best justified by an Oak Harbor location, for reasons cited throughout this report.

1. Potential Oak Harbor Sites

A number of sites in and around Oak Harbor were identified during the consultant's site visit. Following is a discussion of the relative merits of several of these sites, and a discussion of several other sites that appear promising.

a. County Property

1) Ault Field Site (Oak Harbor Box Site)

This site is owned by Island County and is also known as the Clover Valley Pit Site, Transfer Station. It consists of 14.78 acres. The official county description is as follows:

The North Half of the Northwest Quarter
West of Old Highway 1-D in Section 26,
Township 33 North, Range 1 East W.M.
(Whidbey Island)

While this site has a septic system, a major drawback is the proximity to Ault Field and the resultant noise from aircraft traffic. Aircraft noise from take-offs and landings could seriously interrupt normal courtroom proceedings, especially during summer when windows are open.

Another drawback is that the site is outside the Oak Harbor city limits. If the court were to locate here, it is questionable whether the City of Oak Harbor (Municipal Court) would continue to use the services provided by the court facility. Discontinuance of the agreement whereby Island County District Court also serves as Oak Harbor Municipal Court would mean a loss of revenues which in 1979 total \$30,149.

2) Waterloo Acres

The county owns 10 acres east of Waterloo Acres south of Fort Nugent Road. While the land itself may not be suitable for a court facility, it may be possible to leverage the inherent value of the land - through sale or trade - for a site within Oak Harbor city limits.

If this site were subdivided into 20 one-family residential building sites worth \$15,000 each, the total value of the parcel would be \$300,000. This value can be realized in large part by sale of the property, or by trading this parcel with the City of Oak Harbor for a suitable piece of land within the city limits. State of Washington laws provide for trading between private and public entities.

b. City Property

Two city properties were examined and discussed as potential sites:

1) Municipal Center

An ideal site for the court facility is immediately behind the Oak Harbor Public Safety Building. This vacant land would provide adequate area, easy access for public, attorneys and law enforcement officers, ample parking, and would add an important element to the Municipal Center Complex which also includes the city offices and other government functions.

2) Old Oak Harbor Civic Center

This refers to the 5 acre site at 700 Avenue and 20th Street N.W. While current plans call for the construction of a Senior Citizen Multi-Service Center and a municipal pool, there apparently will be 1 1/2 to 2 acres remaining. Depending on the configuration of this remnant area, the attitude of the development group and the zoning laws, the 1 1/2 acres needed for the District Court may be accommodated.

c. School District Property

The School District, another governmental unit, can enter into a local intergovernmental agreement with the county regarding a property trade. The School District owns a large piece of land off 700 Avenue, opposite the Oak Harbor elementary school. The removal of the deed language which restricts use of this land for educational purposes, in conjunction with the widening of 700 Avenue, may permit other uses for the commonwealth. This possibility could be pursued with the School District.

2. Adaptive Re-Use of Existing Buildings for a New Court Facility

The discussion above has focused solely on empty sites upon which a new court facility can be built. Finding a vacant site that meets zoning qualifications, size and price suitable to the county's needs within the Oak Harbor city limits could be a difficult task. In addition, suitable vacant land may not be ideal in terms of access and location, and may be subject to the complications of intergovernmental negotiations. Finally, the growth of the city in the recent past and the projected strength of future demand puts a very high premium on commercial property within city limits. Commercial land in Oak Harbor, according to one knowledgeable attorney, is worth \$200,000 an acre.

With these limitations in mind, the possibility of acquiring and renovating an existing building can be an attractive possibility if certain conditions are fulfilled. For example, the re-use of an existing structure can be a desirable alternative if the location is

accessible, adequate parking is available and the size, shape and condition of the structure is conducive to renovation. Zoning laws and questions of economic feasibility must also be considered.

A number of properties have potential for re-use as a District Courthouse:

- Oak Harbor Post Office

The Postal Service is planning a move to new quarters. If acquisition can be made in reasonable time, this building has a number of outstanding attributes that make it a prime candidate for consideration. It is fireproof, centrally located, has adequate adjacent parking, and appears to have sufficient floor area and ceiling height.

- Mark-It Foods

This Oak Harbor supermarket is reportedly for sale. Appealing factors include large, open interior spaces and adequate parking in an excellent location. The purchase price is not known.

- Whidbey Furniture Store

Another excellent Oak Harbor location, this structure also has large, open interior spaces, and could provide adequate adjacent parking.

While these properties are all located in commercial and retail areas, there is no doubt that a sensitive architectural treatment of the exterior and interior can create the kind of dignity necessary for a court facility. The proximity of adequate parking space is a definite asset, as is the centrality of location to the population that is served.

IV. SUMMARY

This report is intended only to initiate discussion of a number of issues. It cannot supplant the services of a professional architect in assisting the Courthouse Building Committee. In order to implement the planning and design process the following steps are recommended:

- Hire an architect to carry out the planning

Under this contract an architect could work closely with the Committee in developing a detailed space program, precisely identifying space needed for each function and the size, function and relationship of these spaces. When building size and site size have been determined, the architect can assist the Committee in identifying and evaluating a number of alternative sites. Cost estimates for developing the facility at each site will then need to be developed.

- Hire an architect to develop design and construction documents

A separate contract should be signed for this task. Under this contract an architect could develop the detailed design of the facility on the selected site. The space program can be translated into a facility design, cost estimates developed, and the construction documents prepared for bid purposes.

APPENDIX A:
SITE VISIT SCHEDULE AND LIST OF INTERVIEWS

APPENDIX A

SITE VISIT SCHEDULE AND LIST OF INTERVIEWS

April 23, 1979

<u>Time</u>	<u>Location</u>	<u>Activity</u>
9:30AM (EST)		Leave NYC (Kennedy Airport)
12:30PM (PCT)		Arrive Seattle-Tacoma
2:30PM (PCT)		Arrive Oak Harbor, Island County Washington
3:30PM	Oak Harbor	Meeting W/Judge Buchanan for General Orientation

April 24, 1979

8:30-9:30AM	Oak Harbor	Logistics
9:30AM	Oak Harbor	Meeting W/Judge Buchanan
10:30-11:30AM	Oak Harbor	Meeting W/Ed Beeksma, Oak Harbor local attorney and member of District Court Building Committee
11:45-12:15PM	Oak Harbor	Meeting W/Arnie Freind, ex-sheriff, and member of District Court Building Committee
12:00-1:00PM	Oak Harbor	Lunch W/Judge Buchanan
1:30-2:00PM	Coupeville	Meeting W/Lou Romeo, County Commissioner
2:30-3:15PM	Coupeville	Meeting W/member of County Engineers' staff to review county-owned property in Oak Harbor vicinity
3:15-4:15PM	Coupeville	Meeting W/Roy Compton, County Assessor to review status of county-owned parcels
4:30-5:30PM	Coupeville	Meeting W/Dave Thiel, County Prosecutor and member of District Court Building Committee

April 25, 1979

10:00-11:30AM	Lagoon Point	Meeting W/George Neff Stevens, Court Commissioner for South Island and Dean of the University of Washington Law School (retired)
12:00-1:00PM	Coupeville	Meeting W/Judge Pitt of Island County Superior Court
1:30-2:30PM	Coupeville	Meeting W/Judge Patrick, Presiding Judge of Island County Superior Court
3:00-3:45PM	Coupeville	Meeting W/Capt. Bob Sharp of Island County Sheriff's office
4:00-4:30PM	Coupeville	Meeting W/Duane Kemp, Island County Auditor

APPENDIX A

SITE VISIT SCHEDULE AND LIST OF INTERVIEWS (Continued)

April 26, 1979

<u>Time</u>	<u>Location</u>	<u>Activity</u>
8:45-10:00AM	Oak Harbor	Meeting W/Judge Buchanan
10:30-11:15AM	Coupeville	Meeting W/Sheriff Medina
11:30-12:00PM	Coupeville	Meeting W/Allan Hancock to discuss statutory provisions for County classification and District Court requirements
1:00-3:00PM	Oak Harbor	Tour of possible sites in Oak Harbor area W/Judge Buchanan
3:00-3:40PM	Oak Harbor	Meeting W/Lymon Houk, City of Oak Harbor Administrative Assistant to discuss possible use of city land
3:40-5:00PM	Oak Harbor	Continued tour of local sites W/Judge Buchanan
8:30PM		Arrive Everett, Washington (Snohomish County)

APPENDIX B:

POPULATION STATISTICS FOR ISLAND COUNTY (1970-1977)

APPENDIX B

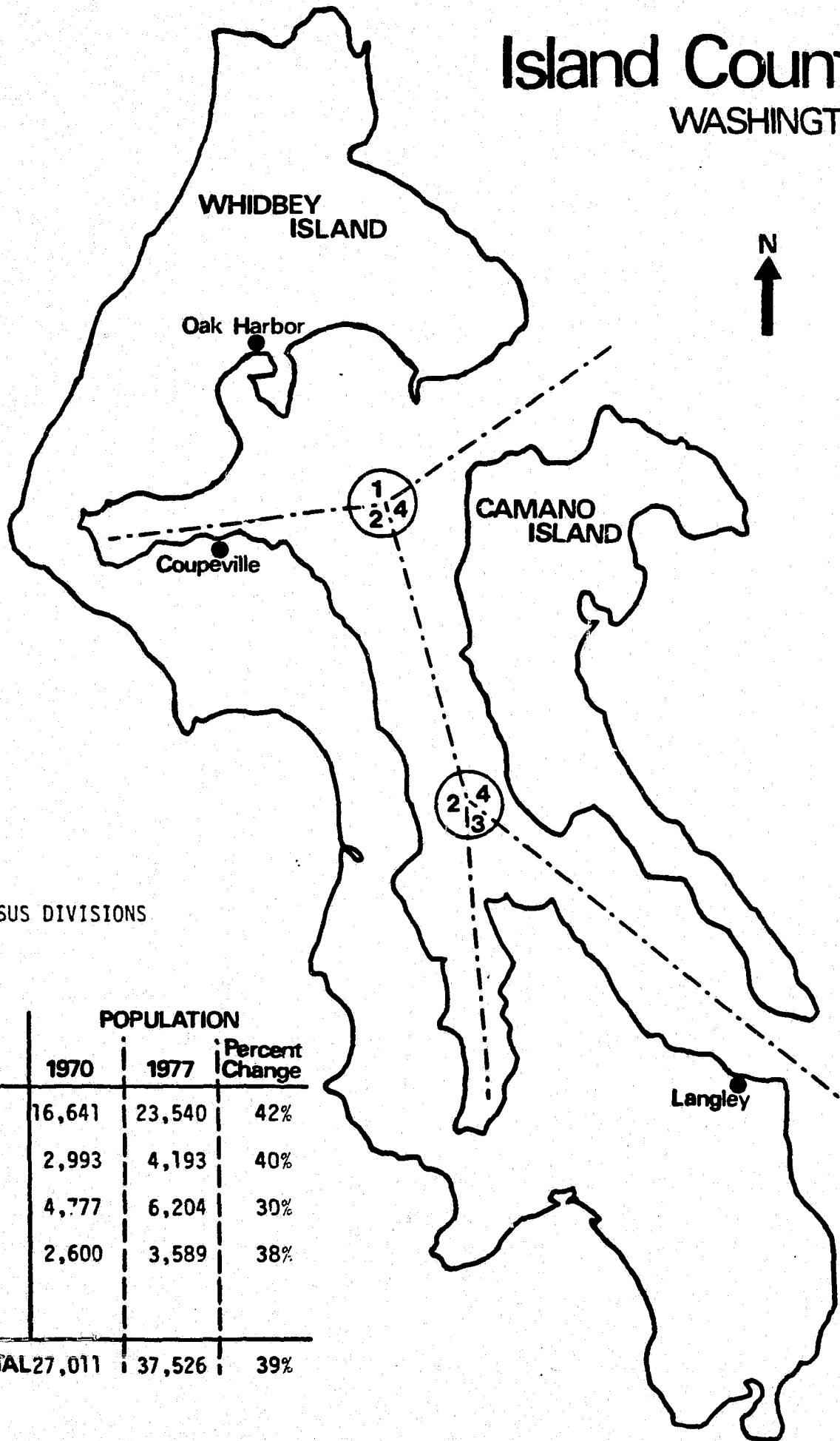
	<u>1970</u>	<u>%</u>	<u>1977</u>	<u>%</u>	<u>CHANGE</u>	<u>% CHANGE</u>
DIVISION 1	16,641	68%	23,540	69%	6,899	41%
DIVISION 2	2,993	12%	4,193	12%	1,200	40%
DIVISION 3	4,777	20%	6,204	18%	1,427	29%
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	24,411	100%	33,937	100%	9,526	39%


(Division 4, Camano Island, not included for purposes of this analysis)

APPENDIX C
MAP OF ISLAND COUNTY

Island County

WASHINGTON



 - CENSUS DIVISIONS

CENSUS DIVISIONS	POPULATION		Percent Change
	1970	1977	
DIVISION 1	16,641	23,540	42%
DIVISION 2	2,993	4,193	40%
DIVISION 3	4,777	6,204	30%
DIVISION 4	2,600	3,589	38%
TOTAL	27,011	37,526	39%

END