



The annex is the large edifice attached to the back of the Capitol. While the annex is being reimaged, legislators and staff will move into the building on the left (where the crane is).

## No Annexation Without Representation

A billion-dollar plan to demolish and rebuild the State Capitol annex, design an underground visitors center, and dig up part of our historic Capitol Park for an exclusive parking garage for legislators is at least partly ill-conceived and entirely ill-timed. But there is the potential to create something great, if we just invite more people into “the people’s house.” **By Rob Turner**

Ken Cooley is on a mission.

On the late September afternoon that the Rancho Cordova assemblyman calls me to discuss his efforts in shepherding a billion-dollar plan to rebuild the Capitol annex, the large office building that was grafted onto the back of the historic State Capitol in the 1950s, he’s deep in campaign mode, driving around his district and personally offering up lawn signs as part of his upcoming reelection efforts.

He’s clearly a hands-on guy, and he’s doing his best to carry the baton of guiding the biggest State Capitol improvement project in nearly 70 years across the finish line. “I didn’t pick the endeavor—the endeavor picked me,” he says.

And he’s right. In 2017, when Cooley became chair of something called the Joint Rules Committee—15 senators and 15 assembly members who make decisions about the Capitol building—he inherited a plan launched under Arnold Schwarzenegger and funded under Jerry Brown, to de-

molish the annex and replace it with a modern version.

But Cooley is facing some very big hurdles these days.

And for all his good intentions—to build a safer, more efficient space for Capitol staffers—I think we need to throw a few more hurdles in the way of his committee, and here’s why.

The project is one of the biggest in Sacramento’s history, private or public. But the process, despite Cooley’s insistence to the contrary, has been cloaked in more secrecy than a project of this magnitude should be. This *needs* to be a more inclusive process. Not just because of its extraordinary cost; and not just because your tax dollars are paying for it; but because this is the *Capitol of California*—the physical and historical manifestation of our democracy.

It’s “the people’s house,” as Cooley himself frequently calls it, and the questions coming before the committee very soon—Cooley is aiming for November, and possibly as early as Nov. 5, he says—involve carving up part of Capitol Park

to install a private underground garage exclusively for legislators and senior staff; tearing down a historic annex designed by the architect of the Tower Bridge; and choosing a new design from a world-renowned firm, but with little to no input from the public, or virtually anyone outside the committee.

And all this while the state faces a staggering \$54 billion deficit due to the impact of Covid-19, as well as record wildfires; not to mention the uncertain future of office space and telecommuting.

But first, what exactly is this project and how did we get here?

In short, state legislators in the 1940s deemed that there wasn't enough room in the original Capitol, completed in 1874, to house the people needed to manage the quickly growing state under one roof.

So, they ripped off much of the backside of the historic Capitol (including the lovely semicircular apse structure, pictured here) and constructed a six-story office building, known as the annex, on the east side of the building. The mid-century edifice was designed by noted architect Alfred Eichler—best known to Sacramentans as the designer of the iconic 1935 Tower Bridge on the western end of Capitol Mall.

It opened its doors in 1952.

Fast-forward to 2006, and to no one's surprise, the building no longer met many modern safety requirements. There are, for example, no water sprinklers in the annex; there are accessibility issues for those with disabilities; the air-conditioning system is badly outdated and much more. In summary, it's not nearly as safe and efficient as it needs to be. Everyone, even the project's opponents, agrees on that part.

But here's where the disagreements—and maybe the opportunities—begin.



In 2006, the Department of General Services (the entity that oversees and maintains most of the real estate holdings for the state) tapped the prestigious local architecture firm Dreyfuss & Blackford to complete a Capitol infrastructure study, assessing what it would cost to refurbish the Capitol—bringing deficiencies up to code along with other improvements.

The report concluded it would cost at least \$200 million to renovate the existing annex, but at some point soon after, the state decided it was preferable or cheaper to tear it down and build from scratch.

And this is as good a place as any to introduce one of the leaders of the opposition, Dick Cowan—a construction expert who early in his career helped restore the gorgeous west wing of the State Capitol from 1977 to 1980, and who later served as the chair of the Historic State Capitol Commission.

Cowan makes the case that we're only in this position because the Legislature hasn't taken care of its own house.

"Whose responsibility has it been for 70 years to address code upgrades; to replace power systems; to increase HVAC capacity?" he asks. "For 70 years, they found it inconvenient to their calendar to do these major upgrades."



He says there's a name for this in the world of historic preservation: "demolition by neglect." Owners who have neglected historic properties often argue that they need to tear them down because they're not up to code even if they were the ones who didn't make those upgrades throughout the life of the property.

Cowan, who owns a construction consulting company, believes the current annex could be refurbished for about \$250 million today. Some other experts with direct knowledge of the project estimate \$500 to \$600 million.

Regardless, \$755 million was appropriated for the project during the flush days of 2018 when the state was bursting with

billions in surplus cash.

But then Covid-19 hit California in March, and everything changed.

By May, Gov. Newsom halted general fund expenditures, including those for the annex, due to the spiraling deficits.

But Cooley had a fail-safe plan: Pre-Covid, in anticipation of the possibility that some kind of budget shortfall could present itself at an inopportune time, he sought and secured the authority to fund the project through the sale of what are called "lease revenue bonds," something he says today he hoped to avoid. "Personally, I hate the idea of bonding for the people's house," says Cooley. "Borrowing is never my favorite activity."

And yet... that's now the plan. "I'm going to be making use of a tool in the state government toolkit," he says.

But there are at least two major flaws with this approach.

The first is that the state has a deficit that is growing by the day, and bonds aren't free money; they still have to be paid back—in this case, by a state that will likely be hemorrhaging money for years.

The second is that the debt service on bonding significantly increases the overall cost. When I asked the state's own Legislative Analyst's Office about the economic impact of selling bonds to fund the \$755 million project, they replied: "We estimate that the total costs for the project would likely total over \$1 billion, with interest costs of a few hundred million."

That last part bears repeating: "Interest costs of a few hundred million."

On top of that, the state is currently constructing a second state office building a block away at 10th and O streets, dubbed "the swing space," which the 1,250 Capitol staffers—from the governor on down—will move into later next year, and remain in until the new annex is completed in 2025. That building will then be used for other state agencies. That building is costing \$424 million to construct.

That means we have moved from a \$200-million-plus refurbishment estimate in 2006 to a nearly \$1.5 billion total plan in 2020, just as multiple global crises are hitting our state particularly hard.

Talk about bad timing.

But this isn't just about the money.



The most vocal public opposition so far has come from groups like the Sacramento

Tree Foundation, Preservation Sacramento, SacMod, the regional Sierra Club chapter, and other local and state preservation groups. Several Native American tribes are also very upset with the committee about the potential destruction of cultural resources.

And the most controversial aspect of the project in recent months has been the plan to dig up part of Capitol Park for the private underground garage for the legislators.

Cooley says it's unsafe to place a new garage directly beneath the Capitol in a "post-9/11" world. So the proposed solution is to excavate a portion of the park—removing dozens of trees—and construct an underground garage *away* from the building. The garage would hold about 150 vehicles—just enough for all 120 legislators, the governor and other senior Capitol staffers.

For those not familiar with the site, Capitol Park is essentially a living museum, filled with trees that possess cultural or historical significance—trees planted in the 1800s; trees gifted to the state by other nations; trees that were transplanted here from the battlefields of the Civil War. One tree, a coast redwood nicknamed

the "Moon Tree," sprouted from seeds that orbited the moon during the Apollo 14 mission in 1971.

According to the Historic State Capitol Commission, the park "contains species of plant life from nearly every part of the globe."

The state estimates that approximately 30 trees will need to be removed to make room for the garage, though they say they are working closely with the park's arborists and they hope that many can be saved and replanted.

Opponents believe that number is closer to 100 trees. And while the state argues that figure is far too high, it says that it still doesn't know and *can't* know the exact number of trees—or which ones will have to go—until the garage design is finalized this coming spring or summer.

If there are, in fact, historically significant trees at stake, waiting until plans are "finalized" strikes me as far too late in the process to be acceptable.

But if saving trees—even historic ones—doesn't pull at your heartstrings, let's focus on the money for a moment. Just how much will a new private underground parking garage for legislators and their senior staff cost?

Either no one knows or no one is saying.

I asked Assemblyman Cooley and he said he didn't know and referred me to the facilities management director, but she didn't know either, and said she didn't know *who* would know.

But how can the cost of a major component of a billion-dollar project not be a known number at this advanced stage?

In 2017, the Michigan State Capitol Commission considered a 300-space underground garage for legislators and staff at a cost of \$30 million. At the time, State Representative Larry Inman told a TV station, "I think that's a luxury item. People see that state government is having challenges now funding various programs and services. I don't want to go back to my district and explain \$30 million for a parking structure."

The Michigan garage wasn't funded.

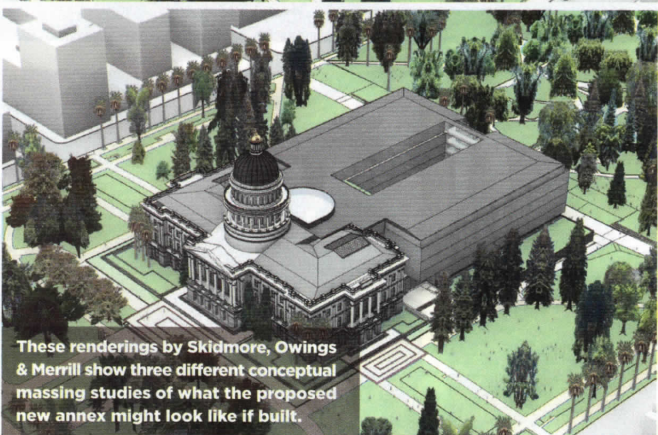
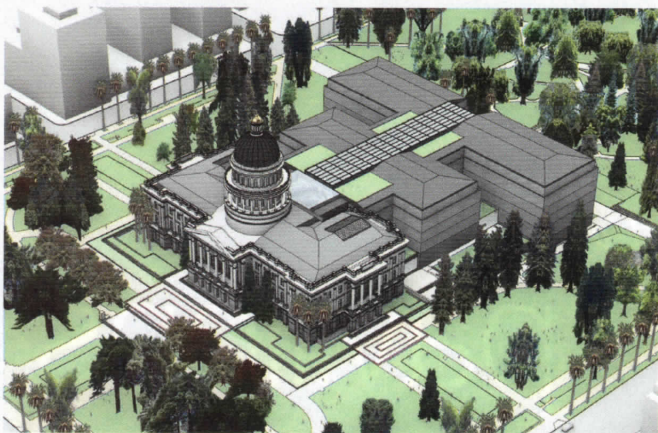
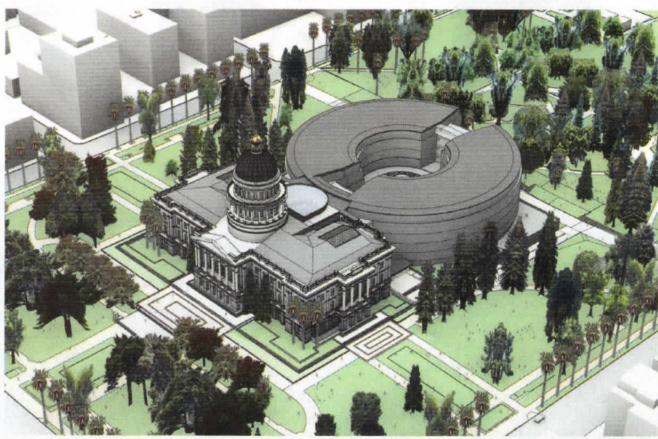
As for the argument that it's not safe to have a garage under the State Capitol, the obvious question is: Why then has the current garage been operating, apparently unsafely, for nearly 30 years since the World Trade Center garage bombing in 1993? Or perhaps there have been no major incidents because there's been a security checkpoint at the entrance to the Capitol garage to prevent an attack. Wouldn't there be one with a new annex as well?

Or why not consider parking off-site? Many state capitols around the country don't have underground garages.

In Phoenix, legislators park in an adjacent surface lot that doesn't even have a security gate. In Colorado, pols also park in an outdoor surface lot. How about freezing Bismarck, North Dakota? Yep, an uncovered surface lot. In Carson City, Nevada, they park in an aboveground garage next door. In Boise, they use either a state-owned garage or surface parking lot—both across the street. In Madison, Wisconsin, they either park on the street or in a garage *two* blocks from the Capitol, says Molly Dillman Vidal of the Wisconsin Department of Administration.

Being that they're in Wisconsin, I asked Vidal if perhaps they had underground tunnels for their two-block trek. "No underground tunnels!" she replied. "They just walk—even in the snow!"

In a city that boasts nearly 300 days of sunshine, a short stroll to the Capitol for Sacramento lawmakers doesn't seem like much of a hardship (especially compared to those hardy senators in icy Bismarck and Madison). During his first term in the 1970s, Gov. Jerry Brown chose an apartment on N Street so he could walk to



These renderings by Skidmore, Owings & Merrill show three different conceptual massing studies of what the proposed new annex might look like if built.

work. In his most recent term, he was even known to occasionally hoof it the seven blocks from his apartment at 16th and J streets to the Capitol at 11th and L.

And if the legs of our current crop of legislators tire more easily than those of the then-septuagenarian governor, perhaps the state should consider leasing 150 spaces in the parking structure directly across the street from the Capitol at 10th and L. Owned by the city of Sacramento, it happens to be named “Capitol Garage.”

But here’s the ultimate irony: The state is *already* planning for the future underground garage’s obsolescence.

In the state’s own plans, it says, “the new annex parking would be designed for maximum flexibility and convertibility to meeting space versus parking if needed in the future. For example, the floor-to-ceiling height would be such that the space can meet building codes for a use other than parking.” When I asked Cooley about that, he said, “I think that makes sense because long-term, who knows what roles car will play?”

Exactly.

At a time when Gov. Newsom is issuing dire warnings about climate change, and calling for a ban on new gas-powered cars by 2035, the last thing the Legislature should be doing is tearing down a bunch of historic trees, and spending untold millions (quite literally untold) to make room for their private automobiles.

This is *California*, people. Where’s the innovation? Where’s the emphasis on trees over cars? Where’s the big-picture thinking?



As for the visitors center, Cooley says that part of the project has been “paused” due to funding issues. And that’s a good thing.

But here’s where the Joint Rules Committee’s lack of transparency on the annex provides a huge missed opportunity.

In the committee’s Sept. 9 hearing, the members were supposed to vote to approve a direction for the project, selecting from one of three radically different designs for the annex. They were presented by Skidmore, Owings & Merrill (SOM)—a world-renowned firm known for, among other projects, the new World Trade Center tower in New York—and include an intriguing circular concept that echoes the Apple campus in Cupertino. The Sept. 9 vote would have set the design wheels in motion.

But the members were only shown the concepts *one day earlier*, and were then going

to be asked to vote on which design to move forward on only 24 hours later, after a short presentation from the architects.

How can anyone—let alone lawmakers untrained in architectural design—make a selection for a building designed to last generations with only one day’s notice? And why aren’t design advisory boards in place—as there are in most cities—to help the members make an informed decision? When it comes to California’s signature building, form should certainly be considered alongside function.

Further, Assemblyman Cooley should invite the eager members of the Historic State Capitol Commission to participate in these discussions as well. The commission was, ironically, created by the Joint Rules Committee for this very purpose. But the commission members, who care deeply about the historical integrity of the Capitol, have been sidelined throughout this process, a fact Cooley acknowledges when he says their participation is “not a mandatory consultation role.”

With all due respect to Assemblyman Cooley, if he truly wants the people’s house to represent “the people,” it’s critical to invite more knowledgeable, passionate citizens into this process, especially to consult on the historical and design implications of the committee’s decisions on these issues.

The only reason the committee didn’t vote on Sept. 9 was because not enough members showed up to establish a quorum. And thank goodness for that.

Assemblyman Cooley frequently cites how “public” and “transparent” this process has been. “I actually think you would be hard-pressed to find a project of this magnitude that has been as public as this project for years,” he told me. Dick Cowan, in turn, calls this endeavor “the most secretive public project I’ve ever been associated with, and I’ve been associated with a lot.”

It’s hard not to agree with Cowan on this point.

While Cooley cites how the annex project’s website has been updated frequently since it was launched in 2017, which may be true, I guarantee that few people in California even know this site exists. And a handful of local articles over the years—because that’s all there is—doesn’t make this project a visible one.

But it’s not just a matter of transparency.

You see, the state of California can build whatever it wants, whenever it wants. Even though it’s in the heart of downtown, the city’s planners, leaders and citizens have

little to no say in the project. Maddeningly the state is exempt from all local design regulations. So we’re largely helpless spectator when it comes to state projects.

If the state wanted the new annex to look like the black monolith from *2001: A Space Odyssey*, it could build a 100-story version of it in the middle of Capitol Park, and there’s nothing you or I could do about it.

Except, perhaps—and that’s a big perhaps—if we make enough noise. Sometimes that works. And that’s what should happen right now. Because Assemblyman Cooley—who I *do* believe wants this to be a great project—plans to reconvene his committee soon and vote to move forward on a project that the public knows largely nothing about, at a time when the state is deeply underfunded.

Look, SOM is one of the best firms out there, and if we do end up building a new annex, they’d be on anyone’s short list.

But simply put, now is the time to hit the pause button on this entire project.

Right now, we have a \$54 billion deficit in California due to Covid-19, and that was *before* the historically devastating wildfires.

Right now, the pandemic has prompted a complete rethinking of how offices—including state offices—will function.

Right now, the future of telecommuting is completely unknown. In late September, Gov. Newsom said he wants to explore the possibility of 75% of state workers telecommuting after the pandemic ends.

And the governor is rightly more focused on climate change than ever, and on reducing our reliance on automobiles.

Yes, we need to fix every dangerous issue with the existing annex, and yes, maybe we need to start the conversation on what a replacement might look like. And perhaps a visitors center, done right, has the potential to be a new civic amenity for Sacramento and an educational tool for California.

Maybe. But now isn’t the time.

Instead, now is the time to truly engage the public, and begin the conversation that’s been happening behind closed doors.

As for the right time to discuss tearing down historic trees for a private parking garage for legislators? To paraphrase the classic *New Yorker* cartoon, “How about never? Is never good for you?”

The only green spaces that our legislators should be disrupting right now are the front yards where they’re placing lawn signs for their reelection campaigns. And even then, we hope they’re getting some buy-in from the owners of those houses first. **S**