



**PUBLIC ACCOUNTABILITY for our CAPITOL**

<https://savecalcap.org>

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March 17, 2021

**Re: Capitol Annex Project Hearing, Joint Committee on Rules, Monday, March 22, 2021**

Dear Member of the California Legislature:

The COVID-19 pandemic has radically changed our State. Your constituents have faced job loss, closed businesses, financial challenges, closed schools, a horrifying death toll, and health care crises. The Legislature, too, has had to change in response to the pandemic. Legislative sessions and committee hearings occur within strict limits, and most legislative staff work remotely.

As your constituents suffer from the pandemic's affects, one small group working outside the light of day is proposing to undo 150 years of California history and change forever our State Capitol and surrounding Capitol Park. This team is proposing a more than \$1 billion Capitol Annex Project. The Joint Rules Committee (JRC) is nearing final action on this oversized, extravagant project that threatens programs needed for your constituents. **You can change this project by asking your caucus and leadership to reduce the project's size and \$1 billion costs.**

**We are Public Accountability for our Capitol** -- a coalition of environmentalists, historic preservationists, and tree and park organizations that are opposed to the existing JRC Annex Project. **We respectfully present to you our alternative to the JRC project. Our proposal is less costly, does not damage any part of the State Capitol or Capitol Park, and preserves and protects over 100 historic trees.**

**WHAT IS THE CAPITOL ANNEX PROJECT? WHAT'S WRONG WITH THE EXISTING CAPITOL ANNEX?**

The historic east Capitol Annex building needs updating of its mechanical, electrical, accessibility, and other safety issues in order to provide a safe and accessible environment for public, staff, and elected officials. In 2016, SB 836 (Ch. 31, 2016) gave the Joint Rules Committee authority to consider "construction ... or the *restoration, rehabilitation, renovation, or reconstruction* of the State Capitol Building Annex" (emphasis added). The executive committee of the JRC has developed the proposed Capitol Annex Project in private, and did not allow public access or input into its development.

**This project will change forever our State Capitol and Capitol Park. It calls for:**

- 1. Demolition of the Annex Building, even though it is listed on the National Register of Historic Places, without a study of possible restoration.**

Public Accountability for Our Capitol Supporters: California Preservation Foundation, California Capitol Historic Preservation Society, California Garden and Landscape History Society, California Urban Forest Council—Sacramento Valley Chapter, The Environmental Council of Sacramento, Sierra Club—Sacramento Group, Save our Heritage Organization, Nathaniel S. Colley Civil Rights Coalition, Preservation Sacramento, Sac Mod, ReLeaf, Sacramento Tree Foundation, Trees For Sacramento, Save Our Capitol!, East Sacramento Preservation, Sacramento City of Trees

2. **Excavation of the West Plaza for an oversized Visitor Center with a garish entrance on the west facade of the original State Capitol.** This will end the use of the Plaza and West Steps as a gathering space for the public, major events, and demonstrations, and threatens numerous historic trees.

3. **Excavation either east or south of the Capitol to build an underground parking garage for legislators in Capitol Park, requiring removal of historic trees.**

4. **Funding using over \$1 billion of lease-revenue bonds, which must be repaid from the General Fund.** The JRC Capitol Annex Project cost estimates have doubled between 2018 and 2020 (\$554 million to over \$1 billion) and have not been scrutinized by any fiscal or budget committee.

*An addendum at the end of this letter includes more specific information about the damage that will be caused by the JRC's proposed Capitol Annex Project.*

#### **WHAT'S THE ANSWER? CREATE A LESS COSTLY AND DAMAGING PROJECT**

**There is still time to revise the JRC project and reduce its size and costs. The JRC hasn't approved the final project or obtained approval of lease revenue bonds.**

*What would your constituents say if you told them you support a \$1 billion Legislative office project that destroys historical resources, damages and threatens trees and Capitol Park, and will be billed to them and their children and grandchildren for the next three decades? Do you think they would approve?*

The JRC project can be revised now while Capitol and Annex staff use the newly-constructed "Swing Space" Building at the northwest corner of 10<sup>th</sup> and O Street. (The Swing Space Building has been paid for.)

**Public Accountability for our Capitol proposes the following revisions to the Capitol Annex Project to create a less costly and less damaging JRC project:**

- **Rehabilitate and renovate the existing Capitol Annex building** to meet health, safety, and accessibility standards and modern infrastructure standards. Renovating the historic Annex Building with additional square footage would ensure that legislators, Governor, Lt. Governor and other Annex tenants can quickly access hearing rooms, the Chambers, elevators and legislative offices. (This was requested by JRC members at its 9/9/2020 hearing.)
- **Reduce the size of the Visitor Center and its entrance; move the entrance to the north or south side of the historic Restored Capitol.** These changes would preserve the original historic State Capitol, West Steps and Plaza. The People's Porch since the 1880s would continue to be used for public gatherings, demonstrations and celebrations -- from Cesar Chavez's March in 1966 to the Women's March in 2017. Even the U.S. Capitol hides its visitor entrance so it doesn't distract from the original historic Capitol. The JRC project does the opposite.
- **Reject the proposed underground parking garage in Capitol Park; use Swing Space Building and/or another offsite location for parking.** This would preserve numerous trees within Capitol Park. Other state capitols have off-site parking for legislators: Arizona, North Dakota, and Wisconsin use offsite parking - rain or snow. In 2017, Michigan canceled its \$30 million underground parking garage because it was considered a luxury. California can do the same.

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- **Continue to use the Swing Space Building permanently for some legislative and executive branch staff.** This makes even more square footage available for the Legislature and Executive Branch than would be available with the JRC-proposed new Annex Building.

Our proposal preserves and enhances the restored State Capitol, West Steps and Plaza, the historic Capitol Annex, and Capitol Park and preserves and protects over 100 historic trees. It also lowers the project's costs and impact to the General Fund – thus freeing funds necessary for state programs important to your constituents.

**Please don't be silent – don't accept the current Joint Rules Committee project. The JRC project creates 'bad optics' for you and the Legislature. There is a more responsible alternative.**

Think of your constituents -- lost jobs, financial ruin, closed businesses, closed schools, and health care crises. **We hope you will show concern for your constituents by contacting your caucus and leadership.**

Thank you for your service to our State. Thanks for your attention to this letter and attachments. Please contact us if you have questions.

Sincerely,

Dick Cowan



Public Accountability for Our Capitol

Addendum: Problems with the Capitol Annex Project  
 Attachments: SacTown Magazine Article  
 Quentin Kopp Opinion Piece

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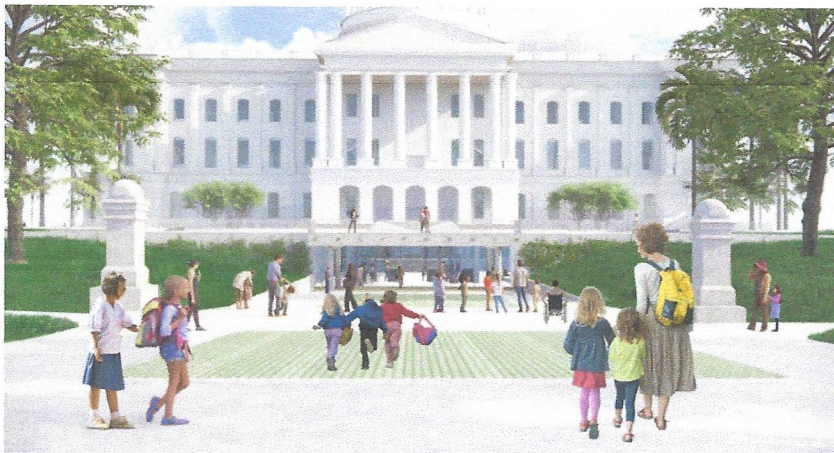
## PROBLEMS WITH THE CAPITOL ANNEX PROJECT

The Joint Rules Committee's (JRC) Capitol Annex Project will dramatically reshape the historic restored State Capitol and surrounding Capitol Park. This project will 1) demolish the existing historic Capitol Annex building, 2) excavate the West Plaza of the restored Capitol to build a Visitor Center; and 3) excavate and build a 200-space underground parking garage south or east of the Capitol exclusively for Legislators and high-ranking Executive officials.

With the use of lease-revenue bond funding, the cost of the Capitol Annex Project has doubled over two years from \$554 (2018) to over \$1 billion dollars (2020). This \$1 billion is much better used to help Californians deal with lost jobs, closed businesses, wildfire recovery and prevention, opening our schools, and addressing COVID-19 relief.

**Overbuilt Visitor Center:** The Visitor Center is now estimated to cost \$78 million and its most recent entry design overpowers the classic western façade of the historic Restored Capitol. The proposed entrance looks like the entrance to a theme park and would eliminate the use of the West Steps and Plaza, the "People's Porch" as dubbed by Huell Howser. It's been used for demonstrations, rallies, and other public activities since the 1880s. The rationale for this overblown entrance is to separate the public from the legislators within the Capitol. \$78 million is a lot of money just so legislators don't have to use the same entrance as the public.

**Proposed Visitor Center destroys the original West Steps and West Plaza. The rallies, marches, demonstrations, and celebrations that have happened for over a century will be impossible.**

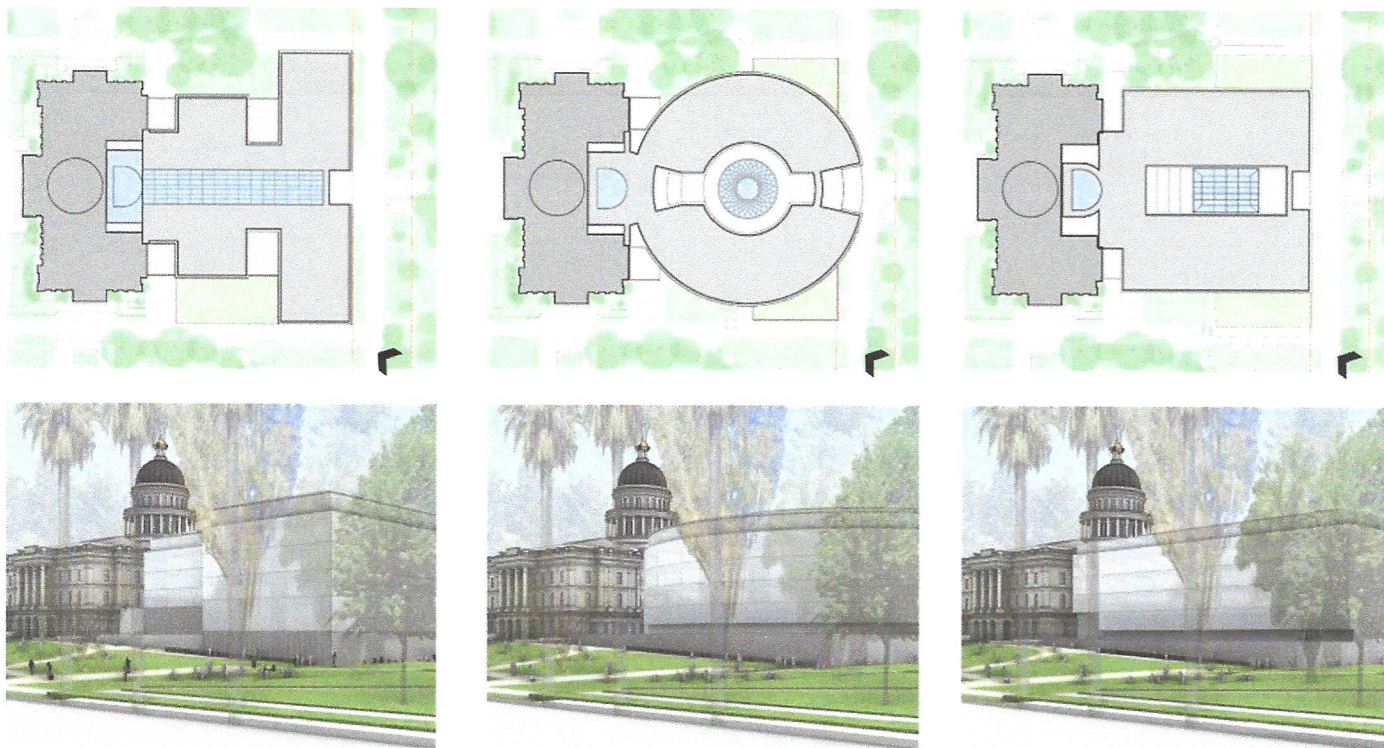


Proposed Visitor Center will change the historic character of this Capitol entrance - a national landmark. Even the U.S. Capitol's new visitor center entrance is carefully placed so as to not to distract from the original historic U.S. Capitol building.

**Using historic Capitol Park for an Underground Parking Garage:** The 200 car parking garage for Legislators and other state officials as shown in the project's Draft Environmental Impact Report has a footprint of most of the two block area from 10th to 12th Streets on the south side of the restored Capitol. The September 9, 2020, version of the Capitol Annex Project locates the garage to the east or south of the Annex building. This plan will likely result in the loss of fewer trees (estimated to be 66 trees, although without a tree/landscape plan it is impossible to know exactly how many trees will be lost) but will impact the Civil War Grove trees. **The rationale for a new parking garage is that the current garage underneath the existing Capitol Annex Building poses the risk of a terrorist attack. However, locating the new underground garage immediately adjacent to either the south or east sides of the restored Capitol and Annex Buildings arguably does little to reduce the risk of attack.** Why build an expensive new underground parking garage when the Governor and Legislature are transitioning away from the use of personal cars? It would be safer, save trees and cost half the money to use above-ground parking outside Capitol Park. There are parking spaces at the Swing Space building, where the Legislature will relocate this fall.

**A Bias for Demolition of the Annex:** The enabling legislation that authorized the Capitol Annex Project (SB 836, Ch. 31, 2016) required the JRC to consider either restoration and reconstruction or demolition of the existing Capitol Annex. The Annex with its classic Mid-Century Modern design is listed on the National Register of Historic Places and deserves consideration for restoration and reuse. From the start, the JRC promoted demolition as the only option. Instead of undertaking a thoughtful study of the possibility of restoration, the JRC developed a demolition project in private meetings and will not provide any justification to the public as to why they recommend demolition over restoration, renovation and reconstruction of the Capitol Annex.

The proposed new Capitol Annex building designs presented at the September 9, 2020, JRC meeting are not consistent with the goal to protect the restored State Capitol. Instead, the three design options visually overpower the restored State Capitol. All three options are over budget; however, the round building, which is the same square footage, is about 15% more expensive—perhaps \$80 million more – as a similar-sized square building. And there is no requirement for budget oversight for decisions taken by the JRC.



**Oversized New Annex Building Overshadows Original State Capitol**

Public Accountability for Our Capitol (PAC Coalition) believes that the building code, access, and safety issues of the historic Capitol Annex are urgent and the mechanical and electrical systems need to be updated. The Legislature has postponed needed upgrades for decades. The Department of General Services (DGS) developed a plan to correct these systems in 2005 but it was never implemented by the Legislature. **Today, instead of asking historic preservation experts how to upgrade the historic Capitol Annex, the JRC issued a Request for Qualification (RFQ) for a demolition project. This bias toward demolition violates the Capitol Annex**

**enabling legislation, which expected the JRC to study renovation ahead of making the demolition decision.** The project has not yet been submitted to the State Historic Preservation Officer as other state building projects would have been at this point.

**JRC ANNEX PROJECT DEVELOPMENT IS NOT TRANSPARENT. JRC REFUSED LEGALLY REQUIRED INPUT FROM CAPITOL COMMISSION.** Absolute minimum public involvement has accompanied this Project's development. Project development was carried out by a limited number of JRC members and selected state agencies in private meetings. In fact, JRC refused participation of the State Historic Capitol Commission, which is legally required to provide advice to the Legislature on any changes to the State Capitol or historic Capitol Park, in JRC project meetings and denied access to consultant documents needed in order to provide Commission comments on the Project's impacts to the Capitol and its Park. The Commission is legally required to provide comments to the JRC but was denied background documents necessary to do so. Today the Commission is not functioning because the Legislature has not filled vacancies in appointed Commission members.

PAC's request to the JRC for planning documents under the Legislative Open Records Act was denied - justified by saying some documents used to make decisions are "drafts" and other rationales. We believe the public is entitled to know how their Legislature developed the Capitol Annex Project and the Project's impacts on the Capitol and its surrounding historic Park. Full JRC committee hearings were only published in the Daily File without outreach to the general public. There is minimal information on the JRC's Annex Website, including few documents used to develop the current project design.

### **OVERSIZED VISITOR CENTER, PARKING GARAGE, AND NEW ANNEX BUILDING WILL DESTROY TREES IN CAPITOL PARK**

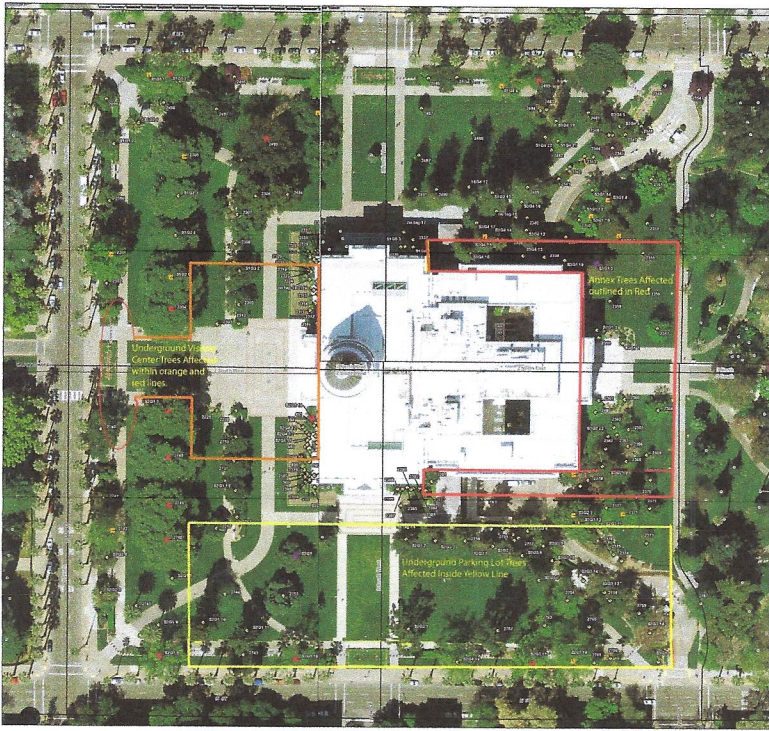
Capitol Park is an arboretum of rare specimens from around the world and a living museum of California history. The health, air quality, habitat and climate benefits of irreplaceable Capitol Park trees, and their historic legacy, cannot be ignored. Current climate conditions and loss of space for deep root systems due to underground construction will not support the future growth of trees to the same stature as those threatened under the current Capitol Annex Project proposal.

Using the Draft Environmental Impact Report (DEIR) released in 2019, PAC estimated that more than 100 trees were within the footprint of the Annex Project plan if the garage is located on the south side of the Capitol. The September 9, 2020, project plan presented to the JRC leads to an estimate of over 66 trees lost if the underground garage is placed east of the Annex building along 12th Street and with the expansive Visitor Center entrance on the west side of the historic State Capitol. But there is no specific report which identifies which trees will be impacted, as required by the California Environmental Quality Act.

### **Protection for the Capitol Building and Park Grounds**

Locating the parking garage on the south side of the Capitol will remove nearly 40 trees, including redwoods 100 feet tall and trees planted in 1887 when the Capitol was first built. There are fewer trees lost if the garage is built to the east of the Annex building, but still a significant amount. The Capitol Park Master Plan recommended by the Historic State Capitol Commission has been delayed by the JRC until after the Capitol Annex Project is completed -- after the destruction to the trees and grounds is already done.

The proposal to build an entrance to a new visitor center would require the destruction of the iconic cedar trees that have framed the Capitol for a century; this is the original Capitol Park. The excavation of the grounds and the impacts of the construction process are noted in the draft EIR as potentially damaging to the historic Capitol building. The cultural resources and possibly burial sites of local Tribal Communities would be disrupted by the excavation.



**Up to 100 trees will be lost. These trees provide CO2 absorption benefits, reduce energy demands by shading, reduce “heat island” effects, and reduce water runoff.**



The restored State Capitol's West Steps and West Plaza shown below would be destroyed and unusable for public gatherings, demonstrations, rallies and celebrations. The original Capitol Park west facade would be defaced with a Disneyland-style entrance that is out of character with the historic restored State Capitol.

