



JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT FACILITY MODIFICATION
ADVISORY COMMITTEE

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TRIAL COURT FACILITY MODIFICATION ADVISORY COMMITTEE

MINUTES OF OPEN MEETING WITH NO CLOSED SESSION

July 17, 2015

10:00 a.m. – 4:00 p.m.

In-Person Meeting, Sacramento

Advisory Body Members Present: Hon. David Edwin Power, Chair, Hon. William F. Highberger, Vice-Chair, Hon. Donald Cole Byrd, Hon. James L. Stoelker, Hon. Vanessa W. Vallarta, Ms. Jeanine D. Tucker, and Ms. Christina M. Volkers

Advisory Body Members Absent: Hon. Brad Hill, Hon. Patricia Lucas, Ms. Linda Romero Soles, Mr. Michael M. Roddy

Others Present: Mr. Curt Soderlund, Mr. Burt Hirschfeld, Mr. Gerald Pfab, Mr. Patrick McGrath, Ms. M.R. Gafill Malloy, Mr. Nick Turner, Mr. Kenneth Kachold, Ms. Angela Guzman, Ms. Eunice Calvert-Banks, Ms. Laura Sainz, Mr. Jim Mullen, Mr. Dan Hutton, Mr. Brad Boulais, Mr. Edward Ellestad, Mr. Price Eres, Ms. Michele Allan, Ms. Peggy Symons, Ms. Donna Newman, Ms. Lynette Stephens, Ms. Brenda Davie, Mr. Bob Miller, and Ms. Hilda Iorga

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:00 a.m. and took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the May 22, 2015 Trial Court Facility Modification Advisory Committee meeting.

PUBLIC WRITTEN COMMENT

No public comments were received.

ACTION ITEMS (ITEMS 1-10)

Action Item 1 – (Action Required) – List A – Emergency Facility Modification Funding (Priority 1)

Summary: Ratify emergency facility modifications from List A.

Action: *Reviewed and ratified 49 projects for a total of \$1,116,044 to be paid from funds previously encumbered for emergency funding.*

Action Item 2 – (Action Required) - List B – Facility Modifications Less than \$50K (Priority 2)

Summary: Ratify facility modifications less than \$50K from List B.

Action: *Reviewed and ratified 166 projects for a total of \$1,322,178 to be paid from funds previously encumbered for facility modifications less than \$50K.*

Action Item 3 – (Action Required) - List C – Cost Increases Over \$50K

Summary: Ratify facility modifications requiring cost increases over \$50K from List C.

Action: *Reviewed and ratified three projects for a total cost increase to the Facility Modification Program Budget of \$604,788.*

Action Item 4 – (Action Required) - List D – Facility Modifications Over \$50K

Summary: Review recommended facility modifications over \$50K projects from List D.

Action: *Reviewed 23 projects, but approved only 22 projects for funding for a total cost to the Facility Modification Program Budget of \$3,002,970. FM-0030967, a window replacement project at B.F. Sisk Federal Courthouse was postponed until the next meeting to allow JCC staff to do more research on the scope and needs of the Court.*

Action Item 5 – (Action Required) – List F – Court-Funded Facilities Requests (Facility Modifications)

Summary: Review Court-Funded Facilities Requests (Facility Modifications) from List F.

Action: *Reviewed and approved one Court-Funded Facility Request for Fresno Superior Court to install a fire suppression system at Fresno County Courthouse for a one-time cost of \$20,460.*

Discussion Item 1

Summary: Reviewed List E – *Funded Facility Modifications On Hold*. As of this meeting, there are 22 projects on hold with a total Facility Modification Program Budget Share of \$8,239,881. These projects are primarily on hold pending county share of funding commitment or a project manager assignment. The committee discussed the prevalence of southern California projects on hold pending PM assignment and some of the current difficulties the judicial branch faces.

Discussion Item 2

Summary: Judicial Council staff presented in depth on one of the projects on List E (see above) – a Solano Hall of Justice project to build a retaining wall and prevent future flooding. The building was originally constructed below grade and has consistently been prone to significant flooding. While the design phase of the project is underway, the execution phase of the project is on hold pending county share of funding commitment.

Action Item 6 – (Action Required) – Five Year Infrastructure Plan – Deferred Maintenance Request Log

Summary: Review of annual Judicial Council Five Year Infrastructure Plan – Deferred Maintenance Request Log.

Action: *The committee reviewed and approved the request log to move forward to the Judicial Council, with a recommendation to submit to Department of Finance (DOF) in September 2015. The projects listed on the log are all generally Priority 5 projects that are deferred due to lack of funding. The projects will need to be prioritized for DOF.*

Action Item 7 – (Action Required) – FY 2015-2016 Budget Plans

Summary: Review and discuss finalized FY 2015-2016 budget plans. Proposed budget previously presented at May 22, 2015 meeting.

Action: *The committee reviewed and approved the FY 2015-2016 budget.*

Action Item 8 – (Action Required) – Quarterly Activity Report, Quarter 4 of Fiscal Year 2014-2015

Summary: Review and discuss the *Trial Court Facility Modification Advisory Committee Activity Report for Quarter 4, Fiscal Year 2014-2015.*

Action: *The committee reviewed and approved the draft report to move forward to the Judicial Council.*

Action Item 9 – (Action Required) – Policy on Art Acquisition for Court Facilities

Summary: Review and discuss *Judicial Council Policy on Art Acquisition for Court Facilities.*

Action: *The committee discussed the details of the draft report and suggested elaboration on the term “permanent” in section 3.2, as well as an edit to section 4.4 to disallow donations from donors who may do business with, or appear before, the receiving court. The committee requested these changes be made and the policy brought back to the August 31, 2015 meeting.*

Action Item 10 – (Action Required) – Budget Change Proposals for FY 2016-2017

Summary: Review and discuss proposed Budget Change Proposals for FY 2016-2017.

Action: *The committee reviewed and approved the seven proposed BCPs for submittal to the Judicial Council. Additionally, the BCPs were ranked for submittal order: (1) O&M; (2) Facility Modifications; (3) New Construction; (4) Risk Management; (5) Security, pending additional information; (6) Green Pilot Projects; (7) LA Superior Court Antelope Valley Facility Modifications.*

DISCUSSION ITEMS (ITEMS 3-5; SEE 1 & 2 ABOVE)

Discussion Item 3

Summary: Jim Mullen, Senior Facilities Risk Manager, discussed the seismic status of judicial branch courthouse facilities. A status of 1-4 is considered seismically safe; a status of 5 is considered unsafe, but people can still safely exit the building in case of emergency. The State did

not transfer any courthouse facilities that were beyond a seismic status 5. The judicial branch does not currently purchase earthquake insurance as it is commercially unfeasible and does not cover flood or fire damage (substantial issues after an earthquake). As the judicial branch's seismic data is already 10 years old, Risk Management is proposing to dedicate Statewide Planning funds (approx. \$250K) to perform a limited seismic study of courthouse facilities, which would develop a building cost estimate for taking level 5s to level 4; a comparison of potential risk of damage to cost of renovation; and a prioritized list based on risk and cost. This would also include a potential BCP concept for the FY16-17 cycle.

Discussion Item 4

Summary: Judicial Council staff provided updates on the Santa Barbara Superior Court's transition of juvenile proceedings to the Jury Assembly Building. In the May meeting, the committee approved the transition with the contingency that Council staff would develop a plan for disposition of the Juvenile Court facility. The Business and Finance Unit discussed the building switch out with Department of Finance and DOF has no concerns. The Real Estate Unit has interfaced with the Santa Barbara Superior Court CEO and Santa Barbara County and determined that the county is interested in acquiring the modular building.

Discussion Item 5

Summary: Judicial Council staff provided an update on the status of *Trial Court Methodology for Prioritizing and Ranking Facility Modifications* document, previously reviewed by the committee on April 13, 2015. It is currently being reviewed by Legal Services in order to better tie the methodology to the Facility Modification Policy. Legal Services expects to have initial review completed in September 2015.

INFORMATION ONLY ITEMS (ITEMS 1-2)

Information Item 1

Summary: Informational Budget Change Proposal for Funds Transfer to Complete Funding Plan for the Alameda Courthouse Project.

Information Item 2

Summary: Informational report on FY 15-16 budget reconciliation and spending plan, as well as completed and canceled facility modifications during the reporting period.

ADJOURNMENT

There being no further open meeting business, the meeting was adjourned at 2:54 p.m.

Approved by the advisory body on August 31, 2015.