

The background of the slide features a large, semi-transparent seal of the Judicial Branch of the State of California. The seal is circular and contains a central figure of Minerva, a grizzly bear, a ship, and a plow. The text "JUDICIAL BRANCH OF THE STATE OF CALIFORNIA" is written around the perimeter, and the year "1926" is at the bottom.

# **Trial Court Facility Modification Advisory Committee Meeting**

August 27, 2018

# Call to Order and Roll Call

- Chair Call to Order and Opening Comments
- Roll Call
  - Trial Court Facility Modification Advisory Committee Chair
  - Trial Court Facility Modification Advisory Committee Members
  - Facilities Services Staff
  - Guests



# Consent Calendar

- Minutes from open meeting on  
July 20, 2018



# Action Item 1

## Solano Hall of Justice

- Review of FM-0040733 (Solano HOJ Flood Protection) – intent to cancel the project and disencumber the funds.



# Action Item 1

## Solano Hall of Justice

FM NUMBER	LOCATION	FACILITY NAME	BUILDING ID	PRIORITY	SHORT TITLE	TCFMAC FUNDED COST	FACILITY MODIFICATION PROGRAM SHARE OF COST	FACILITY MODIFICATION PROGRAM BUDGET % OF COST	TCFMAC APPROVAL DATE
FM-0040733	Solano	Hall of Justice	48-A1	2	EXECUTION -- Construct 1,070 lf of retaining wall, 525 lf of earthen berms, 575 lf of access ramps; install drainage pipe and 2 pumps to extract water trapped within prevention area. \$1.7M was spent in 2005 for flood damage and \$146K was spent in FY 10/11 on flood prevention measures. Emergency exiting must be sealed during flood conditions.	\$ 1,211,241	\$ 882,026	72.82	1/30/2012





JUDICIAL COUNCIL OF CALIFORNIA

2860 Gateway Oaks Drive, Suite 400 • Sacramento, California 95833-4336  
Telephone 916-263-7885 • Fax 916-263-1966 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE  
Chief Justice of California  
Chair of the Judicial Council

MARTIN HOSHINO  
Administrative Director

JOHN WORDLAW  
Chief Administrative Officer

MIKE COURTNEY  
Director, Facilities Services

June 20, 2018

Ms. Birgitta E. Corsello  
County Administrator  
County of Solano  
675 Texas Street, Suite 6500  
Fairfield, California 94533

Re: **Memorandum of Understanding (MOU) Regarding Fairfield Flood Protection Validation and Conceptual Design Study for the Downtown Fairfield County Campus**

Dear Ms. Corsello:

The Judicial Council of California and the County of Solano entered into the above-referenced MOU agreement, dated August 15, 2013, to begin to address the remediation of the periodic, localized, and seasonal flooding that occurs at the County Campus in downtown Fairfield.

The MOU provided for the Parties' cooperation and shared payment in developing a Flood Protection Validation and a Conceptual Design Study by a third-party consultant, Lionakis, that had been retained by the Judicial Council. Lionakis completed the Validation and Design Study in 2014 and a subsequently-commissioned Due Diligence Report & Basis of Design in 2017. The Judicial Council and County have met several times to discuss the next steps to be taken to proceed with the final design of a flood protection project at the County Campus and its eventual construction. The immediate next steps include engaging an architectural and engineering consultant to prepare construction documents and then obtaining the permits necessary to complete the project.

The Judicial Council understood that the County would take the lead in procuring and managing the consultant for these next steps, with the Judicial Council sharing in the cost and providing assistance as needed, with the procurement to be completed by this past April. The Judicial

Ms. Birgitta E. Corsello  
June 20, 2018  
Page 2

Council anticipated the Parties would amend the MOU or enter a new agreement per section 2.3 of the MOU for these purposes. To date, no such amendment or new agreement has been proposed, and the Judicial Council is not certain as to what progress the County has made to date toward these efforts.

The Judicial Council hereby requests a formal status update from the County on any and all work being done with respect to the flood protection project and a confirmation that the County intends to proceed with the flood protection project. Assuming the County does intend to proceed, the Judicial Council also requests that the County provide the current schedule for the work and a timeline showing all milestones required to complete the flood protection project for the Judicial Council's review. **Please provide us with the requested information as soon as possible and in no event later than Monday, July 9, 2018.** This information is necessary so the Judicial Council staff can brief the Trial Court Facilities Modification Advisory Committee at its next meeting and to seek guidance on how best to proceed with the project.

The County's prompt attention to and cooperation with this request is greatly appreciated. Please feel free to contact me should you have any questions.

Sincerely,

Mike Courtney  
Director, Facilities Services

MC/CRM/JPE

- cc: Hon. John B. Ellis, Presiding Judge, Superior Court of Solano County
- Mr. Brian K. Taylor, Court Executive Officer, Superior Court of Solano County
- Mr. Michael Lango, Director, General Services Department, County of Solano
- Mr. Kanon Artiche, Assistant Director, General Services Department, County of Solano
- Mr. Mark Hummel, Capital Projects Manager, County of Solano
- Mr. James Bezek, Principal Management Analyst, County of Solano
- Ms. Bernadette S. Curry, Deputy County Counsel, County of Solano
- Mr. Jagan Singh, Principal Manager, Facilities Services, Judicial Council
- Ms. Lisa Hinton, Senior Project Manager, Facilities Services, Judicial Council
- Mr. Jeremy P. Ehrlich, Attorney, Legal Services, Judicial Council

BIRGITTA E. CORSELLO  
County Administrator  
becorsello@solanocounty.com  
(707) 784-6100  
NANCY HUSTON  
Asst. County Administrator  
nlhuston@solanocounty.com  
(707) 784-6107

COUNTY ADMINISTRATOR'S OFFICE



SOLANO  
COUNTY

675 Texas Street, Suite 6500  
Fairfield, CA 94533-6342  
(707) 784-6100  
Fax (707) 784-7975

www.solanocounty.com

July 9, 2018

Mr. Mike Courtney  
Director of Facilities Services  
Judicial Council of California  
2860 Gateway Oaks Drive, Suite 400  
Sacramento, CA 95833-4336

Re: Memorandum of Understanding Regarding Fairfield Flood Protection Validation and Conceptual Design Study for the Downtown Fairfield County Campus

Dear Mr. Courtney:

Thank you for your letter of June 20, 2018 regarding the *MOU for the Fairfield Flood Protection Validation and Conceptual Design Study for the Downtown Fairfield Campus*. As you know, the intent of the extensive planning effort that has been progressing pursuant to the MOU between the County and Judicial Council is to identify possible ways to minimize the impact of seasonal flooding that sometimes occurs in the County/Court facilities area in downtown Fairfield.

The latest report by Lionakis entitled *Due Diligence & Basis of Design* was finalized and submitted to the Judicial Council in January 2018. This report is intended to guide all subsequent design efforts on the project, including engaging necessary consultants to prepare plans for a flood protection project that both the County and Judicial Council can support.

Lionakis also provided a cost estimate for a proposed storm water storage basin in the parking areas east of the Hall of Justice to collect water that would otherwise potentially impact Court and County facilities. The storage basin comprises an estimated \$5 million of the almost \$12 million total estimated project cost.

The feasibility of constructing the proposed storage basin is dependent upon certain assumptions, which the County is in the process of verifying. The County has previously communicated to Judicial Council staff that the verification effort is currently underway and is scheduled to conclude in late August 2018. When the verification effort is completed, the County will be in a better position to discuss next steps with the Judicial Council.

The County appreciates the support received from the Judicial Council throughout the project planning process as we work to identify practical and financially feasible ways to protect our mutual assets.

Sincerely,

A handwritten signature in blue ink that reads "Birgitta E. Corsello".

Birgitta E. Corsello  
County Administrator

cc: Hon. John B. Ellis, Presiding Judge  
Brian Taylor, Court Executive Officer  
Bernadette Curry, Deputy County Counsel





## JUDICIAL COUNCIL OF CALIFORNIA

2860 Gateway Oaks Drive, Suite 400 • Sacramento, California 95833-4336

Telephone 916-263-7885 • Fax 916-263-1966 • TDD 415-865-4272

TANI O. CANTIL-SAKAUYE  
Chief Justice of California  
Chair of the Judicial Council

MARTIN HOSHINO  
Administrative Director

JOHN WORDLAW  
Chief Administrative Officer

MIKE COURTNEY  
Director, Facilities Services

Ms. Birgitta E. Corsello

August 17, 2018

Page 2

representative will be expected to address questions or concerns from TCFMAC members and Judicial Council staff related to the Project's status and further handling. Judicial Council will provide the teleconference call information to the County in a separate email.

Please coordinate the attendance of the County representative(s) at the TCFMAC meeting with Jagan Singh at (415) 865 7755. We would appreciate it if you could let us know beforehand who from the County plans to attend. We can provide the County with the meeting agenda and materials on this matter in advance.

The Judicial Council appreciates the County's attention to and cooperation with this request. Please feel free to contact me should you have any questions.

Sincerely,

Mike Courtney  
Director, Facilities Services

MC/CRM/JPE

cc: Hon. John B. Ellis, Presiding Judge, Superior Court of Solano County  
Mr. Brian K. Taylor, Court Executive Officer, Superior Court of Solano County  
Mr. Michael Lango, Director, General Services Department, County of Solano  
Mr. Kanon Artiche, Assistant Director, General Services Department, County of Solano  
Mr. Mark Hummel, Capital Projects Manager, County of Solano  
Mr. James Bezek, Principal Management Analyst, County of Solano  
Ms. Bernadette S. Curry, Deputy County Counsel, County of Solano  
Mr. Jagan Singh, Principal Manager, Facilities Services, Judicial Council  
Ms. Lisa Hinton, Senior Project Manager, Facilities Services, Judicial Council  
Mr. Jeremy P. Ehrlich, Attorney, Legal Services, Judicial Council

August 17, 2018

Ms. Birgitta E. Corsello  
County Administrator  
County of Solano  
675 Texas Street, Suite 6500  
Fairfield, California 94533

**Re: Trial Court Facilities Modification Advisory Committee Upcoming Action on the  
Fairfield Flood Protection Project at the Downtown Fairfield County Campus**

Dear Ms. Corsello:

Thank you for your letter dated July 9, 2018, providing an update on the status of the County's efforts with respect to the above-referenced Project. Per your correspondence, the Judicial Council understands that the verification efforts the County is currently undertaking to determine the feasibility of the Project's construction are scheduled to conclude in late August 2018.

As indicated in the Judicial Council's June 20, 2018, correspondence to the County, the Judicial Council briefed the committee that oversees its facilities-related work, the Trial Court Facilities Modification Advisory Committee (TCFMAC), and shared the County's update on this Project at its last meeting to seek guidance on how best to proceed. It was determined that, at TCFMAC's next meeting on August 27, 2018, action will be taken to determine whether the Judicial Council will disencumber funds currently allocated to the Project for use on other Judicial Council needs.

Accordingly, the Judicial Council requests the presence of a representative(s) of the County familiar with the Project and authorized to make decisions on behalf of the County at TCFMAC's next meeting is a conference call on **August 27, 2018, at 12:00 pm**. The County



# Action Item 2

## List A – Emergency Facility Modification Funding (Priority 1)

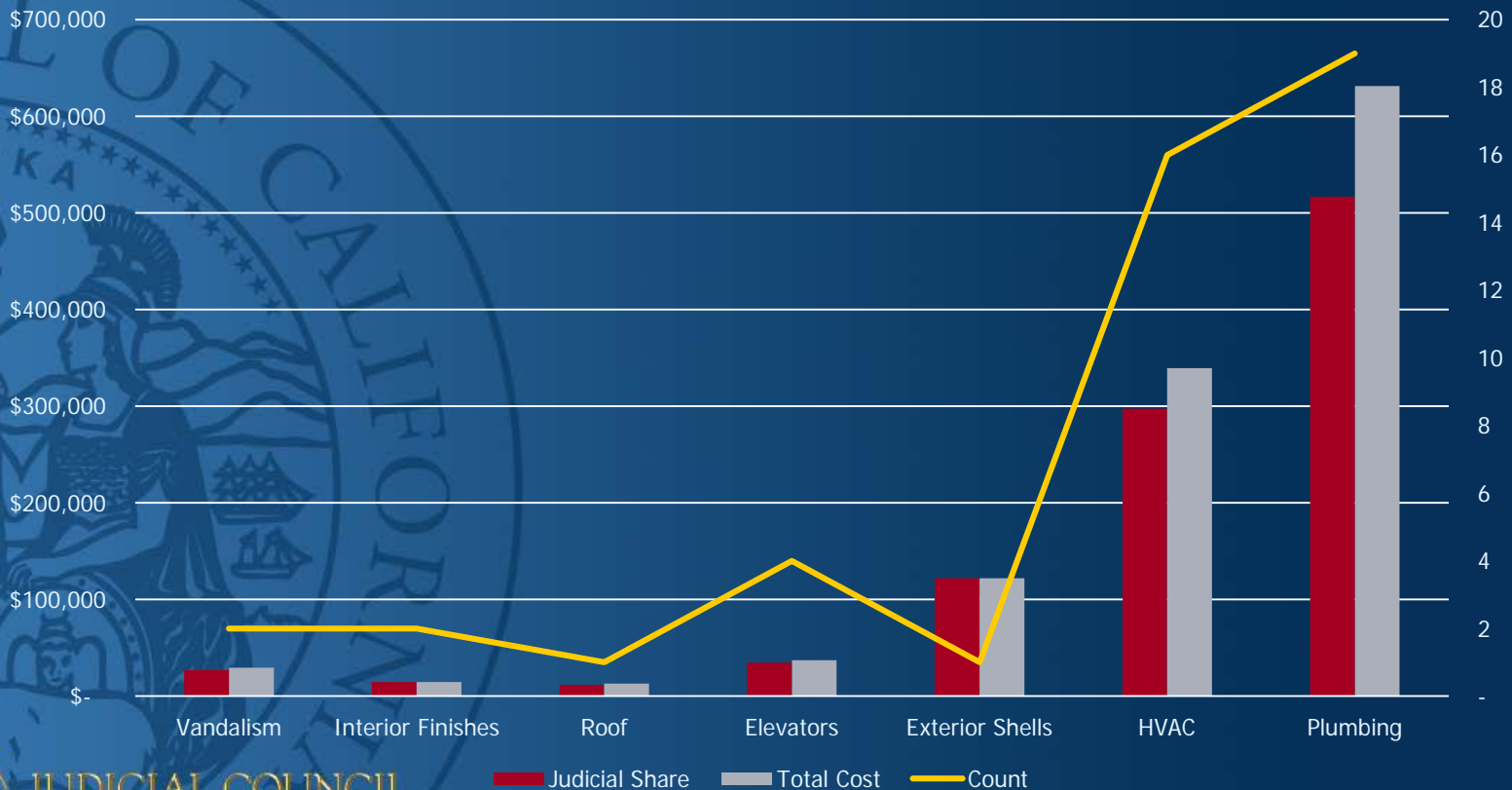
- There were 46 new Priority 1 FMs this period
- Total estimated FM Program budget share is \$1,051,206



# Action Item 2

## List A – Emergency Facility Modification Funding (Priority 1)

List A Distribution



# Action Item 3

## List B – Facility Modifications Less than \$100K (Priority 2)

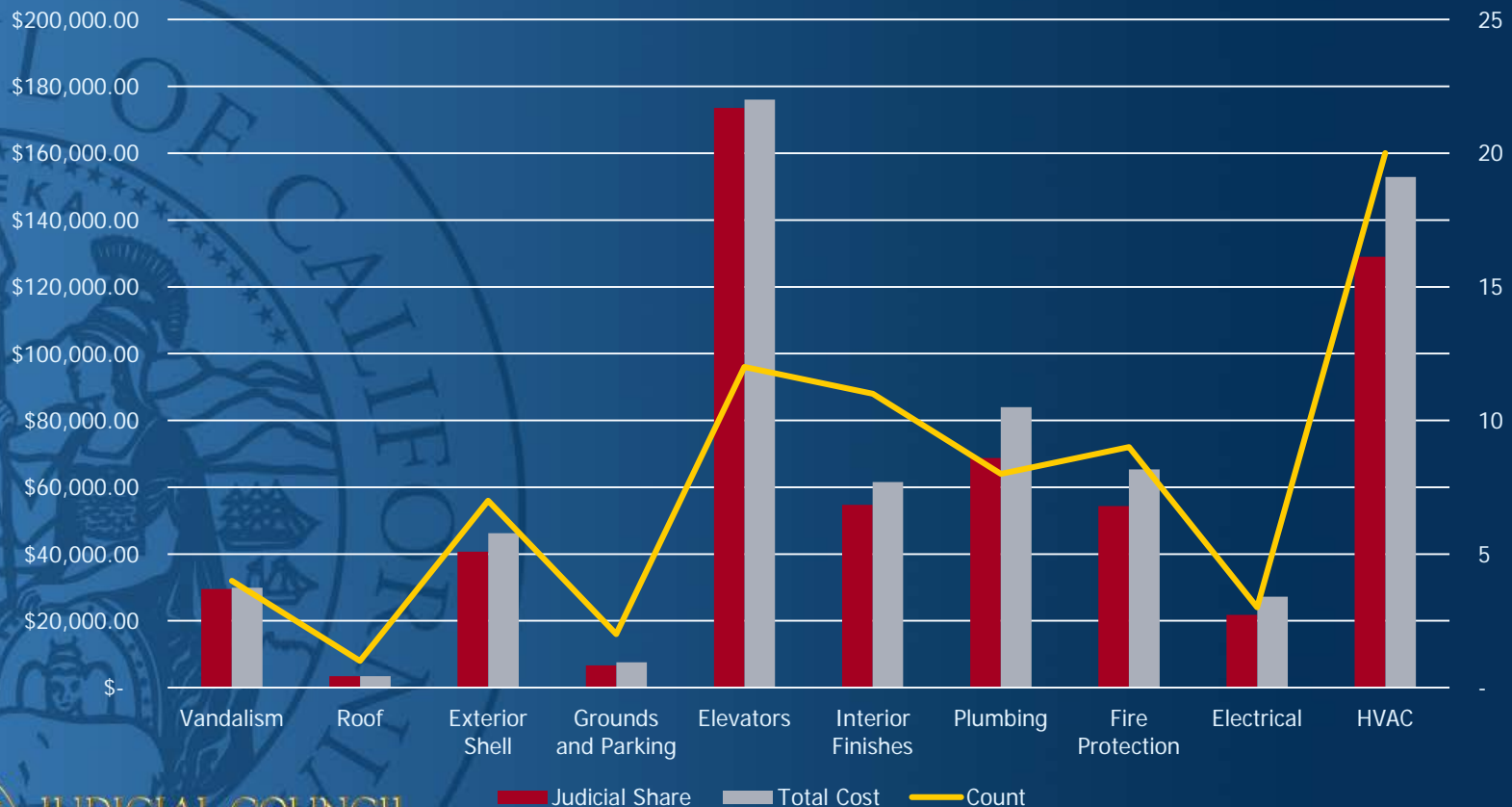
- There were 77 new FMs Less than \$100K this period
- Total estimated FM Program budget share is \$582,517



# Action Item 3

## List B – Facility Modifications Less than \$100K (Priority 2)

List B Distribution



# Action Item 4

## List C – Cost Increases Over \$50K

- Impacts 5 FM projects
- Total FM Value - \$1,345,733
- Program Budget Impact - \$1,096,164



# Action Item 4

## List C – Cost Increases Over \$50K

### San Fernando Courthouse - Roof

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
Los Angeles	San Fernando Courthouse	19-AC1	FM-0052988	\$807,176	\$994,676	\$187,500

Reason for Increase: Cost increase based on presence of significant ACM in mastic of concrete deck and is based on Contractor's bid amount.

Notes: FM Program Budget Share is 83.41%, therefore cost increase to FM Budget is \$156,394.



# Action Item 4

## List C – Cost Increases Over \$50K

### Edelman Parking Structure - Elevator

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
Los Angeles	Edelman Parking Structure	19-Q2	FM-0054270	\$934,670	\$1,911,608	\$976,938

**Reason for Increase:** Cost increase based on actual bids received and supplemental costs incurred on the project during design and permitting.

Notes: FM Program Budget Share is 80%, therefore cost increase to FM Budget is \$781,550.



# Action Item 4

## List C – Cost Increases Over \$50K

### Modesto Main Courthouse – Plumbing

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
Stanislaus	Modesto Main Courthouse	50-A1	FM-0060349	\$136,268	\$193,140	\$56,872

**Reason for Increase:** Original scope was for epoxy liner which was found not to be temperature rated for boiler water. Scope was revised for replacement of pipe within building and parking lot; revised scope eliminates need for pipe excavation in parking lot near 12KV power line and reduced impact to Court.

Notes: FM Program Budget Share is 100%, therefore cost increase to FM Budget is \$56,872.





# Action Item 4

## List C – Cost Increases Over \$50K

### Youth Guidance Center – Fire Protection

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
San Francisco	Youth Guidance Center	38-C1	FM-0061072	\$ 63,096	\$ 119,390	\$ 56,294

**Reason for Increase:** Original scope was for epoxy liner which was found not to be temperature rated for boiler water. Scope was revised for replacement of pipe within building and parking lot; revised scope eliminates need for pipe excavation in parking lot near 12KV power line and reduced impact to Court.

Notes: FM Program Budget Share is 100%, therefore cost increase to FM Budget is \$56,294.



# Action Item 4

## List C – Cost Increases Over \$50K

### Compton Courthouse – Roof

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
Los Angeles	Compton Courthouse	19-AG1	FM-0061893	\$2,500	\$70,629	\$68,129

**Reason for Increase:** Project was opened at \$2,500 and the actual cost was \$70,629. The estimate was not updated at original submittal to TCFMAC.

Notes: FM Program Budget Share is 66.13%, therefore cost increase to FM Budget is \$45,054.



# Action Item 5

## List D – Facility Modifications over \$100K

- Review and direct staff on 6 projects over 100K for total FM share of \$1,532,093.



# Action Item 6

## FM-0060440 Southwest Justice Center – Scope Change

County	Building	Bldg. ID	FM ID	Original Funded Cost	Judicial Council Share	Shared Percentage
Riverside	Southwest Justice Center	33-M1	FM-0060440	\$630,000	\$481,320	76.4%

**Project Description:** Exterior Shell – Remove and replace approx. 18k sq ft of failing stucco and the associated waterproofing barriers and control joints on the two South facing sides of the building to alleviate underlying root cause of water continued water intrusion and damage to interior. After an extensive A&E study, a flaw and voids between the underlying waterproofing barriers and control joints (fry reglet) 6' to 8' above the windows were discovered. Costs will include the use of scaffolding.



# Action Item 6

## FM-0060440 Southwest Justice Center – Scope Change

	Option 1 – Replacement	Option 2 – Elastomeric Coating
Scope	Demolition of existing stucco system and replacement with new stucco system	Provide stucco repair work, fix all reveals and install two (2) elastomeric coating
Hidden Conditions	Unknown and could be substantial	Minimal
Warranty		
Contractor	One year	One year
Manufacturer	15 years (water-resistant membrane)	15 years
Scaffolding	Required	Not required
Court Impact	Substantial	Minimal
Cost	\$4,100,000	Within approved budget
Recommendation	Not recommended	Proceed with scope change

# Discussion Item 1

## New Asbestos Containing Material (ACM) Policy

- Goal: Protect all users and occupants of Court Facilities from harmful exposure to asbestos
- Objective: Ensure compliance with applicable laws and regulations
- Audience: All managing parties/contracted vendors performing renovation activities and/or demolition activities



# Discussion Item 1

## New Asbestos Containing Material (ACM) Policy

- Requirements:
  - All managing parties/contracted vendors shall have a written program establishing safety and work procedures for renovation and/demolition activities.
  - Each written program shall comply with applicable federal, state, and local laws and regulations
  - Managing parties/contracted vendors performing renovation and/or demolition activities shall inform the JCC's Facilities Services Risk Manager prior to initiating renovation and/or demolition activities



# Discussion Item 2

## List E – Approved CFRs

Three CFRs approved since last meeting:

1. Solano – Hall of Justice – One Time – (\$272,945)
2. Los Angeles – Central Civil West – Ongoing – (\$503,650)
3. Butte – Butte County Courthouse – One Time – (\$71,000)





# Discussion Item 3

## List F – Funded FMs on Hold

- On Hold for Shared Cost Approval
  - 8 FMs
  - \$7,482,386 JCC Share



# Information Only Item 1

## DM Project List Status

Project Status	Number of Projects	Original Estimate	Current Amount
<b>Roof Projects</b>			
Design Phase	1	\$ 139,000	\$ 50,317
Plan Check Phase	-	\$ -	\$ -
Bidding Phase	-	\$ -	\$ -
Awaiting Shared Cost Letter	-	\$ -	\$ -
Construction Phase	16	\$ 6,480,000	\$ 20,617,208
On Hold - County owned and managed facility.	4	\$ 487,000	\$ 487,000
Funded by FM Fund	-	\$ -	\$ -
Future Funding	4	\$ 2,245,000	\$ 7,798,727
Completed	9	\$ 2,020,000	\$ 3,062,530
Cancelled	7	\$ 2,240,000	\$ 156,182
<b>Subtotal</b>	<b>41</b>	<b>\$ 13,611,000</b>	<b>\$ 32,171,964</b>
<b>Elevator Projects</b>			
Design Phase	-	\$ -	\$ -
Plan Check Phase	-	\$ -	\$ -
Bidding Phase	-	\$ -	\$ -
Awaiting Shared Cost Letter	-	\$ -	\$ -
Construction Phase	8	\$ 19,355,000	\$ 23,446,726
On Hold - County owned and managed facility.	6	\$ 3,016,000	\$ 1,147,473
Funded by FM Fund	2	\$ 275,000	\$ 275,000
Future Funding	21	\$ 7,318,000	\$ 17,828,260
Completed	-	\$ -	\$ -
Cancelled	8	\$ 2,426,000	\$ -
<b>Subtotal</b>	<b>45</b>	<b>\$ 32,390,000</b>	<b>\$ 42,697,458</b>
<b>Grand Total</b>	<b>86</b>	<b>\$ 46,001,000</b>	<b>\$ 74,869,422</b>

# Information Only Item 2

## FM Budget Reconciliation



### JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT FACILITY MODIFICATION  
ADVISORY COMMITTEE

Meeting Date: August 27, 2018

#### Facility Modifications Completed and Canceled

This fiscal year 147 facility modifications funded over multiple fiscal years were completed. Collectively, the actual costs were under budget of the original estimated amounts by approximately 93.5%.

REPORTING PERIOD STATUS	Quantity	Estimated Cost of FM Program Budget Share	Actual Cost of FM Program Budget Share	% of Estimated Cost
Completed	147	\$7,725,909	\$7,215,305	93.5%
Funded FMs Canceled	0	\$0	N/A	N/A
Non-Funded FMs Canceled	10	N/A	N/A	N/A

CURRENT YEAR STATUS (FY18-19)	Quantity	Cost Adjustment to Current Year FM Program Budget
Completed	4	\$133,932
Canceled	0	\$0
<b>TOTAL COST ADJUSTMENT</b>		<b>\$133,932</b>

#### FY 2018-2019 FM Budget YTD Reconciliation

The first meeting of the year in July 2018 included initial encumbrances for statewide planning, Priority 1 FMs, FMs less than \$100,000, and planned FMs, as well as encumbrances for Firm Fixed Price and the approved FMs over \$100,000 and cost increases greater than \$50,000.

FY 2017-2018 (\$1,000s)			
Description	Budget Amount	Reconciled Expenditure	Funds Available
Statewide FM Planning Allocation	\$5,600	\$5,600	\$0
Priority 1 FM Allocation	\$7,500	\$7,500	\$0
FMs Less Than \$100K Allocation	\$9,000	\$9,000	\$0
Planned FMs Allocation	\$1,864	\$1,864	\$0
Priority 2-6 FMs Allocation	\$37,874	\$11,770	\$26,103
Energy Efficiency Projects	\$2,163	\$2,163	\$0
DMF Contingency	\$1,000	\$0	\$1,000
<b>TOTALS:</b>	<b>\$65,000</b>	<b>\$37,897</b>	<b>\$27,103</b>



### JUDICIAL COUNCIL OF CALIFORNIA

TRIAL COURT FACILITY MODIFICATION  
ADVISORY COMMITTEE

Meeting Date: August 27, 2018

#### FY 2018-2019 FM Budget Spending Plan

FY 2018-2019 Spending Plan (\$1,000s)	
Month/Item	Spending
JUL 2018 (approved 7/20)	\$36,624
DMF Contingency	\$1,000
AUG 2018	\$3,022
OCT 2018	\$6,000
DEC 2018	\$5,000
JAN 2019	\$5,000
MAR 2019	\$4,000
APR 2019	\$3,000
MAY 2019	\$1,354
<b>TOTAL</b>	<b>\$65,000</b>

# Meeting Calendar

Date	Day of Week	Type of Meeting
January 29, 2018	Monday	In Person
March 9, 2018	Friday	Phone
April 9, 2018	Monday	In Person
May 25, 2018	Friday	In Person
July 20, 2018	Friday	In Person
August 27, 2018	Monday	Phone
<b>October 11-12, 2018</b>	<b>Thursday-Friday</b>	<b>In Person</b>
December 3, 2018	Monday	Phone

Next Meeting



JUDICIAL COUNCIL  
OF CALIFORNIA

# Adjourn to Closed Session

- Closing Discussions
- Chair Closing Comments



JUDICIAL COUNCIL  
OF CALIFORNIA