



JUDICIAL COUNCIL OF CALIFORNIA

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TRIAL COURT FACILITY MODIFICATION
ADVISORY COMMITTEE

TRIAL COURT FACILITY MODIFICATION ADVISORY COMMITTEE

MINUTES OF OPEN SESSION OF MEETING

July 18, 2022

10:00 AM - 2:18 PM

Judicial Council of California –Teleconference for Public Access

Advisory Body Hon. Donald Cole Byrd, Chair
Members Present: Hon. William F. Highberger, Vice-Chair
Hon. Garry G. Haehnle
Hon. Vanessa W. Vallarta
Mr. W. Samuel Hamrick, Jr.
Mr. Jarrod Orr
Mr. Darrel E. Parker

Advisory Body Hon. Brad R. Hill
Members Absent: Hon. Patricia M. Lucas
Hon. Jennifer K. Rockwell
Mr. Shawn C. Landry

Staff Present: The following Judicial Council staff were present:

Mr. John Wordlaw, Chief Administrative Officer, Executive Office
Ms. Pella McCormick, Director, Facilities Services
Mr. Tamer Ahmed, Deputy Director, Facilities Services
Mr. Jagan Singh, Principal Manager, Facilities Services
Ms. Mimi Morris, Principal Manager, Facilities Services
Mr. Andre Navarro, Manager, Facilities Services
Mr. Jack Collins, Manager, Facilities Services
Ms. Shima Mirzaei, Manager, Facilities Services
Ms. Nanci Connelly, Manager, Facilities Services
Ms. Deepika Padam, Manager, Facilities Services
Mr. Paul Fitzgerald, Supervisor, Facilities Services
Ms. Donna Jorgensen, Supervisor, Facilities Services
Mr. Glenn Mantoani, Supervisor, Facilities Services
Mr. Steve Shelley, Supervisor, Facilities Services
Mr. Randy Swan, Supervisor, Facilities Services
Mr. Paul Terry, Supervisor, Facilities Services
Mr. Patrick Treanor, Supervisor, Facilities Services
Mr. Ed Ellestad, Supervisor, Facilities Services
Mr. Guillermo Urena, Facilities Management Administrator, Facilities Services
Ms. Kristin Kerr, Supervising Attorney, Legal Services
Ms. Maggie Stern, Attorney, Legal Services
Ms. Kate Albertus, Facilities Analyst, Facilities Services
Ms. Akilah Robinson, Associate Analyst, Facilities Services

OPEN SESSION OF MEETING

Call to Order, Opening Remarks, and Roll Call

The chair called the open session of the meeting to order at 10:03 AM, roll was taken, and opening remarks were made.

Approval of Minutes

The advisory committee voted to approve the open session minutes of its meeting held on May 23, 2022. (*Motion: Highberger; Second: Parker; Abstained: Haehnle*)

PUBLIC WRITTEN COMMENTS

No public comments were received.

DIRECTOR'S REPORT

The committee received the following updates:

1. Budget News:

- a. The 2022–23 Budget included \$111 million for facility modifications (FMs):
 - i. \$15.4 million to supplement the existing \$65 million FM budget in 2022–23 and 2023–24, increasing budgets to \$80.4 million.
 1. 2024–25 funding will be reduced by \$15 million when a 10-year augmentation expires, reducing to \$65.4 million.
 - ii. \$29.7 million for San Diego—Hall of Justice for Judicial Council shared cost to fund all major systems maintenance to modernize the building.
 - iii. \$24.3 million for new judgeship FMs.
 - iv. \$15.3 million for San Diego—East County Regional Center to correct fire and life (FLS) egress deficiencies.
 - v. \$15 million to expand lactation facility access in courthouses.
 - vi. \$11.3 million for Orange—Central Justice Center to expand FLS systems.

2. County Shared-Cost Letters:

- a. The County of Los Angeles approved 25 outstanding 2021–22 FM and Deferred Maintenance Fund (DMF) project shared-cost letters, allowing projects to proceed.
- b. With unprecedented funding for FM and DMF projects, counties will receive notices of estimated shared costs for upcoming projects to ensure ability to provide funding.

3. San Diego—East County Regional Court (ECRC):

- a. Correction plan developed with the State Fire Marshal for the FLS egress deficiencies and funding successfully pursued in 2021–22 for the multi-year project. The 2022–23 May Revision included supplemental funding and California Construction Cost Index (CCCI) increase for the project. The estimated total project cost is approximately \$42 million, with Judicial Council shared cost approximately \$28 million.
- b. The contractor has been selected and a Notice to Proceed issued. Construction in the occupied facility is phased over four years and estimated to complete in summer 2026.

4. Air Scrubber Policy:
 - a. The policy was adopted by the Judicial Council at its July 2022 meeting.
5. Water Conservation:
 - a. Letter being sent to all administrative presiding justices, presiding judges, and court executive officers to notify of new statewide emergency water conservation regulation effective as of June 10, 2022. It bans using potable water on decorative or nonfunctional grass at commercial, industrial, and institutional properties. It does not prohibit ensuring the health of trees and other perennial nonturf plantings or to the extent necessary to address immediate health and safety needs. Although primarily directed at urban water suppliers, the language added to Title 23 of the California Code of Regulations Section 996 is applicable to the Judicial Council as an institutional water user. The Water Code defines institutional water users as higher education institutions, schools, courts, churches, hospitals, government facilities, and nonprofit research institutions.
6. Cost Escalation and Supply Chain Issues:
 - a. The CCCI has increased approximately 9.5 percent since the beginning of the calendar year. Supply chain and labor shortages continue to affect the construction industry. Multiple capital-outlay and FM projects are affected including the San Diego—Vista Courthouse ceiling-collapse repair project. Many projects will finish late and experience cost increases.
7. Staffing Changes:
 - a. Charles Martel, Supervising Attorney of Judicial Council Legal Services' Real Estate Unit, is retiring on July 22, 2022, and backfilling his position will be Kristin Kerr.

OPEN SESSION - ACTION ITEMS (ITEMS 1–6)

Action Item 1 – Fiscal Year 2022–23 Facility Modification Budget (Action Required)

The committee approved the proposed FY 2022–23 FM budget.

(Motion: Haehnle; Second: Highberger)

Action Item 2 – List A – Emergency Facility Modification Funding (Priority 1)

The committee approved 167 projects for a total of \$2,936,140 to be paid from FM program funds to be encumbered for Priority 1 projects. *(Motion: Vallarta; Second: Parker)*

Action Item 3 – List B – Facility Modifications Under \$100K (Priority 2)

The committee approved 89 projects for a total of \$990,726 to be paid from FM program funds to be encumbered for Priority 2 projects under \$100K.

(Motion: Haehnle; Second: Highberger)

Action Item 4 – List C – Facility Modification Cost Increases Over \$50K

The committee approved cost increases over \$50K for 3 projects for a total of \$117,347 to be paid from FM program funds. *(Motion: Highberger; Second: Orr)*

Action Item 5 – List D – Facility Modifications Over \$100K (Priority 2)

The committee approved 9 projects for a total cost to the FM Program budget of \$7,565,910:

- Priority 2 FMs over \$100K (nos. 1–7) for a total cost to the FM Program budget of \$2,758,047. (*Motion: Highberger; Second: Vallarta*)
- Priority 3 FMs over \$100K (nos. 8–9) for a total cost to the FM Program budget of \$4,807,863. (*Motion: Highberger; Second: Parker*)

Action Item 6 – Trial Court Facility Modifications Q4 Report and Annual Summary of Facility Modifications for Fiscal Year 2021–22

The committee approved the report for submission to the Judicial Council, with correction to Figure 2. (*Motion: Highberger; Second: Vallarta*)

**OPEN SESSION - DISCUSSION ITEMS (ITEMS 1–6)
(NO ACTION REQUIRED)**

Discussion Item 1 – List E – Court-Funded Requests (CFRs)

The committee reviewed 2 CFRs (Lease Extensions) that were approved by the Facilities Services Director since the last committee meeting. There was no CFRs cancelled during this reporting period.

Discussion Item 2 – List F – Funded Facility Modifications on Hold

The committee reviewed the list of previously funded FMs on hold.

Discussion Item 3 – Trial Courts Real Estate Expense and Revenue Forecast for Fiscal Year 2022–23

The committee received an update on the Trial Courts Real Estate Expense and Revenue Forecast for FY2022–23.

Discussion Item 4 – Report on Facility Modification Projects \$2,000 and Less for Fiscal Year 2021–22

The committee received an update on FM projects \$2,000 and less for FY2021–22.

Discussion Item 5 – Facilities Maintenance Performance Report

The committee received a report on facility maintenance performance.

Discussion Item 6 – Plumbing Leak Assessment and Mitigation Update

The committee received an update on the plumbing leak assessment and mitigation.

**OPEN SESSION – INFORMATION-ONLY ITEMS (ITEMS 1–4)
(NO ACTION REQUIRED)**

Information Item 1 – Deferred Maintenance Funding - DMF-2 Projects Update

The committee received an update on the status of DMF-2 projects funded by a one-time general fund budget allocation in July 2018 of \$50 million (\$5 million for facility assessments and \$45 million for roof, BAS, elevator, and HVAC projects).

Information Item 2 – Deferred Maintenance Funding - DMF-3 Projects Update

The committee received an update on the status of DMF-3 projects funded by a one-time general fund budget allocation in July 2019 of \$15 million for fire alarm system projects.

Information Item 3 – Deferred Maintenance Funding - DMF-4 Projects Update

The committee received an update on the status of DMF-4 projects funded by a one-time general fund budget allocation in July 2021 of \$180 million for HVAC, roof, elevator, electrical, and fire protection projects.

Information Item 4 – Architectural Revolving Fund Projects Update

The committee received an update on the status of FMs in the Architectural Revolving Fund.

ADJOURNMENT TO CLOSED SESSION AND ADJOURNMENT

There being no further open session business, the open session of the meeting was adjourned at 2:18 PM, and the advisory committee moved to the closed session of the meeting. The closed session of the meeting—which was closed to the public for discussion of security-related items (per Cal. Rules of Court, Rule 10.75(d))—was adjourned at 2:32 PM.

Approved by the advisory body on August 29, 2022.