



Judicial Council of California

Trial Court Facility Modification
Advisory Committee

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TRIAL COURT FACILITY MODIFICATION ADVISORY COMMITTEE

MINUTES OF OPEN SESSION OF MEETING

January 29, 2024

10:00 AM – 1:52 PM

Judicial Council of California – Sacramento Office/Videocast for Public Access

Advisory Body Members Present: Hon. Donald Cole Byrd, Chair
Hon. William F. Highberger, Vice-Chair (by video)
Hon. John B. Ellis
Hon. Jennifer K. Rockwell
Hon. Vanessa W. Vallarta (by video)
Mr. Jarrod Orr (by video)
Mr. Darrel E. Parker

Advisory Body Members Absent: Hon. Brad R. Hill
Hon. Patricia M. Lucas (Ret.)
Ms. Nocona Soboleski
Mr. David H. Yamasaki

Staff Present: The following Judicial Council staff were present:

Ms. Pella McCormick, Director, Facilities Services
Mr. Tamer Ahmed, Deputy Director, Facilities Services
Mr. Harry O'Hagin, Principal Manager, Facilities Services (by video)
Mr. Mike Sablich, Principal Manager, Facilities Services (by video)
Mr. Jagan Singh, Principal Manager, Facilities Services
Ms. Maria Atayde-Scholz, Manager, Facilities Services (by video)
Ms. Mary Bustamante, Manager, Facilities Services (by video)
Mr. Robert Carlson, Manager, Facilities Services
Ms. Mimi Chung, Manager, Facilities Services (by video)
Mr. Jack Collins, Manager, Facilities Services (by video)
Mr. Andre Navarro, Manager, Facilities Services (by video)
Mr. Javier Camacho, Supervisor, Facilities Services (by video)
Mr. Ed Ellestad, Supervisor, Facilities Services (by video)
Mr. Paul Fitzgerald, Supervisor, Facilities Services (by video)
Ms. Donna Jorgensen, Supervisor, Facilities Services (by video)
Mr. Glenn Mantoani, Supervisor, Facilities Services (by video)
Ms. Jennifer Merrill, Supervisor, Facilities Services (by video)
Mr. Yassen Roussev, Supervisor, Facilities Services (by video)
Mr. Steve Shelley, Supervisor, Facilities Services (by video)
Mr. Randy Swan, Supervisor, Facilities Services (by video)
Mr. Guillermo Urena, Supervisor, Facilities Services (by video)
Mr. Doug Walthour, Supervisor, Facilities Services (by video)
Ms. Sadie Varela, Facilities Analyst, Facilities Services
Ms. Mary Li, Associate Analyst, Facilities Services
Ms. Akilah Robinson, Associate Analyst, Facilities Services (by video)
Ms. Kristin Kerr, Supervising Attorney, Legal Services (by video)
Ms. Erin Stagg, Attorney II, Legal 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. Presiding Judge Donald Cole Byrd, TCFMAC chair, read a statement into the record that the agenda—though added to the public meeting notice only four days in advance of the meeting inconsistent with regular meetings rule 10.75(e)(1) of the California Rules of Court—was added consistent with *urgent circumstances* rule 10.75(e)(2), which this meeting was so deemed given the need for urgent action on the agenda items and inability to hold items until the next meeting at risk of disrupting operations of court facilities.

Approval of Minutes

The advisory committee voted to approve the open session minutes of its meeting held on December 4, 2023. (*Motion: Rockwell; Second: Ellis*)

PUBLIC WRITTEN COMMENTS

No public comments were received.

DIRECTOR'S REPORT

The committee received the following updates:

1. Fiscal Year 2024–25 Budget Update:

- The Governor's Proposed Budget for FY 2024–25 includes \$3.57 million General Fund for operations and maintenance (O&M) of the Superior Court of Stanislaus County's New Modesto Courthouse, which is projected to open in early-2025.

2. Compton Courthouse Update:

- At the beginning of January 2024, water intrusion at the Compton Courthouse in Los Angeles County affected the 4th floor and all other floors down to the basement level. It put several elevators out of service (six public elevators, two judge's elevators, and an in-custody elevator) and affected the building's smoke detections and fire annunciator panels. It was caused by a failed fresh-water supply connection in a 4th floor chamber's toilet. Due to the severity of the damage, the court opted to close the courthouse for 11 days to remediate.
- Remediation is almost complete, and replacement furniture and equipment has been ordered (which is being paid for by the court and the county, respectively). The cost estimate for remediation ranges from \$1–1.5 million, which the Judicial Council is entirely responsible for as the building owner.
- Over the weekend, a similar incident occurred involving a failed fresh-water connection at a sink in a different location on the 4th floor. Consequently, Facilities Services is in the process of determining whether all fresh-water connections in the building require replacement.

3. Golden State Financial Marketplace (GS \$Mart) Program:

- Administered by the California Department of General Services (DGS), the Golden State Financial Marketplace (GS \$Mart) program is a potential source of funding for energy efficiency/sustainability infrastructure repair or renewal projects and could potentially supplement the branch's current funding levels by financing energy efficient projects. It is an innovative acquisition finance program designed to facilitate state of California agencies and local governments with installment or lease purchases—acting as a loan that is paid back through future energy savings.
- To be eligible for financing, the projects are subject to cost/benefit analysis to ensure they are environmentally beneficial and economically viable.
- At the upcoming March TCFMAC meeting, Facilities Services staff will present information on the program and request the committee take action to pursue a legislative change to allow the branch to utilize the program, as currently the branch is not explicitly listed as eligible.

4. Solar and Electric Vehicle (EV) Programs Update:

- On January 26, 2024, proposals were received for the Statewide Solar Solicitation for 33 sites throughout the state:
 - The solicitation was divided into four geographic regions.
 - The proposals are currently being reviewed for responsiveness, and the Intent to Award notice is expected at the end of March 2024.
 - Formal contracting is expected to be finalized by the end of May 2024.
 - The majority of the 33 locations, which include 32 trial court sites and one appellate court site (at the Fourth Appellate District, Division Three in Santa Ana), are expected to be operational by April 2026.
- The EV infrastructure projects, being completed as part of the Southern California Edison (SCE) program, are progressing for the following courthouses in Los Angeles County:
 - At the Compton Courthouse, permitting was completed on January 8, 2024. SCE is working with Facilities Services Real Estate and Judicial Council Legal Services on grant easements, and the estimated operation date is December 2024.
 - At the Pomona Courthouse, the project has been permitted, the switchgear has been ordered (with an estimated delivery of May 2024), and construction will commence upon its delivery. EV chargers are expected to be operational by September 2024.
 - At the El Monte Courthouse, SCE is working to receive Division of the State Architect approval for ADA access. Facilities Services Real Estate and Judicial Council Legal Services are finalizing easements for SCE for the installation of the infrastructure. and the estimated operation date is December 2024.

5. New Redding Courthouse O&M:

- The New Redding Courthouse for the Superior Court of Shasta County's is complete, and O&M responsibility will transfer to the Judicial Council on February 7, 2024, which is also the court's scheduled move-in date. The new courthouse will open to the public on

February 13, 2024. Facilities Services staff are on site working with the court to ensure the move-in and public opening are successful.

6. Staffing Update:

- Mr. Michael Sablich, Principal Manager, will be retiring on January 31, 2024, after two years of service at the Judicial Council.

OPEN SESSION - ACTION ITEMS (ITEMS 1-7)

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

The committee approved 128 projects for a total of \$3,220,999 to be paid from Facility Modification (FM) program funds previously encumbered for Priority 1 projects. In addition, for List A Item No. 50 (FM-2005972)—improper installation of the modular wood ceiling panels at the San Diego Central Courthouse—it was requested that Judicial Council Legal Services provide consultation about the possibility of taking legal action against the general contractor and/or subcontractor in closed session of the upcoming March or later TCFMAC meeting.

(Motion: Parker; Second: Ellis)

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

The committee approved 62 projects for a total of \$1,031,198 to be paid from FM program funds previously encumbered for Priority 2 projects under \$100K. *(Motion: Rockwell; Second: Orr)*

Action Item 3 – List C – Facility Modification Cost Increases Over \$50K

The committee approved cost increases over \$50K for seven projects for a total of \$648,828 to be paid from FM program funds. *(Motion: Ellis; Second: Parker)*

Action Item 4 – List D – Facility Modifications Over \$100K (Priority 2)

The committee approved eight Priority 2 FMs over \$100K for a total cost to the FM program budget of \$3,507,192. *(Motion: Ellis; Second: Parker)*

Action Item 5 – Draft 2024 Trial Court Facility Modification Advisory Committee Annual Agenda

The committee approved the draft 2024 Trial Court Facility Modification Advisory Committee Annual Agenda with the resequencing of New/One-time and Ongoing projects. In addition, and to assess the committee’s progress on FMs, it was requested that Facilities Services staff present some metrics used in the public or private sectors generally or used by other public sector providers (e.g., DGS or state court managers in other states) for review at the upcoming July TCFMAC meeting. *(Motion: Highberger; Second: Vallarta)*

Action Item 6 – Trial Court Facility Modifications Report for Quarter 2 of Fiscal Year 2023–24

The committee approved the draft Trial Court Facility Modifications Report for Quarter 2 of Fiscal Year 2023–24, with minor correction to the term *Count of TAG* in Figure 1 on page 3, for submission to the Judicial Council as an Information-Only item.

(Motion: Vallarta; Second: Highberger)

Action Item 7 – Fiscal Year 2025–26 Budget Change Concepts

The committee approved the FY 2025–26 Budget Change Concepts for consideration by the Judicial Council. *(Motion: Ellis; Second: Highberger)*

**OPEN SESSION - DISCUSSION ITEMS (ITEMS 1–5)
(NO ACTION REQUIRED)**

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

The committee received an update on CFR projects approved by the Facilities Services Director since the last meeting and CFR projects cancelled.

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

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

Discussion Item 3 – Facilities Maintenance Performance Report

The committee reviewed the facilities maintenance performance report.

Discussion Item 4 – Trial Court Real Estate Portfolio Expense and Revenue Report for Fiscal Year 2023–24

The committee reviewed the Trial Court Real Estate Portfolio Expense and Revenue Report for Fiscal Year 2023–24.

Discussion Item 5 – Court Facilities Trust Fund (CFTF) Fund Status

The committee received an update on the status of the CFTF.

**OPEN SESSION - INFORMATION ONLY ITEMS (ITEMS 1–5)
(NO ACTION REQUIRED)**

Information Item 1 – FY 2022–23 Annual Report to Legislature of CFTF Expenditures

The committee received an update on the FY 2022–23 annual report to the Legislature of CFTF expenditures.

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

The committee received an update on the status of DMF-2 projects.

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

The committee received an update on the status of DMF-3 projects.

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

The committee received an update on the status of DMF-4 projects.

Information Item 5 – 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 1:52 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 2:11 PM.

Approved by the advisory body on March 4, 2024.