



JUDICIAL COUNCIL
OF CALIFORNIA

COURT FACILITIES
ADVISORY COMMITTEE

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COURT FACILITIES ADVISORY COMMITTEE AND
COURTHOUSE COST REDUCTION SUBCOMMITTEE MEETING

MINUTES OF OPEN MEETING

July 18, 2014
3:00–3:30 PM
Conference Call

Advisory Body Hon. Brad R. Hill, Chair
Members Present: Hon. Patricia M. Lucas, Vice-Chair
Hon. Donald Cole Byrd
Mr. Anthony P. Capozzi
Mr. Stephen Castellanos, FAIA
Hon. Samuel K. Feng
Hon. Robert. D. Foiles
Ms. Melissa Fowler-Bradley
Hon. William F. Highberger
Hon. Jeffrey W. Johnson
Hon. Laura J. Masunaga
Mr. Stephen Nash
Hon. Gary R. Orozco
Hon. David Edwin Power
Ms. Linda Romero Soles
Hon. Robert J. Trentacosta
Mr. Thomas J. Warwick

Advisory Body Hon. Keith D. Davis
Members Absent: Mr. Larry Spikes
Mr. Kevin Stinson
Mr. Val Toppenberg

Others Present: The following Judicial Council staff was present:
Ms. Keby Boyer, Communications
Mr. Steven Chang, Finance
Mr. Curtis L. Child, Chief Operating Officer
Ms. Gisele Corrie, Capital Program
Mr. William J. Guerin, Capital Program
Ms. Angela Guzman, Capital Program
Ms. Donna Ignacio, Capital Program
Mr. Chris Magnusson, Capital Program
Ms. Kristine Metzker, Capital Program
Ms. Leslie G. Miessner, Legal Services
Ms. Kelly Quinn, Capital Program
Ms. Teresa Ruano, Communications
Mr. Robert Uvalle, Capital Program

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 3:00 PM, and Mr. Chris Magnusson, staff to the committee, took roll call.

DISCUSSION AND ACTION ITEMS

Courthouse Cost Reduction Subcommittee (CCRS)

Item 1

Siskiyou—New Yreka Courthouse: 100 Percent Design Development Report

Hon. Jeffrey W. Johnson, CCRS chair, introduced the project's 100 percent design development report, indicating it was a follow-up to the May 2014 CCRS meeting during which the 50 percent design development report was presented and approved. He noted that the CCRS' standard process would have been a vote by e-mail; however, and considering the CFAC meeting had been scheduled, it allowed the opportunity for a joint CFAC-CCRS meeting. He asked Ms. Kristine Metzker to update the CCRS on how approval of 100 percent design development reports will proceed in the future by electronic action (i.e., e-mail) between CCRS meetings and in accordance with the open meetings rule 10.75 of the California Rules of Court.

Ms. Metzker stated that while a live vote is taking place by the CCRS on the 100 percent design development report for the Siskiyou project, the members will be allowed to conduct this specific process via e-mail in the future.

Ms. Metzker stated that the CCRS' review process adopted in May 2014 requires project teams to report back to confirm that the project design complies with all of CCRS directives issued at the 50 percent design development review. She stated that under Rule 10.75, the approval of 100 percent design development reports can be considered follow-ups to 50 percent design development review meetings, allowing members to approve these reports by e-mail. She noted that to comply with Rule 10.75 on electronic actions taken between meetings, staff will provide notice of these actions and public comment opportunity for one (full) business day before members can approve these reports.

Ms. Metzker also stated that for future e-mail proposals, staff will distribute them to the CCRS as well as send e-mails indicating when their public comment periods have ended, attaching any comments along with requests for members to vote by e-mail on the proposals. She reminded the CCRS members that Rule 10.75(o) would prohibit them from discussing e-mail proposals with each other during the one (full) business day public-comment period. She indicated that any discussion regarding these reports would need to be done by e-mail between the end of the public comment period and when members reach final votes on the reports. She stated that in the event the CCRS is unable to approve these reports by this e-mail, a meeting would need to be scheduled.

Action: The CCRS—with no abstentions and the exceptions of Judge Highberger as an Ex-Officio, non-voting member and of Judge Davis and Mr. Kevin Stinson who were absent—voted unanimously on the following motion:

1. The report be accepted—confirming the project is within budget, scope, and schedule and all CCRS directives have been addressed, including those issued prior to the CCRS meeting of May 7, 2014—and the project team be approved to move the project forward to the State Public Works Board (SPWB) for approval of Preliminary Plans and into its Working Drawings phase.

Court Facilities Advisory Committee (CFAC)

Item 1

Use of Fiscal Year 2014–2015 One-time Funds

Hon. Brad R. Hill, CFAC chair, stated that at the CFAC meeting in March 2014, the committee had prepared for the likelihood of additional SB 1407 funds becoming available and, given that, the committee had discussed possibility of applying funds to four indefinitely-delayed capital projects (Fresno, Los Angeles – Glendale [having been selected by the court in lieu of the Southeast Los Angeles project], Nevada City, and Sacramento). He noted that of those four projects, the Sacramento project was considered the priority having previously been recommended by the CFAC and subsequently approved by the Judicial Council to proceed in completing its site acquisition that was already authorized for \$10 million.

He indicated that the \$40 million available in FY 2014–2015 results from a one-time reduction (to \$10 million) of the \$50 million annual redirection from the Immediate and Critical Needs Account to the trial courts for operations. He stated that no legislative authorization accompanies these one-time funds and that the committee needed to recommend to the Judicial Council how they should be applied. He stated that the intent of the legislature was to make these funds available with the purpose of moving the urgently needed Sacramento project forward into design (Preliminary Plans and Working Drawings phases).

Mr. Curtis Child indicated that earlier that day, the SPWB approved the site acquisition for the Sacramento project. He reiterated that no bill language accompanies the one-time funds but that the state Department of Finance (DOF) and Senator Steinberg’s office have communicated their intent to free these funds for the purpose of applying them to this project’s Preliminary Plans and Working Drawings phases. He indicated that he has been working with Senator Steinberg’s office and that they would be memorializing in a letter the purpose of the funding to move this project forward and also indicate an understanding that the legislature would need to fund the construction phase rather than cause other SB 1407 projects to be delayed. He also noted that despite no funding being identified for the construction of the project, the authorization of the \$10 million for acquisition and approximately \$27 million for planning and design demonstrates an ongoing commitment to funding the project.

Justice Hill discussed how the remaining balance of approximately \$13 million should be applied to SB 1407 projects—assuming approximately \$27 of the \$40 million is approved by the Judicial Council and authorized by the legislature for the Sacramento project. He suggested that time should be taken by the CFAC to determine the best approach to make use of any remaining balance of funds.

Ms. Kelly Quinn stated this item was going to be reviewed by the Executive & Planning Committee at its meeting on July 21, 2014, and with their endorsement would be placed on the Judicial Council’s agenda for its meeting on July 29, 2014.

Action: The CFAC—with no abstentions and the exceptions of Judges Highberger and Power as Ex-Officio, non-voting members and of Judge Davis, Mr. Larry Spikes, Mr. Kevin Stinson, and Mr. Val Toppenberg who were absent—voted unanimously on the following motions:

1. The Judicial Council seek legislation to appropriate funds for Preliminary Plans and Working Drawings for the Sacramento–New Sacramento Criminal Courthouse, subject to review and approval by the CCRS, with no commitment to move the project into Construction until construction-funding legislation has been enacted.
2. The CFAC review feasible options for use of any balance of funds made available through authorizing legislation in order to make a future recommendation to the Judicial Council, consistent with Senate Bill 1407.
3. Reports to the Judicial Council on both actions are subject to the review and approval of the CFAC chair.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 3:30 PM.

Approved by the advisory body on July 31, 2014.