



JUDICIAL COUNCIL OF CALIFORNIA

COURT FACILITIES
ADVISORY COMMITTEE

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COURT FACILITIES ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

June 17, 2022
12:00 p.m. – 2:00 p.m.
Public Videocast

Advisory Body Members Present: Hon. Brad R. Hill, Chair
Hon. Patricia M. Lucas, Vice-Chair
Hon. JoAnn M. Bicego
Mr. Stephan Castellanos, FAIA
Hon. Keith D. Davis (Ret.)
Hon. Robert D. Foiles
Ms. Melissa Fowler-Bradley
Hon. William F. Highberger
Hon. Steven E. Jahr (Ret.)
Hon. Gary R. Orozco
Hon. David Edwin Power (Ret.)
Ms. Linda Romero Soles
Hon. Robert J. Trentacosta
Mr. Thomas J. Warwick, Jr.

Advisory Body Members Absent: Hon. Donald Cole Byrd
Mr. Anthony P. Capozzi
Mr. Larry Spikes

Others Present: The following Judicial Council staff/others were present:

Hon. S. Robert Tice-Raskin, Presiding Judge, Superior Court of Nevada County
Hon. Linda J. Sloven, Assistant Presiding Judge, Superior Court of Nevada County
Mr. Jason Galkin, Court Executive Officer, Superior Court of Nevada County
Mr. Alan Bright, Senior Principal, HOK
Ms. Analyn Apan, Vice President, MGAC
Ms. Dena Belzer, President, Strategic Economics, Inc.
Mr. Adam Padua, Senior Associate, Moore Ruble Yudell | Architects & Planners

Hon. Mary J. Greenwood, Administrative Presiding Justice, Court of Appeal, Sixth Appellate District
Mr. Baltazar Vazquez, Clerk/Executive Officer, Court of Appeal, Sixth Appellate District
Mr. Kevin J. Lane, Clerk/Executive Officer and CJER Liaison, Court of Appeal, Fourth Appellate District

Mr. Tamer Ahmed, Deputy Director, Facilities Services
Ms. Kim Bobic, Senior Proect Manager, Facilities Services
Mr. Jack Collins, Manager, Facilities Services
Mr. Craig Evans, Proect Manager, Facilities Services
Mr. James Koerner, Senior Facilities Analyst, Facilities Services
Mr. Chris Magnusson, Supervisor, Facilities Services
Ms. Pella McCormick, Director, Facilities Services
Mr. Bruce Newman, Senior Facilities Analyst, Facilities Services
Ms. Deepika Padam, Manager, Facilities Services
Ms. Akilah Robinson, Associate Analyst, Facilities Services
Mr. Jagandeep Singh, Principal Manager, Facilities Services
Ms. Maggie Stern, Attorney II, Legal Services
Mr. John Wordlaw, Chief Administrative Officer, Executive Office

OPEN MEETING

Call to Order, Roll Call, and Opening Remarks

The chair called the open meeting to order at 12:00 p.m., roll was taken, and opening remarks were made. Mr. Magnusson noted that no public comments were received concerning Item 2. He noted that public comments for Item 3 were received in the form of two letters—one from the Superior Court of Nevada County (included as Tab 4D to the meeting materials available at www.courts.ca.gov/documents/cfac-20220617-materials.pdf) and the other from the City of Nevada City (distributed to the advisory committee members in advance of the meeting and available at www.courts.ca.gov/documents/Nevada_City-of-Nevada-City-Letter_220613.pdf).

Approval of Minutes

The advisory committee voted—with abstention of members absent from the meetings and exception of judge William F. Highberger, Ex-Officio non-voting member—to approve the minutes of its meetings held on May 26 and June 7, 2022.

Public Videocast

A live videocast of the meeting was made available to the public through the advisory body web page on the California Courts website listed above.

DISCUSSION AND ACTION ITEMS (ITEMS 1–3)

Item 1

Director’s Report (No Action – Information Only)

Summary: The Court Facilities Advisory Committee (CFAC) received an update from Ms. Pella McCormick on the following topics:

2022–23 Budget:

- The Legislature has approved the 2022–23 Budget and sent it to the Governor for signature.
- It includes continuing phases for three active capital projects (in Butte, Mendocino, and San Bernardino counties) and initial phases for five new capital projects (in Fresno, Los Angeles, Plumas, San Luis Obispo, and Solano counties), as well as proposals for three large facility modifications and funding to provide facilities for 23 authorized/funded new judgeships.
- With the Legislature’s approval of the budget on June 13, 2022, the Governor has 12 working days to sign the budget bill.
- Once the FY 2022–23 budget act is signed, appropriations become effective July 1, 2022.

Superior Court Public Lactation Facilities (AB 1576):

- Staff is monitoring AB 1576, which requires superior courts to provide court users access to a lactation room in facilities where accommodation is provided to court employees.
- The bill was removed from the Inactive File and is now pending on the Senate Floor:
 - It was amended in the Senate and will need to return for a concurrence vote in the Assembly, prior to being sent to the Governor for signature.
 - If enacted, the *California Trial Court Facilities Standards* will be revised to incorporate its requirement into future courthouses.

2023–24 Budget:

- With CFAC June 7th approval of the FY 2023–24 Five-Year Infrastructure Plan for submission to the council, staff is preparing funding requests for the 2023–24 Budget.
- Budget proposals will be considered at the July council meeting and, if approved, submitted to the Administration no later than August 1, 2022.
- Today’s meeting requests advisory committee actions for an option for the Nevada Superior Court’s project scope and for development of a project for the Sixth District Court of Appeal:
 - These actions will inform 2023–24 Budget funding requests presented to the Judicial Council and the Administration.

Upcoming Meetings/Project Milestones:

- Staff is preparing an educational session for later this summer or early fall, to review lessons learned from active projects and to discuss methodology for project cost budget proposals.
- The next project milestone reviews are 50 percent Design Development for the San Bernardino addition/renovation project in summer or fall and 100 percent Schematic Design for the New Lakeport Courthouse project in November or December 2022.

Action: The advisory committee took no action, as this item had only been presented for informational purposes.

Item 2

Court of Appeal, Sixth Appellate District: New Courthouse Study Review

Summary: The CFAC continued its discussion of feasibility study findings—for consideration of a new courthouse—from its meeting on May 26, 2022, receiving a presentation on the updated study for a recommended project option.

Consistent with materials (Tabs 3A and B) for Item 2 of the agenda, which were posted online for public viewing in advance of the meeting and available at www.courts.ca.gov/documents/cfac-20220617-materials.pdf, Ms. Kim Bobic presented slides 1–3 and 6–10, and Mr. James Koerner presented slides 4–5. Moreover, the advisory committee made the following comments:

- Thanks to staff’s exploration as well as the Sixth Appellate District’s cooperativeness and willingness, a site solution is at hand to the volatility and uncertainty of a very trendy lease environment.
- The feasibility study shows that even with a Net Present Value computation to assess savings, building new on the existing state-owned site in the City of Sunnyvale provides the better value compared to continue leasing with risks of site availability and costs seven years out (in 2029) in a very expensive neighborhood.
- Moreover, and at the end of the 30-year comparison period, leasing would provide no asset value; whereas building new on the existing state-owned site provides the value of a state asset.

Action: The advisory committee—with exception of judge William F. Highberger, Ex-Officio non-voting member, and members absent as shown above—voted to approve the following motion:

1. Approval of the project option for submission of a FY 2023–24 Capital Outlay Budget Change Proposal for a New Sixth Appellate District Courthouse on the state-owned site in the City of Sunnyvale.

Item 3

Nevada—Nevada City Courthouse: Project Study Review

Summary: The CFAC continued its discussion of the project’s study findings from its meeting on May 26, 2022, receiving a presentation on the updated study for selection of a project option.

For the benefit of advisory committee members as well as the public, Presiding Judge S. Robert Tice-Raskin, on behalf of all six judges of the Superior Court of Nevada County, read verbatim the letter from the superior court, which was included as Tab 4D to the meeting materials available at www.courts.ca.gov/documents/cfac-20220617-materials.pdf.

Consistent with materials (Tabs 4A–C) for Item 3 of the agenda, which were posted online for public viewing in advance of the meeting and available at www.courts.ca.gov/documents/cfac-20220617-materials.pdf, Mr. Craig Evans presented slides 1–2 and 13, and Mr. Alan Bright presented slides 3–12. Moreover, the advisory committee made the following comments:

- Pertaining to Slide 11, clarifications were asked about the total cost of each project option and the reason for the difference between the estimated Property Acquisition Costs from May to June 2022. In response, Mr. Bright confirmed the following:
 - Each option’s total cost was as shown in the table, titled *June 2022 Final Costs*.
 - Through assistance of real estate brokers, other categories of Property Acquisition Costs missing from the May 2022 draft (such as topography changes or non-proximity to infrastructure) were included; so, the June 2022 total would be as realistic as possible to accommodate costs of the future site purchase.
- Option 2 is 40 percent higher than the cost of Option 3. Option 3 will not require swing space allowing it to move forward more expeditiously, though the timeline for site selection/acquisition may take two years.
- If the project proceeds under Option 3, no site has been identified. Therefore, the site selection/acquisition process will entail Judicial Council staff working with superior court leadership, the City of Nevada City, and the County of Nevada, and all other local stakeholders to determine a site four-plus acres in size and with parking available for the courthouse:
 - This process should provide opportunity for officials of Nevada City, local commercial leaders, and officials of Nevada County to work with Judicial Council staff and superior court leadership to find a land assemblage closer in than the county jail, that is hopefully adjacent to the Nevada City commercial district, and will

continue to support the vitality of the commercial district and with a solution for parking that serves both court users during weekdays and tourists to the commercial district during evenings and weekends.

- Site conditions are not dissimilar to what was experienced for the new courthouse project in City of Yreka for the Superior Court of Siskiyou County. There, through the assistance of the City of Yreka, working with Judicial Council staff, Siskiyou County, and superior court leadership, a land assemblage in the commercial district next to the former courthouse was created for the new courthouse:
 - This courthouse project was without options for renovating the former courthouse or rebuilding on the former site; so, new construction on a new site was the only feasible option.
 - Initially, only sites that were available were all located far from the downtown area and from justice partners. Concerns of moving the superior court from the downtown were similar and addressed ultimately through collaboration of the local city, county, and community members, who creatively developed a plan to purchase businesses and residences on the block next to the former courthouse:
 - Negotiations involved both homeowners and business owners, with Siskiyou County purchasing most of the parcels and donating them to the state along with the sale of parcels it already owned.
 - The local city also had an ownership interest in one of the parcels.
 - Both the local city and county contributed \$25,000 for relocation costs for some of the displaced property owners.
- What the Siskiyou Superior Court experienced—to find a site for the new courthouse project in the City of Yreka’s downtown—is offered as one example to address very similar concerns. Perhaps, (the City of Nevada City or) Nevada County might have similar resources or options available. Perhaps, there is some option that has not been considered yet for keeping the new courthouse project in or near downtown Nevada City.

Action: The advisory committee—with exception of judge William F. Highberger, Ex-Officio non-voting member, and members absent as shown above—voted to approve the following motion:

1. Approval of Option 3—New Construction on New Site—with a preference that land acquisition be as close to downtown as financially and otherwise possible.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:00 p.m.