



JUDICIAL COUNCIL  
OF CALIFORNIA

TRIAL COURT FACILITY MODIFICATION  
ADVISORY COMMITTEE

[www.courts.ca.gov/tcfmac.htm](http://www.courts.ca.gov/tcfmac.htm)  
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TRIAL COURT FACILITY MODIFICATION ADVISORY COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

April 4, 2016

10:30 a.m. – 4:00 p.m.

In-Person Meeting, Sacramento

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**Advisory Body Members Present:** Hon. Donald Cole Byrd, Chair, Hon. William F. Highberger, Vice-Chair, Hon. James L. Stoelker, Hon. Vanessa W. Vallarta, Hon. Jennifer K. Rockwell, Ms. Jeanine D. Tucker, Ms. Linda Romero Soles, Mr. Michael M. Roddy, and Ms. Christina M. Volkers

**Advisory Body Members Absent:** Hon. Brad Hill, Hon. Patricia Lucas

**Others Present:** Mr. Enrique Villasana, Mr. Jerry Pfab, Mr. Patrick McGrath, Ms. M.R. Gafill Malloy, Mr. Nick Turner, Mr. Ken Kachold, Mr. Dan Hutton, Ms. Angela Guzman, Mr. Kenneth Levy, Ms. Eunice Calvert-Banks, Ms. Jamie Nguyen, Mr. Craig Evans, and Ms. Hilda Iorga, Mr. Ed Ellestad, Ms. Susan McMullan, and Mr. David Yamasaki

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OPEN MEETING

**Call to Order and Roll Call**

The chair called the meeting to order at 10:30 a.m. and took roll call.

**Approval of Minutes**

The advisory body reviewed and approved the minutes of the February 19, 2016 Trial Court Facility Modification Advisory Committee meeting. (*Motion: Highberger; Second: Tucker*)

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PUBLIC WRITTEN COMMENT

No public comments were received.

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ACTION ITEMS (ITEMS 1-6)

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

**Summary:** Ratify emergency facility modifications from List A.

**Action:** *Reviewed and ratified 31 projects for a total of \$625,638 to be paid from funds previously encumbered for emergency funding. The committee also approved the reallocation of \$2M from the Priority 1 FM Allocation to the Priority 2-6 FM Allocation, as the Priority 1 burn rate is projecting lower than expected. (Motion: Roddy; Second: Romero Soles)*

**Action Item 2 – (Action Required) – List B – Facility Modifications Less than \$50K (Priority 2)**

**Summary:** Ratify facility modifications less than \$50K from List B.

**Action:** *Reviewed and ratified 99 projects for a total of \$815,740 to be paid from funds previously encumbered for facility modifications less than \$50K. (Motion: Highberger; Second: Vallarta)*

**Action Item 3 – (Action Required) – List C – Cost Increases Over \$50K**

**Summary:** Ratify facility modifications requiring cost increases over \$50K from List C.

**Action:** *Reviewed and approved four projects for a total cost increase to the Facility Modification Program Budget of \$1,281,794. (Motion: Highberger; Second: Rockwell)*

**Action Item 4 – (Action Required) – List D – Facility Modifications Over \$50K**

**Summary:** Review recommended facility modifications over \$50K projects from List D.

**Action:** *Reviewed and approved 16 projects recommended for funding for a total cost to the Facility Modification Program Budget of \$3,574,712. (Motion: Roddy; Second: Tucker)*

**Action Item 5 – (Action Required) – List E – Court-Funded Facilities Requests (Facility Modifications)**

**Summary:** Review Court-Funded Facilities Requests (Facility Modifications) from List E.

**Action:** *Reviewed and approved 14 Court-Funded Facilities Requests.*

- *Items 2-8 for Los Angeles Superior Court (total \$7,260,672) (Motion: Romero Soles; Second: Stoelker)\**

*\* Judge Highberger abstained due to the potential for “Remote Interest” under Government Code sections 1090 and 1091.*

- *Items 10-11 for San Bernardino Superior Court (total \$404,529) (Motion: Rockwell; Second: Highberger)\*\**

*\*\* Christina Volkens abstained due to the potential for “Remote Interest” under Government Code sections 1090 and 1091.*

- *Item 12 for San Diego Superior Court (total \$150,000) (Motion: Rockwell; Second: Romero Soles)\*\*\**

*\*\*\* Michael Roddy abstained due to the potential for “Remote Interest” under Government Code sections 1090 and 1091.*

- *Items 1, 9, 13, & 14 for Fresno (\$250,000), San Benito (\$3,500), Sierra (\$25,000), and Sutter (\$10,000) Superior Courts, respectively (Motion: Highberger; Second: Tucker)*

**Action Item 6 – (Action Required) – \$60M Deferred Maintenance FM List**

**Summary:** Overview of approach to Deferred Maintenance FM List associated with FM funding augmentation, and issues revolving around defining the \$60 million deferred maintenance list, including

priorities, statewide equity, focusing on building systems rather than showpiece items, county shared cost reimbursement, and how the facility condition index (FCI) plays into project ranking.

**Action:** *The committee approved staff's strategy to define the \$60 million FM list for submittal to Department of Finance, based on the deferred maintenance list that was submitted in September 2015. The committee will be presented with that list at the May 2016 meeting. Once approved by the committee staff will project cost estimates and project management resources over the course of FY 16-17. Projects will be presented for funding approval similar to List D FMs. (Motion: Highberger; Second: Vallarta)*

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## DISCUSSION ITEMS (ITEMS 1-3)

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### Discussion Item 1

**Summary:** Facilities Management staff presented on Audio/Visual equipment in the courts and the issues surrounding ownership and maintenance. While the council is responsible for standard building systems (e.g. electrical, plumbing, HVAC, etc.), the operational costs for such things as A/V equipment, network backbone & LAN, and intrusion alarms can be the responsibility of many different entities, making maintenance problematic. Some identified solutions include improved communications, pre-occupancy IBAs for system responsibility, and development of lifecycle costs estimates during project design. Both staff and the committee will advocate in their various forums and interactions for increased communications between the project design team and courts during the formative stages of major construction projects.

### Discussion Item 2

**Summary:** Real Estate staff provided an update on the disposition efforts of the Chico and Corning courthouses, which were approved at the Judicial Council's February 26, 2016 meeting. Both are subject to disposition through legislation similar to the San Pedro Courthouse disposition (AB 1900), which would require the council to offer the property first to the county where the facility is located. Any proceeds from the sale of surplus state property would be transferred to the Special Fund for Economic Uncertainties.

### Discussion Item 3

**Summary:** Reviewed List F – *Funded Facility Modifications on Hold*. As of this meeting, there are 30 projects on hold with a total Facility Modification Program Budget Share of \$13,505,779. These projects are primarily on hold pending county share of funding commitment or project management resources.

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## INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

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### Information Item 1

**Summary:** Informational report on FY 15-16 budget reconciliation and spending plan, as well as completed and canceled facility modifications during the reporting period. This report does not reflect the \$2 million P1 reallocation; it will be reflected at the next meeting's report.

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**ADJOURNMENT**

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There being no further open meeting business, the meeting was adjourned at 12:29 p.m.

Approved by the advisory body on May 20, 2016.