

Trial Court Facility Modification Advisory Committee Meeting

October 29, 2020



JUDICIAL COUNCIL
OF CALIFORNIA

Call to Order and Roll Call

- Chair Call to Order and Opening Comments
- Roll Call
 - Trial Court Facility Modification Advisory Committee Chair
 - Trial Court Facility Modification Advisory Committee Members
 - Facilities Services Staff
 - Guests



JUDICIAL COUNCIL
OF CALIFORNIA

Consent Calendar

- Minutes from open meeting on August 31, 2020



JUDICIAL COUNCIL
OF CALIFORNIA

Discussion Item 1

Update on Fiscal Year 2020-21 Facility Modification Budget

- Update on Fiscal Year 2020-21 Facility Modification Budget



JUDICIAL COUNCIL
OF CALIFORNIA



Judicial Council

Facilities Modifications Budget



Annual Budget Makeup

Notes:

1. All numbers in the table below are in thousands

FUND NAME	FUND CODE	ANNUAL AMOUNT
Immediate and Critical Needs Account (ICNA)	3138	\$25,000
State Court Facilities Construction Fund (SCFCF)	3037	\$40,000
Total		\$65,000

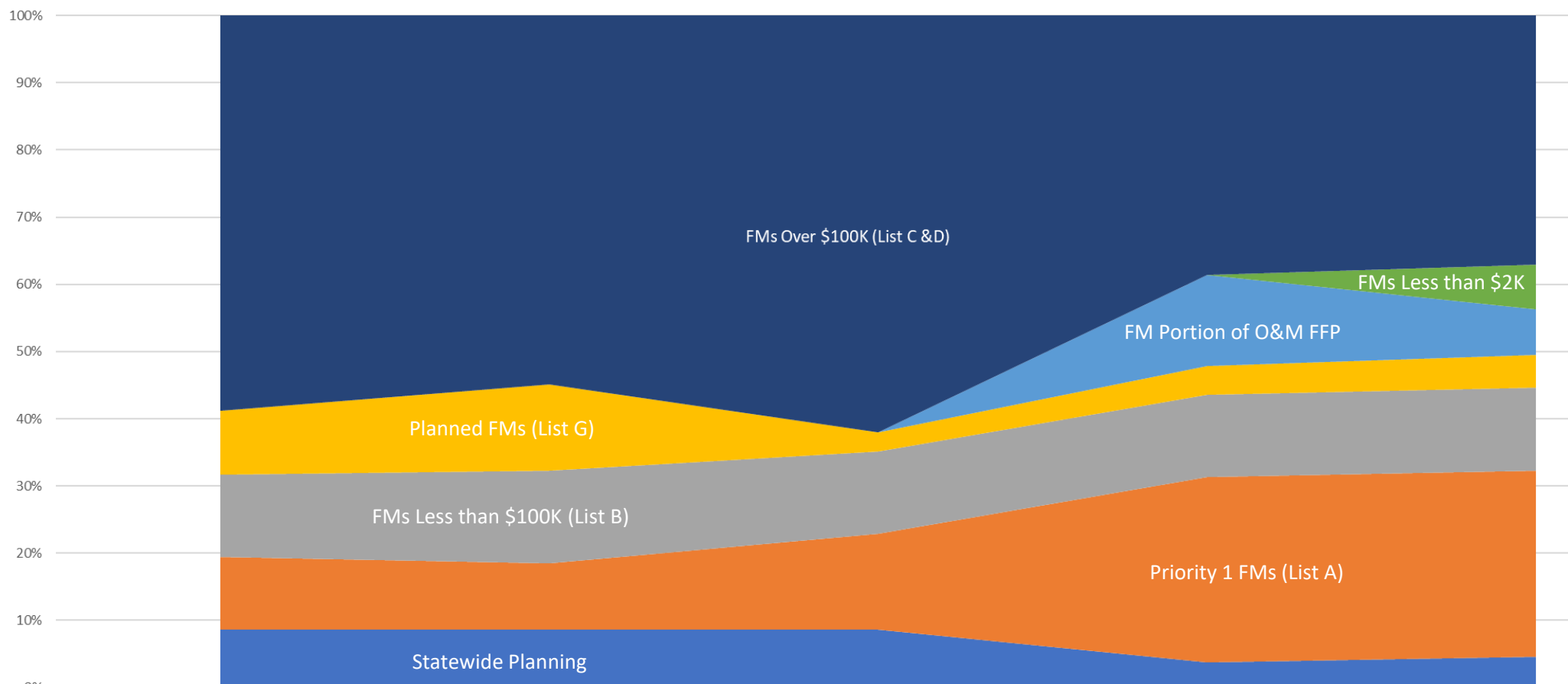
Budget Allocations

Notes:

1. All numbers in the table below are in thousands
2. Fiscal Year 2020-2021 is the current year

BUDGET CATEGORY	FY 2016-2017	FY 2017-2018	FY 2018-2019	FY 2019-2020	FY 2020-2021
Statewide Planning	\$5,600	\$5,600	\$5,600	\$2,422	\$3,000
Priority 1 FMs (List A)	\$7,000	\$6,441	\$9,250	\$17,927	\$18,000
FMs Less than \$100K (List B)	\$8,000	\$8,900	\$8,000	\$8,000	\$8,000
Planned FMs (List G)	\$6,200	\$8,353	\$1,864	\$2,770	\$3,172
FM portion of O&M FFP	\$0	\$0	\$0	\$8,750	\$4,375
FMs less than \$2K	\$0	\$0	\$0	\$0	\$4,375
FMs over \$100K (List C & D)	\$38,198	\$35,706	\$40,286	\$25,131	\$24,078
Total	\$65,000	\$65,000	\$65,000	\$65,000	\$65,000

October 28, 2020



	2016	2017	2018	2019	2020
■ FMs over \$100K (List C &D)	\$38,198	\$35,706	\$40,286	\$25,131	\$24,078
■ FMs Less than \$2K	\$0	\$0	\$0	\$0	\$4,375
■ FM Portion of O&M FFP	\$0	\$0	\$0	\$8,750	\$4,375
■ Planned FMs (List G)	\$6,202	\$8,353	\$1,864	\$2,770	\$3,172
■ FMs Less than \$100K (List B)	\$8,000	\$8,900	\$8,000	\$8,000	\$8,000
■ Priority 1 FMs (List A)	\$7,000	\$6,441	\$9,250	\$17,927	\$18,000
■ Statewide Planning	\$5,600	\$5,600	\$5,600	\$2,422	\$3,000

What is the ask?

Need \$13.3 million supplementation

COVID 19 impacts	\$0.25 million (current for FY2020-21) Impact to FMs to keep Elevators as Immediate because of social distancing
	\$5 million (redirection of maintenance money to install temporary social distancing measures)
Vandalism/Civil Unrest	\$0.63 million (current for FY2020-21)
	~5x increase in FY2019-20 from FY2018-19
Wildfires response	\$4.7 million (current for FY2020-21)

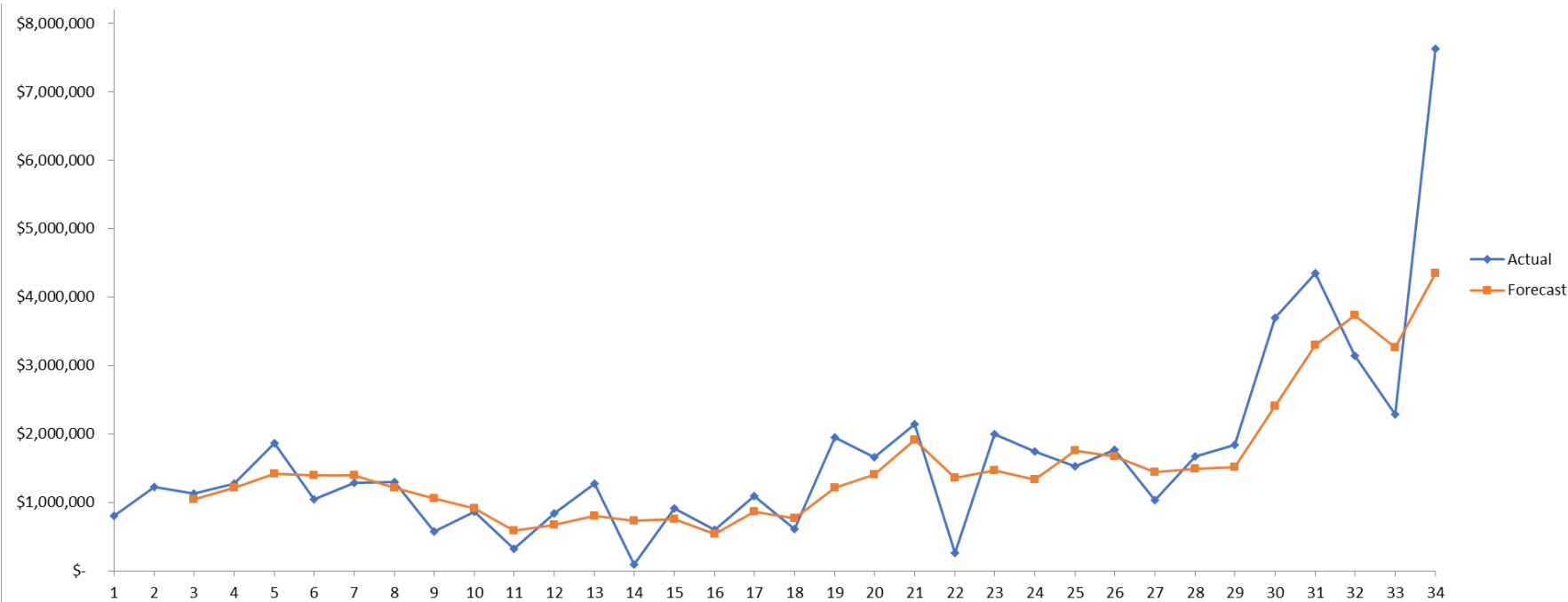
Data Analysis Methodology

Projection Methodology	Pros	Cons
3 Meeting Moving Average Projection	Provides simple insight for trends; provides smoothed lines that are less prone to rapid changes but instead shows the trajectory of a potential trend	Slower response to rapid changes
Linear Regression Projection	Provides simple insight for trends with weighted emphasis on recent datapoints; is able to respond to rapid changes in recent trends	Vulnerable to false signals of change
Excel Forecast Project	Provides analytical data between variables with linear relationship; shows trajectory of a potential trend based on the dependency of the covariates	Over simplifies real-world relationships between variables

Data Analysis Assumptions

- It is assumed that of the \$18M in FMs greater than \$100K deferred, \$6M of it will be funded.
- In Projection (without Air Scrubbers), it is assumed that there will no further wildfires for the remaining fiscal year.

3-Meeting Moving Average Projection



- Per meeting average = \$4.4M
- Total amount needed for 5 meetings = $5 * \$4.4M = \$22M$

Linear
Regression
Forecast

Meeting Month

Amount Needed

December 2020

\$3,063,503

January 2021

\$3,144,221

March 2021

\$3,224,940

April 2021

\$3,305,658

May 2021

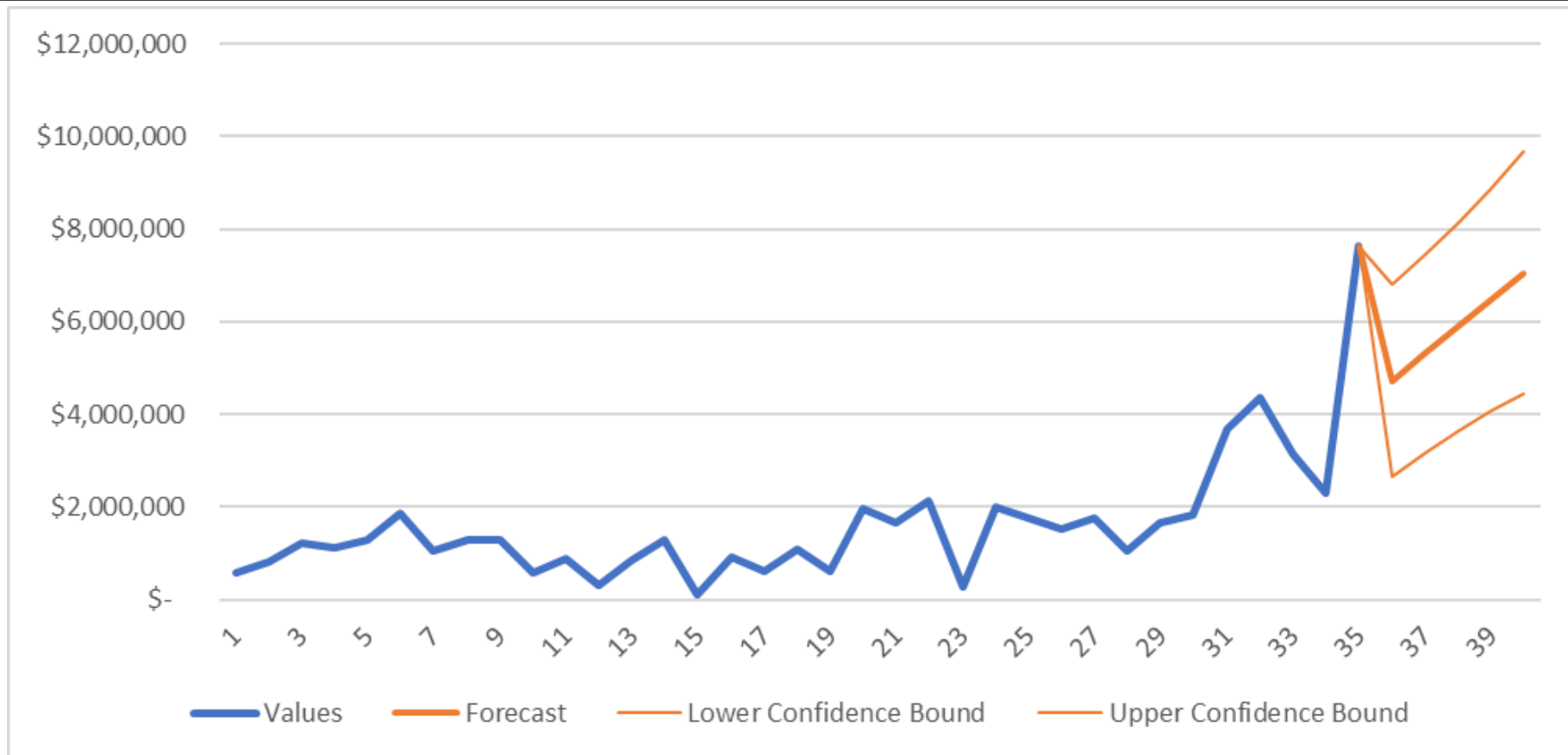
\$3,386,376

Total

\$16,124,698

Excel Forecast Projection

Projection	Value
Upper confidence	\$48,528,701
Forecast	\$37,049,068
Lower confidence	\$25,569,434

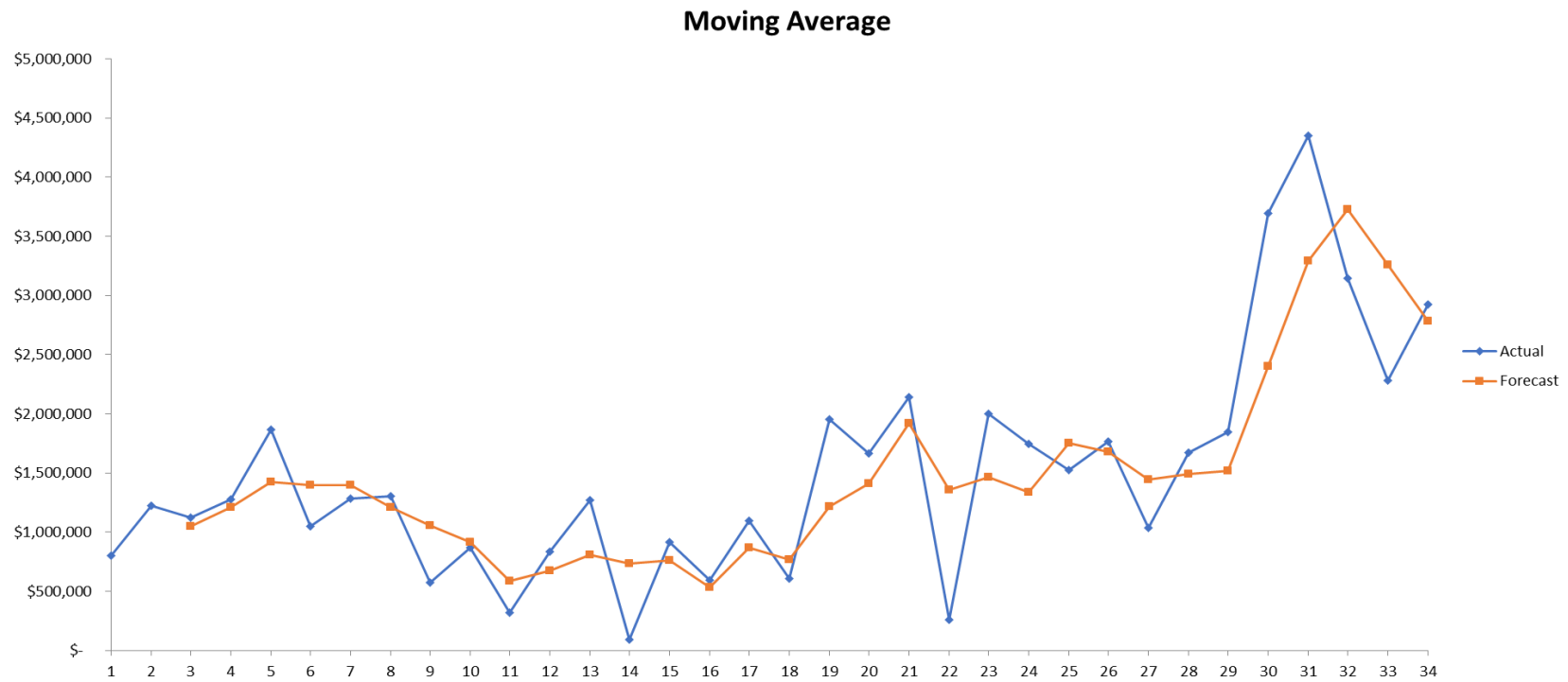


FY 2020-2021 Current Projections

- **Funding shortfall** **\$15.3M**
- **This shortfall assumes that the current critical projects will be deferred in the amount of \$12.2M by Trial Court Facility Modification Advisory Committee (TCFMAC). TCFMAC will review this forecast on October 29, 2020.**

FY 2020-2021 Budget	Budget	Encumbered	Unencumbered	Forecast	Encumbered + Forecast
Statewide Planning	\$3,000	\$250	\$2,750	\$2,250	\$2,500
Priority 1 FMs (List A)	\$18,000	\$11,815	\$6,185	\$22,000	\$33,815
FMs Less than \$100K (List B)	\$8,000	\$2,750	\$5,250	\$5,250	\$8,000
Planned FMs (List G)	\$3,172	\$3,172	\$0	\$0	\$3,172
FM portion of O&M FFP	\$4,375	\$4,375	\$0	\$0	\$4,375
FMs less than \$2K	\$4,375	\$4,375	\$0	\$0	\$4,375
FMs over \$100K (List C & D)	\$24,078	\$10,161	\$13,917	\$13,917	\$24,078
Total	\$65,000	\$36,898	\$28,102	\$43,417	\$80,315
				Delta	(\$15,315)

3-Meeting Moving Average Projection (without Air Scrubbers)



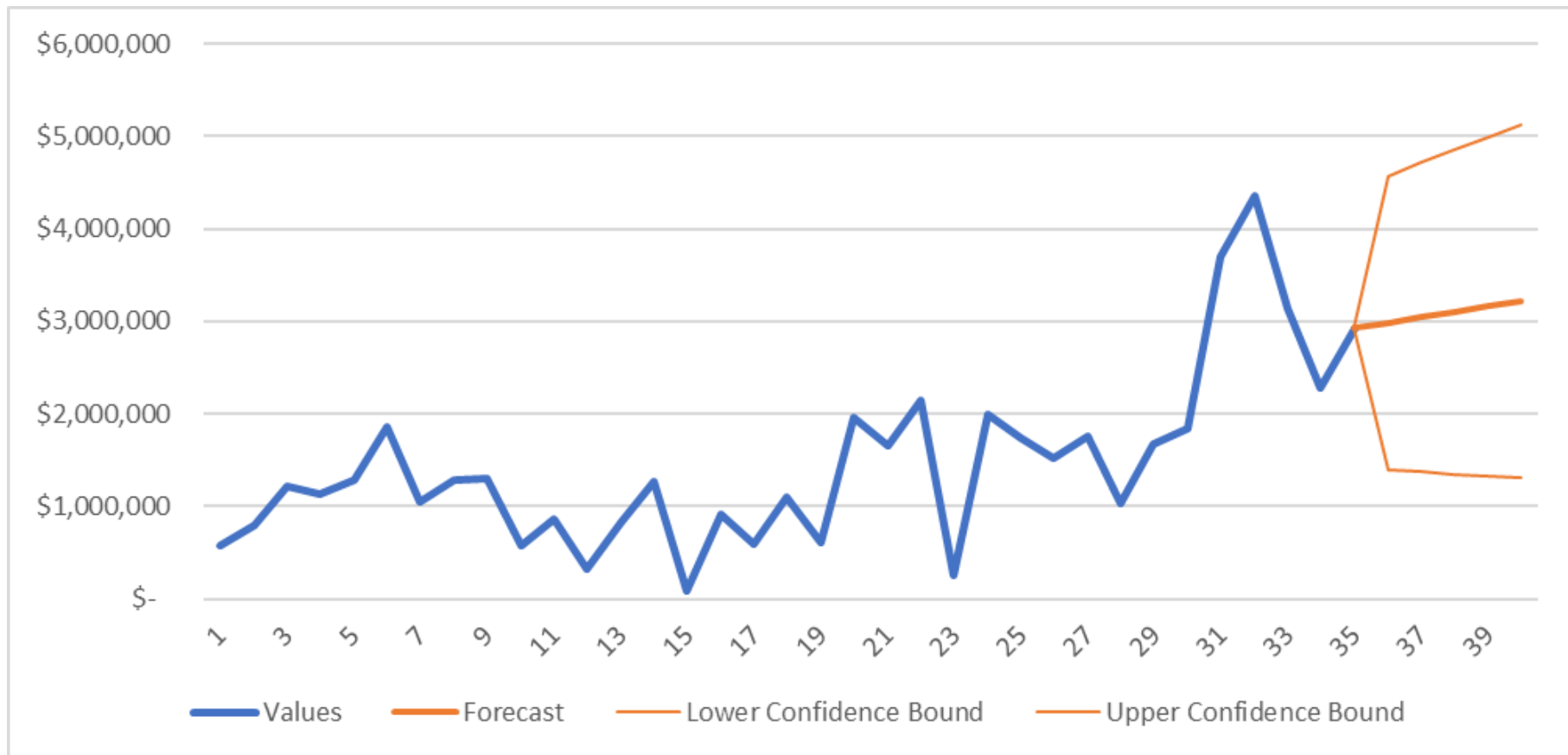
- Per meeting average = \$2.8M
- Total amount needed for 5 meetings = $5 * \$2.8M = \$14M$

Linear
Regression
Forecast
(without Air
Scrubbers)

Meeting Month	Amount Needed
December 2020	\$2,526,594
January 2021	\$2,584,941
March 2021	\$2,643,288
April 2021	\$2,701,635
May 2021	\$2,759,982
Total	\$15,684,686

Excel Forecast Projection

Projection	Value
Upper confidence	\$27,190,102
Forecast	\$18,427,552
Lower confidence	\$9,665,003



FY 2020-2021 Current Projections

- **Funding shortfall** **\$9.3M**
- **This shortfall assumes that the current critical projects will be deferred in the amount of \$12.2M by Trial Court Facility Modification Advisory Committee (TCFMAC). TCFMAC will review this forecast on October 29, 2020.**

FY 2020-2021 Budget	Budget	Encumbered	Unencumbered	Forecast	Encumbered + Forecast
Statewide Planning	\$3,000	\$250	\$2,750	\$2,250	\$2,500
Priority 1 FMs (List A)	\$18,000	\$11,815	\$6,185	\$16,000	\$27,815
FMs Less than \$100K (List B)	\$8,000	\$2,750	\$5,250	\$5,250	\$8,000
Planned FMs (List G)	\$3,172	\$3,172	\$0	\$0	\$3,172
FM portion of O&M FFP	\$4,375	\$4,375	\$0	\$0	\$4,375
FMs less than \$2K	\$4,375	\$4,375	\$0	\$0	\$4,375
FMs over \$100K (List C & D)	\$24,078	\$10,161	\$13,917	\$13,167	\$24,078
Total	\$65,000	\$36,898	\$28,102	\$37,417	\$74,315
				Delta	(\$9,315)

FM Funding Shortfall

- The forecasted shortfall of the FM budget is \$9.3 million. Proposed options include a combination of the following options:

Standalone TCFMAC Actions

TCFMAC Action that require DOF / Legislature approval

Freeze P2 spending as required to meet P1 needs.

Supplemental Budget Appropriation (\$4M)
ICNA/General Fund Appropriation

Budget adjust \$4.7M Air Scrubber costs from FM program to O&M program.

Redirect \$1.5M-\$2M approx. Deferred Maintenance 2 (FY2018-2019) funding for FM's or P2's

Absorb \$2.5M Planning Costs into Facilities Services administrative budget (salary savings and operating expenses and equipment) to pay for Planning Costs until June 30, 2021

Redirect \$0.8M Deferred Maintenance 3 (FY2019-2020) funding for FMs for Fire Alarm projects.

Conclusion

- This analysis has identified a shortfall in our current year funding for \$9.3 million.

Action Item 1

List A – Emergency Facility Modifications (Priority 1)

- There were 254 new Priority 1 FMs this period
- Total estimated FM Program budget share is \$7,329,371

FY 20-21 P1 Budget Allocation	Prior Approvals for FY 20-21	Proposed Approvals	Remaining Balance
\$18,000,000	\$5,425,620	\$7,329,371	\$5,245,008



Action Item 1

List A – Emergency Facility Modifications (Priority 1)



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Action Item 1

List A – Emergency Facility Modifications (Priority 1)

FM-0142371 Los Angeles Norwalk Courthouse - HVAC



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Action Item 1

List A – Emergency Facility Modifications (Priority 1)

FM-0144313
Riverside Larson
Justice Center -
HVAC



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Action Item 1

List A – Emergency Facility Modifications (Priority 1)

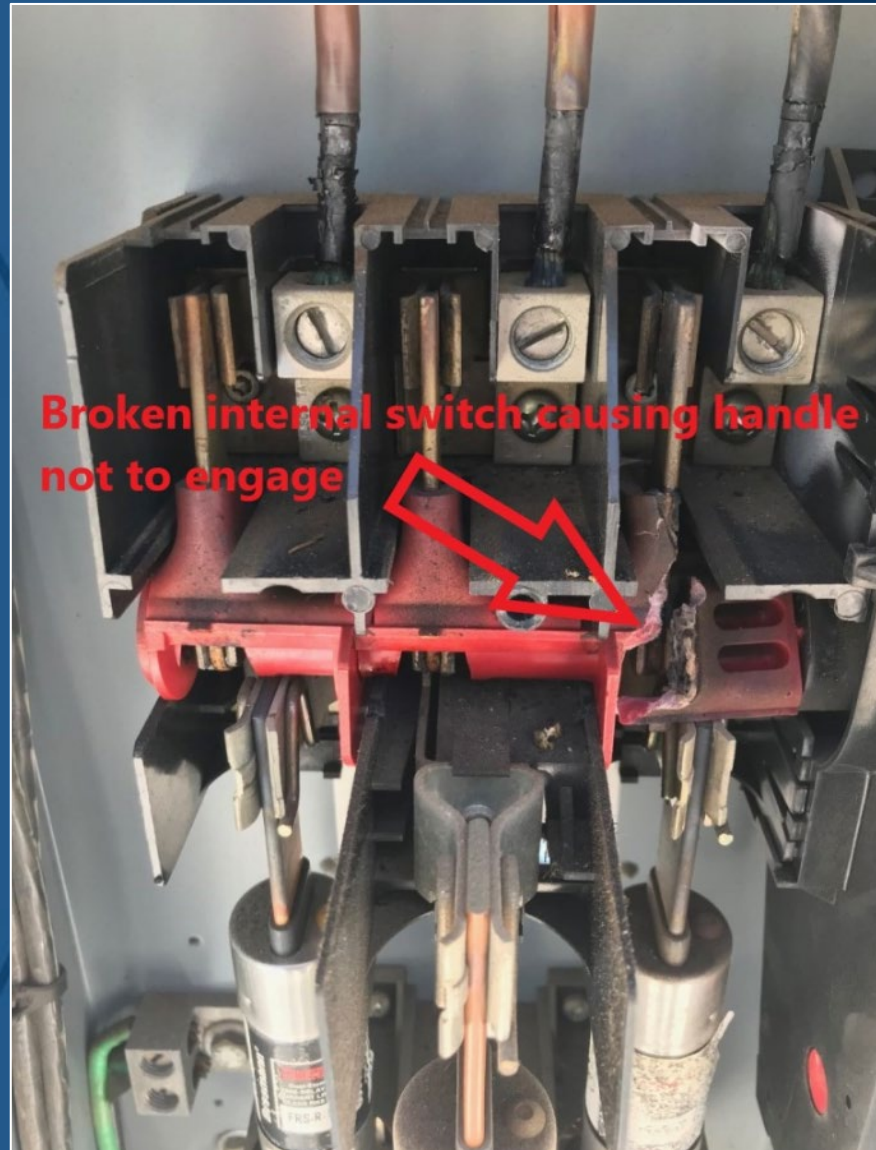
FM-0144426 Los Angeles Bellflower Courthouse - Plumbing



Action Item 1

List A – Emergency Facility Modifications (Priority 1)

FM-0144525 Los Angeles Chatsworth Courthouse - HVAC

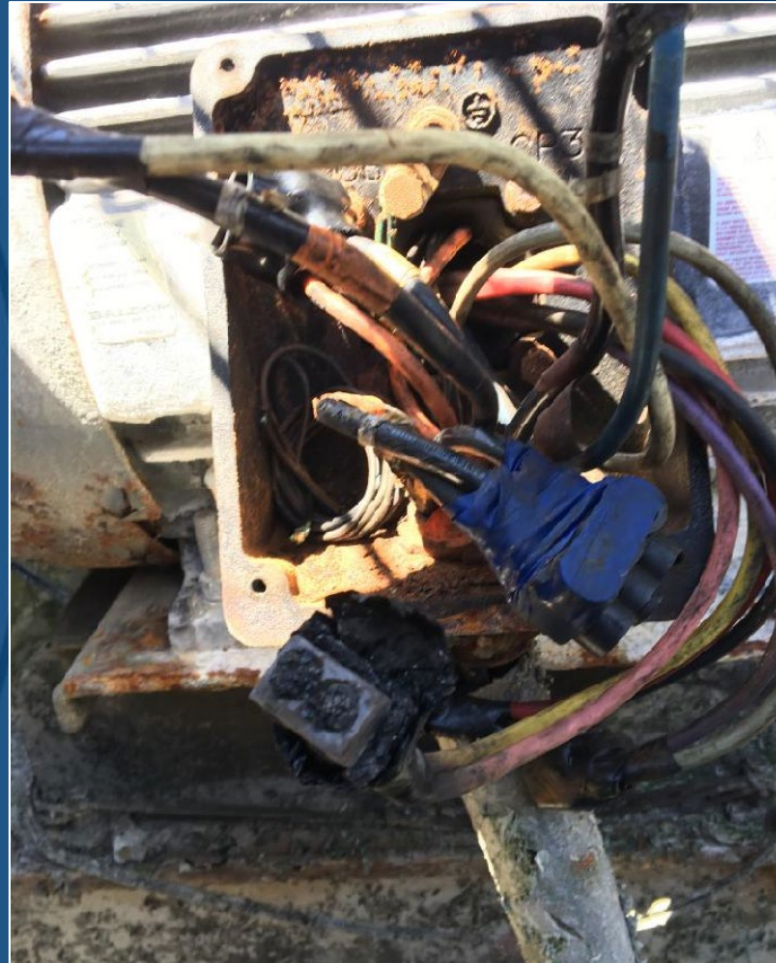


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Action Item 1

List A – Emergency Facility Modifications (Priority 1)

FM-0144535 Lost Angeles Van Nuys Courthouse West - HVAC



Action Item 1

List A – Emergency Facility Modifications (Priority 1)

FM-0144567 Los Angeles Downey Courthouse - HVAC



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Action Item 2

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

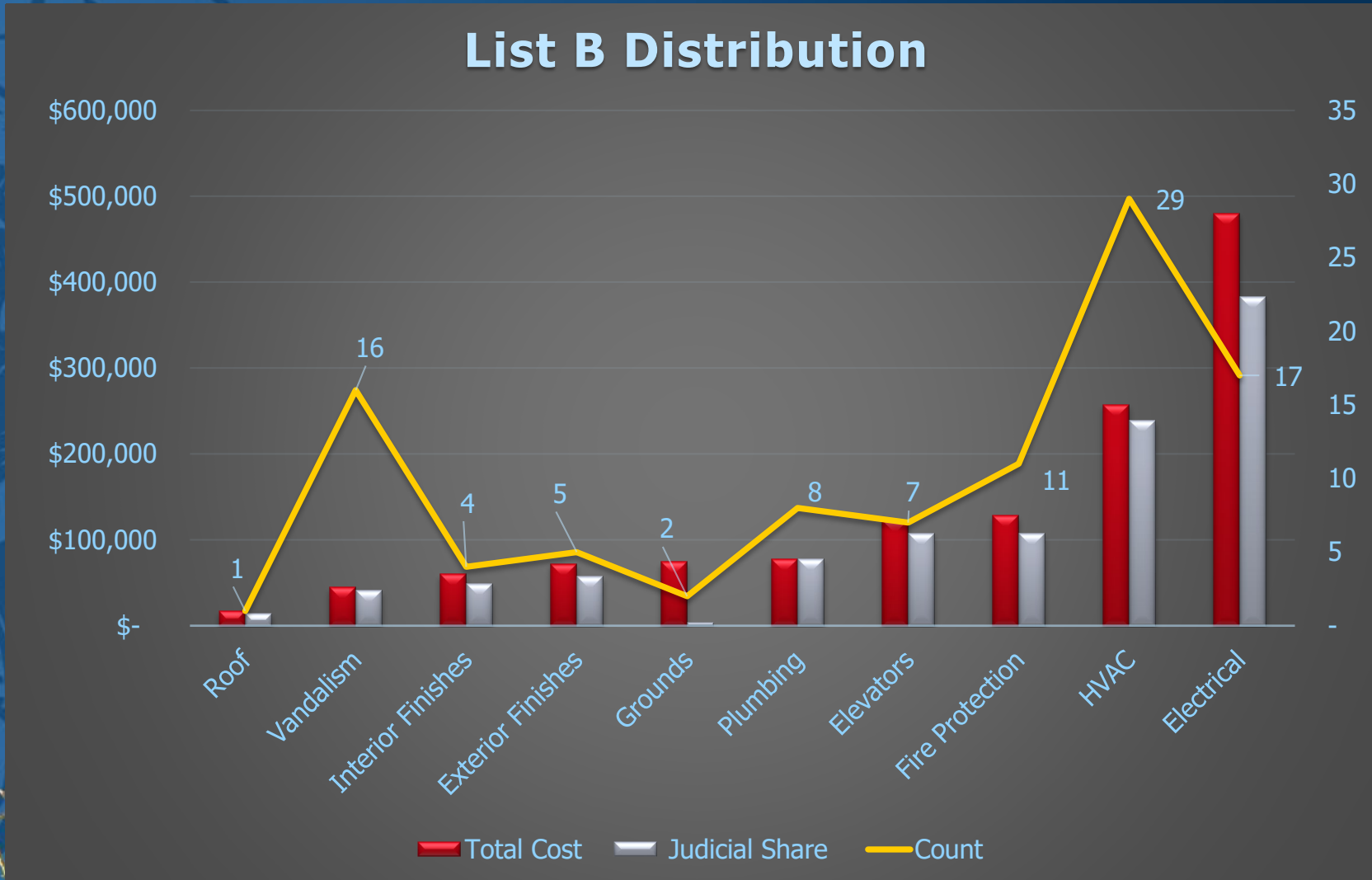
- There were 100 new P2 FMs under \$100K this period
- Total estimated FM Program budget share is \$1,080,747

FY 20-21 P2 Under \$100K Budget Allocation	Prior P2 Under \$100K Approvals for FY 20-21	Proposed Approvals	Remaining Balance
\$8,000,000	\$1,662,543	\$1,080,747	\$5,256,710



Action Item 2

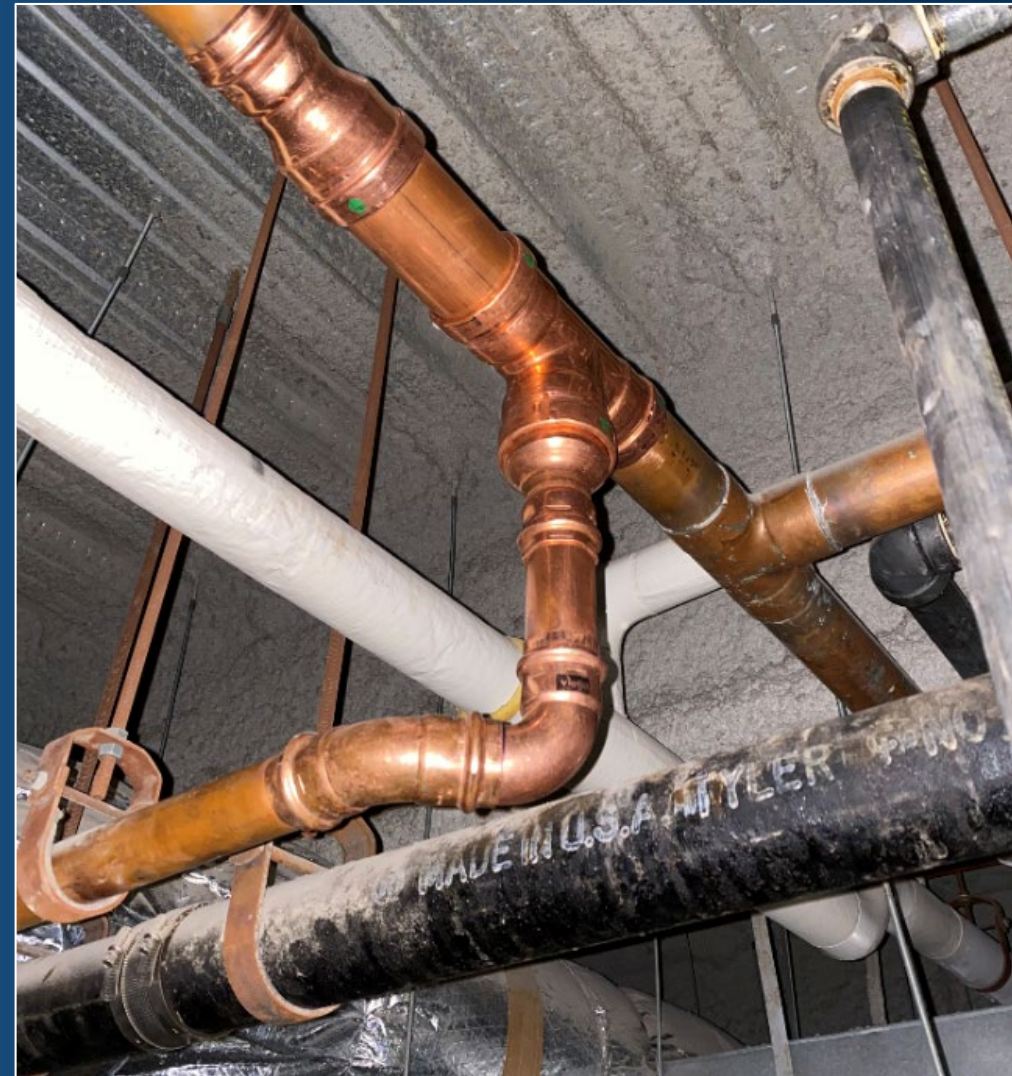
List B – Facility Modifications Under \$100K (Priority 2)



Action Item 2

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

FM-0144236 Orange County Betty Lou Lamoreaux Justice Center - Plumbing



Action Item 2

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

FM-0144321 Santa Clara Hall of Justice (East) - HVAC



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Action Item 2

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

FM-0144386 Los Angeles Airport Courthouse - Elevators



Action Item 3

List C – Cost Increases Over \$50K

- Impacts 6 FM projects
- Total FM Value - \$1,098,057
- Program Budget Impact - \$953,001



Action Item 3

List C – Cost Increases Over \$50K

Orange County North Justice Center - FM-0054951

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
County	North Justice Center	30-C1	FM-0054951	\$1,600,870	\$1,757,502	\$156,632

Reason for Increase: Additional cost for the installation of a backflow preventor and fall protection that was required at the final inspections.

Notes: FM Program Budget Share is 90.31%, therefore cost increase to FM Budget is \$141,454.



Action Item 3

List C – Cost Increases Over \$50K

Los Angeles Compton Courthouse - FM-0063503

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
Los Angeles	Compton Courthouse	19-AG1	FM-0063503	\$640,000	\$786,446	\$146,446

Reason for Increase: SFM required new, upgraded controls for day tanks and in line pumps. Install total of 208 sensors for day tanks and dual wall fuel line from the underground parking structure to 14th floor penthouse. Install a new dedicated emergency power circuit required for the new control panel and remove and replace (4) 7.5 HP pumps seized by contaminated fuel.

Notes: FM Program Budget Share is 66.13%, therefore cost increase to FM Budget is \$96,845.



Action Item 3

List C – Cost Increases Over \$50K

San Diego County ECRC - FM-0143254

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
San Diego	East County Regional Center	37-I1	FM-0143254	\$1,258,936	\$1,409,785	\$150,849

Reason for Increase: When the P1 was opened, the project was not fully scoped. With the completion of the project, the final costs are more than originally anticipated.

Notes: FM Program Budget Share is 67.71%, therefore cost increase to FM Budget is \$102,140.



Action Item 3

List C – Cost Increases Over \$50K

San Diego Hall of Justice - FM-0143508

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
San Diego	Hall of Justice	37-A2	FM-0143508	\$209,835	\$463,573	\$253,738

Reason for Increase: Increase was due to mold remediation. The affected carpet could not be cleaned and resulted in replacement of 3600 sq. ft of 9k sq. foot space.

Notes: FM Program Budget Share is 100%, therefore cost increase to FM Budget is \$253,738.



Action Item 3

List C – Cost Increases Over \$50K

Los Angeles Pomona Courthouse North - FM-0144334

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
Los Angeles	Pomona Courthouse North	19-W2	FM-0144334	\$126,213	\$231,605	\$105,393

Reason for Increase: A 3000A 480V Main Breaker, which powers all lighting systems within Pomona South and HVAC equipment at Pomona North, did not trip and de-energize during a maintenance outage to the system. The failed breaker is no longer functional and is 20 years beyond its useful life. Leaving the circuit breaker in this state is a serious life-safety and operational concern.

Notes: FM Program Budget Share is 96.25%, therefore cost increase to FM Budget is \$101,440.



Action Item 3

List C – Cost Increases Over \$50K

Orange County North Justice Center - FM-0142731

County	Building	Bldg. ID	FM ID	Original Funded Cost	Current Cost Estimate	Amount of Increase
Orange	North Justice Center	30-C1	FM-0142731	\$772,602	\$1,057,602	\$285,000

Reason for Increase: The cost increase is due to county building department requiring accessibility upgrades for the path of travel as required in California building code.

Notes: FM Program Budget Share is 90.31%, therefore cost increase to FM Budget is \$257,384.



Action Item 4

List D – Facility Modifications over \$100K (Priority 2) and Priority 3 Projects

- Review 22 Priority 2 FMs over \$100K with a total cost to the Facility Modification Program budget of \$18,112,448.
- Due to budget constraints, staff is not recommending any projects for approval



Action Item 5

2021 TCFMAC Meeting Schedule

- Approve proposed 2021 TCFMAC meeting schedule

Meeting Date	Type of Meeting
Friday, January 29, 2021	Phone
Monday, March 8, 2021	Phone
Monday, April 12, 2021	In-Person*
Friday, May 14, 2021	In-Person*
Monday, July 19, 2021	In-Person*
Monday, August 30, 2021	Phone
Thu. / Fri. October 28 - 29, 2021	In-Person* (Location TBD)
Monday, December 6, 2021	Phone
*Subject to change due to Covid.	

Discussion Item 2

List E – Court Funded Requests

Approved CFRs:

1. Humboldt – Veterans Memorial Hall (Temp. Jury Assembly) - \$3,000
2. Kern – 3947 E. Brundage Lane (Records Storage) - \$552,500
3. Los Angeles – Central Civil West Court - \$1,267,765
4. Madera – Main Courthouse - \$5,762
5. San Bernardino – Family Law Court DCSS - \$4,150,796
6. San Diego – East County Regional Center Parking Overflow - \$201,501
7. Santa Barbara – Santa Maria Courts Bldgs. C and D - \$15,984
8. Santa Barbara – Multiple - \$86,641

There were 1 canceled CFR this reporting period:

1. Solano – Old Solano Courthouse - \$15,982



Discussion Item 3

List F – Funded FMs on Hold

- FMs on Hold for Shared Cost Approval
 - 3 Projects
 - \$3,033,659 JCC Share



Discussion Item 4

Update on \$5M Social Distancing Fund Status

- On June 1, 2020, the Trial Court Facility Modification Advisory Committee (TCFMAC) authorized the use of Court Facilities Trust Fund (CFTF) funding of \$5,000,000 to develop and implement temporary social distancing measures at trial court facilities.
- As of October 15th, over \$2.6 million has been utilized by various courts. Additional measures are underway, and courts have until December 11th to submit final invoices to get reimbursed for these or to have service providers install the measures.
- Refer to meeting materials for report showing specific utilization by county.



Discussion Item 5

Memo from CEAC Re: Public Safety Power Shut-off Preparedness and Continuity of Operations



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HON. TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MR. MARTIN HOSHINO
Administrative Director,
Judicial Council

COURT EXECUTIVES
ADVISORY COMMITTEE

MS. NANCY CS EBERHARDT
Chair

MR. KEVIN HARRIGAN
Vicechair

COMMITTEE STAFF
Ms. Dolina Ignacio
Tel 916-263-2719
Fax 916-263-1966

October 5, 2020

Hon. Brad R. Hill
Chair, Court Facilities Advisory Committee
Administrative Presiding Justice of the Court of Appeal
Fifth Appellate District
2424 Ventura Street
Fresno, California 93721

Hon. Donald Cole Byrd
Chair, Trial Court Facility Modification Advisory Committee
Presiding Judge of the Superior Court of California,
County of Glenn
526 West Sycamore Street
Willows, California 95988

Dear Presiding Justice Hill and Presiding Judge Byrd:

The Court Executives Advisory Committee (CEAC) Ad Hoc Working Group on Trial Court Facilities has developed the *Public Safety Power Shutoff Preparedness and Continuity of Operations Recommendations*. The document includes issues and impacts to trial courts and considerations resulting from Public Safety Power Shutoffs (PSPS). It also provides guidance for the direct impacts to trial courts resulting from wildfires and collaboration efforts between the Judicial Council and the trial courts. This document was also presented at the August 14 CEAC Statewide Business Meeting.

During the meeting, the committee recommended that the CEAC Chairs reach out to the chairs of the Court Facilities Advisory Committee and Trial Court Facility Modification Advisory Committee to assess feasibility and solutions available on a court-by-court basis and in new construction including:

1. Guidelines and consultation for continued operations through use of generators during a PSPS or another emergency event;

Hon. Brad R. Hill
Hon. Donald Cole Byrd
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Page 2

2. Partnering with local trial courts that have submitted Court Funded Requests to prioritize purchase and installation of new generators; prepare a facility to receive a temporary portable leased generator or reconfigure existing generators for emergency use; and
3. Evaluate generator and alternative power as part of a new construction standards.

Thank you in advance for your consideration regarding the recommendations noted above.

If we can provide additional information, please do not hesitate to contact me at (909) 708-8747 or neberhardt@sb-court.org.

Sincerely,

Nancy CS Eberhardt
Chair, CEAC and
Court Executive Officer,
Superior Court of California, County of San Bernardino

NE/DI

cc: Kevin Harrigan, Vice-Chair, CEAC, and Court Executive Officer, Superior Court of Tehama County
Shawn C. Landry, Chair, CEAC Ad Hoc Working Group on Trial Court Facilities, and Court Executive Officer, Superior Court of Yolo County
Mike Courtney, Director, Facilities Services, Judicial Council
Laura Speed, Director, Leadership Services Division, Judicial Council
Amber Barnett, Principal Manager, Judicial Council and Trial Court Leadership, Judicial Council
Jagandeep Singh, Principal Manager, Facilities Services, Judicial Council
Chris Magnusson, Facilities Supervisor, Facilities Services, Judicial Council
Jonathan Sibayan, Supervising Analyst, Judicial Council and Trial Court Leadership, Judicial Council

Discussion Item 6

Director's Report

- Portola Courthouse Vandalism
 - Break-in occurred on September 10, 2020
 - CHP arrested four juveniles. Hearing is pending
 - General beating of surfaces and fixtures, spray paint and fire extinguisher discharge throughout
 - Attempt to set the fire extinguishers on fire
 - Estimated \$20,000 damage



Discussion Item 6

Director's Report



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OF CALIFORNIA

Info Only Item 1

Update on DMF-2 Projects

Project Status	Number of Projects	Original Estimate	Current Amount
Roof Projects			
Project Approval	-	\$ -	\$ -
Project Initiation	-	\$ -	\$ -
Design	-	\$ -	\$ -
Agency Review	-	\$ -	\$ -
Procurement/Bid/Award	-	\$ -	\$ -
Construction	1	\$ 442,000	\$ 106,040
Close-Out	-	\$ -	\$ -
Completed	2	\$ 752,857	\$ 542,605
Cancelled	-	\$ -	\$ -
Deferred	4	\$ 8,035,975	\$ 15,373,612
Subtotal	7	\$ 9,230,832	\$ 16,022,257
Elevator Projects			
Project Approval	-	\$ -	\$ -
Project Initiation	-	\$ -	\$ -
Design	-	\$ -	\$ -
Agency Review	-	\$ -	\$ -
Procurement/Bid/Award	-	\$ -	\$ -
Construction	17	\$ 19,895,024	\$ 33,691,508
Close-Out	-	\$ -	\$ -
Completed	-	\$ -	\$ -
Cancelled	-	\$ -	\$ -
Deferred	2	\$ 720,203	\$ 129,977
Subtotal	19	20,615,227	33,821,485
BAS Projects			
Deferred due to funding shortfall	22	\$ 18,528,000	\$ 18,528,000
Construction	2	\$ 3,492,000	\$ 3,492,000
Procurement/Bid/Award	2	\$ 3,569,000	\$ 3,569,000
Cancelled	1	\$ 124,000	\$ 124,000
Subtotal	27	25,713,000	25,713,000
HVAC Cooling System			
Deferred due to funding shortfall	1	\$ 537,636	\$ 537,636
Subtotal	1	537,636	537,636
Building Assessment			
Completed	1	\$ 5,000,000	\$ 5,000,000
Subtotal	1	5,000,000	5,000,000
Grand Total	55	\$ 61,096,695	\$ 81,094,378



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Info Only Item 2

Update on DMF-3 Projects

Project Status	Number of Projects	Original Estimate	Current Amount
Scope development based on SFM	8	\$ 10,381,763	\$ 10,381,763
Plan Review	1	\$ 4,618,237	\$ 4,618,237
Grand Total	9	\$ 15,000,000	\$ 15,000,000



Information Only – Item 3

Architectural Revolving Fund – Projects Update

- Refer to materials for report



JUDICIAL COUNCIL
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Meeting Calendar

Date	Day of Week	Type of Meeting
January 27, 2020	Monday	In Person
March 9, 2020	Monday	Phone
April 13, 2020	Monday	Phone
May 15, 2020	Friday	Phone
July 20, 2020	Monday	Phone
August 31, 2020	Monday	Phone
October 30, 2020	Friday	Phone
December 7, 2020	Monday	Phone

Next Meeting →



JUDICIAL COUNCIL
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Adjourn to Closed Session

- Closing Discussions
- Chair Closing Comments



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