



JUDICIAL COUNCIL OF CALIFORNIA

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TRIAL COURT FACILITY MODIFICATION
ADVISORY COMMITTEE

TRIAL COURT FACILITY MODIFICATION ADVISORY COMMITTEE

MINUTES OF OPEN SESSION OF MEETING

August 30, 2021

12:00 PM - 1:09 PM

Judicial Council of California – Videoconference

Advisory Body Members Present: Hon. Donald Cole Byrd, Chair
Hon. Garry G. Haehnle
Hon. Jennifer K. Rockwell
Hon. Vanessa W. Vallarta
Mr. W. Samuel Hamrick, Jr.
Mr. Shawn C. Landry
Mr. Darrel E. Parker

Advisory Body Members Absent: Hon. Brad R. Hill
Hon. Patricia M. Lucas
Hon. William F. Highberger, Vice-Chair
Mr. Jarrod Orr

Staff Present: The following Judicial Council staff were present:
Ms. Pella McCormick, Director, Facilities Services
Mr. Jagan Singh, Principal Manager, Facilities Services
Mr. Jim Peterson, Principal Manager, Facilities Services
Ms. Maria Atayde-Scholz, Manager, Facilities Services
Ms. Karen Baker, Manager, Facilities Services
Mr. Jack Collins, Manager, Facilities Services
Mr. Andre Navarro, Manager, Facilities Services
Ms. Peggy Symons, Manager, Facilities Services
Ms. Nanci Connelly, Supervisor, Facilities Services
Mr. Ed Ellestad, Supervisor, Facilities Services
Mr. Paul Fitzgerald, Supervisor, Facilities Services
Ms. Donna Jorgensen, Supervisor, Facilities Services
Mr. Chris Magnusson, Supervisor, Facilities Services
Mr. Glenn Mantoani, Supervisor, Facilities Services
Mr. Yassen Roussev, Supervisor, Facilities Services
Mr. Steve Shelley, Supervisor, Facilities Services
Mr. Randy Swan, Supervisor, Facilities Services
Mr. Paul Terry, Supervisor, Facilities Services
Mr. Patrick Treanor, Supervisor, Facilities Services
Ms. Kristin Kerr, Attorney, Legal Services
Ms. Maggie Stern, Attorney, Legal Services
Ms. Rose Livingston, Senior Analyst, Judicial Council
Ms. Kate Albertus, Facilities Analyst, Facilities Services
Ms. Akilah Robinson, Associate Analyst, Facilities 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 12:02 PM, roll was taken, and opening remarks were made.

Approval of Minutes

The advisory committee voted to approve the open session minutes of its meeting held on July 19, 2021. (*Motion: Haehnle; Second: Hamrick*)

PUBLIC WRITTEN COMMENTS

No public comments were received.

OPEN SESSION - ACTION ITEMS (ITEMS 1-5)

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

The committee approved 43 projects for a total of \$787,936 to be paid from Facility Modification (FM) program funds previously encumbered for Priority 1 projects. (*Motion: Parker; Second: Rockwell*)

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

The committee approved 36 projects for a total of \$511,846 to be paid from FM program funds previously encumbered for Priority 2 projects under \$100K. (*Motion: Vallarta; Second: Haehnle*)

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

The committee approved cost increases over \$50K for 3 projects, for a total of \$667,123 to be paid from FM program funds. (*Motion: Rockwell; Second: Hamrick*)

Action Item 4 – List D – Facility Modifications Over \$100K (Priority 2) and Priority 3 Facility Modifications

The committee approved four Priority 2 projects over \$100K for a total FM program share of \$1,398,404. (*Motion: Vallarta; Second: Rockwell*)

Action Item 5 – Five-Year Deferred Maintenance Plan for Fiscal Year 2021–22 (Action Required)

The committee approved the *Five-Year Master Plan – Deferred Maintenance Report for Fiscal Year 2021–22* for submission to the Department of Finance. (*Motion: Haehnle; Second: Parker*)

OPEN SESSION - DISCUSSION ITEMS (ITEMS 1-3)
(NO ACTION REQUIRED)

Discussion Item 1 – Director’s Report

The committee received the following updates:

1. Hiring of Project Managers for DMF-4 Projects:
 - The DMF-4 budget allocation provided \$180 million for 127 projects at 24 trial courts, primarily for BMS renewals, elevator modernizations, and roof replacements.
 - To ensure timely project delivery, Facilities Services is in the process of contracting for six limited-term project managers expected to start in late-October 2021.

2. Air Scrubbers:
 - Following the July 19, 2021, TCFMAC meeting, a memo was sent to all trial court Presiding Judges and Court Executive Officers to inform them of the committee’s adoption of an interim guideline (until the Judicial Council adopts a formal policy) for costs related to the deployment of air scrubbers in FY 2021–22. Comments were received from the Lake and Placer courts, who expressed concern about costs shifted to the courts and applicable indoor air quality standards and regulations. Staff contacted these courts to address their specific concerns.
 - Due to the smoke from the Dixie and Caldor fires, outside air quality in excess of an Air Quality Index (AQI) of 400 was recorded in Shasta and El Dorado counties. Air scrubbers were deployed to the Redding Courthouse (Shasta), South Lake Tahoe Courthouse (El Dorado), and Placerville Courthouse (El Dorado).
 - The Air Scrubber Smoke Data Collection Pilot Project, approved by the committee at its meeting on July 19, 2021, is underway.

3. Greenville Courthouse (Plumas County) and Impact of Wildfires:
 - The historic Greenville Courthouse was destroyed by the Dixie fire on August 4, 2021. The court had vacated this facility in 2012. As responsibility for the facility was previously delegated to Plumas County, it will be coordinate cleanup efforts. Neither the court nor the Judicial Council suffered material property loss.
 - The South Lake Tahoe Courthouse in El Dorado county is currently under an evacuation warning due to the Caldor fire.

COMMITTEE ACTION: At conclusion of the Director’s Report, Mr. Darrel Parker asked if the committee could reconsider the interim cost guideline for air scrubbers described above, citing: (1) an outside AQI of 400 was too high of a threshold for the courts, whereas lowering it between 200 to 300 seemed more reasonable; and (2) because of the policy change without court input, whether the costs for air scrubbers could be split with the courts until the study is completed and final recommendation made to the Judicial Council. **The committee voted to approve his motion: That at a future meeting to be determined by the chair, this interim guideline be agendized for further discussion and modification, as needed.** (*Motion: Parker; Second: Rockwell*)

Discussion Item 2 – List E – Court-Funded Requests (CFRs)

The committee reviewed CFR projects approved by the Facilities Services Director since the last meeting: 8 CFRs were approved (2 FMs, 3 Lease Extensions, and 3 Small Projects). No CFRs were cancelled during the reporting period.

Discussion Item 3 – List F – Funded Facility Modifications on Hold

The committee reviewed the list of previously funded FM projects on hold.

**OPEN SESSION – INFORMATION-ONLY ITEMS (ITEMS 1–3)
(NO ACTION REQUIRED)**

Information Item 1 – DMF-2 Projects Update

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

Information Item 2 – DMF-3 Projects Update

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

Information Item 3 – DMF-4 Projects Update

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

ADJOURNMENT TO CLOSED SESSION AND ADJOURNMENT

There being no further open session business, the open session of the meeting was adjourned at 1:09 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 1:18 PM.

Approved by the advisory body on October 29, 2021.