



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

October 29, 2021
10:00 AM - 3:00 PM

Judicial Council of California – Videoconference

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

Advisory Body Members Absent: Hon. Brad R. Hill
Hon. Patricia M. Lucas

Staff Present: The following Judicial Council staff were present:
Mr. John Wordlaw, Chief Administrative Officer, Judicial Council
Ms. Pella McCormick, Director, Facilities Services
Mr. Jagan Singh, Principal Manager, Facilities Services
Mr. Jim Peterson, Principal Manager, Facilities Services
Ms. Mimi Morris, Principal Manager, Facilities Services
Ms. Maria Atayde-Scholz, Manager, Facilities Services
Mr. Andre Navarro, Manager, Facilities Services
Ms. Karen Baker, Manager, Facilities Services
Ms. Jennifer Chappelle, Manager, Facilities Services
Ms. Nanci Connelly, Supervisor, Facilities Services
Mr. Ed Ellestad, 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
Mr. Frank Acosta, Facilities Management Administrator, Facilities Services
Mr. Javier Carrillo, Facilities Management Administrator, Facilities Services
Mr. Charles Martel, Supervising Attorney, Legal Services
Ms. Kristin Kerr, Attorney, Legal Services
Ms. Rose Livingston, Senior Analyst, Judicial Council
Ms. Kate Albertus, Facilities Analyst, Facilities Services
Ms. Akilah Robinson, Associate Analyst, Facilities Services
Mr. Zlatko R. Theodorovic, Deputy Director, Budget 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 10:03 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 August 30, 2021. (*Motion: Vallarta; Second: Rockwell*)

PUBLIC WRITTEN COMMENTS

No public comments were received.

OPEN SESSION - ACTION ITEMS (ITEMS 1-7)

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

The committee approved 54 projects for a total of \$973,040 to be paid from Facility Modification (FM) program funds previously encumbered for Priority 1 projects. (*Motion: Rockwell; Second: Hamrick*)

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

The committee approved 56 projects for a total of \$703,818 to be paid from FM program funds previously encumbered for Priority 2 projects under \$100K. (*Motion: Highberger; Second: Orr*)

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

The committee approved cost increases over \$50K for 5 projects, for a total of \$733,684 to be paid from FM program funds. (*Motion: Rockwell; Second: Landry*)

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

The committee approved 5 Priority 2 projects over \$100K for a total FM program share of \$2,179,691. (*Motion: Highberger; Second: Hamrick*)

Action Item 5 – Trial Court Facility Modification Advisory Committee (TCFMAC) 2022 Meeting Schedule

The committee approved its meeting schedule for the 2022 calendar year. (*Motion: Parker; Second: Highberger*)

Action Item 6 – Air Scrubber Pilot Project, Draft Policy, and Interim Guidelines

The committee received an update on the air scrubber pilot project, and it acted as follows:

1. Approved the draft *Judicial Council of California Policy on the Use of Air Filtration Devices During Wildfires*—for invitation to comment from the courts/public—with the following revisions (*Motion: Highberger; Second: Vallarta; Opposed: Parker*):
 - a. Section 3 is modified to delete the last sentence.
 - b. Section 5 is modified as follows: *The Judicial Council has determined, based upon the recommendation of a professional industrial hygienist, that air filtration devices significantly do not reduce the level of PM2.5 particulates and do not provide a significant improvement to indoor air quality in the court facilities studied.*
 - c. A new Section 6 is added to describe the nonuse of air scrubbers by other state agencies, and if known, the California State University system, University of California Regents, federal government, or school districts.
2. Declined modifying the interim guidelines for the Judicial Council to cover 100 or 50 percent of air scrubber costs at an Air Quality Index threshold of 250. (*Motions: Parker; Second: Landry; Opposed: All but Parker and Landry; Abstention: Haehnle*)
3. Deferred from acting to modify the air scrubber interim guidelines (adopted at its meeting on July 19, 2021), in favor of continued discussion at its next meeting planned in 2022.

Action Item 7 – Trial Court Facility Modifications Report for Quarter 1 of Fiscal Year 2021–22

The committee approved the draft *Trial Court Facility Modifications Report for Quarter 1 of Fiscal Year 2021–22* for submission to the Judicial Council as an Information-Only item. (*Motion: Haehnle; Second: Highberger*)

OPEN SESSION - DISCUSSION ITEMS (ITEMS 1–4) (NO ACTION REQUIRED)

Discussion Item 1 – Director’s Report

The committee received the following updates:

1. Service Provider Performance:
 - Performance has improved since new contracts/service model was developed earlier this year.
 - Preventative maintenance has been performed predominantly by in-house vendors, allowing the following: reduced reliance on subcontractors, better control of cost and quality of work, and a workforce with higher skills.

- Based on the first quarter of FY 2021–22, some maintenance savings may be achievable to redirect to other activities, such as air balancing of HVAC systems.
 - Goal is to extend asset lifespan and to improve preventative maintenance for reduction of Priority 1 FMs to fund more Priority 2 FMs and possibly Priority 3 FMs.
2. Real Estate Policy Subcommittee:
- The Judicial Council’s Executive and Planning Committee has established this [subcommittee](#), with the charge through May 2023 to develop policies to guide facets such as third-party use of facilities, dispositions, and new/continuing leases.
3. Grant Program for the Generator at the Contra Costa – Wakefield Taylor Courthouse:
- In March 2019, the committee approved the replacement-generator design, and in July 2020, the committee approved the like-for-like replacement.
 - Owing to California wildfires, this courthouse qualified for funds through FEMA’s Hazard Mitigation Grant Program, which is designed to make funding available for disasters declared by the president of the United States.
 - The grant application was for \$443,961, of which 75 percent or \$332,971 will be funded (with the other 25 percent funded by the Judicial Council), and the first installment of \$230,936 has been received.

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

The committee reviewed CFR projects approved by the Facilities Services Director since the last meeting: 14 CFRs were approved (10 FMs and 4 Lease Extensions). 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.

Discussion Item 4 – Update on Sustainability Initiatives

The committee received an update on sustainability initiatives.

**OPEN SESSION – INFORMATION-ONLY ITEMS (ITEMS 1–4)
(NO ACTION REQUIRED)**

Information Item 1 – Deferred Maintenance Funding - DMF-2 Projects Update

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

Information Item 2 – Deferred Maintenance Funding - DMF-3 Projects Update

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

Information Item 3 – Deferred Maintenance Funding - DMF-4 Projects Update

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

Information Item 4 – Architectural Revolving Fund Projects Update

The committee received an update on FM projects in the Architectural Revolving Fund.

ADJOURNMENT TO CLOSED SESSION AND ADJOURNMENT

There being no further open session business, the open session of the meeting was adjourned at 2:08 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 2:19 PM.

Approved by the advisory body on December 6, 2021.