



JUDICIAL COUNCIL OF CALIFORNIA

www.courts.ca.gov/tcfmac.htm
tcfmac@jud.ca.gov

TRIAL COURT FACILITY MODIFICATION
ADVISORY COMMITTEE

TRIAL COURT FACILITY MODIFICATION ADVISORY COMMITTEE

MINUTES OF OPEN SESSION OF MEETING

May 23, 2022

10:00 AM - 1:55 PM

Judicial Council of California – Teleconference for Public Access

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

Advisory Body Hon. Brad R. Hill
Members Absent: Hon. Patricia M. Lucas
Hon. Garry G. Haehnle
Mr. Shawn C. Landry

Staff Present: The following Judicial Council staff were present:

Ms. Pella McCormick, Director, Facilities Services
Mr. Tamer Ahmed, Deputy Director, Facilities Services
Mr. Jagan Singh, Principal Manager, Facilities Services
Ms. Mimi Morris, Principal Manager, Facilities Services
Mr. Andre Navarro, Manager, Facilities Services
Mr. Jack Collins, Manager, Facilities Services
Ms. Peggy Symons, Manager, Facilities Services
Ms. Shima Mirzaei, Manager, Facilities Services
Ms. Nanci Connelly, Manager, 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. Steve Shelley, Supervisor, Facilities Services
Mr. Randy Swan, Supervisor, Facilities Services
Mr. Paul Terry, Supervisor, Facilities Services
Mr. Patrick Treanor, Supervisor, Facilities Services
Mr. Ed Ellestad, Supervisor, 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

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 AM, 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 April 11, 2022. *(Motion: Rockwell; Second: Highberger)*

PUBLIC WRITTEN COMMENTS

No public comments were received.

OPEN SESSION - ACTION ITEMS (ITEMS 1-6)

Action Item 1 – Fiscal Year 2021–22 Facility Modification (FM) Program Budget Actions

The committee approved the following budget reallocations:

- 1) Reallocate \$1.6 million from the Statewide Planning budget to the Priority 2 FMs Over \$100K budget.
- 2) Reallocate \$3.7 million from the Priority 1 Emergency FMs budget to the Priority 2 FMs Over \$100K budget.
- 3) Reallocate \$0.8 million from the Priority 2 FMs Under \$100K budget to the Priority 2 FMs Over \$100K budget.
- 4) Reallocate \$0.56 million from the FMs Less than \$2K budget to the Priority 2 FMs Over \$100K budget.

(Motion: Vallarta; Second: Parker)

Action Item 2 – List A – Emergency Facility Modification Funding (Priority 1)

The committee approved 166 projects for a total of \$2,497,861 to be paid from FM program funds previously encumbered for Priority 1 projects.

(Motion: Rockwell; Second: Hamrick)

Action Item 3 – List B – Facility Modifications Under \$100K (Priority 2)

The committee approved 90 projects for a total of \$1,398,490 to be paid from FM program funds previously encumbered for Priority 2 projects under \$100K.

(Motion: Highberger; Second: Parker)

Action Item 4 – List C – Facility Modification Cost Increases Over \$50K

The committee approved cost increases over \$50K for one project for a total of \$77,793 to be paid from FM program funds. *(Motion: Hamrick; Second: Parker)*

Action Item 5 – List D – Facility Modifications Over \$100K (Priority 2)

The committee approved 11 Priority 2 FMs over \$100K for a total cost to the FM Program budget of \$8,423,543. (*Motion: Vallarta; Second: Rockwell*)

Action Item 6 – Pre-Approval of List G Planned Facility Modification Projects Over \$100K for FY 2022–23

The committee approved three List G Planned FMs over \$100K for 2022–23, subject to enactment of the 2022 Budget Act, for a total cost to the 2022–23 FM Program budget of \$1,994,752. (*Motion: Highberger; Second: Hamrick*)

**OPEN SESSION - DISCUSSION ITEMS (ITEMS 1–5)
(NO ACTION REQUIRED)**

Discussion Item 1 – Director’s Report

The committee received the following updates:

1. The May Revision

- The May Revision includes technical adjustments to several Judicial Council facility program proposals and requests funding to address facilities needs for new judgeships:
 - Technical adjustments are included to align construction phase projects to current market conditions for the Orange—Central Justice Center, San Diego—East County Regional Center, and San Diego—Hall of Justice. Adjustments were based on the California Construction Cost Index (CCCI). Due to a significant increase in the CCCI of 13.4 percent in calendar year 2021 and an additional 9.23 percent increase from January through April 2022, the previous construction cost estimates for these projects were understated. Adjustments are based solely on economic pressures within the construction industry, as project scopes have not changed.
 - Capital and FM funding is included to address court facility needs for 23 new judgeships in 11 court jurisdictions. Depending on the current conditions and space availability, the projects include building out shelled courtrooms, upgrading existing courtrooms, reconfiguring support space, or leasing space.

2. Fiscal Year 2023–24 Budget

- Planning has begun for the 2023–24 budget.
- On May 18, 2022, the Judicial Branch Budget Committee approved all Facilities Services budget proposals for further development. Proposals include Trial Court and Court of Appeal Deferred Maintenance; Water Conservation and Leak Detection Measures in Courthouses; Facility Modification Prioritization and Costs; Trial Court Operations and Maintenance for New Courthouses; and Trial Court Capital-Outlay Funding.
- Staff will develop the final proposals for submission to the Department of Finance in August 2022.

3. Los Angeles County Shared-Cost Letters

- Currently, there is a backlog of 25 projects, which are on hold awaiting funding commitments from Los Angeles County to proceed.
- These projects have a combined total project cost of \$88.6 million, Judicial Council share of \$68.9 million, and Los Angeles County share of \$19.7 million.
- Lack of action is putting these projects at risk due to expiration of state funding and cost escalation.

4. Orange—Central Justice Center and San Diego—East County Regional Center Projects

- In addition to a county managed project at the San Diego—Hall of Justice, two large Judicial Council-managed FMs received funding in 2021–22:
 - The Orange—Central Justice Center in Santa Ana was built in 1968 and transferred to the Judicial Council in 2012. It is an 11-story high-rise building with 66 courtrooms. Upgrades of the sprinkler and fire-alarm systems were initiated by the county for floors 4–11 prior to transfer. In 2020, the Office of the State Fire Marshal (OSFM) issued a noncompliance notice for the fire and life safety systems on floors 1–3. The project is now in the solicitation phase, with proposals due in June. The estimated project cost is approximately \$70 million, with a Judicial Council share of \$64 million. The May Revision includes supplemental funding for a CCCI increase for the project. In preparation for the project, the Judicial Council is working on plans to provide for swing space during construction.
 - The San Diego—East County Regional Center was built in 1983 and transferred to the Judicial Council in 2011. It is a 10-story building including a former detention area the county converted to office space prior to transfer. The OSFM issued deficiency notices for numerous issues including the most difficult to address egress from the former detention area. The project cost is estimated at \$42 million, with a Judicial Council share of approximately \$28 million. Construction will be completed in two phases. Proposals are due in June for Phase 1. The project is expected to be completed in late summer 2026. The May Revision includes supplemental funding and a CCCI increase for the project.

5. Air Scrubber Draft Policy

- As the May 12, 2022, Judicial Council meeting was changed to a vote-by-email action, the draft Air Scrubber Policy agenda item was moved to the meeting on July 14-15, 2022, as either a Consent or Discussion item.

6. Sustainability Initiatives

- Facilities Services' Sustainability Unit is establishing partnerships with the courts to share information about sustainability funding opportunities, compliance obligations, and general conservation practices.
- Trial and appellate court leadership were invited to designate sustainability liaisons.
- A kick-off meeting is scheduled for late-June 2022, and a Microsoft Teams site is being developed to share information.

7. Supply Chain Issues

- Supply chain and commodity market instability is having direct impact on FM project schedules and costs.
- Market pressures including increased costs for energy, raw materials, and commodities are affecting construction component availability and pricing.
- Material prices for construction have increased 21 percent in 2020–21 and 37 percent since the beginning of the pandemic in April 2020.
- Facility Services is working with vendors and service providers to mitigate the delays and minimize cost impact.

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

The committee reviewed 2 CFRs (2 FMs) which were approved by the Facilities Services Director since the last committee meeting. There was no CFRs cancelled during this reporting period.

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

The committee reviewed the list of previously funded FMs on hold.

Discussion Item 4 – Service Provider Performance Report

The committee received an update on the Service Provider Performance Report.

Discussion Item 5 – Report on the CAFM 2.0 Upgrade

The committee received an update on the CAFM 2.0 upgrade.

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 funded by a one-time general fund budget allocation in July 2018 of \$50 million.

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

The committee received an update on the status of DMF-3 projects funded by a one-time general fund budget allocation in July 2019 of \$15 million.

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

The committee received an update on the status of DMF-4 projects funded by a one-time general fund budget allocation in July 2021 of \$180 million for trial court facilities.

Information Item 4 – Architectural Revolving Fund Projects Update

The committee received an update on the status of FMs 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 1:55 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 2:34 PM.

Approved by the advisory body on July 18, 2022.