



JUDICIAL COUNCIL OF CALIFORNIA

COURT FACILITIES
ADVISORY COMMITTEE

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COURT FACILITIES ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

December 3, 2014

11:00 AM –2:00 PM

Ronald M. George State Office Complex in San Francisco

Advisory Body Hon. Brad R. Hill, Chair
Members Present: Hon. Patricia M. Lucas, Vice-Chair
Hon. Donald Cole Byrd
Mr. Stephen Castellanos, FAIA
Hon. Samuel K. Feng
Hon. Robert. D. Foiles
Ms. Melissa Fowler-Bradley
Hon. William F. Highberger
Hon. Jeffrey W. Johnson
Hon. Laura J. Masunaga
Mr. Stephen Nash
Hon. Gary R. Orozco
Hon. David Edwin Power
Ms. Linda Romero Soles
Mr. Larry Spikes
Mr. Kevin Stinson (by phone)
Mr. Val Toppenberg
Mr. Thomas J. Warwick, Jr.

Advisory Body Mr. Anthony P. Capozzi
Members Absent: Hon. Keith D. Davis
Hon. Robert J. Trentacosta

Others Present: The following Judicial Council staff was present:
Ms. Keby Boyer, Communications
Mr. Curtis L. Child, Chief Operating Officer
Ms. Gisele Corrie, Capital Program
Mr. Malcolm Franklin, Security
Ms. S. Pearl Freeman, AIA, Capital Program
Mr. William J. Guerin, Capital Program
Ms. Angela Guzman, Capital Program
Mr. Clifford Ham, Capital Program
Mr. Burt Hirschfeld, Real Estate & Facilities Management
Ms. Donna Ignacio, Capital Program
Mr. Chris Magnusson, Capital Program
Ms. Kristine Metzker, Capital Program
Ms. Leslie G. Miessner, Legal Services
Mr. Bruce Newman, Capital Program
Ms. Kelly Quinn, Capital Program

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 11:00 AM.

DISCUSSION AND ACTION ITEMS

Item 1

Review Draft Courtroom Layouts for Trial Courts

Hon. Brad R. Hill, chair, introduced the item and stated he had a productive meeting on this topic the day prior on December 2, 2014, with Hon. Robert C. Hight, Presiding Judge of the Superior Court of Sacramento County, Hon. Marsha G. Slough, Presiding Judge of the Superior Court of San Bernardino County and chair of the Judicial Council's advisory committee of trial court presiding judges, Hon. Brian C. Walsh, Presiding Judge of the Superior Court of Santa Clara County and former chair of the council's advisory committees of trial court presiding judges, Hon. David S. Wesley, Presiding Judge of the Superior Court of Los Angeles County, Mr. David Yamasaki, Chief Executive Officer of the Superior Court of Santa Clara County and chair of the council's advisory committee of court executives, and Hon. Jeffrey W. Johnson, chair of the advisory committee's Courthouse Cost Reduction Subcommittee (CCRS). He indicated that the 33 draft layouts are a reflection of the nuances in practice of superior courts and that they reflect tested designs and their use will promote cost savings.

Mr. Clifford Ham provided background on the development of the draft layouts, indicating that the process had begun over a year ago, that they had been developed based on best practices, and that they had been circulated to the presiding judges and court executive officers for comment. He indicated that based on the feedback received from the Judicial Council's advisory committees of trial court presiding judges and court executives, the draft layouts were updated. He noted that particularly the public seating area was increased, the work area of the judge's bench was enlarged, the option of eliminating attorney/client conference rooms was provided, and that an optional location for the Court Security Officer was provided. He also indicated three features that were maintained from the initial draft layout: the judge's bench was set at 16 inches above the well, the first row of seating in the jury box was the same elevation as the well, and that bench-style instead of auditorium-style seating was specified.

Hon. Robert C. Hight, Presiding Judge of the Superior Court of Sacramento County, stated that he also thought the December 2, 2014, meeting on this topic with was very productive. He made the following comments concerning the layouts in relation to existing conditions with the trial court (non-high volume) Sacramento superior court facilities/their new courthouse project: increased dimensions of the judge's bench should be considered; only one clerk workstation in a courtroom is needed unless it is a high-volume courtroom; two attorney/client conference rooms were not needed because majority of defendants are already in custody; and the Sacramento court's courtroom layout should be incorporated into the collection of layouts. He thanked the advisory committee and staff for their efforts in preparing the layouts and invited them to tour the Sacramento court's facilities.

No Action: The advisory committee did not take action on this item. Justice Hill indicated that the draft layouts were still in the process of being finalized and that they would be shared with the Judicial Council’s advisory committees of trial court presiding judges and court executives prior to review by the Judicial Council in either February or April of 2015.

Item 2

Review Current Status of Immediate and Critical Needs Account

Hon. Brad R. Hill, chair, introduced the item and stated that \$13 million in funds provided by the Legislature may be available for SB 1407 projects but that the advisory committee would need to take a hard look at the funding stream to determine whether any special needs should be accommodated at this time or if the committee should wait. He indicated that the needs varied from proceeding with one of the 11 indefinitely-delayed projects to addressing buildings requiring retrofit for seismic or Americans with Disability Act access deficiencies.

Ms. Kelly Quinn and Ms. Gisele Corrie presented the current status of the Immediate and Critical Needs Account (ICNA) to the advisory committee. Ms. Quinn gave background on how the \$13 million was derived, stating these funds are the balance of the \$27 million of \$40 million authorized by legislation enacted in September 2014 (AB 1476) for the design of the Sacramento – New Sacramento Criminal Courthouse project. She provided an overview of the active SB 1407 projects, stating \$880 million in construction funds were scheduled to need authorization by the legislature through fiscal year (FY) 2017–2018. She noted that the CCRS had been integral to move the courthouse construction program forward by reducing project budgets by \$380 million. She indicated that owing to the ongoing, annual redirection of \$50 million from the ICNA for trial court operations coupled with ICNA paying for the Governor George Deukmejian Courthouse in the city of Long Beach, \$1.2 billion in construction funds had been redirected through FY 2014–2015 and that an additional \$3.0 billion would be redirected from FY 2015–2016 through FY 2041–2042, for a total of \$4.6 billion based on current law.

Ms. Corrie described the ICNA’s revenue sources and the reduction in collections of fees and other revenues that have reduced revenues by 15 percent since FY 2010–2011—from \$319 to \$371 million. She discussed various factors influencing future ICNA revenue projections and that based on revised current projections, revenues for FY 2014–2015 are expected to be \$20 million lower than expected when estimated in May 2014. She noted variables—including revenues, project costs, borrowing rates for construction bonds, and use of cash versus financing for costs of project phases—that affect the ICNA’s condition and that long-term funding assumptions for projects would need to be reevaluated.

Justice Hill indicated that revenues would need to be carefully monitored prior to any decision on the application of the \$13 million in funds.

Action: The advisory committee—with the abstention of Hon. Laura J. Masunaga on motion no. 2 and the exceptions of Hon. William F. Highberger and Hon. David Edwin Power as Ex-

Officio, non-voting members and of Hon. Keith D. Davis, Hon. Robert J. Trentacosta, and Mr. Anthony P. Capozzi who were absent—voted unanimously on the following motions:

1. Defer authorizing any expenditure of the \$13 million of available funds until the advisory committee has a better understanding of projected revenue for the ICNA in the coming years.
2. Bond financing instead of cash funding be used for the construction phase of the projects of Lake – New Lakeport Courthouse and Siskiyou – New Yreka Courthouse.
3. Judicial Council staff to explore options—such as using an outside consultant or subcommittee comprised of judges, court staff, and others, including county officials—to provide additional information to the CFAC on estimated future ICNA revenues projections and to present those options to the advisory committee at its next meeting.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 2:00 PM.

Approved by the advisory body on March 24, 2015.