



JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date

July 20, 2020

Action Requested

For Your Review and Comment

To

Trial Court Facility Modification
Advisory Committee

Deadline

July 20, 2020

From

Mike Courtney
Director, Facilities Services

Contact

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Subject

Discussion Item 3: Guidelines for the
Responsibility of Facility Costs between the
Judicial Council and Trial Courts

This memorandum is for informational purposes to provide a general overview of the context of the document that was previously titled *Facilities Funding Responsibilities between Judicial Council and Superior Courts* and is now referred to as the *Guidelines for the Responsibility of Facility Costs between the Judicial Council and Trial Courts* (“**Cost Responsibility Guidelines**”) as well as the status of its review.

Background

At its meeting on March 8, 2019, the Trial Court Facility Modification Advisory Committee (“**TCFMAC**”) reviewed the prior draft of the Cost Responsibility Guidelines and approved staff to submit the document for public comment and court feedback. Staff received numerous comments raising various questions and concerns with the document itself as well as the impacts thereof.

To generally clarify at the outset, the Cost Responsibility Guidelines document is intended only to be operating guidelines and a reference tool to help guide the TCFMAC and Judicial Council staff

in determining responsibility for the funding of various trial court facility projects as set forth therein. The Guidelines do not change or shift any responsibilities for such costs; but, they instead merely reflect the existing interpretation and application of pertinent requirements including those under rule 10.810 of the California Rules of Court (“**Rule 10.810**”). The Cost Responsibility Guidelines are not intended to become a policy approved by the Judicial Council.

Revised FM Policy and Former FM Priority Guidelines

For context, the *Trial Court Facility Modifications Policy* (“**FM Policy**”) was revised and adopted by the Judicial Council on March 15, 2019, thereby superseding the July 2012 version. The FM Policy describes what constitutes a facility modification and the methodology and process for their identification and prioritization.

When comments on the draft Cost Responsibility Guidelines document were first requested on June 10, 2019, a *Narrative of Changes to Previous Guidelines Document* (“**Narrative**”) was also provided to assist the trial courts’ review. This Narrative referenced 17 guidelines that were part of a document titled, *Guidelines for Prioritizing and Ranking Facility Modifications* (“**Former FM Priority Guidelines**”). These Former FM Priority Guidelines were intended to set forth the process for prioritizing and ranking facility modifications. The Former FM Priority Guidelines were reviewed by TCFMAC in April 2015, but were not recommended for Judicial Council review/adoption. These Guidelines have no applicability given that the prioritization of facility modifications is now addressed directly in the Judicial Council’s March 2019 FM Policy.

Thus, by reflecting existing interpretations, the new Cost Responsibility Guidelines document is simply meant to aid in determining the responsibility of costs for facility projects between the Judicial Council and trial courts in conjunction with the March 2019 FM Policy. It is anticipated that the Cost Responsibility Guidelines document will be used in this manner by the TCFMAC and Judicial Council staff, particularly those in the field.

New or Added Items

While the Cost Responsibility Guidelines document sets forth the Judicial Council and trial courts’ respective responsibilities for facility costs, certain items were characterized as being added or new. However, such items were added within the overarching framework under which the party responsible for associated costs is interpreted, and Judicial Council policy on said responsibilities is not being shifted. The Guidelines document is instead incorporating updates for new, changing, and different building systems, components, and equipment (i.e., the introduction of new technology, the more-prevalent use of certain components in court facilities, etc.), which was not previously and/or may become part of court facilities over time. Similar subsequent updates will likely continue to be necessary in the future. An example of such updates would be the installation, maintenance, and operation of electrical car charging stations at court facilities. The Guidelines

document also corrects the responsibility for any items that may have been previously classified incorrectly.

To help clarify this, and at the suggestion of the Court Executives Advisory Committee's (CEAC) Ad Hoc Working Group on Trial Court Facilities, staff has added the four columns shown below to Tables A and B in the Cost Responsibility Guidelines document to delineate any change in responsibilities:

| Currently Responsible | Change of Responsibility to | Impact of Change (if known) | Authority for the Change |
|-----------------------|-----------------------------|-----------------------------|--------------------------|
|-----------------------|-----------------------------|-----------------------------|--------------------------|

Further Review

At this time, the following documents are being provided for further review and comment:

1. Attachment 1: Updated draft of the *Guidelines for the Responsibility of Facilities Costs between the Judicial Council and Trial Courts*, revised in response to the received comments
2. Attachment 2: Summary of comments with Judicial Council staff responses
3. Attachment 3: Updated Table A at CEAC's request
4. Attachment 4: Updated Tables B at CEAC's request
5. Attachment 5: Former *Guidelines for Prioritizing and Ranking Facility Modifications*, adopted by the TCFMAC in April 2015

Guidelines for the Responsibility of Facilities Costs between the Judicial Council and Trial Courts

DRAFT FOR REVIEW BY THE
TRIAL COURT FACILITY
MODIFICATION ADVISORY COMMITTEE
JULY 20, 2020



JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT FACILITY MODIFICATION
ADVISORY COMMITTEE



The *Guidelines for the Responsibility of Facilities Costs between the Judicial Council and Trial Courts* (Guidelines) are intended only to be operating guidelines and as reference to help guide the Trial Court Facility Modification Advisory Committee and Judicial Council staff in determining responsibility for the funding of various trial court facility projects. These Guidelines do not change or shift any responsibilities for such costs; but, they instead merely reflect the existing interpretation and application of pertinent requirements including those under rule 10.810 of the California Rules of Court (Rule 10.810). These Guidelines are not intended to become a policy approved by the Judicial Council. As such, in the event of any conflict between the Guidelines and applicable law, including Rule 10.810, applicable law shall control and prevail. Additionally, the Guidelines incorporate updates (and will likely require subsequent updates) for new, changing, and different building systems, components and equipment (i.e., the introduction of new technology), which was not previously and/or may become part of court facilities over time.

A. CAPITAL COST RESPONSIBILITIES

Judicial Council is generally responsible for costs relating to the construction of capital-outlay projects for trial court facilities; however, the trial courts and the counties are responsible for the following items specified in the table below. The responsibilities for costs of operations and maintenance (O&M) projects and facility modifications is shown in Section B below.

| Items | Trial Court Responsibility | County/Other Responsibility |
|---|----------------------------|-----------------------------|
| Wall Art | X | |
| File Tracking system | X | |
| Break room equipment movable (e.g. microwave, etc.) | X | |
| Office equipment (e.g. phone, computers, printers, fax machines, copier, postage meter) | X | |
| Television and mounting in break room | X | |
| Trash cans, recycle bins (located in offices, workstations, break room) | X | |
| Bottled water dispenser, coffee machines. | X | |
| Vending machines (Department of Rehabilitation responsibility) | | X |
| Moving cost (including employee relocation, equipment relocation, existing furniture relocation, file relocation) | X | |
| Gun locker maintenance | | X |
| Service provider network connection | X | |
| Safes | X | |
| Local servers, printers, faxes | X | |
| Outside communication – Cable TV, telephone recurring monthly cost | X | |
| VOIP system (including WAN service application) | X | |

B. OPERATIONS AND MAINTENANCE PROJECTS AND FACILITY MODIFICATIONS COST RESPONSIBILITIES

The Judicial Council has the general responsibility for building systems, components and equipment in court facilities. Subject to the availability of sufficient funding as discussed below, the Judicial Council is generally responsible for the costs of O&M projects and facility modifications for these building systems, components and equipment. However, and as described herein, trial courts are responsible for certain costs for these types of projects including those pursuant to Rule 10.810 and applicable law.

To clarify, this section only applies to O&M projects and facility modifications in existing court facilities and does NOT pertain to responsibilities for costs of building systems, components and equipment in capital-outlay projects. The Judicial Council is generally responsible for capital-outlay costs, and the items trial courts and the counties are responsible for are shown in Section A above.

All work, whether an asset renewal, renovation, replacement or repair, is subject to budget availability regardless of the fund source. Tables A and B below identify the potential funding sources for work associated with specific components and systems. Because current funding does and will most likely continue to lag demand, O&M projects and facility modifications that are the responsibility of and funded by the Judicial Council will be prioritized in alignment with the council's *Trial Court Facility Modifications Policy*. In the event sufficient funding is unavailable to prioritize an O&M project or facility modification requested by a trial court, that trial court may instead elect to use its operating funds pursuant to the council's *Court-Funded Facilities Request Policy*. Regardless of funding source, it is anticipated and typical that the work will be performed by a Judicial Council-contracted Service Provider or contractor.

Tables A and B below intend to provide guidance on primary funding responsibility with respect to different building systems, components and equipment. While neither complete nor exhaustive lists, these tables are as comprehensive as possible in referencing most systems, components and equipment common to court facilities:

- Table A identifies the funding responsibility for building systems, components and equipment in general, except for building security systems, which are shown in Table B.
- Table B identifies the funding responsibility for building security systems exclusively. All security-related projects must be coordinated with Judicial Council Facilities Services' Security Unit. The justification and related scoring for security-related projects should be confirmed by Judicial Council Facilities Services for validity and not beyond Judicial Council standards.

For the majority of court facilities jointly occupied by a trial court and county, either the Judicial Council or county is designated as the *Managing Party* for that court facility, which typically (but not always) was determined by the parties' ownership and/or majority equity interest based on their respective occupancy of the facility. The Managing Party is responsible for maintenance and

renovations of the court facility's various building systems. Therefore, it is common for the county to be responsible for a court facility's O&M projects and facility modifications.

DRAFT

TABLE A – Building systems, components and equipment, excluding building security systems

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds |
|--------|--------------------------|--|---|------------------|------------------------------|
| 1 | Building Envelope | Exterior Doors | Doors and Doorknobs | X | |
| 2 | Building Envelope | Exterior Doors, Entryway, and Sidewalk | Exterior entrance powerwashing. Power washing for stains, debris and dirt | | X |
| 3 | Building Envelope | Exterior Walls | Exterior wall finish | X | |
| 4 | Building Envelope | Exterior Windows | Clearing or Cleaning cobwebs from windows, corners (exterior) | X | |
| 5 | Building Envelope | Exterior Windows | Window cleaning exterior | X | |
| 6 | Building Envelope | Exterior Windows | Windows (repair, occasional replacement) | X | |
| 7 | Building Envelope | Foundation | Foundation | X | |
| 8 | Building Envelope | Interior Windows | Window cleaning Interior (janitorial) | | X |
| 9 | Building Envelope | Other Site System | Flag Poles and Flag replacement | X | |
| 10 | Building Envelope | Other Site System | Flag lowering and raising | | X |
| 11 | Electrical | Branch Wiring | Raceway | X | |
| 12 | Electrical | Service & Distribution | ATS switches | X | |
| 13 | Electrical | Branch Wiring | Cabling work stations | | X |
| 14 | Electrical | Communications & Security | Plug-in power monitoring for data systems | | X |
| 15 | Electrical | Communications & Security | Server room electrical requirements (e.g., new electrical requirements for new servers) | | X |
| 16 | Electrical | Communications & Security | UPS - uninterruptible power supply | | X |
| 17 | Electrical | Communications & Security | Integrated Network ¹ | X | X |
| 17A | Electrical | IT | Infrastructure – fiberoptic | X | |
| 17B | Electrical | IT | Routers | X | |
| 17C | Electrical | IT | Switches | X | |
| 17D | Electrical | IT | Servers | X | |
| 17E | Electrical | IT | Maintenance | | X |
| 17F | Electrical | IT | Software | | X |
| 18 | Electrical | Low Voltage Electrical | Antennas/communication dishes | | X |
| 19 | Electrical | Low Voltage Electrical | Business Data Cabling | | X |
| 20 | Electrical | Low Voltage Electrical | Lower voltage cable | X | |
| 21 | Electrical | Low Voltage Electrical | Security cabling / CCTV | X | |
| 22 | Electrical | Low Voltage Electrical | Telephone systems /telephone cabling (Move, Change, or add) | | X |

¹ Integrated Network, formerly known as Converge Network, is the backbone for multiple systems. The infrastructure fiber optics is provided with the new network and will be the Judicial Council’s responsibility. The routers and switches will be updated and provided by Judicial Council Telecommunications – LAN / WAN program. Maintenance of the systems for court facilities-related systems like BMS, fire life safety, closed circuit television, detention locks, exterior locks, interior locks, and lighting controls will be the Judicial Council’s responsibility; and the Court network and AV systems will be the responsibility of the trial courts.

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds |
|--------|--------------------------|---------------------------|---|------------------|------------------------------|
| 23 | Electrical | Low Voltage Electrical | TV Cable | | X |
| 24 | Electrical | Service & Distribution | Lighting (cubicle, desk or task) | | X |
| 25 | Electrical | Service & Distribution | Lighting (except cubicle, desk or task) | X | |
| 26 | Electrical | Service & Distribution | Switchgear | X | |
| 27 | Electrical | Service & Distribution | Transformers | X | |
| 28 | Electrical | Service & Distribution | Ballasts | X | |
| 29 | Electrical | Service & Distribution | Capacitance bank | X | |
| 30 | Electrical | Service & Distribution | Electrical outlets (new) | | X |
| 31 | Electrical | Service & Distribution | Electrical outlets (repair and replace) | X | |
| 32 | Electrical | Building Envelope | Exterior lights | X | |
| 33 | Electrical | Service & Distribution | Face plates (replace/install) | X | |
| 34 | Electrical | Site Lighting | Exterior lights | X | |
| 35 | Electrical | Site Lighting | Parking lot lighting | X | |
| 36 | Electrical | Site Electrical | Electrical car charging stations (Judicial Officers parking) ² | | X |
| 37 | Electrical | Site Electrical | Electrical car charging stations (Staff parking) ² | | X |
| 38 | Electrical | Site Electrical | Electrical car charging stations (Public parking) ³ | X | X |
| 39 | Fire Life Safety | Fire Protection | Computer fire suppression system | X | |
| 40 | Fire Life Safety | Fire Protection | Extinguishers | X | |
| 40A | Fire Life Safety | Fire Protection | Public Distributed Antenna System | X | |
| 41 | Fire Life Safety | Fire Protection | Fire alarm system | X | |
| 42 | Fire Life Safety | Fire Protection | Fire sprinkler system | X | |
| 43 | Fire Life Safety | Communications & Security | Fire alarm system monitoring | X | |
| 44 | Fire Life Safety | Emergency Power | Emergency Exit Lighting | X | |
| 45 | Fire Life Safety | Emergency Power | Emergency Generator | X | |
| 46 | Fire Life Safety | Emergency Power | Emergency lighting | X | |
| 47 | Fire Life Safety | Emergency Power | UPS - uninterruptible power supply (hard-wired) | X | |
| 48 | Flooring | Floor Finishes | Carpet maintenance and repair | | X |
| 49 | Flooring | Floor Finishes | Floor covering maintenance and repair | | X |
| 50 | Flooring | Floor Finishes | Maintenance and repair (safety-related ONLY) | X | |
| 51 | Flooring | Floor Finishes | Non-cosmetic repairs | X | |
| 52 | Flooring | Floor Finishes | Raised floor panels maintenance and repair | X | |

² The use of public resources by public employees in the workplace for personal benefit is not acceptable pursuant to California Government Code section 8134. Addition of the new charging stations to existing facilities as Facility Modification will be considered Priority 5. In the new Capital projects, electric car charging stations are required for the public by Cal Green. A trial court has the option of installing charging stations using third-party providers (e.g., Blinkcharging, Plugshare, Chargepoint). The installation of any electric car charging stations should not overload existing circuits, switches or transformers. All work will have to be done pursuant to the California Rules of Court through Judicial Council Facilities Services as a Court Funded Request. Users should pay fees consistent with comparable public charging stations for the cost of electricity consumed, and the electric car charging service provider must reimburse the Judicial branch for the power used unless a separate meter is installed directly by provider.

³ The above rules do not apply to court facilities and parking lots managed by and the responsibility of the local county. Facility Modification funds can be used for car charging stations at the discretion of Trial Court Facility Modification Advisory Committee.

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds |
|--------|--------------------------|-----------------------------|---|------------------|------------------------------|
| 53 | Furnishings | Appliances | Appliances (hard connected to mechanical or electrical systems) | X | |
| 54 | Furnishings | Appliances | Break room water dispensers (unfixed) | | X |
| 55 | Furnishings | Appliances | Built-in amenities (maintain, repair and replace existing) | X | |
| 56 | Furnishings | Appliances | Counter style appliances | | X |
| 57 | Furnishings | Appliances | Garbage Disposals | | X |
| 58 | Furnishings | Appliances | Ice-Makers (standalone) | | X |
| 59 | Furnishings | Appliances | Microwaves | | X |
| 60 | Furnishings | Appliances | Ovens and Stoves | | X |
| 61 | Furnishings | Appliances | Refrigerators, Freezers and other stand-alone equipment | | X |
| 62 | Furnishings | Appliances | Trash Compactors | | X |
| 63 | Furniture | Fixed | Audience Seating (Bench-style) | X | |
| 64 | Furniture | Fixed | Jury seating | X | |
| 65 | Furniture | Fixed | Gang seating | X | |
| 66 | Furniture | Unfixed | Chairs, seats around tables | | X |
| 67 | Furniture | Unfixed | Couches | | X |
| 68 | Hardware | Exterior and Interior Doors | Automatic door openers ⁴ | X | |
| 69 | Hardware | Exterior and Interior Doors | Door closers | X | |
| 70 | Hardware | Exterior and Interior Doors | Hinges | X | |
| 71 | Hardware | Exterior and Interior Doors | Key schedule | X | |
| 72 | Hardware | Exterior and Interior Doors | Keys | X | |
| 73 | Hardware | Exterior and Interior Doors | Lock sets (includes cipher and access control connected hardware) | X | |
| 74 | Hardware | Exterior and Interior Doors | Rekeying (due to loss) ⁵ | | X |
| 75 | Hardware | Lock Specialty | Unfixed furnishing, cabinet keys and locks | | X |
| 76 | Hardware | Exterior Windows | Window screens | X | |
| 77 | HVAC | Air Distribution | Balancing air distribution | X | |
| 78 | HVAC | Air Distribution | Air conditioning | X | |
| 79 | HVAC | Air Distribution | Diffusers - cleaning room-side of vents (janitorial) | | X |
| 80 | HVAC | Air Distribution | Holding Cell Diffusers - cleaning room-side of vents (janitorial) | | X |
| 81 | HVAC | Air Distribution | Distribution supply and return duct | X | |
| 82 | HVAC | Air Distribution | VAV box controllers | X | |
| 83 | HVAC | Controls & Instrumentation | Building Automation System (BAS) | X | |
| 84 | HVAC | Controls & Instrumentation | Energy Management System | X | |
| 85 | HVAC | Cooling System | Chiller | X | |
| 86 | HVAC | Cooling System | Data room air conditioning systems | X | |
| 87 | HVAC | Cooling System | Additional Data room air conditioning systems over the provided existing system | | X |
| 88 | HVAC | Cooling System | Roof-top units | X | |

⁴ Automatic door openers are not required by accessibility code and hence only be added at new locations as a CFR from the Court.

⁵ If the loss is because of Judicial Council staff, then the cost will be borne by Judicial Council

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds |
|--------|--------------------------|---|--|------------------|------------------------------|
| 89 | HVAC | Cooling System | Swamp coolers | X | |
| 90 | HVAC | Heating System | Boiler | X | |
| 91 | HVAC | Heating System | Steam boiler | X | |
| 92 | HVAC | Vent Pipe & Fittings | Roof-top exhausts | X | |
| 93 | HVAC | Vent Pipe& Fittings | Exhaust duct | X | |
| 94 | Interior Finishes | Ceiling Finishes | Ceiling Tiles | X | |
| 95 | Interior Finishes | Movable Furnishings | Artwork (owned and/or loaned) | | X |
| 96 | Interior Finishes | Movable Furnishings | Automatic Blinds/Drapes/Shades (maintain, repair and replace) | X | |
| 97 | Interior Finishes | Movable Furnishings | Manual Blinds/Drapes/Shades (maintain, repair and replace) | | X |
| 98 | Interior Finishes | Movable Furnishings | Blinds/Drapes/Shades - Cleaning | | X |
| 99 | Interior Finishes | Movable Furnishings | Office pictures or personal decorations | | X |
| 100 | Interior Finishes | Special Coverings | Visual security barriers (tinting) | X | |
| 101 | Interior Finishes | Special Finishes | Kick plates | X | |
| 102 | Interior Finishes | Wall Coverings | Paneling ⁶ | X | |
| 103 | Interior Finishes | Wall Coverings | Wall coverings ⁶ | X | |
| 104 | Interior Finishes | Wall Finishes | Minor touch-up painting (for graffiti/vandalism only) | X | |
| 105 | Interior Finishes | Wall Finishes | Minor touch-up painting (for aesthetics) | | X |
| 106 | Interior Finishes | Wall Finishes | Paint - Exterior | X | |
| 107 | Interior Finishes | Wall Finishes | Paint - Interior (cosmetic purposes) (Court- Exclusive Areas) | | X |
| 108 | Interior Finishes | Wall Finishes | Paint - Interior (non-cosmetic) (Shared Use/Common Areas) | X | |
| 109 | Interior Finishes | Wall Finishes | Wall/Sheetrock patching or repairing | X | |
| 110 | Landscaping | Fertilizing | Chemical lawn treatments | X | |
| 111 | Landscaping | Irrigation System | Landscaping irrigation system | X | |
| 112 | Landscaping | Plantings | Boulevard plantings | X | |
| 113 | Landscaping | Plantings | Shrubs/plantings/annuals | X | |
| 114 | Landscaping | Interior and Exterior Movable Furnishings | Employee/Office plants at work stations/bathrooms, etc. | | X |
| 115 | Mechanical | Energy Supply | Duct insulation | X | |
| 116 | Mechanical | Energy Supply | Heat exchanger | X | |
| 117 | Mechanical | Sanitary Waste | Waste water system | X | |
| 118 | Mechanical | Water Distribution | Faucets | X | |
| 119 | Mechanical | Water Distribution | Pipe insulation | X | |
| 120 | Mechanical | Water Distribution | Water fountains | X | |
| 121 | Mechanical | Water Equipment | Hot water heater | X | |
| 122 | Mechanical | Water Equipment | Water filters (as required by specific building wide distribution systems) | X | |
| 123 | Mechanical | Water Equipment | Water softener (building wide) | X | |
| 124 | Mechanical | Water Equipment | Water treatment | X | |
| 125 | Mechanical | Water Equipment | Drinking Water Dispensing equipment (temporary/mobile/countertop) | | X |
| 126 | Office Equipment | Communications & Security | Server hardware and LAN infrastructure | | X |

⁶ Paneling generally is part of a Facility Modification project and is not the primary focus of the Facility Modification. If provided as part of capital project, it will be responsibility of Judicial Council.

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds |
|--------|--------------------------|---------------------------|--|------------------|------------------------------|
| 127 | Office Equipment | Communication & Security | Clerk Window - Active communication ⁷ | X | |
| 128 | Office Equipment | Communication & Security | Exterior Transaction window - Active communication | X | |
| 129 | Office Equipment | Communications & Security | Telephone system | | X |
| 130 | Office Equipment | Equipment | Shredder | | X |
| 131 | Office Equipment | Fixed Furnishings | Furniture (fixed) | X | |
| 132 | Office Equipment | Movable Furnishings | Bulletin or white boards | | X |
| 133 | Office Equipment | Movable Furnishings | Computer equipment | | X |
| 134 | Office Equipment | Movable Furnishings | Furniture (unfixed) | | X |
| 135 | Office Equipment | Movable Furnishings | Furniture moves | | X |
| 136 | Office Equipment | Movable Furnishings | Furniture set-ups | | X |
| 137 | Office Equipment | Movable Furnishings | High-density filing system | | X |
| 138 | Office Equipment | Movable Furnishings | Modular furniture | | X |
| 139 | Office Equipment | Equipment | Copier | | X |
| 140 | Office Equipment | Equipment | Printers | | X |
| 140A | Office Equipment | Equipment | Fax | | X |
| 141 | Restroom | Floor Finishes | Carpet, VCT, Terrazzo, and bathroom floor material cleaning | | X |
| 142 | Restroom | Floor Finishes | Mopping or Cleaning spills or water overflow | | X |
| 143 | Restroom | Interior Specialties | Counter (damaged) | X | |
| 144 | Restroom | Interior Specialties | Counter cleaning (janitorial) | | X |
| 145 | Restroom | Bath Accessories | Electrical hand driers (buy/provide) | | X |
| 146 | Restroom | Bath Accessories | Electrical hand driers (hang/re-hang) | X | |
| 147 | Restroom | Bath Accessories | Paper towel dispensers (buy/provide) | | X |
| 148 | Restroom | Bath Accessories | Paper towel dispensers (hang/re-hang) | X | |
| 149 | Restroom | Bath Accessories | Seat cover dispensers (buy/provide) | | X |
| 150 | Restroom | Bath Accessories | Seat cover dispensers (hang/re-hang) | X | |
| 151 | Restroom | Bath Accessories | Soap dispensers (buy/provide) | | X |
| 152 | Restroom | Bath Accessories | Soap dispensers (hang/re-hang) | X | |
| 153 | Restroom | Bath Accessories | Stocking restrooms (janitorial) | | X |
| 154 | Restroom | Bath Accessories | Toilet paper dispensers (buy/provide) | | X |
| 155 | Restroom | Bath Accessories | Toilet paper dispensers (hang/re-hang) | X | |
| 156 | Restroom | Bath Accessories | Trash cans (buy/provide) | | X |
| 157 | Restroom | Bath Accessories | Trash cans (hang/re-hang) | X | |
| 158 | Restroom | Fixtures | Partitions | X | |
| 159 | Restroom | Fixtures | Plumbing fixtures | X | |
| 160 | Restroom | Fixtures | Shelves | X | |
| 161 | Restroom | Fixtures | Sinks | X | |
| 162 | Restroom | Fixtures | Urinals | X | |
| 163 | Restroom | Fixtures | Adding new baby changing stations not required by law (Court funded, Judicial Council Installed) | X | X |

⁷ Active Communication refers to a system that requires outside power to enable communications.

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds |
|--------|--------------------------|---|---|------------------|------------------------------|
| 163A | Restroom | Fixtures | Existing Baby Changing stations' replacement | X | |
| 164 | Roof | Roof Coverings | Roof decking | X | |
| 165 | Roof | Roof Coverings | Roof drains/gutter/flashing | X | |
| 166 | Roof | Roof Coverings | Roof membrane | X | |
| 167 | Roof | Roof Coverings | Roof pads/wear lane/traffic | X | |
| 168 | Services | Administrative | O&M Technician's office | X | |
| 169 | Services | Administrative | Space planning functions | | X |
| 170 | Services | Pest | Exterior spraying | X | |
| 171 | Services | Pest | Indoor traps | X | |
| 172 | Services | Pest | Interior spraying | X | |
| 173 | Services | Pest | Preventive and Corrective measures | X | |
| 174 | Signage | Site Signage | Exterior signage | X | |
| 175 | Signage | Identifying Devices | Identification | | X |
| 176 | Signage | Identifying Devices | Instructional (e.g. cell phone usage, noise policy, restricted area, etc.) | | X |
| 177 | Signage | Identifying Devices | Reader boards (NOT specified in Court Transfer Agreement) | | X |
| 178 | Signage | Identifying Devices | Reader boards (specified in Court Transfer Agreement) | X | |
| 179 | Signage | Identifying Devices | Room Numbering (maintain, repair and replace) | X | |
| 180 | Signage | Identifying Devices | Room numbering (new, adds, or changes) | | X |
| 181 | Signage | Identifying Devices | State code compliance (e.g. "No Smoking") | X | |
| 182 | Signage | Identifying Devices | Way finding/directional (Includes Evacuation) | X | |
| 183 | Site Work | Parking Lots | Curbing (except local authority) | X | |
| 184 | Site Work | Parking Lots | Parking (except local authority) | X | |
| 185 | Site Work | Parking Lots | Parking lot striping | X | |
| 186 | Site Work | Pedestrian Paving | Sidewalk (except local authority) | X | |
| 187 | Site Work | Security Structures | Security bollards | X | |
| 188 | Hazardous Waste | Court generated waste | Toner cartridges, batteries, court owned equipment such as computer equipment containing heavy metals or equipment with refrigerant containing devices, and items stored in an evidence room | | X |
| 189 | Hazardous Waste | Janitorial generated waste | Cleaning material such as detergents and solvents, greasy rags or waste water containing hazardous material | | X |
| 190 | Hazardous Waste | Construction or Building generated waste ⁸ | Asbestos and lead based paints, and hazardous material contained in building equipment like PBCs and various fluids. All waste generated as a result of maintenance and repairs such as paints, oily rags, acid batteries, etc. | X | |
| 191 | Hazardous Waste | Court Funded Request Construction generated waste | Construction or building generated waste that is part of the project that is funded by Court | | X |

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds |
|--------|--------------------------|---|--|------------------|------------------------------|
| 192 | Hazardous Waste | Bio-hazard waste (exterior only) | Human feces and blood | X | |
| 193 | Hazardous Waste | Bio-hazard waste | Sewer leak and spill from plumbing waste water leakage as part of larger Facility Modification and waste water removal is not the primary purpose of the Facility Modification | X | |
| 194 | Equipment Installation | Installation and removal of all equipment not part of the building system | White boards, clocks, file storage systems, portable/movable electronic equipment, court owned appliances, electronic calendars, and display boards | | X |
| 195 | Equipment | Communication and AV Equipment | All Audio visual equipment | | X |
| 196 | Electrical | Electrical outlets for communication and AV | Power outlets for the communication and AV equipment | X | |
| 197 | Electrical | Emergency Power | Generators for IT Infrastructure and non-emergency services | | X |

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DEFINITIONS:

Fixed Furnishings are defined as those furnishing that are bolted to the building structure.

Unfixed Furnishings are defined as those furnishings not affixed or only soft connected to the building structure.

Fixed Equipment is defined as those installed as part of the facility infrastructure or hard connected to mechanical or electrical systems.

Unfixed Equipment is defined as those not installed as part of the facility infrastructure or hard connected to mechanical or electrical systems.

DRAFT

TABLE B –Building security systems

| Item # | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds | Judicial Council Security - Special Fund ¹ | Others |
|--------|-----------------------------------|---|------------------|------------------------------|---|--------|
| 1 | Alarms | Hardwired duress alarms not integrated with facility security | | X | | |
| 2 | Alarms | Wireless Duress alarms | | | X | |
| 3 | Alarms | Wireless Duress alarms maintenance and P1 support | | | X | |
| 4 | Building Access | Access control cards or fobs, replacement and programming for access levels. Badges and badge making equipment and software | | X | | |
| 5 | Building Access | Access control system hardware and head end controller in accordance with California Trial Court Facilities Standards | X | | | |
| 6 | Gun Locker | Gun locker installation, repairs and keys | | | | X |
| 7 | Holding Cells | Holding cell access control systems | X | | | |
| 8 | Holding Cells | Holding cell keys | | | | X |
| 9 | Communication & Security | Detention Control - active communication | X | | | |
| 10 | Interview Rooms | Passive communication ⁹ | X | | | |
| 11 | Interview Rooms | Active communication ¹⁰ | X | | | |
| 12 | Magnetometers & Related Equipment | Cabinet X-Ray System/magnetometers and associated monitors or accessories. Trust fund purchase includes 5 year service agreement. Service and maintenance agreements after the 5 years is responsibility of the Court | | X | X | |
| 13 | Magnetometers & Related Equipment | Hand wand metal detectors | | X | | |
| 14 | Magnetometers & Related Equipment | Registration, record keeping, signage and training for Cabinet X-Ray Systems/magnetometers and associated monitors or accessories | | X | | |
| 15 | Security related | Stand-alone plugged equipment (e.g. enhancements or additions to existing screening equipment) | | X | | |
| 16 | Safes | Fixed Safes maintenance and repair | X | | | |
| 17 | Safes | Gun Safes | | | | X |
| 18 | Safes | Portable Safes | | X | | |
| 19 | Surveillance | Maintenance, repair and replacement of Camera's installed in excess of the Judicial Council Trial Court Facility Standards or existing number of cameras | | X | | |
| 20 | Surveillance | Digital video recording (DVR) as components of complete security system and plan | | | X | |

¹ Subject to funding.

⁹ Passive Communication refers to a system that does not require outside power to enable communications.

¹⁰ Active Communication refers to a system that requires outside power to enable communications.

| Item # | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds | Judicial Council Security - Special Fund ¹ | Others |
|--------|-----------------|--|------------------|------------------------------|---|--------|
| 21 | Surveillance | Digital video recording (DVR) for court operations and limited security application | | X | | |
| 22 | Surveillance | Facility security systems, including controllers, facility security cameras, security specific digital recording systems and monitoring stations. (no personnel) | X | | | |
| 23 | Alarms | Fire alarm system | X | | | |
| 24 | Alarms | Hardwired duress alarms integrated with facility security | X | | | |
| 25 | Alarms | Intrusion alarm, monitoring and response | | X | | |
| 26 | Alarms | Intrusion alarm, repairs and maintenance | | X | | |
| 27 | BAS | Building Automation System (BAS) | X | | | |
| 28 | Elevator | Elevator and vertical conveyance monitoring and notification | X | | | |
| 29 | Vehicles | Vehicle control system (gates and overhead doors at sally port) | X | | | |
| 30 | Equipment | Manage and maintain facility operations equipment | X | | | |
| 31 | Janitorial | Porter services and routine spill cleanup (janitorial) in secure and inmate areas | | X | | |
| 32 | Janitorial | Recurring janitorial services and supplies in secure and inmate areas | | X | | |
| 33 | Personnel | Private and/or Non-Sheriff Security personnel | | X | | |
| 34 | Fencing & Gates | Security fencing and gates, vehicle barriers and bollards | X | | | |
| 35 | Keys & Locks | Cabinet and cash drawer keys and locks in fixed furnishings | | X | | |
| 36 | Keys & Locks | Removable locks | | X | | |
| 37 | Keys & Locks | Door hardware/automatic door openers | X | | | |
| 38 | Keys & Locks | Key schedule | X | | | |
| 39 | Keys & Locks | Lock sets (includes cipher and access systems) | X | | | |
| 40 | Keys & Locks | Rekeying due to loss of key ¹¹ | | X | | |
| 41 | Windows | Ballistic glazing assemblies | X | | | |
| 42 | Windows | Ballistics protection (courtrooms, security spaces, etc.) | X | | | |
| 43 | Notification | Panic, duress or similar emergency notification systems not following under items 1, 2, 3 of this Table B | | X | | |

¹¹ If the loss is because of Judicial Council staff, then the cost will be borne by Judicial Council

Facility Modifications in Court Facilities to Be Replaced with Funded Capital Projects

The use of Facility Modification (FM) funds in court facilities to be replaced with funded Capital Projects that will result in the court vacating the existing facility needs to be scrutinized. Since the time from the funding of a Capital Project to move-in is often five or more years, it is unreasonable that no FM funding will be approved. The challenge is to fund only those FM projects that are critical to continue the operations of the court facility and to prevent excessive deterioration, but are also cost proportionate to the amount of time the court will remain in the facility. The following guidelines should be used in making such funding decisions:

1. FM projects that are critical to continue the normal operations of the facility should be funded.
2. Fire, life, safety and security issues normally will be funded.
3. When the cost of maintenance and/or operations due to failing systems is determined to exceed the cost of repair work to fix said failed system, the FM should be funded. For example, the impact to operations and/or cost of deterioration due to roof leaks at a court facility which the court is scheduled to vacate in five years may justify the replacement of the roof even though the roof will last for 20 years.
4. Any limited life of a court facility should be taken into consideration when determining whether the FM actions are needed.

FM funds will not be used to supplement or reimburse costs relating to a Capital Project. This includes contributing FM funds to a Capital Project, reimbursing the Judicial Council with FM funds for cost overruns, or reimbursing a trial court with FM funds for work performed as part of a Capital Project. This fund exclusion does not extend to FM work occurring after the completion of a Capital Project to enhance operations, improve the maintainability of the facility, or maintain the facility after expiration of warranties. In Capital Projects that occur in an existing court facility, this fund exclusion does not pertain to the repair or maintenance of items outside the scope of the Capital Project.

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| | Commentator | Comments | Judicial Council Staff Responses |
|----|---|---|---|
| 1. | Ms. Susan Slater Commissioner Victorville Superior Court | <p>Superior Court of California, County of San Bernardino</p> <p>I reviewed the Facilities Funding Responsibilities between Judicial Council and Superior Courts and the following are my suggestions:</p> <p>Page 5: Paragraph at the bottom, 5th line down “All work will have to be done in pursuant of...” add “be”.</p> <p>Page 10: Interview rooms – The terms “active” and “passive” are used. Maybe definitions as to what “active” and “passive” mean could be added.</p> <p>Table A – Office Equipment: Possibly add ”Fax”.</p> | <p>(Page 6): Edit made as suggested.</p> <p>(Page 13): Definition have been added as suggested.</p> <p>(Page 9): Edit has been made as suggested.</p> |
| 2. | Presiding Judge John P. Vander Feer | <p>Superior Court of California, County of San Bernardino</p> <p>There is a minor inconsistency which is worth a comment.</p> <p>Items 16 and 47 both address UPS systems. Item 47 is more correct in that it specifies JCC Facilities funding for hard-wired UPS systems. Item 16 specifies Trial Court Operations for UPS systems, but should probably be clarified to specify non-hard-wired UPS systems.</p> | <p>(Page 6): Edit made as suggested.</p> |
| 3. | Chad Finke Court Executive Officer, Jury Commissioner and Clerk | <p>Superior Court of California, County of Alameda</p> <p>Dear Members of the Trial Court Facilities Modification Advisory Committee:</p> <p>This will serve as the official public comment of the Superior Court of Alameda County to the draft document entitled <i>Facilities Funding Responsibilities between Judicial Council and Superior Courts</i>, which was circulated by Facilities Supervisor Chris Magnusson on June 10, 2019. As you will see, our court has a number of questions and concerns about the draft document, and we appreciate the opportunity to express those through this comment process.</p> | |

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| | | <p><u>Background</u></p> <p>The June 10 materials actually comprise two documents: the <i>Facilities Funding Responsibilities between Judicial Council and Superior Courts</i> document (Funding Document) and a document entitled <i>Narrative of Changes to Previous Guidelines Document</i> (Narrative). The Funding Document, by its own terms, purports to embody "guidelines to help guide the Trial Court Facilities Modification Advisory Committee and Judicial Council staff with respect to determining responsibility for the funding of various trial court facility matters." The Narrative is intended to serve as a guide to the Funding Document (although, as noted below, there are issues with attempting to understand the history of, and relationship between, these two documents and other documents that were not provided to the courts).</p> | |
| | | <p><u>The Narrative's use of the term "Added Item" is misleading</u></p> <p>The Narrative repeatedly uses the term "Added Item" to refer to various items of expense. This is problematic. For one thing, the use of "added" begs the question - added to what? As discussed in detail below, there is an additional document-which was not provided to the trial courts on June 10- that must be reviewed in order to understand the reference to items being "added."</p> <p>More critically, however, "Added Item" suggests that these items of expense are themselves new. In fact, nothing could be further from the truth. Each of the "Added Items" are in fact items of expense that have existed since the Judicial Council assumed responsibility for trial court facilities in the early-to-mid-2000s. In the intervening decade-plus, one entity or the other-the JCC or the trial courts-has had to pay for these items.</p> | <p><i>Added Item</i> means that the original guidelines did not have this item clarified and was subject to interpretation. This has been done to clarify the funding responsibility.</p> <p>These expenses are not new but were not documented in the draft Guidelines.</p> |

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| | | <p>It appears that some of the "Added Items" would shift costs that have <u>historically been borne by the JCC to the trial courts</u></p> <p>Many of the "Added Items" appear to codify historical practice in terms the cost split between the Judicial Council and the trial courts. However, on some of the items of expense, the "guidelines" appear to be proposing to <u>change</u> historical practice, i.e., to shift costs from the council to the courts. Thus, these guidelines would lead the trial courts to incur new expenses that have not historically been a part of our budgets.</p> | <p>Previous guidelines refer to the attached <i>Guidelines for Prioritizing and Ranking Facility Modifications</i>, which are now superseded by the current draft guidelines under review. Prior to being superseded, the <i>Guidelines for Prioritizing and Ranking Facility Modifications</i> had been included in a document the Trial Court Facility Modification Advisory Committee (TCFMAC) used to aid its decision making for prioritizing and ranking facility modifications. It was last reviewed by the TCFMAC in April 2015 and remained at the committee level without being submitted to the Judicial Council for adoption. Those Guidelines were the genesis from which the current draft Guidelines have been created.</p> |
| | | <p>For example, Item 11 in Table B (Interview Rooms -Active Communication) is listed as an "Added Item" in the Narrative. Turning to the Funding Document, as one must then do, we see that that item is listed as being a trial court expense. However, historically the council has assumed the cost of maintenance and repair of active communication devices in interview rooms. Depending on the size of the court, the volume of criminal matters, and the staffing level of sheriff's deputies, the cost of repairing these devices-which are frequently damaged by defendants-can be very high. If a cost of this potential magnitude is to be shifted to the courts, that decision should be fully and transparently vetted.¹</p> <p>To the extent it may impose new costs on the trial courts. It is unclear whether the Funding Document is within the scope of TCFMAC's authority</p> | <p>(Page 13): This has been corrected to reflect it is a Judicial Council responsibility.</p> <p>The development of the current draft Guidelines does not add new costs to the trial courts' responsibility but defines the funding responsibility between the Judicial Council and trial courts.</p> |

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| | | <p>It is not clear, from the Funding Document or the accompanying email, whether TCFMAC intends for the draft document to go to the Judicial Council for approval. If not, then it appears that the document exceeds the scope of TCFMAC's authority as set forth in rule 10.65 of the California Rules of Court. While that rule authorizes the committee to "[make] recommendations to the council on funding and ... [take] additional action in accordance with council policy, both for facility modifications and for operations and maintenance," it does not appear to authorize TCFMAC, without council review and approval, to make decisions that would have the effect of reapportioning fiscal responsibility as between the Judicial Council and the trial courts. As such, we are requesting clarification as to whether this document will be presented to the council for approval and, if not, the authority supporting that TCFMAC can, without council approval, authorize Judicial Council staff to transfer former Judicial Council fiscal responsibilities to the trial courts.</p> | <p>The TCFMAC does not intend to recommend the Guidelines for Judicial Council review/adoption, as they do not reapportion fiscal responsibilities between the Judicial Council and trial courts but clarify current responsibility for costs for systems, components, and equipment of capital, operations/maintenance (O&M), and facility modifications (FMs) projects. Moreover, the TCFMAC is responsible for spending the allocated budget each year on the Facility Modifications and is within its authority to deny funding for certain type of projects, which does not constitute reapportioning any fiscal responsibility. The TCFMAC will continue to defer lower priority FMs which the Judicial Council does not have sufficient funding to perform per the council's <i>Trial Court Facility Modifications Policy</i>, and the Courts will continue to have the option of submitting court-funded facilities requests.</p> |
| | | <p><u>The materials as presented omit critical information about these documents, making meaningful public comment difficult</u></p> <p>As noted above, the June 10 materials comprise the Funding Document and the Narrative, and the latter refers to "Added Items" in multiple places. The Narrative also repeatedly refers to a "previous" guidelines document and contains a key not only to the two charts in the Funding Document, but also to those "Guidelines," including noting that some are being added and/or moved into other documents.</p> | <p>Previous guidelines refer to the attached <i>Guidelines for Prioritizing and Ranking Facility Modifications</i>, which are now superseded by the current draft Guidelines under review.</p> |

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| | | Unfortunately, those "Guidelines" were not included in the June 10, 2019, packet, nor are they referenced specifically in the Funding Document. | Same comment as above. |
| | | Through additional research, we have determined that the "Guidelines" referenced in the Narrative likely refers to a draft document from April 13, 2015 entitled <i>Guidelines for Prioritizing and Ranking Facility Modifications</i> . To the best of our ability to discern, that document never made it out of draft form and never advanced further than TCFMAC. As far as we can tell, that draft document reflects the only instance in which TCFMAC has purported to articulate funding responsibilities as between the council and the trial courts; neither <i>the Trial Court Facilities Modifications Policy</i> adopted by the council on July 27, 2012, nor the Revised Trial Court Facilities Modifications Policy adopted by the council on March 15, 2019, do so. | Previous guidelines refer to the attached <i>Guidelines for Prioritizing and Ranking Facility Modifications</i> , which are now superseded by the current draft Guidelines under review. Prior to being superseded, the <i>Guidelines for Prioritizing and Ranking Facility Modifications</i> had been included in a document the TCFMAC used to aid its decisionmaking for prioritizing and ranking facility modifications. It was last reviewed by the TCFMAC in April 2015 and remained at the committee level without being submitted to the Judicial Council for adoption. Those Guidelines were the genesis from which the current draft Guidelines have been created. |
| | | Thus, it appears that TCFMAC is now seeking comments on a revision to a draft 2015 document, without providing that original document or even referencing its specific existence. We are concerned that many potential commenters will be left to wonder not only what exact language is being changed (given that the Narrative doesn't include specific "before" and "after" language), but also the identity of the document to which those changes are being applied. | Same comment as above. |
| | | In our view, decisions regarding funding-particularly where funding responsibilities may be being shifted from one entity to another-should be made with the utmost transparency. At a minimum, we would request that no decisions be made until JCC staff fully explain to all of the trial courts the full history of the "Guidelines," including the 2015 document. | The TCFMAC does not intend to recommend the Guidelines for Judicial Council review/adoption, as they do not reapportion fiscal responsibilities between the Judicial Council and trial courts but clarify current responsibility for costs for systems, components, and equipment of capital, O&M, |

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| | | <p><u>The relationship between the Vandalism and Graffiti Mitigation Attachment to the Revised Trial Court Facility Modifications Policy and the Funding Document must be clarified</u></p> <p>As noted, on March 15, 2019, the Judicial Council approved and adopted a revised version of the Trial Court Facility Modifications Policy (Revised Policy) that was originally adopted on July 27, 2012. The Revised Policy includes an Attachment A that contains a page entitled Vandalism and Graffiti Mitigation. On that page, the Revised Policy clearly stated that "[t]he Judicial Council has the responsibility for damage that occurs to court facilities as a result of vandalism."</p> | <p>and FM projects.</p> <p>Graffiti is a subset of Vandalism. Vandalism that is classified as Priority 1 and Priority 2 are addressed. Graffiti in public spaces is addressed. Non-public area graffiti is a lower priority FM.</p> |
| | | <p>We request clarification as to how that unambiguous statement relates to the proposed cost responsibilities set forth in the Funding Document. Specifically, does that mean that even where the Funding Document identifies the cost of a facilities-related item as being a court expense, where that same item is damaged as a result of vandalism, the repair cost will be borne by the council?</p> <p>For example, and returning to Item 11 in Table B (Interview Rooms - Active Communication) of the Funding Document, if an active speak-through device in an interview room is destroyed by an in-custody defendant, will the repair/replacement cost be absorbed by the council under the Vandalism and Graffiti portion of the Revised Policy? Or will the trial court be expected to pay that cost under the language of the Funding Document? If the intent is the latter, we reiterate our concern as articulated above about the scope of the TCFMAC's authority, particularly as it pertains to modifying the clear language in a policy adopted by the Judicial Council.</p> <p><u>To the extent costs would be shifted from the council to the trial courts via the Funding Document, such should not happen without a fiscal impact</u></p> | <p>If a system is maintained by Judicial Council and it is damaged as a result of vandalism, then Judicial Council is responsible for repairing it. Similarly, if a system is maintained by a trial court and it is damaged as a result of vandalism, then the trial court is responsible for repairing it.</p> <p>(Page 13): Item 11 in Table B has been corrected to indicate that Active Communication devices in Interview Rooms are a Judicial Council responsibility. For example, if the active communication device is destroyed by an in-custody defendant, then the cost is the responsibility of the Judicial Council because that system is a Judicial Council responsibility.</p> <p>The TCFMAC does not intend to recommend the Guidelines for Judicial Council</p> |

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| | | <p><u>analysis and a clear strategy for addressing those new costs through legislation or BCP.</u></p> <p>As noted, it is somewhat unclear from the documents that were presented to the courts-particularly in the absence of the 2015 Guidelines document-the extent to which TCFMAC is proposing to shift costs from the council to the trial courts. The presence of the Vandalism and Graffiti portion of the Revised Policy further complicates efforts to ascertain the answer to that question.</p> | <p>review/adoption, as they do not reapportion fiscal responsibilities between the Judicial Council and trial courts but clarify current responsibility for costs for systems, components, and equipment of capital, O&M, and FM projects.</p> |
| | | <p>To the extent the intent of the Funding Document is to shift costs-any costs-we would request that the Funding Document not be approved or submitted to the Judicial Council for approval without a thorough analysis of the fiscal impact of those shifts on the trial courts. Further, and given the already extensive underfunding of the trial courts, we would request that no costs be shifted unless and until a strategy is in place for addressing those increased costs, whether via budget trailer language, the BCP process, or otherwise.</p> | <p>Same comment as above.</p> |
| | | <p>Again, we thank you for the opportunity to review these documents and provide commentary on them, and we are happy to answer any follow-up questions you may have.</p> <p>Footnote 1: Please see discussion re "Vandalism" policy below for a possible caveat to this comment.</p> | |

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| 4. | Lloyd Connelly, Court Executive Officer | <p>Superior Court of California, County of Sacramento</p> <p>The Trial Court Facilities Act of 2002 transferred the responsibility for court facilities from the county to the state. Pursuant to GC Section 70301, "responsibility for facilities" means the obligation of providing, operating, maintaining, altering, and renovating a building that contains the facilities. "Maintenance" means the ongoing upkeep of buildings, equipment, grounds, and utilities required to keep a building and its systems in a condition adequate to support its designed level of service. Funding for the ongoing operations and maintenance of court facilities was established through the County Facilities Payments and is deposited into the Court Facilities Trust Fund. As stated in GC Section 70352(b) the money deposited in this fund shall be administered by the Judicial Council for the operation, repair, and maintenance of court facilities. The Draft Facilities Funding Responsibilities between Judicial Council and Superior Courts proposes transferring the primary funding responsibilities of specific operations and maintenance items onto trial courts. Budget shortfalls in the Court Facilities Trust Fund does not negate the fact that the on-going operations and maintenance (O & M) of court facilities is a Judicial Council responsibility, not a Superior Court responsibility. Furthermore, Sacramento Superior Court does not have the ability to meet the financial commitment of absorbing the costs associated with these proposed changes within our baseline general fund budget. As such, this Court opposes assuming the funding responsibility for building systems, components, equipment or fixtures that are not a court operations or Rule 10.810 allowable expenditure. Items historically maintained by the county (pre transfer) and the JCC maintenance provider, should remain a Facilities Services responsibility.</p> | <p>The current draft Guidelines do not propose transferring the primary funding responsibilities of specific O&M items onto trial courts but instead clarify current responsibility for costs for systems, components, and equipment of capital, O&M, and FM projects. For FMs other than Priority 1 or 2, available funding continues to lag demand; therefore, O&M and FM projects that are the responsibility of and funded by the Judicial Council will be prioritized in alignment with the council's <i>Trial Court Facility Modifications Policy</i>. In the event that sufficient funding is unavailable to prioritize an O&M or FM project requested by a trial court, the trial court may instead elect to apply its operating funds to the project pursuant to the council's <i>Court-Funded Facilities Request Policy</i>.</p> |
| 5. | Debbie Moynier, Director of Facilities | <p>Superior Court of California, County of Sacramento</p> <p>The Narrative of Changes attachment references Guidelines 1 - 17. When was Guideline 17 formally approved by the TCFMAC and adopted by the Judicial Council?</p> | <p>Previous guidelines refer to the attached <i>Guidelines for Prioritizing and Ranking Facility Modifications</i>, which are now superseded by the current draft guidelines under review. Prior to being superseded, the</p> |

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| | | <p>The proposed changes conflict with prior agreements between the AOC and Court. The July 1, 2009, MOU between the Judicial Council and Sacramento Superior Court (MOU # 09-34-Rule 10.810 Facility Management Services) identifies the AOC versus Court responsibilities for building systems and equipment. Exhibit C of this MOU is in conflict with Table A.</p> <p>The components of the County Facilities Payment were based upon the actual annual direct and indirect county expenditures on court facilities. Prior to the building transfers, Sacramento County performed hardscape ground maintenance at all Sacramento courthouses. These services included daily washing of the entryways and hard surfaces surrounding the buildings, as well as cleaning the exterior windows on an annual basis. The cost for these performed services were incorporated into the County Facilities Payment for Sacramento. As such, the funding responsibility for these services should remain a JCC responsibility.</p> | <p><i>Guidelines for Prioritizing and Ranking Facility Modifications</i> had been included in a document the TCFMAC used to aid its decisionmaking for prioritizing and ranking facility modifications. It was last reviewed by the TCFMAC in April 2015 and remained at the committee level without being submitted to the Judicial Council for adoption. Those Guidelines were the genesis from which the current draft Guidelines have been created.</p> <p>The draft Guidelines are not intended to supersede any existing agreement currently in force or the council's <i>Court-Funded Facilities Request Policy</i>.</p> <p>Under Government Code section 70356, County Facilities Payments were based on calculating the five-year average of the cost expended by the county on facility operation and maintenance from 1995 to 2000, which have not been increased since that time. Consequently, and based on the current funding level, the Judicial Council does not have the ability to powerwash or clean the exterior on a daily basis.</p> |
| | | <p>Table A - Building Envelope, Items 2, 4 and 5: Government Code Section 70301, includes under the definition of "maintenance" the ongoing upkeep of building "grounds" and there are areas, especially surrounding outside trash containers, that require power washing. Poorly kept grounds reflect a bad image of the court system. Furthermore, exterior window washing, especially in a high-rise courthouse where use of any type of horizontal life line or platform</p> | <p>(Page 5): The Judicial Council will keep the window washing equipment certified for high-rise buildings and the outside cleaning of the exterior windows has been clarified to be Judicial Council cost. However, janitorial and cleaning are still Trial Court expenses.</p> |

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| | | system requiring an annual certification, should not be a court funded obligation. | |
| | | Table A - Electrical, Item 16: Unclear. Historically, building UPS systems that are hardwired to an electrical panel are maintained by Facilities Services. Rack-mounted UPS's are a court responsibility. Please clarify this is not changing. | (Page 6): Hard-wired language has been added to Item 47. |
| | | Table A - Electrical, Item 17: Unclear what building components and equipment is included within this line item. Sacramento has been informed by the JCC that the Converge Network core and closet switches, routers, wireless Aps and controllers are included in the JCC LAN WAN Program that refreshes this hardware as it approaches its manufacturer's end of support. Is the intent of this funding responsibility table to be a restructuring of the LAN WAN refresh program? Please clarify. | (Page 5): The LAN WAN refresh program is provided through the Judicial Council's Information Technology (IT) office and not its Facilities Services. Initial equipment for the LAN WAN is provided by the Judicial Council in new capital projects. |
| | | Table A - Electrical, Item 18: Antennas / communication dishes is vague and requires clarification. Antennas or communication dishes installed to support a fire/life/safety system should be a Facilities Services responsibility. | (Page 5): If any antennas/communication devices are required for a fire and life safety system, then it is a Judicial Council Facilities Services' responsibility; otherwise, the trial courts are responsible for this cost. |
| | | Table A - Electrical, Item 23: Unclear. CCTV is typically a component of the security system and should be included under Item 21, Security cabling | (Page 5): This has been clarified in the document, as CCTV has been moved under Item 21. |
| | | Table A - Furnishings, Item 57: Garbage disposals are a fixed appliance. Why would existing garbage disposals not fall under the category of built-in amenities (Item 55). | (Page 7): If the garbage disposal is required to be provided by Building Codes, then it is a Judicial Council responsibility |
| | | Table A - Furniture, Item 63: Limits fixed audience seating to bench-style. Many existing courthouses have fixed theater seats that are currently maintained by Facilities Services. Please clarify this line item applies to all fixed audience seating. | (Page 7): Under Item 63, fixed theater-style seating will be replaced on a limited basis as Judicial Council Facilities Services has moved to bench-style seating for full-courtroom replacements. |
| | | Table A - Restroom, Items 145 - 154: In the proposed Table A, "fixed" | (Page 9): The restroom bath accessories listed |

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| | | <p>furniture and appliances continue to be a Facilities Services responsibility. Why are restroom accessories that are built-in or affixed to the wall different? Especially electric hand driers and soap dispensers that are being installed in new courthouses. Replacement of existing built-in and/or affixed accessories due to failure, damage or vandalism should continue to be funded by Facilities Services.</p> | <p>under trial court responsibility are <i>additional</i> to the same accessories provided by the Judicial Council.</p> |
| | | <p>Table A - Restroom, Item 163: Baby changing tables are required by code and if affixed to the wall, should continue to be funded by Facilities Services.</p> | <p>(Page 9): Clarifying language has been added to Item 163.</p> |
| | | <p>Table A - Electrical, Item 197: Unclear. Does this apply to new requests or O&M on existing generators? In capital outlay projects, how will the JCC differentiate between system designs that were driven by cost, JCC standards, and site restrictions/limitations, and not court requirements?</p> | <p>(Page 11): This is for the new requests. IT systems and non-emergency systems do not get backup generator power and will not be funded by Judicial Council Facilities Services.</p> |
| | | <p>Multiple categories listed in Table B are unclear and ambiguous. For example, components of a "complete" facility security system are funded by Facilities Services. A fully integrated security system consists of many components. Yet as referenced in Table B, it appears some will not be supported by Facilities Services. For example, hardwired duress alarm systems that are integrated with the security system are maintained by Facilities Services, but not wireless systems (many of which are integrated with the CCTV for camera call-ups). Additionally, building intrusion systems (item 26) are also integrated into the security CCTV system for camera call-ups. Please clarify what is constituted as a "facility security system" and why some components are maintained by Facilities Services and others are not.</p> | <p>Judicial Council only adds wireless duress alarm systems. If a new wireless duress alarm system is requested, or a supplemental wireless duress alarm system is added by a trial court, then it will be funded from Judicial Council Security Special Fund. Intrusion alarms are third-party services that trial courts will have to contract for. Judicial Council Facilities Services will not be contracting or paying for third-party services or their maintenance or repair.</p> |
| | | <p>Table B - Communications & Security, Item 9: The main difference between active and passive components is one requires an external source to its operation, the other does not. Considering this description, wouldn't an intercom system fall under the category of an "active" communication device? Please clarify what components are included under Detention Control - active communication.</p> | <p>(Page 13): Item 11 has been revised to reflect Judicial Council responsibility. Footnotes have been added to Items 10 and 11 to clarify the difference between passive and active communication.</p> |

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| | | Table B - Interview Rooms, Items 10 and 11: Description of "passive" and "active" communications in interview rooms is ambiguous. Please clarify | (Page 13): Footnotes have been added to Items 10 and 11 to clarify the difference between passive and active communication. |
| | | Table B - Surveillance, Item 19: How will the JCC quantify the number of cameras that are in excess of standards? | For existing facilities, the addition of any new cameras is considered either through the Security Special Fund or Court Operating Funds. For new capital projects, the number of cameras provided is determined by the council's <i>California Trial Court Facilities Standards</i> , and additional locations are determined during the design of a capital project by Judicial Council Facilities Services. |
| | | Table B - Does not address the public safety BDA / DAS. This system, as required by code, must be integrated with the building's fire control system and monitored. The monitoring, annual certification, and system maintenance should be included within Table B as a Facilities Services responsibility. | (Page 6): The installation of a Public Distributed Antenna System, required for the fire control system, is added as Item 40A in Table A as a Judicial Council Facilities Services responsibility. |
| 6. | Jake Chatters, Court Executive Officer | <p>Superior Court of California, County of Placer</p> <p>Table A – Building Systems</p> <p>Line 16 – UPS</p> <p>Suggestion: Add a new line (16B) to clarify that a UPS (Hard Wired) is the responsibility of the JCC.</p> <p>The court agrees that small stand-alone UPS units for servers and other information technology systems are a court expense. However, a hard wired UPS for Communications and Security is part of the building infrastructure and should be consistent with Line 47, which makes clear that a hard wired UPS for Fire Life Safety is a JCC responsibility. Therefore, the court believes a new item for UPS (Hard Wired) for Communication and Security should be listed as a JCC's responsibility.</p> | <p>(Page 5): As shown in Item 16, any Uninterruptible Power Supply (UPS) system that is for IT systems or Communications (non-fire life safety system) is a trial court responsibility.</p> <p>(Page 6): Judicial Council Facilities Services is responsible for the hard-wired UPS required for fire and life systems.</p> |

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| 7. | Presiding Judge Kevin C. Brazile and Executive Officer/Clerk of Court Sherri R. Carter | <p>Superior Court of California, County of Los Angeles On June 10, 2019, Chris Magnusson circulated the draft <i>Facilities Funding Responsibilities between Judicial Council and Superior Courts</i> for review. The comments of the Superior Court of Los Angeles County are as follow:</p> <p>The proposal should address solar panels (we note that it addresses electric car charging stations).</p> | Solar panels will be considered and prioritized accordingly by the TCFMAC, once the payback period is determined to be less than seven years. |
| | | Table A, item 2: power washing of hardscape. If this includes hazmat cleanup responsibilities (e.g., resulting from homeless encampments) then is a substantial and unsupportable cost shift. | (Pages 10–11): Items 192 and 193 capture this, which is the responsibility of Judicial Council Facilities Services. |
| | | Table A, item 63 specifically references bench type seating, but should also include provision for like-kind replacement of audience chairs. | (Page 7): Under Item 63, fixed theater-style seating will be replaced on a limited basis as Judicial Council Facilities Services has moved to bench-style seating for full-courtroom replacements. |
| 8. | Alan Counts, Chief Deputy of Administration | <p>Superior Court of California, County of Riverside General Comments:</p> <p>The draft does not clearly delineate how responsibilities have changed, the impact or the authority for the change. Trial Courts need to understand if there is a shifting of responsibility from the JCC for these facilities maintenance costs. Recommend the draft be revised to show the following:</p> | Tables A and B have been updated at the request of the Court Executives Advisory Committee (CEAC), which are attached. |
| | | <p>Currently Responsible: Change of Responsibility to: Fiscal Impact of Change: Authority for the Change:</p> <p>Recommend a clarification be added to confirm assumption items listed in the Facilities Services column are funded by Facilities Services but it is anticipated the actual work is to be completed by a Service Provider, Court staff using delegated funds or using the Facilities Modification process.</p> | Clarification has been added to the document. |

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| | | <p>In the Narrative of Changes to Previous Guidelines Document provide additional detail to the comment “Added Item” (i.e. Added to __ responsibility)</p> | <p>The draft Guidelines have been revised based on CEAC comments.</p> |
| | | <p>Attach copies or provide link to Guidelines 1 – 17 in document.</p> | <p>Previous guidelines refer to the attached <i>Guidelines for Prioritizing and Ranking Facility Modifications</i>, which are now superseded by the current draft guidelines under review. Prior to being superseded, the <i>Guidelines for Prioritizing and Ranking Facility Modifications</i> had been included in a document the TCFMAC used to aid its decisionmaking for prioritizing and ranking facility modifications. It was last reviewed by the TCFMAC in April 2015 and remained at the committee level without being submitted to the Judicial Council for adoption. Those Guidelines were the genesis from which the current draft Guidelines have been created.</p> |
| | | <p>Recommend a statement be added at the beginning of the document that clearly states that the lists do not pertain to new courthouse construction projects.</p> | <p>(Page 2): A statement that the Judicial Council is generally responsible for capital costs relating to the construction of new trial court facilities is indicated in section A, Capital Cost Responsibilities.</p> |
| | | <p>Maintenance, repair or replacement of any statutory, certification or code complaint requirements should be the JCC’s responsibility as the building owner. For example, electric car charging stations are required for the public by Cal Green or Distributed Antenna System (California Building Standard Code, Title 24, Part II).</p> | <p>Any systems in new buildings, which are constructed through a capital and required by applicable building code, is a Judicial Council responsibility. This situation does not apply to existing buildings. For example, the cost for the installation of electrical car charging stations at existing facilities (not required by applicable building code) is a trial court responsibility.</p> |

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| | | <p>Any maintenance, repair or replacement work associated with regularly scheduled or periodic renewal of required certifications or operating permits, fire, life safety systems or equipment should be the responsibility of the building owner. (i.e fuel storage tanks, window washing equipment and anchors, elevators, emergency response communication service, etc.)</p> | <p>Any certifications or operating permits for the equipment, which is required by building code, is maintained by the Judicial Council.</p> |
| | | <p>Generally, anything pertaining to the exterior of buildings or located outside the building envelope (parking lots, exterior shell, windows, generators, HVAC, roofs, etc.) the installation, replacement or maintenance should be the responsibility of the building owner.</p> <p>The following address specific items in the report:</p> <p>A. CAPITAL COST RESPONSIBILITIES - clarification</p> <p style="padding-left: 20px;">a. Outside Communications – Cable TV, Telephone Recurring Monthly Cost</p> <p style="padding-left: 20px;">b. Recurring Voice and Data Fees</p> <p style="padding-left: 40px;">i. The cost of telephone lines required for emergency response for elevators, fire alarm, etc. should continue to be the responsibility of the building owner.</p> <p><u>Table A</u></p> <p>Item 5 - Facilities Services: Building exterior – Window cleaning equipment must be certified twice a year under building code and should be the responsibility of the building owner</p> <p>Item 15 - Facilities Services: Server Room electrical needs change as equipment changes over time. Should be considered an on-going life</p> | <p>This is a general statement and Tables A and Table B should be referred to for clarification on specific items.</p> <p>(Page 2): For new capital projects, as mentioned in Section A, any cost related to getting cable television, telephone, or internet is the responsibility of the trial courts.</p> <p>Any costs for the telephone lines that are required for elevators, fire alarm, etc. will continue to be a Judicial Council Facilities Services responsibility.</p> <p>Table A Responses:</p> <p>(Page 5): The Judicial Council performs biannual maintenance reviews and maintains annual certifications of the window washing equipment on buildings that have window washing systems installed.</p> <p>(Page 5): As shown under Item 15, server rooms’ electrical requirements, such as new</p> |

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| | | <p>cycle expense and be the responsibility of Facilities Services.</p> <p>Item 16 - Facilities Services/Trial Court: If the UPS supports a large server room (MDF), recommend it be a Facilities Services responsibility. Small individual UPS(s) recommend they be a Trial Court responsibility</p> <p>Item 17 - Facilities Services: The JCC has typically been responsible for all of the network switches, routers and firewalls supporting a network. This is the building IT infrastructure backbone and should be removed from any proposed cost split and remain the responsibility of Facilities Services. Clarify what would be included in the 80/20 split.</p> | <p>electrical requirements for new servers, is a trial court responsibility.</p> <p>(Page 5): As shown in Item 16, any UPS system that is for IT systems or Communications (non-fire life safety system) is a trial court responsibility.</p> <p>(Page 6): Judicial Council Facilities Services is responsible for the hard-wired UPS required for fire and life systems.</p> <p>(Page 5): The footnote for Item 17, Integrated Network, has been revised to better define the cost responsibility between the Judicial Council and trial courts.</p> |
| | | <p>Item 18 - Facilities Services: If, Distributed antenna systems (DAS) fall into this category and they are required by code</p> <p>Item 30 - Electrical Outlet (new): Should look at reason for the outlet addition – could be both depending on reason for added outlet. Regardless, will remain a part of the building infrastructure even if user changed.</p> <p>Item 36 - Facilities Services / Trial Court: If added to the Judges’ parking as part of the initial construction of new courthouse or added to secure LEED certification for a building recommend it be a Facilities Services responsibility. Otherwise recommend it be a Trial Court responsibility.</p> | <p>(Page 6): If a Distributed Antenna System (DAS) is required by applicable building code on a new capital project, then its installation/maintenance is a Judicial Council responsibility. However, and in any existing facility, the installation and maintenance of a new DAS is a trial court responsibility.</p> <p>(Page 6): The addition of new power outlets in an existing facility under Item 30, for items such as kiosks, digital signage, or other equipment, is a trial courts responsibility.</p> <p>(Page 6): If the electrical car charging stations are required either as a part of LEED certification or required by the applicable building code in a new capital project, then that is a Judicial Council Facilities Services</p> |

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| | | | responsibility. However, if a trial court is requesting installation of an electrical car charging station at an existing building which was not required under the applicable building code, then it is a trial court responsibility. |
| | | Item 37 - Facilities Services / Trial Court: If added to staff parking as part of the initial construction of new courthouse or added to secure LEED certification for a building recommend it be a Facilities Services responsibility. Otherwise recommend it be a Trial Court responsibility. | (Page 6): Same comment as above. |
| | | Item 38 - Facilities Services: This is a California Building Standard code requirement (CAL Green). Recommend it be a Facilities Services responsibility. | (Page 6): Same comment as above. |
| | | Item 52 - Facilities Services / Trial Courts: If raised floors are used as a means to reduce construction costs in a project (i.e., ramping in a courtroom) recommend Facilities Services be responsible. Otherwise a Trial Court responsibility. | (Page 6): If the raised floors are part of capital project, then it is a Judicial Council Facilities Services responsibility. |
| | | Item 87 - Facilities Services: Data Room A/C needs change as equipment changes over time. The equipment is getting smaller but is generating more heat. Should be considered an on-going life cycle expense. Also, data room equipment changes mandated by JCC policy or program changes could result in HVAC equipment changes which should be included in policy or program change costs when mandated by the JCC. | (Page 7): If data room equipment changes are mandated by Judicial Council policy, then it would be revisited with the trial courts at that time. We are not aware of any policy change in the past that might have impacted the trial courts. |
| | | Item 97 - Facilities Services: This shift a significant cost to Trial Courts. Currently maintaining, repairing and replacing manual blinds, drapes and shades in chambers and courtrooms are the responsibility of the JCC. Confirm it does not include movable partitions? | (Page 8): Manual blinds, drapes and shades in chambers and courtrooms are the responsibility of the trial court. This also includes any manual movable partitions or cubicle partitions. |
| | | Item 102 - Facilities Services: If installed during construction, | (Page 8): If this is part of new capital |

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| | | recommend it be a Facilities Services responsibility. This should include high traffic areas, acoustical wall panels and covering, etc. | construction, then it is a Judicial Council Facilities Services responsibility. However, in normal course of wear and tear, this would not rise to the higher Priority 1 or 2 FM and would be deferred pending adequate funding. |
| | | Item 103 - Facilities Services: If installed during construction, recommend it be a Facilities Services responsibility. Same as 102 | (Page 8): Same comment as above. |
| | | Item 127 - Facilities Services: If installed during construction, recommend it be a Facilities Services responsibility. | (Page 9): This has been corrected. If this is part of a new capital construction, then it is a Judicial Council Facilities Services responsibility. |
| | | Item 128 - Facilities Services: If installed during construction, recommend it be a Facilities Services responsibility. Should include any shade, security film or roll-up covering. | (Page 9): If it is an automated shade or roll up covering, then it is a Judicial Council Facilities Services responsibility; however, if it is a manual shade or roll up, it is a trial court responsibility. |
| | | Item 163 - Facilities Services: This is required pursuant to 2017-2018 AB1127. Code compliance. Recommend it be a Facilities Services responsibility. | (Page 9): This item has been clarified. |
| | | Item 175 - Unknown: Need clarification on what “identification” | (Page 10): Identification signage is for way finding or room naming. If there are changes in the existing use, and a trial court wants to revise identification signage, then it is a trial court responsibility. |
| | | Item 197 - Trial Court: Clarity situation where Emergency Power Generator would be for non-emergency services? | (Page 11): Non-emergency services include full-building generators, IT systems, and HVAC for IT equipment. |
| | | <p>Table B</p> <p>Item 1 & 3 - JC Security Fund: Why is the responsibility for hardwired duress alarms and wireless duress alarms separated?</p> | <p>Table B Responses:</p> <p>(Page 13): Judicial Council only provides hardwired duress alarm system. No wireless duress alarm system is provided by Judicial</p> |

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| | | | Council. |
| | | Item 2 - JCC Security Special Fund: If installed at construction it should be a JCC responsibility | (Page 13): Judicial Council only provides hardwired duress alarm system. No wireless duress alarm system is provided by Judicial Council. For any existing wireless duress alarm system, the system is subject to Security Special funding. |
| | | Item 4 - Facilities Services: If installed at construction it should be a Facilities Services responsibility | (Page 13): Access control systems are maintained and used by trial courts with no input from the Judicial Council. Access control systems remain a trial court responsibility. |
| | | Item 9 - Facilities Services: If installed at construction, it should be a Facilities Services responsibility | (Page 13): This has been corrected, as it is a Judicial Council responsibility. |
| | | Item 11 - Unknown: Need clarification as to what Active Communication means for these interview rooms | (Page 13): This has been corrected, as it is a Judicial Council responsibility. |
| | | Item 15 - Unknown: Clarify or provide example of what is stand alone plugged equipment? | (Page 13): These are enhancements, add-ons or additions to existing screening equipment (magnetometer). For example, a gun powder residue check machine or micrometer wave checking machine, which are not provided by Judicial Council Facilities Services, is a trial court responsibility. |
| | | Item 17 - Others: TC does not provide Gun Safes – should this be “by others”? | (Page 13): An <i>Others</i> column has been included in the table to better clarify funding responsibility of items such as this. |
| | | Item 19 - Both: If the result of a JCC policy or standard change, shouldn't funding be provided by Facilities Services (i.e. camera above | (Page 13): Any changes in Judicial Council policy will be reviewed separately. Item 19 |

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| | | Clerks windows)? | pertains to additional cameras installed that are a trial court responsibility. |
| | | Item 25 - JCC Security Special Fund: If installed at construction should be a JCC responsibility | (Page 14): This system is not provided in new capital construction and is for existing facilities only. |
| | | Item 26 - JCC Security Special Fund: If installed at construction should be a JCC responsibility | (Page 14): Same comment as above. |
| | | Item 27 - Facilities Services: Should include the BAS' software Operating Systems when it reaches its end of life. | (Page 14): The Building Automated System includes all required operating software. |
| | | Item 43 - Unknown: Needs to be clarified what is being addressed. | (Page 14): Item 43 has been clarified. It is an additional notification system through texting or calling that is not covered under Table B Items 1, 2, or 3. |
| 9. | David Yamasaki Court Executive Officer | Superior Court of California, County of Orange Dear TCFMAC members: Thank you very much for extending the opportunity for the submission of comments regarding the draft document detailing the proposed assignment of financial responsibilities for the continued maintenance of court facilities. Over-all, the document is very well assembled and, in my view, details very reasonable responsibilities between trial courts and the Judicial Council. That said, I believe there is a need to add the assignment of responsibilities pertaining to the ongoing certification and maintenance requirements regarding Distributed Antenna Systems (DAS) and Bi-Directional Amplifiers (BDA's) that are critical and mandatory for the operation of court facilities. Below are further reasons to support modifications to language contained in the draft document. | (Page 6): Distributed Antenna Systems for fire protection has been added under Item 40A in Table A and is a Judicial Council Facilities Services responsibility. Bi-Directional Amplifiers (BDAs), if required for fire protection, is a Judicial Council Facilities Services responsibility. |

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| | | <p>Effective communications systems are critical for the effective and safe operation of our trial courts. Especially for new court construction projects, the costs associated with installing telephone systems and networking equipment has, very appropriately, been delegated to trial courts to install and maintain. There is, however, a very significant distinction concerning communication equipment that is necessary to enable communications for emergency purposes. Equipping court facilities with Fire/Life/Safety features such as: fire detection; sprinklers; fire rated stairwells; and DAS/BDA systems are components that are required for all new construction and are funded using court construction funds. Furthermore, regarding the latter, the systems must be certified on a regular basis. The cost of doing so can amount to approximately \$10k annually.</p> <p>As expressed earlier, with the exception described, the over-all content of the document are very detailed with delegated responsibilities appropriately suggested. Should there be a need for additional clarification, I would be more than willing to provide details if requested.</p> | |

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| 10. | CEAC Ad Hoc Working Group on Trial Court Facilities on behalf of the Court Executives Advisory Committee (Submitted by Donna Ignacio; contact is Mr. Shawn C. Landry, Chair.) David Yamasaki Court Executive Officer | <p>CEAC Ad Hoc Working Group on Trial Court Facilities on behalf of the Court Executives Advisory Committee</p> <p>Executive Summary</p> <p>On behalf of the Court Executives Advisory Committee (CEAC), the CEAC Ad Hoc Working Group on Trial Court Facilities (Working Group) has reviewed the draft <i>Facilities Funding Responsibilities between Judicial Council and Superior Courts</i>. Upon review of the draft document, the working group has provided comments to Tables A and B located within Attachment A: Trial Court Facilities Working Group Comment Chart. Comments provided are in addition to what has been submitted separately by other courts.</p> <p>General Comments</p> <p>Below are general comments and recommendations on the draft for consideration:</p> <ol style="list-style-type: none"> The draft does not clearly delineate how responsibilities have changed, the impact or the authority for the change. Trial Courts need to understand if there is a shift of responsibility from the Judicial Council to them for the identified facilities maintenance costs. Recommend the draft be revised to show the following: <table border="1" data-bbox="506 1149 1367 1279"> <tr> <td data-bbox="506 1149 709 1279">Currently Responsible:</td> <td data-bbox="709 1149 919 1279">Change of Responsibility to:</td> <td data-bbox="919 1149 1163 1279">Impact of Change (if known):</td> <td data-bbox="1163 1149 1367 1279">Authority for the Change:</td> </tr> </table> | Currently Responsible: | Change of Responsibility to: | Impact of Change (if known): | Authority for the Change: | <p>Tables A and B have been revised and are provided as separate attachments.</p> |
| Currently Responsible: | Change of Responsibility to: | Impact of Change (if known): | Authority for the Change: | | | | |
| | | <ol style="list-style-type: none"> Under Section B. Operations and Maintenance Cost Responsibilities Including Facilities Modifications, a statement should be added at the beginning of the draft that clearly states that the lists do not pertain to new courthouse construction projects. | (Page 3): Language has been added for clarity. | | | | |

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| | | <p>3. Any statutory or code compliant requirements should be the Judicial Council’s responsibility as the building owner. For example, electric car charging stations are required for the public by Cal Green (California Building Standard Code, Title 24, Part II).</p> | <p>Facilities that have required building code-related items are the responsibility of Judicial Council Facilities Services.</p> |
| | | <p>4. Generally, anything pertaining to the exterior of buildings or located outside the building envelope (parking lots, exterior shell, windows, generators, HVAC, roofs, etc.) the installation, replacement or maintenance should be the responsibility of the building owner.</p> | <p>The draft Guidelines align with this statement.</p> |
| | | <p>5. Generally, there should be a statement regarding anything related to emergency response, safety certifications, or emergency monitoring should be maintained by the owner of the building.</p> | <p>Same comment as above.</p> |
| | | <p>Fiscal and Operational Impacts</p> <p>The working group has provided comments given the shortened time frame but was not able to complete a thorough review of impact to trial courts that may be associated with changes and additions to the draft. Trial courts should be given more time to analyze the impact to their respective budgets and providing meaningful feedback. The potential impact on trial courts budgets is substantial with this policy.</p> <p>Attachment</p> <p>1. Attachment A: Trial Court Facilities Working Group Comment Chart</p> <p>TABLE A Format is: Item Number: Category-Suggested Responsible Party: Comment</p> | |

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| | | <p>Item 2: Building Envelope-FS: This should be a FS responsibility as window cleaning equipment must be certified at least twice a year.</p> | <p>(Page 5): Building cleaning equipment provided for a high-rise building is certified by Judicial Council once a year as required by applicable statutes. Inspection will follow at six-month intervals.</p> |
| | | <p>Item 4: Building Envelope-FS: This should be a FS responsibility. Clearing of cobwebs on the exterior of the building should be included in the “Pest Control” section of this document in items 170-173 as a FS responsibility. Interior cobwebs would generally be covered under janitorial contract. Exterior cobwebs would not. Instead, they align better in the pest control function. Some areas of the courthouse may be inaccessible to janitorial contractors.</p> | <p>(Page 5): Exterior window cleaning is clarified to be Judicial Council cost. Because current funding does and will most likely continue to lag demand, O&M projects and facility modifications that are the responsibility of and funded by the Judicial Council will be prioritized in alignment with the council’s <i>Trial Court Facility Modifications Policy</i>.</p> |
| | | <p>Item 15: Electrical-Both: Server room electrical requirements should be clarified. It is usually part of construction. If related to construction and functionality of electrical requirements within the building/IDF/MDF it should be a FS cost. If there are post construction costs associated with new servers, it should be a TCOF cost.</p> | <p>(Page 5): Item 15 pertains to existing facilities and not new construction. Any new outlet or relocation of an outlet unless required by a Priority 1 or Priority 2 FM is a trial court responsibility.</p> |
| | | <p>Item 16: Electrical-Both: UPS powers many functions in a courthouse and is usually part of construction. If related to construction and functions of the building should be FS, if related directly to CMS or other court added function, should be TCOF. It should also be noted that the same UPS may not only operate IT services but also other critical services within the building such as elevators, security cameras, security systems, building automation, etc.</p> | <p>(Page 5): As shown in Item 16, any UPS system that is for IT systems or Communications (non-fire life safety system) is a trial court responsibility.</p> <p>(Page 6): Judicial Council Facilities Services is responsible for the hard-wired UPS required for fire and life systems.</p> |
| | | <p>Item 17: Electrical-Both: Disagree with percentage of cost of the network assigned as indicated by the footnote: Courts 80%, Judicial Council 20%. How was percentage calculated? Given Converge Network is the backbone of many integrated systems the majority cost</p> | <p>(Page 5): The footnote for Item 17, Integrated Network, has been revised to better define the cost responsibility between the Judicial Council and trial courts.</p> |

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|--|-------------|--|---|
| | | <p>should be borne by the building owner, JCC or as shared cost in a county building. For example, this may also include security, security servers, security cameras, microphones, lighting, etc.</p> | |
| | | <p>Item 18: Electrical-FS: This should be a FS responsibility as Distributed Antenna Systems (DAS) fall into this category and are required by code. Provide clarification for this item.</p> | <p>(Page 5): If antennas/communication devices are required for a fire and life safety system, then it is a Judicial Council Facilities Services responsibility; otherwise, it is a trial courts responsibility.</p> |
| | | <p>Item 30: Electrical-Both: Provide clarification for this item. If related to construction, electrical outlets should be part of the cost of the building as a FS cost. If adding an outlet to an existing building and not required under code, then it should be a TCOF cost.</p> | <p>(Page 6): The addition of new power outlets in an existing facility under Item 30, for items such as kiosks, digital signage, or other equipment, is a trial courts responsibility.</p> |
| | | <p>Item 36: Electrical-Both: This was addressed by the policy in 2014. Need to differentiate between those stations installed during new construction or as a future add. Depending on this, both FS and TCOF may need to be checked. However, the policy should be reevaluated as a FS responsibility in new courthouses. This item also helps new buildings with LEED certification.</p> | <p>(Page 6): If the electrical car charging stations are required either as a part of LEED certification or required by the applicable building code in a new capital project, then that is a Judicial Council’s Facilities Services responsibility. However, if a trial court is requesting installation of an electrical car charging station at an existing building which was not required under the applicable building code, then it is a trial court responsibility.</p> |
| | | <p>Item 37: Electrical-Both: This was addressed by the policy created in 2014. Need to differentiate between those stations installed during new construction or as a future add. Depending on this, both FS and TCOF may need to be checked. However, the policy should be reevaluated as a FS responsibility in new courthouses. This item also helps new buildings with LEED certification.</p> | <p>(Page 6): Same comment as above.</p> |
| | | <p>Item 38: Electrical-Both: This was addressed by the policy created in</p> | <p>(Page 6): Same comment as above.</p> |

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| | Commentator | Comments | Judicial Council Staff Responses |
|--|-------------|---|---|
| | | 2014. Need to differentiate between those stations installed during new construction or as a future add. Depending on this, both FS and TCOF may need to be checked. However, the policy should be reevaluated as a FS responsibility in new courthouses. This item also helps new buildings with LEED certification. | |
| | | Item 52: Flooring-FS: Provide clarification for this item. This should be a FS responsibility if raised flooring is used in new projects for ramping in courtrooms to mitigate construction costs. | (Page 6): If the raised floors are used to reduce construction costs in a capital project, then it is a Judicial Council Facilities Services responsibility. |
| | | Item 79: HVAC-FS: This should be a FS responsibility as janitorial are not allowed in restricted areas. | (Page 7): This is a trial court responsibility, and if the system is located in a restricted area, then it should be coordinated by the trial court. |
| | | Item 80: HVAC-FS: This cost should be aligned with FS as janitorial contractors are often prohibited from restricted/in- custody areas. | (Page 7): This is a trial court responsibility, and the trial courts should coordinate with the Sheriff department for after-hours cleaning. |
| | | Item 97: Interior Finishes-FS: This should be a FS responsibility. Manual blinds and shades as part of new construction are the responsibility of the building owner, JCC or as a shared cost in a county building. | (Page 8): Manual blinds, drapes and shades in chambers and courtrooms are a trial court responsibility. This also includes any manual movable partitions or cubicle partitions. |
| | | Item 102: Interior Finishes-FS: Paneling is a permanent fixture when in place at time of construction and is the responsibility of the building owner, JCC or a shared cost in a county building. If an added feature by local court, it is the court responsibility. | (Page 8): If this is part of new capital construction, then it is a Judicial Council Facilities Services responsibility. However, in normal course of wear and tear, this would not rise to the higher Priority 1 or 2 FM and would be deferred pending adequate funding. |

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| | | <p>Item 103: Interior Finishes-FS: Paneling is a permanent fixture when in place at time of construction and is the responsibility of the building owner, JCC or a shared cost in a county building. If an added feature by local court, it is the court responsibility.</p> | <p>(Page 8): Same comment as above.</p> |
| | | <p>Item 127: Office Equipment-FS: This should be a FS responsibility if related to construction and functions of the building. Active communication system is typically an integrated part of the clerk windows. Also clarify active communication.</p> | <p>(Page 9): This has been corrected. If this is part of a new capital construction, then it is a Judicial Council Facilities Services responsibility. Active Communications refers to a system that requires outside power to enable communications.</p> |
| | | <p>Item 128: Office Equipment-FS: This should be a FS responsibility if related to construction and functions of the building. Active communication system is typically an integrated part of the clerk windows. Also clarify active communication.</p> | <p>(Page 9): Same comment as above.</p> |
| | | <p>Item 137: Office Equipment-FS: This should be a FS responsibility if installed part of new building construction and part of the overall building design.</p> | <p>(Page 9): Since these filing systems are heavily used by the trial courts, and that use impacts the maintenance, this is not a Judicial Council Facilities Services responsibility. Similar to furniture, this is a piece of equipment that is the responsibility of the trial courts to remove or replace.</p> |
| | | <p>Item 180: Signage-Both: Need clarification on this item. This should be a FS responsibility if the numbering and signage system is part of the building construction. If there are additions or changes to the existing signage system, then it is a TCOF responsibility.</p> | <p>(Page 10): After new construction signage has been installed, any added, revised, or replacement signage is a trial court responsibility.</p> |
| | | <p>Item 197: Electrical-FS: This should be a FS responsibility. Typically, generator systems are not only dedicated to only IT but are integrated into other critical areas of courthouses. Do many courts have a designated generator for just IT infrastructure?</p> | <p>(Page 11): Only few a courts have designated generators for non-emergency services that are integrated, and the shared percentage is determined by the load of the non-emergency equipment compared to emergency equipment.</p> |

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|--|-------------|---|---|
| | | <p>TABLE B</p> <p>Format is: Item Number: Category-Suggested Responsible Party: Comment</p> <p>Item 2: Alarms-This should be a FS responsibility if installed part of the building construction.:</p> | <p>(Page 13): Judicial Council only provides hardwired duress alarm system. No wireless duress alarm system is provided by Judicial Council. For any existing wireless duress alarm system, the system is subject to Security Special funding</p> |
| | | <p>Item 4: Building Access-This should be a FS responsibility if installed part of the building construction.</p> <p>Item 6: Gun Locker-Need explanation regarding these items and how they are related to local court cost. Appears to be security/sheriff related and not a cost authorized to be expended by the local court from operations funding.:</p> <p>Item 8: Holding Cells-Need explanation regarding these items and how they are related to local court cost. Appears to be security/sheriff related and not a cost authorized to be expended by the local court from operations funding.:</p> <p>Item 9: Communication & Security-This should be a FS responsibility if installed part of the building construction. Need explanation regarding these items and how they are related to local court cost. Appears to be security/sheriff related and not a cost authorized to be</p> | <p>(Page 13): Access control system is maintained and used by trial courts with no input from the Judicial Council. All access control systems remain a trial court responsibility.</p> <p>(Page 13): An <i>Others</i> column has been included in the table to better clarify funding responsibility of items such as this. The Sheriff's Department is responsible for this cost.</p> <p>(Page 13): Same comment as above.</p> <p>(Page 13): This has been corrected, as it is a Judicial Council responsibility.</p> |

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| | | <p>expended by the local court from operations funding. Provide clarification of “active” communication.:</p> | |
| | | <p>Item 10: Interview Rooms-This should be a FS responsibility. Need explanation regarding these items and how they are related to local court cost. Appears to be security/sheriff related and not a cost authorized to be expended by the local court from operations funding. Due to security reasons, these areas (windows and communication systems) are typically integrated into the functionality of interview room. It should also be part of the overall building design. Provide clarification of “passive” communication.:</p> | <p>(Page 13): This item has been clarified. There is no impact to court operations funding on this. Passive communication is openings in the frame or other method, which does not require power to enable communication between the two sides.</p> |
| | | <p>Item 11: Interview Rooms-This should be a FS responsibility. Need explanation regarding these items and how they are related to local court cost. Appears to be security/sheriff related and not a cost authorized to be expended by the local court from operations funding. Due to security reasons, these areas (windows and communication systems) are typically integrated into the functionality of interview room. It should also be part of the overall building design. Provide clarification of “active” communication.:</p> | <p>(Page 13): This has been corrected, as it is a Judicial Council responsibility.</p> |
| | | <p>Item 15: Security related-Need clarification as to what “stand-alone plugged equipment”. This, theoretically, could mean a magnetometer which also plugs in and is also mentioned in item 12. Could possibly be both funding responsibilities dependent on the clarification provided.:</p> | <p>(Page 13): These are enhancements, add-ons or addition to existing screening equipment (magnetometer). For example, a gun powder residue check machine or micrometer wave checking machine, which are not provided by Judicial Council Facilities Services, is a trial court responsibility.</p> |
| | | <p>Item 25: Alarms-This should be a FS responsibility if installed part of the building construction.:</p> | <p>(Page 14): Intrusion alarm are not provided for new courthouse construction and is a trial court responsibility.</p> |

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| | | Item 26: Alarms-This should be a FS responsibility if installed part of the building construction.: | (Page 14): Same comment as above. |
| | | Item 43: Notification-Need clarification on this item. | (Page 14): Item 43 has been clarified. It is an additional notification system through texting or calling that is not covered under Table B Items 1, 2, or 3. |
| 11. | Michael Roddy Executive Officer | <p>Superior Court of California, County of San Diego</p> <p>Dear Members of the Trial Court Facilities Modification Advisory Committee:</p> <p>I am writing to provide public comment on behalf of the San Diego Superior Court to the draft <i>Facilities Funding Responsibilities between Judicial Council and Superior Courts</i>. This draft was circulated by Facilities Supervisor Chris Magnusson on June 10, 2019. We do not believe that this draft proposal should move forward without more analysis and direct discussion with trial courts on the impacts to local trial court budgets.</p> | |
| | | <p>Before getting into some specific issues that we have with this proposal, as a general matter, it appears that this draft is intended to not only define the facilities operations and maintenance responsibilities (and funding) between the Judicial Council and trial courts, but also to shift what have been Judicial Council/State responsibilities onto the trial courts. Clearer definitions between the parties is a good step. Shifting responsibilities in the way it is being attempted here is not a good step. We have had to piece together information from multiple sources to try to better understand what currently exists versus what is being proposed. The realignment of state and local responsibilities and costs is a potentially significant funding change that imposes new, unfunded costs on already overburdened local trial court budgets.</p> | <p>The TCFMAC does not intend to recommend the Guidelines for Judicial Council review/adoption, as they do not reapportion fiscal responsibilities between the Judicial Council and trial courts but clarify current responsibility for costs for systems, components, and equipment of capital, O&M, and FM projects.</p> |

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| | | <p>With regard to the proposed changes in the matrix. A representative sample of specific items that stand out include:</p> <p>File Tracking System: It is difficult to understand what this item refers to without any detailed description. In our Central Courthouse, the Judicial Council's facility staff have loosely defined the electrified high-density filing system as "File Tracking Furniture System"; and it is their position that our court is responsible for the maintenance and repairs of the units. The installation of these high-density filing units involved the architect, structural engineer and general contractor to design and reinforce the floor slabs for the additional equipment weight, and the electrical engineer to provide the NEMA 5- 20P dedicated electrical connections. Based on the special structural and electrical construction, it is inaccurate to define the electrified high-density filing units as "Furniture". It is also not appropriate to shift the maintenance and repair responsibility of the units to the Superior Court. When the Judicial Council project management team</p> | <p>(Page 2): A File Tracking System is used by the trial courts, and the use of the system triggers irregular maintenance obligations. It is a furniture system and therefore is a trial court responsibility.</p> |
| | | <p>reduces the courthouse square footages on new projects and suggests that to make up for lost areas with electrified high-density filing units, courts need to be clearly informed, up front, that the funding responsibility for the maintenance and repairs of the units will be placed on Superior Court.</p> <p>Antennas/Communication Dishes: Currently our court does not use or maintain any antennas or communication dishes in any of our courthouses. It is not appropriate to shift the responsibility of these items to the trial courts.</p> <p>Carpet Maintenance and Repair: In both Judicial Council-managed buildings and County-managed buildings, common spaces are shared</p> | <p>Agree with the comment. The Guidelines will be distributed to all trial courts engaged in capital projects to ensure they are advised during the project's design phase.</p> <p>Judicial Council Facilities Services does not install any antennas or communication dishes. If a trial court is installing any such equipment, it is the responsibility of the trial court.</p> <p>Any tripping related repairs is performed by Judicial Council Facilities Services.</p> |

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| | | <p>by various tenant county and court departments. It has always been the landlord's responsibility to maintain and eliminate any tripping hazards in common lobbies and corridor areas. It is not appropriate to shift this responsibility to the trial courts.</p> <p>Flooring Covering Maintenance and Repair: The Judicial Council has always taken care of the repairs and replacements of broken and bulged up floor tiles in lobbies, corridors and restrooms. The reasons for floor tile failures can range from structural slab issues, water seepage, poor tile installation, bad tile adhesive or mastic, etc. The floorcovering failure areas can occur in common spaces shared by Judicial Council and the County. Local trial courts do not have the ability to negotiate and maintain these types of issues. It is not appropriate to shift the responsibility to the trial courts.</p> | <p>However, because of lack of funding, the trial courts may pay for carpet replacement pursuant to the council's <i>Court-Funded Facilities Request Policy</i> and rule 10.810 of Rules of Court.</p> <p>Any tripping related repairs or any floor failures because of non-regular wear and tear is performed by Judicial Council Facilities Services. However, because of lack of funding, the trial courts may pay for the replacement of floor tiles pursuant to the council's <i>Court-Funded Facilities Request Policy</i> and rule 10.810 of Rules of Court.</p> |
| | | <p>Garbage Disposals: Garbage disposals are connected to the building plumbing and electrical systems, therefore it is not appropriate to shift the responsibility to the trial courts.</p> <p>Trash Compactors: There are no trash compactor appliances in the San Diego Superior Court operational spaces. It should be clarified that trash compactors for the buildings (generally located at the loading dock areas) are the Judicial Council's responsibility to manage and maintain.</p> <p>Rekeying (due to loss): It should be clarified that if the cause for lost keys is due to the Judicial Council staff or their contractors, the Judicial Council would be responsible for rekeying the courthouse.</p> | <p>If the garbage disposal is required to be provided by Building Codes, then it is a Judicial Council responsibility</p> <p>If trash compactors are provided as a part of the new capital project, it is maintained by the Judicial Council. Trash compactors at loading dock areas are a Judicial Council responsibility.</p> <p>(Page 7): Item 74 now includes a footnote to clarify when the Judicial Council is responsible.</p> |

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| | | <p>Wallcoverings: In both Judicial Council-managed buildings and County-managed buildings, common spaces are shared by various tenant county and court departments. It has been the landlord's responsibility to maintain and repair the wallcovering in common lobbies and corridor areas. It is not appropriate to shift this responsibility to the trial courts.</p> | <p>If this is part of new capital construction, then it is a Judicial Council Facilities Services responsibility. However, in normal course of wear and tear, this would not rise to the higher Priority 1 or 2 FM and would be deferred pending adequate funding.</p> |
| | | <p>Additional Data Room Air Conditioning Systems over the Provided Existing System: This title does not make sense to use. The Judicial Council is currently responsible for providing functional air-conditioning in the Data Room so data equipment will not heat up or burn up. If the Judicial Council keeps the Data Room within its required temperature range, then no additional air-conditioning would be required. If an additional air-conditioning systems are needed to supplement an inadequate air- conditioning system, then Judicial Council should be responsible for the maintenance and repairs of the additional air-conditioning system.</p> | <p>Judicial Council Facilities Services maintains and repairs existing air conditioning systems for Data Rooms. If trial court plan to add or expand an existing Data Room, which requires additional air conditioning, then this is a trial court responsibility.</p> |
| | | <p>Paper Towel Dispensers (hang/re-hang), Seat Cover Dispensers (hang/re-hang), Soap Dispensers (hang/re-hang), Toilet Paper Dispensers (hang/re-hang): As the landlord, the Judicial Council needs to comply with the health code and maintain a healthy environment in courthouses. The above items are necessary for keeping a clean and healthy environment; therefore, the hang and re-hanging broken restroom dispensers should be the responsibility of Judicial Council.</p> | <p>If the accessories are provided through a court's janitorial contract, then it is a court responsibility. Accessories are to be provided by the court and installed by the Judicial Council.</p> |
| | | <p>Detention Control -Active Communication: The Judicial Council has always maintained and repaired the detention intercom systems. Our IT technicians do not have the expertise or access into the holding areas to perform maintenance or repair work. It is not appropriate to shift this</p> | <p>(Page 13): Item 11 has been revised to reflect Judicial Council responsibility. Footnotes have been added to Items 10 and 11 to clarify the difference between passive and active</p> |

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| | | responsibility to the trial courts. | communication. |
| | | Active Communication (in-custody interview rooms): The Judicial Council has always maintained and repaired the in-custody/attorney interview intercom systems. Our IT technicians do not have the expertise or access into the holding areas to perform maintenance or repair work. It is not appropriate to shift this responsibility to the trial courts. | (Page 13): Same comment as above. |
| | | Digital Video Recording (DVR) as Components of Complete Security System and Plan: the Judicial Council needs to provide the details on the number of days/months and video resolution capabilities that the surveillance video recording system will provide. The Sheriffs Department of each Superior Court should have the opportunity to review the DVR recording information and provide their recording capacity requirements. Having to currently deal with a DVR recording system whose storage capability is completely inadequate, it is clear to us that this item requires more detail and a review/comment process for trial courts to ensure that acceptable and necessary systems and storage are provided. | <p>(Page 13): These video surveillance systems are installed for the benefit of the courts and their security providers with the goal of increasing their situational awareness in and around court facilities. Video surveillance equipment is designed to be a force multiplier for the security provider by placing cameras in locations where security staff is not always physically present. The primary use of these systems is not as evidence collection tools or aids to court proceedings, but to identify incidents or potential incidents in progress, allowing for a preventative or reactive security response, and to provide a reasonable timeframe during which the recorded video of these incidents can be reviewed and/or retained.</p> <p>The Judicial Council has increased the standard data retention time from 7 to 30 days. It has been the experience of the Judicial Council that 30 days of video footage is sufficient in the vast majority of cases where past footage is required for</p> |

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| | | | investigative purposes. It should also be noted the California judicial branch is not subject to the same statutory requirements for data retention as are county and city governmental entities. Current standards include resolution requirements that meet or exceed industry standards for HD cameras. |
| | | We believe that this proposal is a potentially significant change in the responsibilities and relationship between the Judicial Council's Facilities Services Division and the Superior Courts. Much more work and discussion should occur, especially when the result of this change would be to let the State and the state general fund off the hook for facilities maintenance and repair costs, while placing new unfunded burdens on the operational budgets of the local trial courts. | The TCFMAC does not intend to recommend the Guidelines for Judicial Council review/adoption, as they do not reapportion fiscal responsibilities between the Judicial Council and trial courts but clarify current responsibility for costs for systems, components, and equipment of capital, O&M, and FM projects. |
| | | <p>Shifting facility maintenance and repair costs onto the trial courts, without any mechanism to add sufficient funding to court operational budgets to cover these increased costs, will force trial courts to choose between providing court access and services to the public and maintaining safe and adequate state facilities. This is not a choice that should be pushed onto local trial courts without a great deal more analysis and discussion.</p> <p>Thank you for the opportunity to provide our comments.</p> | Same comment as above. |
| 12. | Karen Dixon, Judge | <p>Superior Court of California, County of Siskiyou</p> <p>We are unable to properly respond to the draft because there is insufficient descriptive explanation as to the items entered on the list under A and B as well as under section A. Capital Cost Responsibilities. It is also unclear whether there will be a difference in funding responsibilities depending upon whether the building is new or modification, etc. For instance, under section A, the table demonstrates that the audio recording equipment used to tie into a new system is the responsibility of the trial</p> | Section A of the draft Guidelines applies to new capital construction projects, and Section B applies to existing facilities maintenance and repair. |

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| | | <p>court. Our new courthouse is currently being built. Many of the recording equipment contemplated is to be installed per Judicial Council requirements. Is there an additional cost to our court to purchase equipment not installed? Is the trial court responsible for the costs of the equipment to be installed aside from the new facility funding provided for such costs? Further, it appears that much of the exterior maintenance as described in Table A, specifically numbers 2, and 5, has been shifted from Facilities Management to the trial courts. I hope that you are able to provide such information so we may properly respond to the draft. Thank you for your assistance.</p> | |

END OF COMMENTS

CEAC Update: TABLE A – Building systems, components and equipment, excluding building security systems

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds | Currently Responsible | Change of Responsibility To | Impact of Change (if known) | Authority for the Change |
|--------|--------------------------|--|---|------------------|------------------------------|-------------------------------|------------------------------|-----------------------------|---|
| 1. | Building Envelope | Exterior Doors | Doors and Doorknobs | X | | Judicial Council | | N/A | N/A |
| 2. | Building Envelope | Exterior Doors, Entryway, and Sidewalk | Exterior entrance power washing. Power washing for stains, debris and dirt | | X | Judicial Council | Trial Court Operation Funds | N/A | Correction of the Janitorial responsibility |
| 3. | Building Envelope | Exterior Walls | Exterior wall finish | X | | Judicial Council | | N/A | N/A |
| 4. | Building Envelope | Exterior Windows | Clearing or Cleaning cobwebs from windows, corners (janitorial) | X | | Trial Court Operation Funds | Judicial Council | N/A | N/A |
| 5. | Building Envelope | Exterior Windows | Window cleaning exterior | X | | Judicial Council | | N/A | N/A |
| 6. | Building Envelope | Exterior Windows | Windows (repair, occasional replacement) | X | | Judicial Council | | N/A | N/A |
| 7. | Building Envelope | Foundation | Foundation | X | | Judicial Council | | N/A | N/A |
| 8. | Building Envelope | Interior Windows | Window cleaning Interior (janitorial) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 9. | Building Envelope | Other Site System | Flag Poles and Flag replacement | X | | Judicial Council | | N/A | N/A |
| 10. | Building Envelope | Other Site System | Flag lowering and raising | | X | Not Indicated | Trial Court Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 11. | Electrical | Branch Wiring | Raceway | X | | Judicial Council | | N/A | N/A |
| 12. | Electrical | Service & Distribution | ATS switches | X | | Judicial Council | | N/A | N/A |
| 13. | Electrical | Branch Wiring | Cabling work stations | | X | Trial Courts Operations Funds | | N/A | N/A |
| 14. | Electrical | Communications & Security | Plug-in power monitoring for data systems | | X | Trial Courts Operations Funds | | N/A | N/A |
| 15. | Electrical | Communications & Security | Server room electrical requirements (e.g., new electrical requirements for new servers) | | X | Judicial Council | Trial Court Operation Funds | <\$5K per outlet | Clarification that Court requested addition of new outlets is not Judicial Council responsibility |
| 16. | Electrical | Communications & Security | UPS - uninterruptible power supply | | X | Not Indicated | Trial Court Operation Funds | N/A | Clarification of new line and not a shift of responsibility |
| 17. | Electrical | Communications & Security | Integrated Network | X | X | Not Indicated | Trial Court Operation Funds | N/A | Clarification of new line and not a shift of responsibility |
| 17A. | Electrical | IT | Infrastructure - fiberoptic | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 17B. | Electrical | IT | Routers | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 17C. | Electrical | IT | Switches | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 17D. | Electrical | IT | Servers | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 17E. | Electrical | IT | Maintenance | | X | Not Indicated | Trial Court Operation Funds | N/A | Clarification of new line and not a shift of responsibility |
| 17F. | Electrical | IT | Software | | X | Not Indicated | Trial Court Operation Funds | N/A | Clarification of new line and not a shift of responsibility |
| 18. | Electrical | Low Voltage Electrical | Antennas/communication dishes | | X | Trial Courts Operations Funds | | N/A | N/A |
| 19. | Electrical | Low Voltage Electrical | Business Data Cabling | | X | Trial Courts Operations Funds | | N/A | N/A |
| 20. | Electrical | Low Voltage Electrical | Lower voltage cable | X | | Judicial Council | | N/A | N/A |
| 21. | Electrical | Low Voltage Electrical | Security cabling | X | | Judicial Council | | N/A | N/A |
| 22. | Electrical | Low Voltage Electrical | Telephone/telephone cabling (Move, Change, or add) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 23. | Electrical | Low Voltage Electrical | TV Cable/CCTV | | X | Trial Courts Operations Funds | | N/A | N/A |
| 24. | Electrical | Service & Distribution | Lighting (cubicle, desk or task) | | X | Trial Courts Operations Funds | | N/A | N/A |

CEAC Update: TABLE A – Building systems, components and equipment, excluding building security systems

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds | Currently Responsible | Change of Responsibility To | Impact of Change (if known) | Authority for the Change |
|--------|--------------------------|---------------------------|---|------------------|------------------------------|-------------------------------|---|-----------------------------|---|
| 25. | Electrical | Service & Distribution | Lighting (except cubicle, desk or task) | X | | Judicial Council | | N/A | N/A |
| 26. | Electrical | Service & Distribution | Switchgear | X | | Judicial Council | | N/A | N/A |
| 27. | Electrical | Service & Distribution | Transformers | X | | Judicial Council | | N/A | N/A |
| 28. | Electrical | Service & Distribution | Ballasts | X | | Judicial Council | | N/A | N/A |
| 29. | Electrical | Service & Distribution | Capacitance bank | X | | Judicial Council | | N/A | N/A |
| 30. | Electrical | Service & Distribution | Electrical outlets (new) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 31. | Electrical | Service & Distribution | Electrical outlets (repair and replace) | X | | Judicial Council | | N/A | N/A |
| 32. | Electrical | Building Envelope | Exterior lights | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 33. | Electrical | Service & Distribution | Face plates (replace/install) | X | | Judicial Council | | N/A | N/A |
| 34. | Electrical | Site Lighting | Exterior lights | X | | Judicial Council | | N/A | N/A |
| 35. | Electrical | Site Lighting | Parking lot lighting | X | | Judicial Council | | N/A | N/A |
| 36. | Electrical | Site Electrical | Electrical car charging stations (Judicial Officers parking) | | X | Trial Court Operations Funds | | N/A | N/A |
| 37. | Electrical | Site Electrical | Electrical car charging stations (Staff parking) | | X | Trial Court Operations Funds | | N/A | N/A |
| 38. | Electrical | Site Electrical | Electrical car charging stations (Public parking) | X | X | Trial Court Operations Funds | Judicial Council & Trial Court Operations Funds | N/A | Added responsibility for Judicial Council to fund the line item |
| 39. | Fire Life Safety | Fire Protection | Computer fire suppression system | X | | Judicial Council | | N/A | N/A |
| 40. | Fire Life Safety | Fire Protection | Extinguishers | X | | Judicial Council | | N/A | N/A |
| 40A. | Fire Life Safety | Fire Protection | Public Distributed Antenna System | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 41. | Fire Life Safety | Fire Protection | Fire alarm system | X | | Judicial Council | | N/A | N/A |
| 42. | Fire Life Safety | Fire Protection | Fire sprinkler system | X | | Judicial Council | | N/A | N/A |
| 43. | Fire Life Safety | Communications & Security | Fire alarm system monitoring | X | | Judicial Council | | N/A | N/A |
| 44. | Fire Life Safety | Emergency Power | Emergency Exit Lighting | X | | Judicial Council | | N/A | N/A |
| 45. | Fire Life Safety | Emergency Power | Emergency Generator | X | | Judicial Council | | N/A | N/A |
| 46. | Fire Life Safety | Emergency Power | Emergency lighting | X | | Judicial Council | | N/A | N/A |
| 47. | Fire Life Safety | Emergency Power | UPS - uninterruptible power supply (hard-wired) | X | | Judicial Council | | N/A | N/A |
| 48. | Flooring | Floor Finishes | Carpet maintenance and repair | | X | Trial Courts Operations Funds | | N/A | N/A |
| 49. | Flooring | Floor Finishes | Floor covering maintenance and repair | | X | Trial Courts Operations Funds | | N/A | N/A |
| 50. | Flooring | Floor Finishes | Maintenance and repair (safety-related ONLY) | X | | Judicial Council | | N/A | N/A |
| 51. | Flooring | Floor Finishes | Non-cosmetic repairs | X | | Judicial Council | | N/A | N/A |
| 52. | Flooring | Floor Finishes | Raised floor panels maintenance and repair | X | | Trial Courts Operations Funds | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 53. | Furnishings | Appliances | Appliances (hard connected to mechanical or electrical systems) | X | | Judicial Council | | N/A | N/A |
| 54. | Furnishings | Appliances | Break room water dispensers (unfixed) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 55. | Furnishings | Appliances | Built-in amenities (maintain, repair and replace existing) | X | | Judicial Council | | N/A | N/A |
| 56. | Furnishings | Appliances | Counter style appliances | | X | Trial Courts Operations Funds | | N/A | N/A |
| 57. | Furnishings | Appliances | Garbage Disposals | | X | Trial Courts Operations Funds | | N/A | N/A |
| 58. | Furnishings | Appliances | Ice-Makers (standalone) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 59. | Furnishings | Appliances | Microwaves | | X | Trial Courts Operations Funds | | N/A | N/A |
| 60. | Furnishings | Appliances | Ovens and Stoves | | X | Trial Courts Operations Funds | | N/A | N/A |
| 61. | Furnishings | Appliances | Refrigerators, Freezers and other stand-alone equipment | | X | Trial Court Operations Funds | | N/A | N/A |

CEAC Update: TABLE A – Building systems, components and equipment, excluding building security systems

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds | Currently Responsible | Change of Responsibility To | Impact of Change (if known) | Authority for the Change |
|--------|--------------------------|-----------------------------|---|------------------|------------------------------|-------------------------------|-------------------------------|-----------------------------|---|
| 62. | Furnishings | Appliances | Trash Compactors | | X | Trial Courts Operations Funds | | N/A | N/A |
| 63. | Furniture | Fixed | Audience Seating (Bench-style) | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 64. | Furniture | Fixed | Jury seating | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 65. | Furniture | Fixed | Gang seating | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 66. | Furniture | Unfixed | Chairs, seats around tables | | X | Not Indicated | Trial Courts Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 67. | Furniture | Unfixed | Couches | | X | Not Indicated | Trial Courts Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 68. | Hardware | Exterior and Interior Doors | Automatic door openers[4] | X | | Judicial Council | | N/A | N/A |
| 69. | Hardware | Exterior and Interior Doors | Door closers | X | | Judicial Council | | N/A | N/A |
| 70. | Hardware | Exterior and Interior Doors | Hinges | X | | Judicial Council | | N/A | N/A |
| 71. | Hardware | Exterior and Interior Doors | Key schedule | X | | Judicial Council | | N/A | N/A |
| 72. | Hardware | Exterior and Interior Doors | Keys | X | | Judicial Council | | N/A | N/A |
| 73. | Hardware | Exterior and Interior Doors | Lock sets (includes cipher and access control connected hardware) | X | | Judicial Council | | N/A | N/A |
| 74. | Hardware | Exterior and Interior Doors | Rekeying (due to loss) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 75. | Hardware | Lock Specialty | Unfixed furnishing, cabinet keys and locks | | X | Trial Courts Operations Funds | | N/A | N/A |
| 76. | Hardware | Exterior Windows | Window screens | X | | Judicial Council | | N/A | N/A |
| 77. | HVAC | Air Distribution | Balancing air distribution | X | | Judicial Council | | N/A | N/A |
| 78. | HVAC | Air Distribution | Air conditioning | X | | Judicial Council | | N/A | N/A |
| 79. | HVAC | Air Distribution | Diffusers - cleaning room-side of vents (janitorial) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 80. | HVAC | Air Distribution | Holding Cell Diffusers - cleaning room-side of vents (janitorial) | | X | Not Indicated | Trial Courts Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 81. | HVAC | Air Distribution | Distribution supply and return duct | X | | Judicial Council | | N/A | N/A |
| 82. | HVAC | Air Distribution | VAV box controllers | X | | Judicial Council | | N/A | N/A |
| 83. | HVAC | Controls & Instrumentation | Building Automation System (BAS) | X | | Judicial Council | | N/A | N/A |
| 84. | HVAC | Controls & Instrumentation | Energy Management System | X | | Judicial Council | | N/A | N/A |
| 85. | HVAC | Cooling System | Chiller | X | | Judicial Council | | N/A | N/A |
| 86. | HVAC | Cooling System | Data room air conditioning systems | X | | Judicial Council | | N/A | N/A |
| 87. | HVAC | Cooling System | Additional Data room air conditioning systems over the provided existing system | | X | Not Indicated | Trial Courts Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 88. | HVAC | Cooling System | Roof-top units | X | | Judicial Council | | N/A | N/A |
| 89. | HVAC | Cooling System | Swamp coolers | X | | Judicial Council | | N/A | N/A |
| 90. | HVAC | Heating System | Boiler | X | | Judicial Council | | N/A | N/A |
| 91. | HVAC | Heating System | Steam boiler | X | | Judicial Council | | N/A | N/A |
| 92. | HVAC | Vent Pipe & Fittings | Roof-top exhausts | X | | Judicial Council | | N/A | N/A |
| 93. | HVAC | Vent Pipe & Fittings | Exhaust duct | X | | Judicial Council | | N/A | N/A |
| 94. | Interior Finishes | Ceiling Finishes | Ceiling Tiles | X | | Judicial Council | | N/A | N/A |
| 95. | Interior Finishes | Movable Furnishings | Artwork (owned and/or loaned) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 96. | Interior Finishes | Movable Furnishings | Automatic Blinds/Drapes/Shades (maintain, repair and replace) | X | | Judicial Council | | N/A | N/A |
| 97. | Interior Finishes | Movable Furnishings | Manual Blinds/Drapes/Shades (maintain, repair and replace) | | X | Not Indicated | Trial Courts Operations Funds | N/A | Clarification of new line and not a shift of responsibility |

CEAC Update: TABLE A – Building systems, components and equipment, excluding building security systems

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds | Currently Responsible | Change of Responsibility To | Impact of Change (if known) | Authority for the Change |
|--------|--------------------------|---|--|------------------|------------------------------|-------------------------------|-------------------------------|-----------------------------|---|
| 98. | Interior Finishes | Movable Furnishings | Blinds/Drapes/Shades - Cleaning | | X | Trial Courts Operations Funds | | N/A | N/A |
| 99. | Interior Finishes | Movable Furnishings | Office pictures or personal decorations | | X | Trial Courts Operations Funds | | N/A | N/A |
| 100. | Interior Finishes | Special Coverings | Visual security barriers (tinting) | X | | Judicial Council | | N/A | N/A |
| 101. | Interior Finishes | Special Finishes | Kick plates | X | | Judicial Council | | N/A | N/A |
| 102. | Interior Finishes | Wall Coverings | Paneling[5] | | X | Trial Courts Operations Funds | | N/A | N/A |
| 103. | Interior Finishes | Wall Coverings | Wall coverings | | X | Trial Courts Operations Funds | | N/A | N/A |
| 104. | Interior Finishes | Wall Finishes | Minor touch-up painting (for graffiti/vandalism only) | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 105. | Interior Finishes | Wall Finishes | Minor touch-up painting (for aesthetics) | | X | Not Indicated | Trial Courts Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 106. | Interior Finishes | Wall Finishes | Paint - Exterior | X | | Judicial Council | | N/A | N/A |
| 107. | Interior Finishes | Wall Finishes | Paint - Interior (cosmetic purposes) (Court- Exclusive Areas) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 108. | Interior Finishes | Wall Finishes | Paint - Interior (non-cosmetic) (Shared Use/Common Areas) | X | | Judicial Council | | N/A | N/A |
| 109. | Interior Finishes | Wall Finishes | Wall/Sheetrock patching or repairing | X | | Judicial Council | | N/A | N/A |
| 110. | Landscaping | Fertilizing | Chemical lawn treatments | X | | Judicial Council | | N/A | N/A |
| 111. | Landscaping | Irrigation System | Landscaping irrigation system | X | | Judicial Council | | N/A | N/A |
| 112. | Landscaping | Plantings | Boulevard plantings | X | | Judicial Council | | N/A | N/A |
| 113. | Landscaping | Plantings | Shrubs/plantings/annuals | X | | Judicial Council | | N/A | N/A |
| 114. | Landscaping | Interior and Exterior Movable Furnishings | Employee/Office plants at work stations/bathrooms, etc. | | X | Trial Courts Operations Funds | | N/A | N/A |
| 115. | Mechanical | Energy Supply | Duct insulation | X | | Judicial Council | | N/A | N/A |
| 116. | Mechanical | Energy Supply | Heat exchanger | X | | Judicial Council | | N/A | N/A |
| 117. | Mechanical | Sanitary Waste | Waste water system | X | | Judicial Council | | N/A | N/A |
| 118. | Mechanical | Water Distribution | Faucets | X | | Judicial Council | | N/A | N/A |
| 119. | Mechanical | Water Distribution | Pipe insulation | X | | Judicial Council | | N/A | N/A |
| 120. | Mechanical | Water Distribution | Water fountains | X | | Judicial Council | | N/A | N/A |
| 121. | Mechanical | Water Equipment | Hot water heater | X | | Judicial Council | | N/A | N/A |
| 122. | Mechanical | Water Equipment | Water filters (as required by specific building wide distribution systems) | X | | Judicial Council | | N/A | N/A |
| 123. | Mechanical | Water Equipment | Water softener (building wide) | X | | Judicial Council | | N/A | N/A |
| 124. | Mechanical | Water Equipment | Water treatment | X | | Judicial Council | | N/A | N/A |
| 125. | Mechanical | Water Equipment | Drinking Water Dispensing equipment (temporary/mobile/countertop) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 126. | Office Equipment | Communications & Security | Server hardware and LAN infrastructure | | X | Trial Courts Operations Funds | | N/A | N/A |
| 127. | Office Equipment | Communication & Security | Clerk Window - Active communication | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 128. | Office Equipment | Communication & Security | Exterior Transaction window - Active communication | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 129. | Office Equipment | Communications & Security | Telephone system | | X | Trial Courts Operations Funds | | N/A | N/A |
| 130. | Office Equipment | Equipment | Shredder | | X | Trial Courts Operations Funds | | N/A | N/A |
| 131. | Office Equipment | Fixed Furnishings | Furniture (fixed) | X | | Judicial Council | | N/A | N/A |
| 132. | Office Equipment | Movable Furnishings | Bulletin or white boards | | X | Trial Courts Operations Funds | | N/A | N/A |
| 133. | Office Equipment | Movable Furnishings | Computer equipment | | X | Trial Courts Operations Funds | | N/A | N/A |
| 134. | Office Equipment | Movable Furnishings | Furniture (unfixed) | | X | Trial Courts Operations Funds | | N/A | N/A |

CEAC Update: TABLE A – Building systems, components and equipment, excluding building security systems

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds | Currently Responsible | Change of Responsibility To | Impact of Change (if known) | Authority for the Change |
|--------|--------------------------|----------------------|--|------------------|------------------------------|-------------------------------|---|-----------------------------|---|
| 135. | Office Equipment | Movable Furnishings | Furniture moves | | X | Trial Courts Operations Funds | | N/A | N/A |
| 136. | Office Equipment | Movable Furnishings | Furniture set-ups | | X | Trial Courts Operations Funds | | N/A | N/A |
| 137. | Office Equipment | Movable Furnishings | High-density filing system | | X | Trial Courts Operations Funds | | N/A | N/A |
| 138. | Office Equipment | Movable Furnishings | Modular furniture | | X | Trial Courts Operations Funds | | N/A | N/A |
| 139. | Office Equipment | Equipment | Copier | | X | Trial Courts Operations Funds | | N/A | N/A |
| 140. | Office Equipment | Equipment | Printers | | X | Trial Courts Operations Funds | | N/A | N/A |
| 140A. | Office Equipment | Equipment | Fax | | X | Not Indicated | Trial Court Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 141. | Restroom | Floor Finishes | Carpet, VCT, Terrazzo, and bathroom floor material cleaning | | X | Trial Courts Operations Funds | | N/A | N/A |
| 142. | Restroom | Floor Finishes | Mopping or Cleaning spills or water overflow | | X | Trial Courts Operations Funds | | N/A | N/A |
| 143. | Restroom | Interior Specialties | Counter (damaged) | X | | Judicial Council | | N/A | N/A |
| 144. | Restroom | Interior Specialties | Counter cleaning (janitorial) | | X | Not Indicated | Trial Courts Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 145. | Restroom | Bath Accessories | Electrical hand driers (buy/provide) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 146. | Restroom | Bath Accessories | Electrical hand driers (hang/re-hang) | X | | Judicial Council | | N/A | N/A |
| 147. | Restroom | Bath Accessories | Paper towel dispensers (buy/provide) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 148. | Restroom | Bath Accessories | Paper towel dispensers (hang/re-hang) | X | | Judicial Council | | N/A | N/A |
| 149. | Restroom | Bath Accessories | Seat cover dispensers (buy/provide) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 150. | Restroom | Bath Accessories | Seat cover dispensers (hang/re-hang) | X | | Judicial Council | | N/A | N/A |
| 151. | Restroom | Bath Accessories | Soap dispensers (buy/provide) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 152. | Restroom | Bath Accessories | Soap dispensers (hang/re-hang) | X | | Judicial Council | | N/A | N/A |
| 153. | Restroom | Bath Accessories | Stocking restrooms (janitorial) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 154. | Restroom | Bath Accessories | Toilet paper dispensers (buy/provide) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 155. | Restroom | Bath Accessories | Toilet paper dispensers (hang/re-hang) | X | | Judicial Council | | N/A | N/A |
| 156. | Restroom | Bath Accessories | Trash cans (buy/provide) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 157. | Restroom | Bath Accessories | Trash cans (hang/re-hang) | X | | Judicial Council | | N/A | N/A |
| 158. | Restroom | Fixtures | Partitions | X | | Judicial Council | | N/A | N/A |
| 159. | Restroom | Fixtures | Plumbing fixtures | X | | Judicial Council | | N/A | N/A |
| 160. | Restroom | Fixtures | Shelves | X | | Judicial Council | | N/A | N/A |
| 161. | Restroom | Fixtures | Sinks | X | | Judicial Council | | N/A | N/A |
| 162. | Restroom | Fixtures | Urinals | X | | Judicial Council | | N/A | N/A |
| 163. | Restroom | Fixtures | Adding new baby changing stations not required by law (Court funded, Judicial Council Installed) | X | X | Not Indicated | Facilities Services & Trial Courts Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 163A. | Restroom | Fixtures | Existing Baby Changing Stations' Replacement | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 164. | Roof | Roof Coverings | Roof decking | X | | Judicial Council | | N/A | N/A |
| 165. | Roof | Roof Coverings | Roof drains/gutter/flashing | X | | Judicial Council | | N/A | N/A |
| 166. | Roof | Roof Coverings | Roof membrane | X | | Judicial Council | | N/A | N/A |
| 167. | Roof | Roof Coverings | Roof pads/wear lane/traffic | X | | Judicial Council | | N/A | N/A |

| Item # | Building System Category | Subcategory | Building Components and Equipment | Judicial Council | Trial Court Operations Funds | Currently Responsible | Change of Responsibility To | Impact of Change (if known) | Authority for the Change |
|--------|--------------------------|---|---|------------------|------------------------------|-------------------------------|------------------------------|-----------------------------|---|
| 168. | Services | Administrative | O&M Technician's office | X | | Judicial Council | | N/A | N/A |
| 169. | Services | Administrative | Space planning functions | | X | Trial Courts Operations Funds | | N/A | N/A |
| 170. | Services | Pest | Exterior spraying | X | | Judicial Council | | N/A | N/A |
| 171. | Services | Pest | Indoor traps | X | | Judicial Council | | N/A | N/A |
| 172. | Services | Pest | Interior spraying | X | | Judicial Council | | N/A | N/A |
| 173. | Services | Pest | Preventive and Corrective measures | X | | Judicial Council | | N/A | N/A |
| 174. | Signage | Site Signage | Exterior signage | X | | Judicial Council | | N/A | N/A |
| 175. | Signage | Identifying Devices | Identification | | X | Trial Courts Operations Funds | | N/A | N/A |
| 176. | Signage | Identifying Devices | Instructional (e.g. cell phone usage, noise policy, restricted area, etc.) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 177. | Signage | Identifying Devices | Reader boards (NOT specified in Court Transfer Agreement) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 178. | Signage | Identifying Devices | Reader boards (specified in Court Transfer Agreement) | X | | Judicial Council | | N/A | N/A |
| 179. | Signage | Identifying Devices | Room Numbering (maintain, repair and replace) | X | | Judicial Council | | N/A | N/A |
| 180. | Signage | Identifying Devices | Room numbering (new, adds, or changes) | | X | Trial Courts Operations Funds | | N/A | N/A |
| 181. | Signage | Identifying Devices | State code compliance (e.g. "No Smoking") | X | | Judicial Council | | N/A | N/A |
| 182. | Signage | Identifying Devices | Way finding/directional (Includes Evacuation) | X | | Judicial Council | | N/A | N/A |
| 183. | Site Work | Parking Lots | Curbing (except local authority) | X | | Judicial Council | | N/A | N/A |
| 184. | Site Work | Parking Lots | Parking (except local authority) | X | | Judicial Council | | N/A | N/A |
| 185. | Site Work | Parking Lots | Parking lot striping | X | | Judicial Council | | N/A | N/A |
| 186. | Site Work | Pedestrian Paving | Sidewalk (except local authority) | X | | Judicial Council | | N/A | N/A |
| 187. | Site Work | Security Structures | Security bollards | X | | Judicial Council | | N/A | N/A |
| 188. | Hazardous Waste | Court generated waste | Toner cartridges, batteries, court owned equipment such as computer equipment containing heavy metals or equipment with refrigerant containing devices, and items stored in an evidence room | | X | Not Indicated | Trial Court Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 189. | Hazardous Waste | Janitorial generated waste | Cleaning material such as detergents and solvents, greasy rags or waste water containing hazardous material | | X | Not Indicated | Trial Court Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 190. | Hazardous Waste | Construction or Building generated waste[6] | Asbestos and lead based paints, and hazardous material contained in building equipment like PBCs and various fluids. All waste generated as a result of maintenance and repairs such as paints, oily rags, acid batteries, etc. | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 191. | Hazardous Waste | Court Funded Request Construction generated waste | Construction or building generated waste that is part of the project that is funded by Court | | X | Not Indicated | Trial Court Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 192. | Hazardous Waste | Bio-hazard waste | Human feces and blood | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 193. | Hazardous Waste | Bio-hazard waste | Sewer leak and spill from plumbing waste water leakage as part of larger Facility Modification and waste water removal is not the primary purpose of the Facility Modification | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 194. | Equipment Installation | Installation and removal of all equipment not part of the building system | White boards, clocks, file storage systems, portable/movable electronic equipment, court owned appliances, electronic calendars, and display boards | | X | Not Indicated | Trial Court Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 195. | Equipment | Communication and AV Equipment | All Audio visual equipment | | X | Not Indicated | Trial Court Operations Funds | N/A | Clarification of new line and not a shift of responsibility |
| 196. | Electrical | Electrical outlets for communication and AV equipment | Power outlets for the communication and AV equipment | X | | Not Indicated | Judicial Council | N/A | Clarification of new line and not a shift of responsibility |
| 197. | Electrical | Emergency Power | Generators for IT Infrastructure and non-emergency services | | X | Not Indicated | Trial Court Operations Funds | N/A | Clarification of new line and not a shift of responsibility |

CEAC Update: TABLE B –Building security systems

| Item # | Building System Category | Subcategory | Building Components and Equipment | Facilities Services | Trial Court Operations Funds | Judicial Council Security - Special Fund | Others | Currently Responsible | Change of Responsibility To | Impact of Change (if known) | Authority for the Change |
|--------|--------------------------|-----------------------------------|---|---------------------|------------------------------|--|--------|---|--|-----------------------------------|--|
| 1. | Equipment | Alarms | Hardwired duress alarms not integrated with facility security system | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 2. | Equipment | Alarms | Wireless Duress alarms | | | X | | Trial Court Operations Funds | Judicial Council Security - Special Fund | Reduction in cost to Trial Courts | Funding through State Budget |
| 3. | Equipment | Alarms | Wireless Duress alarms maintenance and P1 support | | | X | | Judicial Council Security - Special Fund | | N/A | N/A |
| 4. | Equipment | Building Access | Access control cards or fobs, replacement and programming for access levels. Badges and badge making equipment and software | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 5. | Equipment | Building Access | Access control system hardware and head end controller in accordance with California Trial Court Facilities Standards | X | | | | Judicial Council | | N/A | N/A |
| 6. | Equipment | Gun Locker | Gun locker installation, repairs and keys | | | | X | Trial Court Operations Funds | Others | N/A | Clarification only, no shift in responsibility |
| 7. | Equipment | Holding Cells | Holding cell access control systems | X | | | | Judicial Council | | N/A | N/A |
| 8. | Equipment | Holding Cells | Holding cell keys | | | | X | Trial Court Operations Funds | Others | N/A | Clarification only, no shift in responsibility |
| 9. | Equipment | Communication & Security | Detention Control - active communication | X | | | | Not Indicated | Judicial Council | N/A | N/A |
| 10. | Equipment | Interview Rooms | Passive communication | X | | | | Not Indicated | Judicial Council | N/A | New item added |
| 11. | Equipment | Interview Rooms | Active communication | X | | | | Not Indicated | Judicial Council | N/A | New item added |
| 12. | Equipment | Magnetometers & Related Equipment | Cabinet X-Ray System/magnetometers and associated monitors or accessories. Trust fund purchase includes 5 year service agreement. Service and maintenance agreements after the 5 years is responsibility of the Court | | X | X | | Trial Court Operations Funds & Judicial Council Security - Special Fund | | N/A | N/A |
| 13. | Equipment | Magnetometers & Related Equipment | Hand wand metal detectors | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 14. | Equipment | Magnetometers & Related Equipment | Registration, record keeping, signage and training for Cabinet X-Ray Systems/magnetometers and associated monitors or accessories | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 15. | Equipment | Security related | Stand-alone plugged equipment (e.g., enhancements or additions to existing screening equipment) | | X | | | | Trial Court Operations Funds | N/A | N/A |
| 16. | Equipment | Safes | Fixed Safes maintenance and repair | X | | | | Judicial Council | | N/A | N/A |
| 17. | Equipment | Safes | Gun Safes | | | | X | | Others | N/A | N/A |
| 18. | Equipment | Safes | Portable Safes | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 19. | Equipment | Surveillance | Maintenance, repair and replacement of Camera's installed in excess of the Judicial Council Trial Court Facility Standards or existing number of cameras | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 20. | Equipment | Surveillance | Digital video recording (DVR) as components of complete security system and plan | | | X | | Judicial Council | Judicial Council Security - Special Fund | N/A | Funding through State Budget |
| 21. | Equipment | Surveillance | Digital video recording (DVR) for court operations and limited security application | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 22. | Equipment | Surveillance | Facility security systems, including controllers, facility security cameras, security specific digital recording systems and monitoring stations. | X | | | | Judicial Council | | N/A | N/A |
| 23. | Equipment Monitoring | Alarms | Fire alarm system | X | | | | Judicial Council | | N/A | N/A |
| 24. | Equipment Monitoring | Alarms | Hardwired duress alarms integrated with facility security system | X | | | | Judicial Council | | N/A | N/A |
| 25. | Equipment Monitoring | Alarms | Intrusion alarm, monitoring and response | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 26. | Equipment Monitoring | Alarms | Intrusion alarm, repairs and maintenance | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 27. | Equipment Monitoring | BAS | Building Automation System (BAS) | X | | | | Judicial Council | | N/A | N/A |
| 28. | Equipment Monitoring | Elevator | Elevator and vertical conveyance monitoring and notification | X | | | | Judicial Council | | N/A | N/A |
| 29. | Equipment Monitoring | Vehicles | Vehicle control system (gates and overhead doors at sally port) | X | | | | Judicial Council | | N/A | N/A |
| 30. | General Building | Equipment | Manage and maintain facility operations equipment | X | | | | Judicial Council | | N/A | N/A |
| 31. | General Building | Janitorial | Porter services and routine spill cleanup (janitorial) in secure and inmate areas | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 32. | General Building | Janitorial | Recurring janitorial services and supplies in secure and inmate areas | | X | | | Not Indicated | Trial Court Operations Funds | N/A | N/A |
| 33. | General Building | Personnel | Private and/or Non-Sheriff Security personnel | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 34. | Hardware | Fencing & Gates | Security fencing and gates, vehicle barriers and bollards | X | | | | Facilities Services | | N/A | N/A |
| 35. | Hardware | Keys & Locks | Cabinet and cash drawer keys and locks in fixed furnishings | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 36. | Hardware | Keys & Locks | Removable locks | | X | | | Not Indicated | Trial Court Operations Funds | N/A | N/A |
| 37. | Hardware | Keys & Locks | Door hardware/automatic door openers | X | | | | Judicial Council | | N/A | N/A |

CEAC Update: TABLE B –Building security systems

| Item # | Building System Category | Subcategory | Building Components and Equipment | Facilities Services | Trial Court Operations Funds | Judicial Council Security - Special Fund | Others | Currently Responsible | Change of Responsibility To | Impact of Change (if known) | Authority for the Change |
|--------|--------------------------|--------------|---|---------------------|------------------------------|--|--------|------------------------------|------------------------------|-----------------------------|--------------------------|
| 38. | Hardware | Keys & Locks | Key schedule | X | | | | Judicial Council | | N/A | N/A |
| 39. | Hardware | Keys & Locks | Lock sets (includes cipher and access systems) | X | | | | Judicial Council | | N/A | N/A |
| 40. | Hardware | Keys & Locks | Rekeying due to loss of key | | X | | | Trial Court Operations Funds | | N/A | N/A |
| 41. | Hardware | Windows | Ballistic glazing assemblies | X | | | | Judicial Council | | N/A | N/A |
| 42. | Hardware | Windows | Ballistics protection (courtrooms, security spaces, etc.) | X | | | | Judicial Council | | N/A | N/A |
| 43. | System | Notification | Panic, duress or similar emergency notification systems not following under items 1,2,3 of this Table B | | X | | | Not Indicated | Trial Court Operations Funds | N/A | N/A |

Guidelines for Prioritizing and Ranking Facility Modifications

ADOPTED BY
THE TRIAL COURT FACILITY
MODIFICATION ADVISORY COMMITTEE,
APRIL 13, 2015



JUDICIAL COUNCIL
OF CALIFORNIA

TRIAL COURT FACILITY MODIFICATION
ADVISORY COMMITTEE



1. Overview

This document presents a methodology and process adopted by the Trial Court Facility Modification Advisory Committee (Advisory Committee) for prioritizing and ranking facility modifications to trial court facilities. It also includes operating guidelines established to help guide Advisory Committee meetings and to establish JCC versus court funding for a variety of facility related issues.

2. Facility Modification Defined

Facility Modifications (FM) as defined by the Judicial Council in its [December 2, 2005, report titled Prioritization Methodology for Modifications to Court Facilities](#) are a generally emergency, physical modification to a facility component or components that restores or improves the designed level of function of a facility or facility components. On December 12, 2014, the Judicial Council (JCC) adopted a revised version of the policy titled [Trial Court Facility Modifications Policy](#).

A facility modification may consist of:

- A modification that alters or increases the designed level of services of a building;
- A “special improvement” meaning a one-time modification to a facility that is not expected to be repeated during the lifetime of the facility;
- An alteration, addition to, or betterment of a facility that changes its function, layout, capacity, or quality;
- A rehabilitation, which restores a facility to its former state or capacity;
- A renovation, which restores a facility to a former or better state, including by repairing or reconstructing facility components;
- A replacement, which puts a new facility component of the same or better quality or function, in the place of an existing facility component;
- The addition of new systems, equipment, or components to a facility that would not otherwise exist;
- A modification to a facility that is required to bring the facility into compliance with law, including but not limited to the Americans with Disabilities Act, title 24 of the California Code of Regulations, and federal and state hazardous materials laws and regulations;
- Any of the foregoing where a facility or its components are damaged, seriously deteriorated, dysfunctional, subject to intermittent service outage, or otherwise in insufficient operating condition as a result of deferred maintenance, emergency, acts of God, severe wind or weather conditions, vandalism, or criminal activity; and
- A correction of collateral damage arising from an emergency incident or unanticipated finding that is discovered during the performance of facility modification work.

A facility modification differs from routine maintenance and repair of a court facility, which is the routine, recurring, and generally anticipated work that must be performed periodically throughout the life of a facility to keep the building and its grounds, equipment, and utilities

infrastructure in a condition adequate to support their designed level of service. Routine maintenance and repair includes annual or more frequent periodic repairs and replacements of building components and equipment consistent with manufacturers' recommendations or industry-recommended service cycles. While a facility modification may either restore or improve a facility's designed level of function, routine maintenance and repair always maintains, without materially improving, the facility and its components at their designed level of function. Routine maintenance and repair is the basic and ongoing work that is needed, as part of ordinary facility operation and management, to keep the facility and its components in a condition adequate to support existing facility operations and to prevent deterioration, break down, and service interruptions.

In some instances, it is difficult to distinguish between a facility modification and routine maintenance and repairs. Facility modifications are distinguished from routine maintenance and repair based on the scope and complexity of the work to be performed, and the anticipated impact of the work on the ongoing operation of the facility. Factors to be considered in evaluating the scope, complexity, and impact of a project include:

- The amount of time and materials needed to complete the work;
- The number of steps involved in completing the project;
- The type and number of tools required to perform the work;
- The extent to which facility structures or equipment must be altered or moved to complete the project;
- Whether the facility component involved is a substantial part of a major facility system;
- Whether one or more facility systems will be disrupted or taken out of service as a result of the project; and
- Whether the project involves critical facility systems such as life safety or security equipment, HVAC equipment, utilities infrastructure, roofs and other structural components, or accessibility features (i.e., elevators, escalators, doors, parking lots and structures).

Projects of greater scope and complexity or with a more critical impact on the ongoing safe and secure operation of the court facility are more likely to be facility modifications; however, for projects that are more difficult to distinguish, case-by-case evaluation is required.

There is no upper or lower dollar limit for FM. Small repairs will normally be handled as Job Orders but depending on the operations and maintenance budget, some smaller repairs either individually or collectively may need to be funded as FMs. Larger projects may be funded as Capital Projects.

A facility modification is distinguished from a capital project in that the latter significantly increases the facility's gross area; substantially renovates the majority (more than 50 percent) of the facility; involves the construction of a new facility or a facility acquisition; or changes the use of the facility, as in a conversion from another use to court use.

3. Priority Categories

Facility modifications are assigned one of six priority categories. These categories, adopted by the Judicial Council, are based on methods commonly used by private sector facility management firms. Facility modifications that are determined to be Priority 1 will be addressed immediately and regardless of whether the court occupies a shared-use facility. Planned Priority 2–6 facility modifications requested for court exclusive and shared-use facilities will be assigned an appropriate priority category. Implementation of modifications in shared-use facilities, however, may be dependent on financial participation by the county that occupies space in the building.

Priority 1—Immediately or Potentially Critical. Condition requires immediate action to return a facility to normal operations, or a condition that will become immediately critical if not corrected expeditiously. Such conditions necessitate the need to stop accelerated deterioration or damage, to correct a safety hazard that imminently threatens loss of life or serious injury to the public or court employees, or to remediate intermittent function and service interruptions as well as potential safety hazards. Such conditions may include, but are not limited to, the following: major flooding; substantial damage to roofs or other structural building components; or hazardous material exposure. Depending on scope and impact, a severe deterioration in life safety protection may also be considered a priority 1 condition requiring a facility modification.

Owing to their critical nature, priority 1 requests will be addressed immediately by JCC staff using internal procedures that ensure timely and effective responses to unplanned emergency or potentially critical conditions, including a method and a process for setting aside funds to address priority 1 conditions.

Priority 2—Necessary, but Not Yet Critical. Condition requires correction to preclude deterioration, potential loss of function or service, or associated damage or higher costs if correction is further deferred.

Priority 3—Needed. Condition to be addressed will reduce long-term maintenance or repair costs or will improve the functionality, usability, and accessibility of a court. The condition is not hindering the most basic functions of a facility, but its correction will support improved court operations.

Priority 4—Does Not Meet Current Codes or Standards. Condition does not conform to current code requirements, yet it complied at the time of initial construction. Such conditions are considered legally nonconforming and are generally not required to be modified to meet current code requirements.

Priority 5—Beyond Rated Life, but Serviceable. Condition is currently adequate but cannot be expected to function as designed in the future.

Priority 6—Hazardous Materials, Managed but Not Abated. Hazardous materials, such as asbestos or lead-based paints, which are currently managed in place but not yet remediated.

4. Ranking Requests for Priority 2–6 Facility Modifications

JCC staff will work with Trial Court Executive Officers and their staff to document the court’s operational needs. Facility conditions will be assessed by JCC staff and contractors periodically to identify facility modification requests and requirements for each forthcoming fiscal year. JCC staff will assign a priority category to each modification requested or indicated, develop a preliminary cost estimate, and determine a high-level scope of work for the facility modification. JCC staff will then prepare a report for each committee meeting on pending trial court facility modifications.

Each periodic report will include a preliminary ranked list of all pending requests by priority category, including a quantitatively-scored rationale for the ranking. Preliminary ranked lists of all facility modification requests will be prepared by JCC staff based on criteria outlined in the July 27, 2012, Judicial Council adopted policy on facility modifications. The policy outlines the priority categories; specific justifications; effect on court operations and public/employee safety; risk management and mitigation; funding availability; equity among the courts; implementation feasibility; cost/benefit analysis; design and plan status; and planned major capital improvements. JCC staff will provide scoring on the following seven facility modification components, which incorporates the criteria outlined in the policy:

1. **Priority Category:** As defined above, this will be used to create the initial ranking of facility modifications. By assigning point values to the criteria listed below, a score is produced to rank the facility modifications within each priority category.
2. **Justification and Effect on the Court:** This will be a score between 5 and 50 (with 5 indicating the court is closed or is significantly impacted and 50 indicating this is a wish list item). *Please note that any number between 5 and 50 can be used to quantify the justification and the effect this requirement has on the court.* The chart below will assist in determining the correct number. Equity among courts can be taken into consideration when assigning appropriate values below.
 - 5-15 court operations are *significantly* impacted (negatively)
 - 16-20 court is operating but at less than standard productivity
 - 21-35 court appearance and dignity is diminished by the condition of the facility
 - 36-50 a “wish list” item
3. **Safety, Security, Risk Management:** This will be a score between 5 and 25 (with 5 indicating there is a potential for serious risk and 25 indicating there is no risk) The focus here is on safety, security, and risk management/mitigation by taking into consideration public and employee safety. *Please note that any number in between 5 and 25 can be used to quantify the effect this requirement has on the court.* The chart below will assist in determining the correct number.
 - 5-15 potential serious risk
 - 16-20 no significant risk
 - 21-25 no risk

Facility Modifications that are for the express purpose of enhancing court security systems and functions may have an evaluation performed by the JCC Office of Security. Once a project is ranked using the standard methods, means, and interpretations, The Security scoring matrix below will be applied against the final ranked score. For this specific class of

project the above scoring method will only be interpreted as a score associated with the Safety and Risk Management aspects of the project.

4. **Feasibility:** This will be a score of 10, 15, 20, or 25 (with 10 indicating the project is easy to perform and 25 indicating the project requires major design efforts and may not be practical to perform). Factors to consider when assigning a score are shared-costs with Counties, permitting issues, funding availability, design and plan status, court approvals, and fire plans.
 - 10 Easy to perform with little/no planning or design
 - 15 Requires some planning and design
 - 20 Requires major design effort or shared cost difficult to receive
 - 25 Requires major design effort, may not be practical, shared cost highly unlikely

5. **Cost/Benefit:** This will be a score based on the Simple Return on Investment (ROI) value associated with the project. Deduction will be 3 points for each year of ROI less than seven creating a potential score of between -21 and -3.. This criterion allows for facility modifications that will pay back the cost of the effort over shorter time frames to move up the list by using a negative score. An energy-saving improvement yielding reduced utility bills or an automation project resulting in a demonstrable reduction in labor expenses are good examples. Project documentation must be validated by utility analysis staff.
 - 0 ROI in excess of 7 years
 - -3 ROI of 7 years
 - -6 to -21 ROI of 6 to 1 year
 -

6. **Design Status:** This will be a score of 5, 15, or 25 (with 5 indicating the project is designed and ready to perform today, and 25 indicating the designs will take more than 90 days to complete). Facility modifications that require no design effort, or are already in design, will receive higher scores than those still requiring design effort.
 - 5 Designed, ready to perform today
 - 15 Designs will be ready within 90 days
 - 25 Designs will take more than 90 days to complete

7. **Planned Major Capital Improvements:** This will utilize a yes/no test for *implementation* of a facility modification project, though this will not affect the ranking of those facility modifications requests or needs. A facility modification may be implemented even though a major capital project that would address the need, but is not funded. If a planned major capital project will address the facility modification need in a reasonable period of time, the request may not need to be implemented. A specific funding guideline is included in Attachment 1 as Guideline 10.

5. Budget Allocation

Prior to the commencement of the fiscal year, JCC staff will produce a proposed spend plan detailing projected expenditures and plans of approach to plan, allocate and expend the anticipated FM budget in the forthcoming year. This proposal will be presented to the advisory committee including allocations for the following categories:

1. Statewide Facility Modification Planning
2. Priority 1 Facility Modifications Allocation
3. Planned Facility Modifications Allocation
4. Priority 2-6 Facility Modifications Allocation

The methodology and process used to produce the proposed budget allocation will be reviewed with the Advisory Committee to evaluate the approach and answer any questions. The Advisory Committee will have the opportunity to modify the prioritization ranking methodology, adjust the allocation of the facility modifications budget among the four categories, make other changes as necessary, or validate the methodology adopted and budget allocation proposed by JCCJCC staff.

Upon approval of the final draft proposal staff will submit the budget proposal to the Judicial Council in alignment the requirements of the FM Policy.

6. Implementation of Approved FM Budget

JCC staff will proceed to implement facility modifications using the Council approved FM budget allocations. JCC staff will manage the work through design, construction, inspection, and acceptance. The JCC will work collaboratively with local courts to implement all facility modifications.

JCC staff will prepare a prioritized project lists in alignment with section 4 of this document prior to each committee meeting.

The Advisory Committee will meet approximately every 45 days to review facility modifications for Priority 1 emergency, unforeseen/out-of-cycle Priority 2-6 requests.

JCC staff will provide regular reports to the committee regarding project approved expenditures compared to original approved budgets. Staff will make recommendations as necessary to the committee to adjust budget allocation pursuant to their authority in order to maximize appropriate utilization of FM funding over the course of the fiscal year.

The Advisory Committee's decisions are normally implemented by the JCC without further consideration or approval. Reconsideration of decisions made by the Advisory Committee will only be reviewed in accordance with Guideline 1 located in Attachment 1.

In the event a facility modification can be performed using funds from sources other than the facility modifications budget, implementation without regard to the prioritization and ranking methodology may be considered by the Advisory Committee. An example would be the provision of grant funds for the purchase and installation of security equipment. If facility modification funds were required to complete the installation of any equipment, provided it was a Priority 1 facility modification, the installation would still be eligible to proceed without ranking. If the modification was classified as a Priority 2 or higher, it would be subject to the ranking methodology.

7. JCC VERSUS COURT FUNDING

Not all request for facility related services are funded though the JCC facility modification budget. Some items such as furniture are expressly excluded while others such as painting and floor covering are only funded under certain circumstances. To help establish a predictable outcome when requesting facility work the Advisory Committee has established a number of Guidelines cover a variety of areas. The full text of the guidelines is included as Attachment 1. The guidelines cover the following topical areas:

- Guideline 1: Request for Reconsideration of Advisory Committee Decisions
- Guideline 2: Paint/Wall Covering and Window Covering
- Guideline 3: Floor Covering
- Guideline 4: Special Purpose HVAC
- Guideline 5: Security Related Projects
- Guideline 6: Hazardous Material Management and Disposal
- Guideline 7: Patron Seating
- Guideline 8: Installation and Support of Court Owned Equipment/Furniture
- Guideline 9: Art, Interior Decorations, and Special Purpose Decorations
- Guideline 10: Facility Modifications in Facilities to be Replaced with Funded Capital Projects
- Guideline 11: Funding of Facility Modifications in Court-Funded Leased Facilities
- Guideline 12: Americans with Disabilities Act (ADA) Project Guidelines
- Guideline 13: Using Cost to Assist in Facility Modification Determinations
- Guideline 14: Vandalism/Graffiti Mitigation
- Guideline 15: Court-Funded Facilities Requests
- Guideline 16: Charging Stations for Electric Vehicles
- Guideline 17: Building and Security Systems Funding Responsibility

The Advisory Committee may establish additional Guidelines or modify existing guidelines as necessary to achieve the goal of the Judicial Council, consistent with budget restraints.

8. Advisory Committee Meeting Protocols and Other Guidance

Cost as a Prioritizing and Ranking Factor: The cost of a FM will not be a factor when prioritizing and ranking FMs.

\$15/5 Rule: FMs with a Priority 2 or 3 and a cost of less than \$15K, and FMs with a Priority of 4 or 5 with a cost of less than \$5K can be approved and funded by the facility modification program budget without first going through the Advisory Committee. All \$15/5 Rule facility modifications will be limited to \$100,000 annually for each 100,000 square feet of space per facility. For example, an 80,000 square foot facility is limited to \$100,000 and a 120,000 square foot facility is limited to \$200,000.

All such FMs will be reported to the Advisory Committee at the next meeting and will be funded using Out of Cycle funds. Approval thresholds will be adjusted based on committee approval and budget limitations.

Facility Modification Cost Increases: Facility modification cost increases do not have to be approved by the Advisory Committee in advance. Cost increases of more than \$50K over that initially approved budget, by the Advisory Committee, will be reported at the next meeting.

Meeting Materials for the Advisory Committee: Meeting materials for the Advisory Committee will include an Executive Summary, an agenda, a cumulative list of policy decisions, PowerPoint slides, and facility modification lists. Meeting materials for the Advisory Committee will be sent out at least five business days prior to the meeting. The PowerPoint slides should be sent in black and white and handouts formatted as three slides per page.

Notice of Meetings for the Public: A meeting notice and an agenda with a brief description of each item to be considered during the meeting will be posted to the California Courts website (www.courts.ca.gov) at least five business days before the meeting. (CRC 10.75(e) (1).) The meeting notice must state whether the meeting is open or closed and, if partly closed, which agenda items are closed. For meetings that are open in part or in full, the meeting notice must provide: (1) the telephone number or other electronic means that a member of the public may use to attend the meeting; (2) the time of the meeting, whether the public may attend in person, and, if so, the meeting locations; and (3) the email address or other electronic means that the public may use to submit written comments regarding agenda items, requests to speak at a meeting, or requests to make an audio recording of a meeting. (CRC 10.75(f).)

Meeting Materials for the Public: Meeting materials provided to the public will be posted to the California Courts website (www.courts.ca.gov) at least three business days before the date of the meeting, except in extraordinary circumstances. (CRC 10.75(h).)

Members Absences: In the event a member cannot attend, they cannot have someone else represent them at the meeting. A quorum will consist of the members present for a scheduled meeting.

Guideline 1

Requests for Reconsideration of Advisory Committee Decisions

Courts and the JCC may request a decision made by the Advisory Committee be reconsidered. Such requests could address funding, prioritization, or scoring decisions. All such requests must be in writing and signed by the Presiding Judge or Court Executive Officer or if from the JCC, the Director of the Office of Real Estate and Facilities Management (OREFM). Request for reconsideration should be submitted to the Facility Operations Manager of OREFM.

The Facility Operations Manager will forward the request to the Chair of the Advisory Committee along with a summary of the request and the decision made by the Advisory Committee.

The Advisory Committee will review the request for reconsideration, the initial decision of the Advisory Committee, and any other pertinent information related to the request. The Advisory Committee or a member, may based on the situation visit the facility, meet with court and/or JCC personnel, or meet with any other person(s) who may provide information on the request.

The Advisory Committee will then review all the data and the report from the appointed member and make a final determination. The Chair will prepare a reply informing the requestor of the decision of the Advisory Committee.

The decision of the Advisory Committee is considered final.

Guideline 2

Paint/Wall Covering and Window Covering

The JCC has the responsibility for the interior painting and maintenance of wall/window coverings. Rule 10.810 (See Attachment 2) allows the courts to use their operating funds for painting and wall/window coverings, but does not require them to fund the maintenance to a JCC standard. Thus if the court is not willing or able to fund this to meet the JCC standard of finish and appearance the JCC as the building owner must provide necessary funding

This guideline does not apply to art work such as murals, paintings, or other non-standard wall covering that is intended as decorative items. It also does not apply to wall finishes that are a part of a larger renovation or remodeling project.

Use the following to guide when the JCC will fund and what priority painting and wall/window covering request should receive.

Priority 1: Only when done as part of a larger Priority 1 FM that would require painting to complete the repair. Example; If a water leak resulted in replacement of sheetrock, painting to match the preexisting color would be included in the renovation effort.

Priority 2: Only used for significant safety hazards (e.g., peeling lead-based paint). Priority 2 facility modifications should be limited to the minimum effort needed to address the immediate concern (corner to corner painting versus whole room).

Priority 3: Use when excessive wear does not justify a Priority 2 but impacts the dignity of the court to a level that its correction will improve court operations and provide minimal maintenance standards. E.G.: Repainting and wall covering repairs in public common areas and courtrooms where the wear/damage indicates a total lack of concern for basic maintenance standards. This is often in the eye of the beholder but should not include work that covers *normal wear and tear*. Priority 3 projects should be limited to the minimum effort needed to address the immediate concern (corner to corner painting versus whole room). Priority 3 facility modifications should limit planned work in alignment with this requirement during project scope development.

Priority 4: Only used where painting is required for code compliance.

Priority 5: Most painting and wall/window covering replacement will fall into this priority. The JCC will develop a cyclical painting program that will set standards for desirable painting cycles. Due to the limited funding for this priority, courts should be encouraged to budget for recurring painting and wall covering replacement.

Priority 6: Only used to provide repairs/covering after the removal of manage but not abated hazardous materials.

Guideline 3 Flooring

The JCC has the responsibility for maintenance of flooring. Rule 10.810 allows the courts to use their operating funds for flooring, but does not require them to fund the maintenance to a JCC standard. Thus if the court is not willing or able to fund this to meet the JCC standard of finish and appearance the JCC as the building owner must provide necessary funding for flooring.

Use the following to guide when the JCC will fund and what priority flooring request should receive.

Priority 1: Only used when there is a complete collapse of the subflooring that results in damage to the floor finishing or when done as part of a larger Priority 1 FM that would require flooring repairs/replacement to complete the repair. Example; If a water leak resulted in molding carpeting, replacing the carpet to match the preexisting carpet would be included in the repair effort.

Priority 2: Only used for significant safety hazards, i.e. tripping hazards. Before flooring replacement is approved repairs of the existing flooring should be attempted. Only when repairs are not practical or cost efficient should total area flooring be replaced. Even then it should normally be limited to the room/area and not extended to the entire floor or department.

Priority 3: Use when excessive wear does not justify a Priority 2 but impacts the dignity of the court to a level that its correction will improve court operations and provide minimal maintenance standards. E.G.: Repairs in public common areas and courtrooms where the wear/damage indicates a total lack of concern for basic maintenance standards. This is often in the eye of the beholder but should not include work that covers *normal wear and tear or aging*. Priority 3 work should be limited to the minimum effort needed to address the immediate concern (single room versus whole floor).

Priority 4: Only used where flooring repairs/replacement is required for code compliance.

Priority 5: Most flooring replacement will fall into this priority. Due to the limited funding for this priority, courts should be encouraged to budget for normal life cycle flooring replacement.

Priority 6: Only used to provide repairs/replacement after the removal of manage but not abated hazardous materials.

Guideline 4

Special Purpose HVAC

Special Purpose HVAC is any system or portion of a system that is not necessary for people comfort but is needed to control the temperature or humidity for equipment or items being stored and/or backup units to supplement the building system for these types of requirements. Examples of this would be computer room HVAC units, HVAC systems for evidence storage rooms/units, built in or stand alone refrigerators, and other such systems.

The determination of what specialty HVAC equipment is part of the courts equipment and what is a part of the facility is often a very fine line. Refrigerators, freezers, and other such stand alone appliance used for court employees or even for evidence storage are clearly court equipment and the responsibility of the court. Responsibility for computer room HVAC whether a computer rack air conditioner (CRAC) or a whole room system is less clear. Due to the nature of this equipment and the fact that it is often tied to the building HVAC either through shared ducting, chilled water, etc; it is normally treated as part of the facility.

It is imperative on the courts that they consult with the JCC anytime the heat load is going to change for this type of equipment. Adding new computers, removal of computers and adding staff into a computer room will all have an impact on these standalone/back up units. Failure to plan with the JCC facility staff could result in delays in changes to the HVAC equipment and thus the ability to support the heat load.

Prioritization of work related to this type of equipment should follow the normal prioritization process and consideration.

Guideline 5

Security Related Projects

The determination of what specialty security projects is part of the court's equipment and what is a part of the facility as a whole is often a very fine line. Metal detectors, scanning equipment, and other such stand alone plugged in equipment used by court employees, sheriff or contractors are clearly court equipment and the responsibility of the court. Exterior security lighting, making accessible entry areas that can house security equipment, perimeter alarms, normal exterior locks and hardware, and holding cells are all clearly part of the facility and thus a JCC responsibility. Responsibility for cameras, interior locks, and other security related but attached equipment is less clear.

To determine funding responsibility the following criteria should be considered:

The JCC funds:

- permanent changes to the facility and accessibility;
- permanent changes to fixed counters and access areas;
- exterior security to include lighting, and alarms;
- repair and maintenance of "transferred" holding cells ;
- installation and maintenance of JCC recommended camera systems;
- all locks and hardware permanently install as part of the building; or
- all attached security equipment found in a typical office building.

The Courts fund

- all security related personnel cost and portable equipment;
- all furniture and removable locks;
- the replacement of all keys/cards lost by court personnel ;
- panic, duress, or similar emergency notification systems; or
- all security related equipment not found in the typical office building unless identified as not court allowable per Rule 10.810 (See Attachment 2).

It is imperative on the courts that they consult with the JCC anytime they are planning to add, change, or remove security equipment, or change security procedures that could have a facilities impact. Adding new equipment, removal of equipment, and changing the entry locations for either court staff or the public could all have an impact on the facility. Failure to plan with the JCC facility staff could result in delays in changes necessary to support the new security requirements.

Facility modification projects are limited in the replacement of failed equipment. Prioritization of work related to failed equipment should follow the normal prioritization process and consideration. Work shall be limited to like-for-like replacement as much as is technically possible.

Projects enhancing facility security systems shall be prioritized as a Priority 3 project.

All security related project must be coordinated with Emergency Response and Security (ERS). All justification and related scoring for these projects should be confirmed by ERS as being valid requirements and not outside the scope of normal JCC standards.

Guideline 6

Hazardous Waste Management and Disposal

Hazardous waste includes a wide range of materials and substances ranging from small disposable batteries to substances such as asbestos and polychlorinated biphenyl (PCB). Because of this wide range of materials a simple guideline is difficult to develop that will clearly cover every possible situations. For the purpose of this guideline, hazardous waste is divided into three groupings based on who uses or generates the waste. The three groups are court generated, janitorial related materials, and building materials. Management and disposal of generated waste must comply with all environmental regulations governing the packing, containment and disposal of hazardous waste regardless of who is responsible.

Court generated materials include all items that are not janitorial related or a part of the building construction or its equipment. Examples include toner cartridges, batteries, court owned equipment such as computer equipment containing heavy metals or equipment with refrigerant containing devices, and items stored in an evidence room.

Janitorial related materials include all cleaning material such as detergents and solvents, as well as, any waste generated as a result of cleaning such as greasy rags or waste water containing hazardous material. Management and disposal of janitorial materials and generated waste is the responsibility of the court through their janitorial service and must comply with all environmental regulations governing the packing, containment and disposal of hazardous waste.

Building generated hazardous material covers the vast majority of hazardous material in the facilities. It includes building construction materials like asbestos and lead based paints, and hazardous material contained in building equipment like PBCs and various fluids. All waste generated as a result of maintenance and repairs such as paints, oily rags, acid batteries, etc. fall in this category. The appropriate packing, containment, and disposal of all building generated hazardous material are the responsibility of the JCC and due to the cost of disposal is routinely a FM.

[NOTE: The one exception to this would be when a court-funded project impacts the hazardous material. For example, in a court funded renovation the court assumes all responsibility and cost for the protection of the building occupants and property, as well as, the cost associated with the proper packing, containment, and disposal of all materials removed during demolition and material left over at the end of the project.]

Some items are more difficult to clearly identify into one category or the other. One of these is human waste in its various forms to include blood and feces. While normally this type of waste is a janitorial issue, there are occasion when the quantity or location of the waste make it beyond the capability of a normal janitorial function. For example cleanup after a violent assault which leaves blood on the carpeting or walls or a major sewage line break that deposit large amounts of human waste into either the building or the grounds. Both examples shift responsibility for the containment and disposal of the hazardous waste from part the normal janitorial function to a larger facility management issue. This becomes a JCC responsibility and likely will be part of the larger FM needed to restore the facility to it normal functionality.

Prioritization of work related to these types of efforts should follow the normal prioritization process and consideration. In many cases the disposal of hazardous waste is not the sole purpose of the effort and is simply an additional task related to a larger project.

Guideline 7

Patron Seating

Patron seating is considered any seating that is not normal court employee seating and is not seating around a table. This includes all public seating in court rooms, public hallway, waiting areas, jury assembly rooms, and other public access areas.

This seating is normally multi-person seating such as benches, pews, and other gang seating, and individual seating that is by design attached to the facility such as chairs that are bolted to the floor. The exception to this is couches and similar types of multi-person seating that is normally seen as standalone furniture and not normally bolted in place.

Court Employee seating, seating around a table, and couches are considered as furniture. Furniture is a court funding responsibility.

As an example in the courtroom, the audience seating and jury seating would be a JCC responsibility while the court employee seating and the litigate seating would be a court responsibility. All seating in the jury assembly area, except for employee seating and couch type seating, would be a JCC responsibility. Chairs in a jury deliberation room would be furniture and thus a court responsibility.

Prioritization of work related to fixture seating should follow the normal prioritization process and consideration.

Guideline 8

Installation and Support for Court Owned Equipment/Furniture Guidelines

Court owned equipment and furniture cover a very broad range of items ranging from small white boards up to large computer racks, and includes all furniture items that are not built into the building. For the purpose of this guideline these items are broken into three categories; furniture, equipment, and electronic equipment to include all computers, communications, and audio/visual equipment.

Furniture is normally a court funding responsibility. The exceptions are when the furniture is built into the building and not simply attached. A good example of this is the judge's bench and public service counter. This applies even if these benches and counters are made of modular furniture construction. Built-in bookcases and service counters are other good example of items that the JCC will maintain.

Equipment includes all items that are not building systems. They could be stand-alone, attached or built-in. This covers a wide range of items including but not limited to items such as white boards, clocks, file storage systems, portable/movable electronic equipment, court owned appliances, electronic calendars, and display boards. The cost of this equipment and the cost to move, mount, or install this equipment is the sole responsibility of the court. If additional 110/220v standard electrical outlets that could be used for other purposes are needed to support portable equipment, the outlet will be installed at the JCC cost.

The installation or removal of built in equipment must be coordinated with the JCC. Installation and removal of such items often result in damage or changes to the facility. For example, the installation of built-in electronic calendars requires the cutting into wall finishes, and the additional electrical load. Removing them will require the wall finishes being repair. The JCC can provide these service at the court's expense or the court can contract the services themselves but must have the plans/designs approved by the JCC in advance.

Communications and audio/visual equipment is the responsibility of the court. The JCC's only cost related to this type of equipment would be to provide adequate power as needed. This could be as simple as adding an outlet or bringing a whole new electrical panel in for a new set of communication routing switches. During equipment failures the JCC will check and confirm that adequate power is going to the equipment, any additional support will be at the court's expense.

Prioritization of work related to equipment should follow the normal prioritization process and consideration.

Guideline 9

Art, Interior Decorations, and Special Purpose Decorations

Artwork can take many forms. Some art is purely decorative in nature such as paintings; other artwork is both decorative and functional such as seating walls, planting areas, and decorative flooring and wall covering. This guideline applies to both types of artwork.

Artwork, interior decorations and special purpose decorations are the responsibility of the court and not the JCC. Any of these types of items that were transferred to the JCC as part of the SB 1732 transfer process become the property of the JCC unless ownership is assumed by the court. If the court does not take ownership of the property the JCC at its discretion can remove, change, or maintain the artwork or decorations.

The court is responsible for those items simply hung on the walls or sitting in the facility. This would include most framed paintings, plants not part of a built-in atrium or similar structure, movable or temporary displays, temporary decorations such as holiday decorations and community displays. These items are considered the property of the court or employees working in the facility.

Some facilities have artwork on loan or maintained by local organizations such as historical societies or the artist. Both the JCC and the court must work closely with such organizations or owners to ensure artwork is properly maintained. If the owner or responsible organization request assistance in the maintenance and/or movement of the artwork the JCC will provide support in accordance with any established agreements with the artist or local organization. In the event no established agreement exists, the JCC will at its discretion may assist or determine that the requested assistance is not in the interest of the JCC and thus decline to provide the support without reimbursement of cost.

Guideline 10

Facility Modifications in Facilities To be Replaced With Funded Capital Projects

The use of Facility Modification funds in facilities with funded Capital Project that will result in the courts vacating the existing facility need to be carefully scrutinized. Since the time from funding of a Capital Project to move in is often five or more years, it is unreasonable to say that no FM funding will be permitted. The challenge is to fund those FMs that are critical to continue the operations of the facility and prevent excessive deterioration but are cost proportionate to the amount of time the court will remain in the facility. The following guidelines should be used in making funding decisions:

1. FM's that are critical to continue the normal operations of the facility should be funded.
2. Fire, life, safety and security issues normally will be funded.
3. When the cost of maintenance or operations due to failing systems is determined to exceed the cost of repair work to fix said failed system. For example: the impact to operations and cost of deterioration to the facility due to leaks may justify the replacement of a roof even though the roof will last for 20 years when the Courts are scheduled to leave after 5 years.
4. The JCC will take the limited life for the facility into consideration when determining the necessary FM actions needed.

FMs to enhance court operations, improve the appearance of the facility, and other items not required to maintain the existing operations must be evaluated on a cost versus years of service remaining. Items having short life cycles such as painting may be justified if the facility still has three or more years of court usage. Some items are required to maintain the dignity of the court. Generally, the following formula should be used as a guide to determine the amount to be spent on the above type items.

- Number of years of remaining usage **multiplied by** the square foot of court space **divided by** 10 **equal's** amount to be spent in any fiscal year.
- Using this formula a facility with five years of remaining court usage with 50,000 square feet could have approximately \$25,000 of FMs to enhance court operations and improve the appearance of the facility. While a similar sized facility with only two years of usage would have \$10,000.
- All requests beyond the scope of the formula will be highlighted to the Advisory Committee.

Courts may at their discretion fund additional enhancements or improvements to the facility, but JCC and court funding should not be combined for a single project.

Additionally FM funds will not be used to supplement or reimburse costs relating to a Capital Project: this includes contributing FM funds to a Capital Project, reimbursing the JCC for cost overruns or Court for work performed as part of a Capital Project. This fund exclusion does not extend to work after the completion of a Capital Project to enhance operations, improve the maintainability of the facility, or maintain the facility after expiration of warranties. In Capital Projects that occur in an existing facility, this exclusion does not pertain to repair or maintenance of items outside the scope of the Capital Project.

Guideline 11

Funding of Facility Modifications in Court-Funded Leased Facilities

This guideline applies to all leases managed by the JCC but funded by the courts. This could include leases for new judgeships, storage, or for any of a number of court-supported programs for which the local court pays the lease costs.

Most court-funded leases are like the majority of leases managed by the JCC, in that the lessee provides the majority of the facility maintenance needs. This routinely includes many items that would be facility modifications if done in a JCC owned facility. Normally these costs are included in the lease and no additional funding is required.

In some cases, there may be items that are not included in the lease cost that may fall into the category of facility modification. The TCFMAC will consider funding such items using the same prioritization and scoring methodology as with any facility modification. If funded the JCC will work with the lessee to determine how the work will be performed.

Facility modification funding will not be used for any of the following. See Guideline 15 for details regarding Court-Funded Facility Requests.

- To increase leased space.
- To change the basic function of the space, e.g. turn a warehouse into an office space.
- To pay for work that is the responsibility of the lessee.
- To pay for any cost that is amortized over the course of the lease or is a part of the operational expenses paid on a recurring basis.
- To pay for initial Tennant Improvements. Facility modification funding will only be considered after the court has occupied the space for six months or more.
- To pay for any cost related to storage space.

Guideline 12

Americans with Disabilities Act (ADA) Projects

The JCC has the responsibility to make all of their buildings comply with the Americans with Disabilities Act (ADA) most current regulations.

This is not an ADA guideline, but a guideline for projects that have ADA upgrades as the primary scope of work, the priority's focus must be specific to these upgrades.

This guideline does not apply to buildings constructed after the year 2000 as these buildings were constructed to the latest ADA guidelines and any modifications to these structures should have ADA compliance as a standard and not an upgrade in this construction.

Use the following to guide when the JCC will fund and what priority ADA upgrades should receive.

Priority 1: ADA projects will not fall under this priority as this priority is for projects that are immediately or potentially critical in nature. Such conditions may include, but are not limited to, the following; major flooding; substantial damage to roofs or other structural building components; or hazardous material exposure.

Priority 2: Only used to mitigate a legal action or written complaint and only for the items noted in the action or complaint. Example; if the complaint or legal action identifies no ADA accessible bathrooms on the first floor, the focus will be on providing an accessible bathroom on the first floor and not throughout the building. If ADA compliance is part of the overall repair, then compliance must be followed for that specific repair. Example; if the priority 2 is to replace a washroom lavatory and fixtures, that particular lavatory and associated fixture and its components must be ADA compliant.

Priority 3: Use when there is an impact to the dignity of the court to a level that it's correction will improve functionality, usability and accessibility of court operations. Priority 3 work should be limited to the minimum effort needed to address the immediate concern. If ADA compliance is part of the overall repair, then compliance must be followed for that specific repair. Example; if the priority 3 is to replace or add a break room cabinet, sink and fixtures, that particular cabinet and associated fixtures, and its components must be ADA compliant.

Priority 4: Most ADA work will fall under this priority. Example; Doors do not have closers or proper pull weight, bathrooms are not compliant, ramps needed, service counter heights to high and Elevator operating panels not compliant.

Priority 5: ADA projects will not fall under this priority.

Priority 6: ADA projects will not fall under this priority.

Guideline 13

Using Cost to Assist in Facility Modification Determinations

This guideline applies to work performed by the JCC that is funded from either the facility modification or operations and maintenance (O&M) funds. The Facility Modification Policy, approved by the Judicial Council on July 27, 2012, provides a definition of a facility modification. The definition acknowledges the difficulty in distinguishing a facility modification from routine maintenance. This Guideline is intended to supplement and aid in making that distinction not change the definition itself. This guideline will only be used after all other criteria in the definition have been used and a determination cannot be made as to whether or not the project is a facility modification.

The definition asks several questions related to making the distinction between a facility modification and O&M. One question relates to the amount of time and materials needed to complete the work. The amount of time and material could be considered to be the cost of the effort. Thus, cost could be one of the factors used to determine the distinction when other specific criteria listed in the Policy do not provide a clear distinction. Based on this, Service Work Orders with an estimate of over \$2,000 are generally considered to be facility modifications, while those under \$2,000 are generally considered to be O&M.

Projects should not be scoped with this guideline in mind. The levels of effort should be based on the need to deliver a complete and usable end product not be scoped to be a specific dollar amount. Breaking larger projects into smaller pieces to avoid them being over \$2,000, or combining unrelated items to ensure the estimate is over \$2,000 is not permitted.

Guideline 14

Vandalism & Graffiti Mitigation

It is the responsibility of the JCC to address vandalism. Vandalism includes graffiti related damage. Projects where a facility or its components are damaged, seriously deteriorated, dysfunctional, subject to intermittent service outage, or are otherwise in insufficient operating condition due to vandalism should be treated as facility modifications and processed through the standard facility modification process. Minor graffiti related vandalism projects will be treated as routine maintenance work. Standard processes and authorities should be used for planning, approval and execution.

Graffiti/Vandalism projects that qualify as Facility Modifications, as defined above, should use the following guide to determine what priority ranking the Graffiti/Vandalism should receive.

Priority 1: Vandalism Mitigation projects may fall under this priority. These projects immediately impact and/or are potentially critical in nature. Such conditions may include, but are not limited to, the following; major flooding; substantial damage to roofs or other structural building components; or hazardous material exposure. It would be exceedingly rare for a graffiti related vandalism project to reach this level of impact to court operations.

Priority 2: Graffiti/Vandalism Mitigation can only be justified as a Priority 2 if it is described as vandalism, in a public area that must be repaired immediately to prevent further deterioration of the building infrastructure. Public areas are generally described as building lobby areas, restrooms within free access areas, and corridors outside of courtrooms where the public congregate. Priority 2 facility modifications should be limited to the minimum effort needed to address the immediate concern.

Priority 3: Use when there is an impact to the dignity of the court to a level that its correction will improve functionality, usability, and accessibility of court operations. Priority 3 work should be limited to the minimum effort needed to address the immediate concern.

Priority 4: Only used where Graffiti/Vandalism Mitigation is required for code compliance.

Priority 5: Graffiti/Vandalism Mitigation projects will not fall under this priority.

Priority 6: Graffiti/Vandalism Mitigation projects will not fall under this priority.

Classifications of Graffiti/Vandalism Mitigation:

Examples of Minor Graffiti/Vandalism using Operations and Maintenance Funding:

- Vandalism – Graffiti Removal – Fill, sand, and paint bathroom two (2) partitions and/or urinal screens. Graffiti has been etched in the metal partitions and urinal screen in the men’s public restroom.
- Vandalism – Graffiti Removal – Sand and refinish the public corridor side of one (1) door that was vandalized with graffiti.

- Vandalism – Graffiti Removal – Sand, stain, and refinish two public benches (Bench top’s only) which were vandalized by graffiti outside the courtrooms, this work will need to be completed after hours.
- Vandalism – Graffiti Removal – Remove and replace the anti-graffiti film on three mirrors in the men’s public rest room in the lobby.
- Vandalism – Graffiti Removal – Seal and paint one wall (approximately 80sf) to cover the graffiti in the women’s public restroom.

Examples of major Vandalism using Facility Modification Funding:

- FM Priority Rating - 2 Vandalism - Apply 1/8 inch Petra-coat finish to the 1st and 2nd floor Men's public restrooms and replace two damaged mirrors with four new ones as well as one damaged paper towel dispenser. Currently Court visitors are scribing into the drywall above the tile on the walls in the 1st and 2nd floor men's public restrooms. Much of the vandalism is gang related.
- FM Priority Rating - 2 Vandalism – Sand, stain, and refinish 20 public benches which were vandalized by graffiti outside the courtrooms, this work will need to be completed after hours.
- FM Priority Rating - 2 Vandalism - Grind out and buff etched in graffiti at the stainless steel inner elevator doors. After removal, furnish and install anti-graffiti film on doors and side panels.
- FM Priority Rating - 3 Vandalism – Holding Cells Benches - Renovate 88 LF of vandalized benches in four (4) holding cells. Metal cladding will be placed over approximately 88 LF of wooden benches that have been vandalized by in-custodies.

Guideline 15

Court-Funded Facilities Requests (CFRs)

The Judicial Council has delegated to the Trial Court Facility Modification Advisory Committee the authority to approve new Court-Funded Facilities Requests (CFRs) if all of the following are true:

1. The court contribution will be used exclusively to pay for the following urgent court facilities needs:
 - i. Lease-related costs (i.e., lease payments and operating costs, repairs, or modifications required by a lease);
 - ii. Costs that are allowable court operations expenditures under rule 10.810 of the California Rules of Court (i.e., equipment, furnishings, interior painting, flooring replacement or repair, furniture repair, or records storage), if the court prefers to have the JCC handle the matter on its behalf;¹ or
 - iii. Other facility improvements that are not allowable court operations expenditures under rule 10.810 (i.e., facilities operations, maintenance, repairs, and modifications but not capital projects), if they would improve a court's functioning or reduce ongoing court operating costs.
2. If the court financial contribution will pay lease-related costs:
 - i. The JCC holds or has accepted assignment of the lease;
 - ii. The lease term will not exceed five years; and
 - iii. Any lease renewal (including renewals pursuant to an option contained in an existing lease contract) must be considered as a new CFR.
3. Courts wishing to contribute funding for multiple small projects that are non-lease items in a fiscal year may expedite the approval process by submitting a single CFR, under the following procedure:
 - i. The CFR proposes a maximum fiscal year budget (i.e., the court's cumulative total financial contribution) for small projects that year;
 - ii. Following approval of that amount, the court will submit individual service work order requests, to be charged against its authorized maximum annual fiscal year budget as follows:
 - a. Individual service work orders may not exceed \$15,000.
 - b. Each service work order will identify the type of service requested, and state whether the work is rule 10.810 allowable or unallowable.
 - c. If the work is rule 10.810 allowable, the service work order will provide a brief explanation of the reason that the court prefers to have the JCC handle the matter on its behalf.
 - d. If the work is not allowable under rule 10.810, the service work order will provide a brief explanation of how the requested work will improve the court's functioning or reduce ongoing court operating costs.

¹ Courts retain the option of making rule 10.810 allowable expenditures on their own, without resorting to the new CFR Procedure or an allocation reduction.

- e. Once a maximum fiscal year budget for small projects has been approved, a regional manager for the JCC's Facilities Management Unit may approve individual service work order requests.
 - f. The JCC's Facilities Management Unit must report at each meeting of the Trial Court Facility Modification Advisory Committee on disposition of all individual service work order requests received since the committee's last meeting.
- iii. A court's cumulative financial contribution via service work orders may not exceed the maximum fiscal year budget established under the original CFR. Work requiring expenditures beyond that established budget will require a new CFR.
4. The court's presiding judge or court executive officer submits a CFR application demonstrating the court's ability to meet the financial commitment.
 5. The JCC's Fiscal Services Office (FSO) will review the court's application and any other relevant information, may request further information from the court as needed, and will advise if it has concerns about the court's ability to meet the proposed financial commitment.
 6. If there are no unresolved FSO concerns, the court will execute an intra-branch agreement (IBA) with the JCC, authorizing the JCC to directly pay the costs covered by the court's CFR from the Trial Court Trust Fund (TCTF), making a corresponding reduction to the court's TCTF allocation.
 7. Any court submitting a CFR application must agree that its TCTF allocation will be reduced, during the period specified in the application, if approved, to meet the full financial commitment, notwithstanding any other court financial needs that may arise, as other court facilities funding sources are fully committed and therefore not available to replace a court contribution.
 8. If the JCC's FSO has concerns about a court's ability to meet a proposed financial commitment, it may present those concerns to the Trial Court Facility Modification Advisory Committee, and the court may present a response.

The Trial Court Facility Modification Advisory Committee will provide, on a quarterly basis, an informational report to the Judicial Council about all CFRs granted during the previous quarter, with reports to specify the nature of the cost covered by each court's contribution, the reason each request was considered urgent, and key terms for any leases (e.g., start and end date of term, options to renew, early termination provisions, total cost, and covered improvements).

Guideline 16

Charging Stations For Electric Vehicles

As use of electric-powered passenger vehicles increases in California, requests have been made by various Judges and Commissioners for installation of charging stations or the use of existing outlets for the charging of personally owned vehicles. This raises at least two questions: (1) should judicial officers, court employees or other court users be allowed to use existing outlets to charge their personal vehicles, and (2) should the judicial branch install formal electric car charging stations, which might be operated on a pay-per-use basis.

Use Of Existing Outlets. In general, the use of public resources by public employees in the workplace for personal benefit is not acceptable pursuant to California Government Code section 8134. Therefore, while de minimis use of electricity by employees may be legitimate in emergency or other special circumstances, court employees should not take advantage of the court's electric power to charge personal vehicles on a regular basis. The Trial Court Facilities Modifications Advisory Committee and the JCC personnel responsible on a regional basis for courthouse maintenance are not in a position to monitor the use of existing outlets by judicial officers, court employees and other courthouse users for abuse of public resources. Therefore, responsibility for the proper use of public resources (e.g. electric power) must remain primarily with local court managers and responsible judicial leaders on site.

Addition Of New Charging Stations As Facility Modification. While it would be wonderful if the judicial branch could afford to add electric charging stations to existing courthouses or to new courthouses, this is not a service which is in any way central to the mission of the courts. Since there is a continuing shortfall in resources needed to keep existing courthouses in habitable, usable condition for public service, the installation of new electric charging stations is a capital improvement which falls below Priority 6 (the lowest Priority on the existing scale). For this reason, a new category of Priority 7² has been created for the category "Desirable For Reasons Not Related To Court Operations." This will distinguish this kind of improvement from Priority 3, which includes improvements to existing courthouses which "improve the functionality, usability, and accessibility of a court facility" and which "will improve court operations."

Local Option To Arrange For Charging Stations. Since there are many different ways in which new electric charging stations can be installed (e.g. Blinknetwork.com, Plugshare.com, Chargepoint.com), the judicial branch will allow local courts to experiment with the installation of charging stations if suitable locations are available. As a policy matter, the Trial Court Facilities Modifications Advisory Committee strongly recommends against installations which will serve only secured parking areas for judicial officers. Any such new facilities should be available to at least court employees generally, not just for judicial officers.

The local court or an outside provider needs to invest the capital needed to make a code-compliant installation which does not overload existing circuits, switches and transformers. All such work must be approved in advance by the responsible JCC regional facilities manager, even

² The Facility Modification Policy as currently approved by the Judicial Council does not provide this priority. Until such time as this priority is formally adopted by the Council, the work meeting this definition shall be categorized as Priority 5 work.

for courthouses which are locally managed through the delegation pilot program. All such requests must be submitted for pre-approval to the TCFMAC as a Court-Funded Request; see also Guideline 8 “Installation and Support for Court Owned Equipment/Furniture Guidelines” for additional provisions applicable to such improvements.

Users should pay some fee consistent with comparable public charging stations and the cost of electricity consumed, and the provider must make arrangements in writing with JCC facilities management to reimburse the judicial branch for the power used unless it is supplied via a separate meter charged directly to the provider.

These rules do not apply to county managed courthouses and parking lots because responsibility for these issues is with the relevant county.

Guideline 17

Building and Security Systems Funding Responsibility

The Judicial Council (JCC) has the responsibility for the system infrastructure replacement and renewal. JCC funding generally carries legislated restrictions and therefore may only be used for specific functions and within specific circumstances. Rule 10.810 (See Attachment 2) allows the courts to use their operating funds for painting, wall/window coverings, carpet, and security. But it does not require them to fund this work.

All work whether a renewal, renovation, replacement or repair is subject to budget availability regardless of the fund source. The table below identifies three potential fund sources which would bear primary responsibility for work associated with specific components and systems should available budgets allow for it.

Available funding will lag behind demand and therefore work funded by the Real Estate and Facilities Management office must be prioritized in alignment with the FM Policy. Work funded by the Office of Security will be required to comply with the strictures of their funding rules.

The following tables A and B intend to provide definition on primary funding ownership for many different building systems, components and equipment. While not a complete and exhaustive list, it is generally comprehensive and deals with the majority of systems, components, and equipment common to court facilities.

Table A deals with building systems and components in general. It should be used as a guideline to identify responsibility of specific components and systems found within the building.

Table B deals with building security systems exclusively. It should be used as guideline to identify primary responsibility for the various security components that support the security function within the court.

Ownership of systems can be, and many times is, also the responsibility of the county. Engaging the county in the maintenance and renovation of their owned systems falls to the party identified as having primary funding responsibility. For example in a facility where the JCC has partial equity and the county serves as the managing party the JCC is responsible for working with the county to ensure that the HVAC system is properly maintained and, when appropriate, renovated.

Table A – Building Systems

| Building System Category | Subcategory | Building Components and Equipment | Real Estate and Facilities Management ¹ | Trial Court Operations Funds ² | Office of Security (Special Funds) |
|--------------------------|---------------------------|---|--|---|------------------------------------|
| Building Envelope | Exterior Doors | Doors and Doorknobs | X | | |
| Building Envelope | Exterior Doors | Exterior entrance power washing | X | | |
| Building Envelope | Exterior Walls | Exterior wall finish | X | | |
| Building Envelope | Exterior Windows | Clearing or Cleaning cobwebs from windows, corners (janitorial) | | X | |
| Building Envelope | Exterior Windows | Window cleaning exterior | X | | |
| Building Envelope | Exterior Windows | Windows (repair, occasional replacement) | X | | |
| Building Envelope | Foundation | Foundation | X | | |
| Building Envelope | Interior Windows | Window cleaning Interior (janitorial) | | X | |
| Building Envelope | Other Site System | Flag Poles and Flag replacement | X | | |
| Electrical | Branch Wiring | Raceway | X | | |
| Electrical | Service & Distribution | ATS switches | X | | |
| Electrical | Branch Wiring | Cabling work stations | | X | |
| Electrical | Communications & Security | Plug-in power monitoring for data systems | | X | |
| Electrical | Communications & Security | Server room electrical requirements | X | | |
| Electrical | Low Voltage Electrical | Antennas/communication dishes | | X | |
| Electrical | Low Voltage Electrical | Business Data Cabling | | X | |
| Electrical | Low Voltage Electrical | Lower voltage cable | X | | |
| Electrical | Low Voltage Electrical | Security cabling | X | | |
| Electrical | Low Voltage Electrical | Telephone/telephone cabling (Move, Change, or add) | | X | |
| Electrical | Low Voltage Electrical | TV Cable/CCTV | | X | |
| Electrical | Service & Distribution | Lighting (cubicle, desk or task) | | X | |
| Electrical | Service & Distribution | Lighting (except cubicle, desk or task) | X | | |
| Electrical | Service & Distribution | Switchgear | X | | |
| Electrical | Service & Distribution | Transformers | X | | |
| Electrical | Service & Distribution | Ballasts | X | | |
| Electrical | Service & Distribution | Capacitance bank | X | | |
| Electrical | Service & Distribution | Electrical outlets (new) | | X | |
| Electrical | Service & Distribution | Electrical outlets (repair and replace) | X | | |
| Electrical | Service & Distribution | Face plates (replace/install) | X | | |
| Electrical | Site Lighting | Exterior lights | X | | |
| Electrical | Site Lighting | Parking lot lighting | X | | |
| Fire Life Safety | Fire Protection | Computer fire suppression system | X | | |
| Fire Life Safety | Fire Protection | Extinguishers | X | | |
| Fire Life Safety | Fire Protection | Fire alarm system | X | | |
| Fire Life Safety | Fire Protection | Fire sprinkler system | X | | |
| Fire Life Safety | Communications & Security | Fire alarm system monitoring | X | | |
| Fire Life Safety | Emergency Power | Emergency Exit Lighting | X | | |
| Fire Life Safety | Emergency Power | Emergency Generator | X | | |
| Fire Life Safety | Emergency Power | Emergency lighting | X | | |
| Fire Life Safety | Emergency Power | UPS - uninterruptible power supply (hard-wired) | X | | |

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**Please note that the ability for the responsible party to replace, repair and/or maintain any of the systems or equipment described below will be subject to available budgets*

Table A – Building Systems

| Building System Category | Subcategory | Building Components and Equipment | Real Estate and Facilities Management ¹ | Trial Court Operations Funds ² | Office of Security (Special Funds) |
|--------------------------|----------------------------|---|--|---|------------------------------------|
| Flooring | Floor Finishes | Carpet maintenance and repair | | X | |
| Flooring | Floor Finishes | Floor covering maintenance and repair | | X | |
| Flooring | Floor Finishes | Maintenance and repair (safety-related ONLY) | X | | |
| Flooring | Floor Finishes | Non-cosmetic repairs | X | | |
| Flooring | Floor Finishes | Raised floor panels maintenance and repair | | X | |
| Furnishings | Appliances | Appliances (hard connected to mechanical or electrical systems) | X | | |
| Furnishings | Appliances | Break room water dispensers (unfixed) | | X | |
| Furnishings | Appliances | Built-in amenities (maintain, repair and replace existing) | X | | |
| Furnishings | Appliances | Counter style appliances | | X | |
| Furnishings | Appliances | Garbage Disposals | | X | |
| Furnishings | Appliances | Ice-Makers (standalone) | - | X | - |
| Furnishings | Appliances | Microwaves | | X | |
| Furnishings | Appliances | Ovens and Stoves | | X | |
| Furnishings | Appliances | Refrigerators | | X | |
| Furnishings | Appliances | Trash Compactors | | X | |
| Hardware | Interior Doors | Automatic door openers | X | | |
| Hardware | Interior Doors | Door closers | X | | |
| Hardware | Interior Doors | Hinges | X | | |
| Hardware | Interior Doors | Key schedule | X | | |
| Hardware | Interior Doors | Keys | X | | |
| Hardware | Interior Doors | Lock sets (includes cipher and access control connected hardware) | X | | |
| Hardware | Interior Doors | Rekeying (due to loss) | | X | |
| Hardware | Lock Specialty | Unfixed furnishing, cabinet keys and locks | | X | |
| Hardware | Exterior Windows | Window screens | X | | |
| HVAC | Air Distribution | Balancing air distribution | X | | |
| HVAC | Air Distribution | Air conditioning | X | | |
| HVAC | Air Distribution | Diffusers - cleaning room-side of vents (janitorial) | | X | |
| HVAC | Air Distribution | Distribution supply and return duct | X | | |
| HVAC | Air Distribution | VAV box controllers | X | | |
| HVAC | Controls & Instrumentation | Building Automation System (BAS) | X | | |
| HVAC | Controls & Instrumentation | Energy Management System | X | | |
| HVAC | Cooling System | Chiller | X | | |
| HVAC | Cooling System | Data room air conditioning systems | X | | |
| HVAC | Cooling System | Roof-top units | X | | |
| HVAC | Cooling System | Swamp coolers | X | | |
| HVAC | Heating System | Boiler | X | | |
| HVAC | Heating System | Steam boiler | X | | |
| HVAC | Vent Pipe & Fittings | Roof-top exhausts | X | | |
| HVAC | Vent Pipe& Fittings | Exhaust duct | X | | |
| Interior Finishes | Ceiling Finishes | Ceiling Tiles | X | | |
| Interior Finishes | Movable Furnishings | Artwork (owned and/or loaned) | | X | |
| Interior Finishes | Movable Furnishings | Blinds/Drapes/Shades (maintain, repair and replace) | X | | |
| Interior Finishes | Movable Furnishings | Blinds/Drapes/Shades - Cleaning | | X | |
| Interior Finishes | Movable Furnishings | Office pictures or personal decorations | | X | |

**Please note that the ability for the responsible party to replace, repair and/or maintain any of the systems or equipment described below will be subject to available budgets*

Table A – Building Systems

| Building System Category | Subcategory | Building Components and Equipment | Real Estate and Facilities Management ¹ | Trial Court Operations Funds ² | Office of Security (Special Funds) |
|--------------------------|---------------------------|--|--|---|------------------------------------|
| Interior Finishes | Special Coverings | Visual security barriers (tinting) | X | | |
| Interior Finishes | Special Finishes | Kick plates | X | | |
| Interior Finishes | Wall Coverings | Paneling ^[3] | | X | |
| Interior Finishes | Wall Coverings | Wall coverings | | X | |
| Interior Finishes | Wall Finishes | Minor touch-up painting | X | | |
| Interior Finishes | Wall Finishes | Paint - Exterior | X | | |
| Interior Finishes | Wall Finishes | Paint - Interior (cosmetic purposes) (Court-Exclusive Areas) | | X | |
| Interior Finishes | Wall Finishes | Paint - Interior (non-cosmetic) (Shared Use/Common Areas) | X | | |
| Interior Finishes | Wall Finishes | Wall/Sheetrock patching or repairing | X | | |
| Landscaping | Fertilizing | Chemical lawn treatments | X | | |
| Landscaping | Irrigation System | Landscaping irrigation system | X | | |
| Landscaping | Plantings | Boulevard plantings | X | | |
| Landscaping | Plantings | Shrubs/plantings/annuals | X | | |
| Landscaping | Movable Furnishings | Employee/Office plants at work stations/bathrooms, etc. | | X | |
| Mechanical | Energy Supply | Duct insulation | X | | |
| Mechanical | Energy Supply | Heat exchanger | X | | |
| Mechanical | Sanitary Waste | Waste water system | X | | |
| Mechanical | Water Distribution | Faucets | X | | |
| Mechanical | Water Distribution | Pipe insulation | X | | |
| Mechanical | Water Distribution | Water fountains | X | | |
| Mechanical | Water Equipment | Hot water heater | X | | |
| Mechanical | Water Equipment | Water filters (As required by specific building wide distribution systems) | X | | |
| Mechanical | Water Equipment | Water softener (building wide) | X | | |
| Mechanical | Water Equipment | Water treatment | X | | |
| Mechanical | Water Equipment | Drinking Water Dispensing equipment (temporary/mobile/countertop) | | X | |
| Office Equipment | Communications & Security | Server hardware and LAN infrastructure | | X | |
| Office Equipment | Communications & Security | Telephone system | | X | |
| Office Equipment | Equipment | Shredder | | X | |
| Office Equipment | Fixed Furnishings | Furniture (fixed) | X | | |
| Office Equipment | Movable Furnishings | Bulletin or white boards | | X | |
| Office Equipment | Movable Furnishings | Computer equipment | | X | |
| Office Equipment | Movable Furnishings | Furniture (unfixed) | | X | |
| Office Equipment | Movable Furnishings | Furniture moves | | X | |
| Office Equipment | Movable Furnishings | Furniture set-ups | | X | |
| Office Equipment | Movable Furnishings | High-density filing system | | X | |
| Office Equipment | Movable Furnishings | Modular furniture | | X | |
| Office Equipment | Equipment | Copier | | X | |
| Office Equipment | Equipment | Printers | | X | |
| Restroom | Floor Finishes | Carpet, VCT, Terrazzo, and bathroom floor material cleaning | | X | |
| Restroom | Floor Finishes | Mopping or Cleaning spills or water overflow | | X | |
| Restroom | Interior Specialties | Counter | X | | |
| Restroom | Bath Accessories | Electrical hand driers (buy/provide) | | X | |
| Restroom | Bath Accessories | Electrical hand driers (hang/re-hang) | X | | |

**Please note that the ability for the responsible party to replace, repair and/or maintain any of the systems or equipment described below will be subject to available budgets*

Table A – Building Systems

| Building System Category | Subcategory | Building Components and Equipment | Real Estate and Facilities Management ¹ | Trial Court Operations Funds ² | Office of Security (Special Funds) |
|--------------------------|---------------------|--|--|---|------------------------------------|
| Restroom | Bath Accessories | Paper towel dispensers (buy/provide) | | X | |
| Restroom | Bath Accessories | Paper towel dispensers (hang/re-hang) | X | | |
| Restroom | Bath Accessories | Seat cover dispensers (buy/provide) | | X | |
| Restroom | Bath Accessories | Seat cover dispensers (hang/re-hang) | X | | |
| Restroom | Bath Accessories | Soap dispensers (buy/provide) | | X | |
| Restroom | Bath Accessories | Soap dispensers (hang/re-hang) | X | | |
| Restroom | Bath Accessories | Stocking restrooms (janitorial) | | X | |
| Restroom | Bath Accessories | Toilet paper dispensers (buy/provide) | | X | |
| Restroom | Bath Accessories | Toilet paper dispensers (hang/re-hang) | X | | |
| Restroom | Bath Accessories | Trash cans (buy/provide) | | X | |
| Restroom | Bath Accessories | Trash cans (hang/re-hang) | X | | |
| Restroom | Fixtures | Partitions | X | | |
| Restroom | Fixtures | Plumbing fixtures | X | | |
| Restroom | Fixtures | Shelves | X | | |
| Restroom | Fixtures | Sinks | X | | |
| Restroom | Fixtures | Urinals | X | | |
| Roof | Roof Coverings | Roof decking | X | | |
| Roof | Roof Coverings | Roof drains/gutter/flashing | X | | |
| Roof | Roof Coverings | Roof membrane | X | | |
| Roof | Roof Coverings | Roof pads/wear lane/traffic | X | | |
| Services | Administrative | O&M Technician's office | X | | |
| Services | Administrative | Space planning functions | | X | |
| Services | Pest | Exterior spraying | X | | |
| Services | Pest | Indoor traps | X | | |
| Services | Pest | Interior spraying | X | | |
| Services | Pest | Preventive and Corrective measures | X | | |
| Signage | Site Signage | Exterior signage | X | | |
| Signage | Identifying Devices | Identification | | X | |
| Signage | Identifying Devices | Instructional (e.g. cell phone usage, noise policy, restricted area, etc.) | | X | |
| Signage | Identifying Devices | Reader boards (NOT specified in Court Transfer Agreement) | | X | |
| Signage | Identifying Devices | Reader boards (specified in Court Transfer Agreement) | X | | |
| Signage | Identifying Devices | Room Numbering (maintain, repair and replace) | X | | |
| Signage | Identifying Devices | Room numbering (new, adds, or changes) | | X | |
| Signage | Identifying Devices | State code compliance (e.g. "No Smoking") | X | | |
| Signage | Identifying Devices | Way finding/directional (Includes Evacuation) | X | | |
| Site Work | Parking Lots | Curbing (except local authority) | X | | |
| Site Work | Parking Lots | Parking (except local authority) | X | | |
| Site Work | Parking Lots | Parking lot striping | X | | |
| Site Work | Pedestrian Paving | Sidewalk (except local authority) | X | | |
| Site Work | Security Structures | Security bollards | X | | |

DEFINITIONS:

Fixed Furnishings are defined as those furnishing that are bolted to the building structure.

Unfixed Furnishings are defined as those furnishings not affixed or only soft connected to the building structure.

Fixed Equipment is defined as those installed as part of the facility infrastructure or hard connected to mechanical or electrical systems.

**Please note that the ability for the responsible party to replace, repair and/or maintain any of the systems or equipment described below will be subject to available budgets*

Table A – Building Systems

Unfixed Equipment is defined as those not installed as part of the facility infrastructure or hard connected to mechanical or electrical systems.

Attachment 1

| Building System Category | Subcategory | Building Components and Equipment | Real Estate and Facilities Management¹ | Trial Court Operations Funds² | Office of Security (Special Funds) |
|---------------------------------|-----------------------------------|---|--|---|---|
| Equipment | Alarms | Hardwired duress alarms not integrated with facility security system | | X | |
| Equipment | Alarms | Wireless Duress alarms | | X | |
| Equipment | Alarms | Wireless Duress alarms installed by Office of Security include a 5 year service agreement. New systems installed through Capital Projects do not have a 5 year service agreement. Repairs outside of a service agreement will be the responsibility of the Court. | | | X |
| Equipment | Building Access | Access control cards or fobs, replacement and programming for access levels. Badges and badge making equipment and software. | | X | |
| Equipment | Building Access | Access control system hardware and head end controller in accordance with California Trial Court Facilities Standards. | X | | |
| Equipment | Gun Locker | Gun locker installation, repairs and keys | | X | |
| Equipment | Holding Cells | Holding cell access control systems | X | | |
| Equipment | Holding Cells | Holding cell keys | | X | |
| Equipment | Magnetometers & Related Equipment | Cabinet X-Ray System/magnetometers and associated monitors or accessories. Trust fund purchase includes 5 year service agreement. Service and maintenance outside of service agreement is responsibility of the Court. | | | X |
| Equipment | Magnetometers & Related Equipment | Cabinet X-Ray System and magnetometer and associated monitors or accessories | | X | |
| Equipment | Magnetometers & Related Equipment | Hand wand metal detectors | | X | |
| Equipment | Magnetometers & Related Equipment | Registration, record keeping, signage and training for Cabinet X-Ray Systems/magnetometers and associated monitors or accessories | | X | |
| Equipment | Safes | Fixed Safes maintenance and repair | X | | |
| Equipment | Safes | Portable Safes | | X | |
| Equipment | Surveillance | Camera – Interior | | X | |
| Equipment | Surveillance | Camera maintenance, repair and replacement if in excess of or addition to JCC trial court standards | | X | |
| Equipment | Surveillance | Camera – Perimeter | X | | |
| Equipment | Surveillance | Digital video recording (DVR) as components of complete security system and plan | X | | |

| Building System Category | Subcategory | Building Components and Equipment | Real Estate and Facilities Management¹ | Trial Court Operations Funds² | Office of Security (Special Funds) |
|---------------------------------|--------------------|--|--|---|---|
| Equipment | Surveillance | Digital video recording (DVR) for court operations and limited security application | | X | |
| Equipment | Surveillance | Facility security systems, including controllers, facility security cameras, security specific digital recording systems and monitoring stations. (no personnel) | X | | |
| Equipment | Surveillance | Security System – Interior | | X | |
| Equipment | Surveillance | Security System – Perimeter | X | | |
| Equipment Monitoring | Alarms | Duress alarms | | X | |
| Equipment Monitoring | Alarms | Fire alarm system | X | | |
| Equipment Monitoring | Alarms | Hardwired duress alarms integrated with facility security system | X | | |
| Equipment Monitoring | Alarms | Intrusion alarm, monitoring and response | | X | |
| Equipment Monitoring | Alarms | Intrusion alarm, repairs and maintenance | | X | |
| Equipment Monitoring | BAS | Building Automation System (BAS) | X | | |
| Equipment Monitoring | Elevator | Elevator and vertical conveyance monitoring and notification | X | | |
| Equipment Monitoring | Vehicles | Vehicle control system | X | | |
| General Building | Equipment | Manage and maintain facility operations equipment | X | | |
| General Building | Janitorial | Porter services and routine spill cleanup (janitorial) | | X | |
| General Building | Personnel | Security personnel | | X | |
| Hardware | Fencing & Gates | Security fencing and gates, vehicle barriers and bollards | X | | |
| Hardware | Keys & Locks | Cabinet and cash drawer keys and locks in fixed furnishings | | X | |
| Hardware | Keys & Locks | Cipher locks | X | | |
| Hardware | Keys & Locks | Door hardware/automatic door openers | X | | |
| Hardware | Keys & Locks | Key schedule | X | | |
| Hardware | Keys & Locks | Keys | X | | |
| Hardware | Keys & Locks | Lock sets (includes cipher and access systems) | X | | |
| Hardware | Keys & Locks | Rekeying due to loss of key | | X | |
| Hardware | Windows | Ballistic glazing assemblies | X | | |
| Hardware | Windows | Ballistics protection (courtrooms, security spaces, etc.) | X | | |

² Building components and equipment to be included within the funding responsibility of the Judicial Council of California in transferred facilities is in accordance with applicable transfer and joint occupancy agreements.

² Court-funded facilities requests (CFRs) should be coordinated with the Judicial Council Customer Service Center.

³ Artwork, sculpture and intricate design components, such as lit design details, shall be treated on an item-by-item basis determined cooperatively and dependent on initial and future use.

