



JUDICIAL COUNCIL OF CALIFORNIA

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COURT FACILITIES
ADVISORY COMMITTEE

COURT FACILITIES ADVISORY COMMITTEE

MINUTES OF OPEN MEETING

July 16, 2015

12:00 PM –12:45 PM

Conference Call

Advisory Body Hon. Brad R. Hill, Chair
Members Present: Hon. Donald Cole Byrd
Mr. Anthony P. Capozzi
Mr. Stephan Castellanos, FAIA
Hon. Robert. D. Foiles
Ms. Melissa Fowler-Bradley
Hon. William F. Highberger
Hon. Steven E. Jahr (Ret.)
Hon. Jeffrey W. Johnson
Hon. Laura J. Masunaga
Hon. Gary R. Orozco
Ms. Linda Romero Soles
Mr. Kevin Stinson
Hon. Robert J. Trentacosta

Advisory Body Hon. Patricia M. Lucas, Vice-Chair
Members Absent: Hon. Keith D. Davis
Mr. Stephen Nash
Hon. David Edwin Power
Mr. Larry Spikes
Mr. Val Toppenberg
Mr. Thomas J. Warwick, Jr.

Others Present: The following Judicial Council staff/others were present:
Mr. Steven Chang, Finance
Mr. William J. Guerin, Capital Program
Ms. Angela Guzman, Capital Program
Mr. Burt Hirschfeld, Real Estate and Facilities Management
Ms. Donna Ignacio, Capital Program
Mr. Chris Magnusson, Capital Program
Ms. Kristine Metzker, Capital Program
Ms. Leslie G. Miessner, Legal Services
Ms. Debora Morrison, Legal Services
Mr. Curt Soderlund, Chief Administrative Officer
Ms. Kelly Quinn, Capital Program

OPEN MEETING

Call to Order, Roll Call, and Approval of Meeting Minutes

The chair called the meeting to order at 12:00 PM, and roll was taken. The advisory committee voted unanimously (with the abstention of Hon. Donald Cole Byrd [absent from the May 2015 meeting] and the exceptions of Hon. William F. Highberger, as an Ex-Officio, non-voting member, and of the members who were absent as shown above) to approve the minutes from its meeting held on May 15, 2015.

DISCUSSION AND ACTION ITEMS

Item 1

Proposed Senate Bill 1407 Project Funding Requests and Draft *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for Fiscal Year 2016–2017

Ms. Angela Guzman presented the list of eight Senate Bill 1407 capital-outlay project funding requests for FY 2016–2017. She noted that the eight SB 1407 project funding requests would be submitted to the state Department of Finance in early September 2015 along with the update to the *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for Fiscal Year 2016–2017.

Action: The advisory committee—with the abstentions of Hon. Steven E. Jahr (Ret.) and Ms. Melissa Fowler-Bradley (pertaining only to the Shasta—New Redding Courthouse project funding request of motion no. 1 below) and the exceptions of Hon. William F. Highberger, as an Ex-Officio, non-voting member, and of the members who were absent as shown above—voted unanimously on the following motions:

1. Recommend the Judicial Council submit to meet the state Department of Finance’s September 2015 deadline the proposed funding requests for the next phase of SB 1407 projects eligible for available SB 1407 funds and the annual update of the *Judicial Branch AB 1473 Five-Year Infrastructure Plan* for FY 2016–2017.
2. Recommend the Judicial Council delegate to the Administrative Director the authority to make technical changes to the FY 2016–2017 SB 1407 project funding requests and the five-year plan document for submission to the state Department of Finance, subject to the review and approval of the committee’s chair and vice-chair and chair of the Courthouse Cost Reduction Subcommittee.

Item 2

Judicial Council Policy on Art Acquisition for Court Facilities

Mr. William Guerin presented the policy, indicating it had been developed in response to a recommendation of a 2011 audit from the state Department of Finance’s Office of State Audits and Evaluation. He noted that the policy does the following: addresses acquisition of art by the Judicial Council, clarifies that funds appropriated for courthouse construction, maintenance, and repair will not be used to acquire art, prohibits acquiring art for county-managed court facilities or for court facilities leased to non-court occupants, and guides council staff in acquiring art on

behalf of the council through private gifts in alignment with other council policies and California Rules of Court to avoid conflicts of interest and any appearance of impropriety. He indicated the policy would not apply to art that an individual court may acquire unless that art will become affixed to a court facility, as it would become part of the facility and a council responsibility once affixed.

Mr. Guerin stated that earlier this month, council staff reviewed the proposed policy with the Joint Court Facilities Subcommittee of the Trial Court Presiding Judges and Court Executives Advisory Committees chaired by Judge Harman. He also mentioned that the policy would be reviewed on July 17, 2015, by the Trial Court Facility Modification Advisory Committee, as well as on July 21, 2015, by the Facilities Policies Working Group that would be presenting a final policy to the council.

Action: The advisory committee—with the exceptions of Hon. William F. Highberger, as an Ex-Officio, non-voting member, and of the members who were absent as shown above—voted unanimously on the following motion:

1. Recommend the Judicial Council adopt the *Judicial Council Policy on Art Acquisition for Court Facilities*, with a clarification to section 3.2 that anti-theft attachments are not considered to make art a permanent installation.

Item 3

Naming Request for the Merced – New Los Banos Courthouse

Mr. Chris Magnusson presented the request from the Superior Court of California, County of Merced, indicating that because the superior court's existing courthouse in the City of Los Banos—named the *Robert M. Falasco Justice Center*—is being replaced by the new courthouse project currently under construction, the name would simply shift from the existing courthouse to the new courthouse. He stated the Superior Court of Merced has indicated Hon. Robert M. Falasco has been deceased for about three years, while the Judicial Council's naming policy allows names of individuals that have been deceased for 10 years. He noted that the new courthouse is expected for completion next fall, and in order to incorporate the requested name into the signage fabrication submittal—that is being prepared by council staff this fall—council approval is timely and would be preferable at its upcoming August meeting.

Mr. Anthony Capozzi indicated that this proposal does not conflict with the council's naming policy on the number of years for deceased persons, because it simply transfers the name from the existing courthouse to the new courthouse building.

Action: The advisory committee—with the abstention of Ms. Linda Romero Soles and the exceptions of Hon. William F. Highberger, as an Ex-Officio, non-voting member, and of the members who were absent as shown above—voted unanimously on the following motion:

1. Recommend the Judicial Council approve the request for naming the new courthouse under construction in the City of Los Banos as the *Robert M. Falasco Justice Center*.

All Items

Hon. Brad R. Hill, Chair indicated that reports on the three agenda items would move forward to the Judicial Council.

Ms. Kelly Quinn clarified that the Facilities Policies Working Group would ultimately submit the art policy (Item 2) to the council.

Action: The advisory committee—with the exceptions of Hon. William F. Highberger, as an Ex-Officio, non-voting member, and of the members who were absent as shown above—voted unanimously on the following motion:

1. Delegate accordingly to the advisory committee's chair, vice-chair, and chair of its Courthouse Cost Reduction Subcommittee the responsibility to finalize the reports to the Judicial Council on the agenda items discussed today.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 12:45 PM.

Approved by the advisory body on September 16, 2015.