



JUDICIAL COUNCIL OF CALIFORNIA

COURT FACILITIES
ADVISORY COMMITTEE

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COURT FACILITIES ADVISORY COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

May 26, 2022

10:00 a.m. – 2:00 p.m.

Judicial Council of California – San Francisco Office

Advisory Body Members Present: Hon. Brad R. Hill, Chair
Hon. Patricia M. Lucas, Vice-Chair
Hon. JoAnn M. Bicego
Hon. Donald Cole Byrd (by video)
Mr. Anthony P. Capozzi (by video)
Mr. Stephan Castellanos, FAIA (by video)
Hon. Keith D. Davis (Ret.)
Hon. Robert D. Foiles (by video)
Ms. Melissa Fowler-Bradley
Hon. William F. Highberger (by video)
Hon. Steven E. Jahr (Ret.)
Hon. Gary R. Orozco
Ms. Linda Romero Soles
Mr. Larry Spikes
Hon. Robert J. Trentacosta (by video)
Mr. Thomas J. Warwick, Jr. (by video)

Advisory Body Members Absent: Hon. David Edwin Power (Ret.)

Others Present: The following Judicial Council staff/others were present:

Hon. S. Robert Tice-Raskin, Presiding Judge, Superior Court of Nevada County
Hon. Linda J. Sloven, Assistant Presiding Judge, Superior Court of Nevada County (by video)
Hon. B. Scott Thomsen, Judge, Superior Court of Nevada County (by video)
Mr. Jason Galkin, Court Executive Officer, Superior Court of Nevada County
Mr. Alan Bright, Senior Principal, HOK
Mr. David Crotty, Principal, HOK
Ms. Analyn Apan, Vice President, MGAC (by video)
Ms. Dena Belzer, President, Strategic Economics, Inc. (by video)
Hon. Mary J. Greenwood, Administrative Presiding Justice, Court of Appeal, Sixth Appellate District (by video)
Mr. Baltazar Vazquez, Clerk/Executive Officer, Court of Appeal, Sixth Appellate District (by video)
Mr. Adam Padua, Senior Associate, Moore Ruble Yudell | Architects & Planners (by video)
Hon. Jeanine B. Nadel, Presiding Judge, Superior Court of Mendocino County (by video)
Ms. Kim Turner, Court Executive Officer, Superior Court of Mendocino County
Mr. Jeff Fuller, Associate Vice President, CannonDesign
Mr. Praful Kulkarni, Principal/Director of Integrated Services, CannonDesign
Mr. Michael LeBoeuf, Director of Design, Silling Architects
Mr. Tom Potts, President, Silling Architects
Mr. Kevin J. Lane, Clerk/Executive Officer and CJER Liaison, Court of Appeal, Fourth Appellate District (by video)
Mr. Tamer Ahmed, Deputy Director, Facilities Services
Ms. Kim Bobic, Senior Project Manager, Facilities Services
Mr. Jack Collins, Manager, Facilities Services (by video)
Mr. Ed Ellestad, Supervisor, Facilities Services
Mr. Craig Evans, Project Manager, Facilities Services
Ms. Rose Livingston, Senior Analyst, Executive Office (by video)
Mr. Chris Magnusson, Supervisor, Facilities Services
Ms. Pella McCormick, Director, Facilities Services (by video)
Ms. Mimi Morris, Principal Manager, Facilities Services (by video)
Mr. Bruce Newman, Senior Facilities Analyst, Facilities Services (by video)
Ms. Deepika Padam, Manager, Facilities Services (by video)
Ms. Akilah Robinson, Associate Analyst, Facilities Services
Mr. Robert Shue, Project Manager, Facilities Services
Mr. Jagandeep Singh, Principal Manager, Facilities Services
Ms. Lynette Stephens, Senior Budget Analyst, Budget Services (by video)
Ms. Maggie Stern, Attorney II, Legal Services
Ms. Peggy Symons, Manager, Facilities Services (by video)
Mr. Zlatko Theodorovic, Deputy Director, Budget Services (by video)
Mr. John Wordlaw, Chief Administrative Officer, Executive Office (by video)

OPEN MEETING

Call to Order, Roll Call, and Opening Remarks

The chair called the open meeting to order at 10:00 a.m., roll was taken, and opening remarks were made.

Approval of Minutes

The advisory committee voted—with abstention of members absent from the meeting and exceptions of judges Donald Cole Byrd and William F. Highberger, as Ex-Officio, non-voting members—to approve the minutes of its meeting held on April 19, 2022.

DISCUSSION AND ACTION ITEMS (ITEMS 1–4)

Item 1

Director’s Report (No Action – Information Only)

Summary: The Court Facilities Advisory Committee (CFAC) received an update from Mr. Tamer Ahmed on the following topics:

2022–23 Budget:

- The Governor’s Budget included eight capital projects—three in-progress for Butte, Mendocino, and San Bernardino superior courts and five that are new for Fresno, Los Angeles, Plumas, San Luis Obispo, and Solano superior courts.
- The May Revision included proposals for the following:
 - Facility space needs for 23 new judgeships;
 - California Construction Cost Index (CCCI) increases for four projects (for Butte, Lake, Mendocino, and Stanislaus superior courts);
 - Funds shifting from lease revenue bonds to the General Fund for construction phases of two projects (for Imperial and Shasta superior courts); and
 - Reappropriation of funds for three projects (for Butte, Monterey, and San Bernardino superior courts).
- During 2021, the CCCI increased 13.4 percent, and it has increased an additional 9.23 percent from January to April 2022.

2023–24 Budget:

- Planning has started for FY 2023–24 with capital project concepts approved by the Judicial Council’s Judicial Branch Budget Committee on May 18, 2022.
- Project funding request sequencing follows the council’s statewide list and five-year plan for capital projects, with state Department of Finance adjustments aligned with the state’s financial position at the end of 2022 and reflected in the 2023–24 Governor’s Budget.

Market Trends:

- Supply chain and commodity market instability are having a direct impact on the current project’s schedules and costs.

- Market pressures including increased costs for energy, raw materials, and commodities are affecting construction component availability and pricing:
 - Construction materials prices increased 37 percent since the start of the pandemic in April 2020 including an increase of almost 21 percent during 2021.
- Shipping and logistic bottlenecks have limited and delayed the supply of critical building infrastructure, especially mechanical, electrical, plumbing, and technology system components. Most MEP and IT items are experiencing lead times of 6 to 12 months (or longer) owing to nonavailability of microchips.
- The labor market has a shortage of craftsmen, and recent industry polls consistently rank the shortage of skilled labor as the primary risk factor for completing projects on time and on budget.
- Several courthouse capital projects are potentially delayed owing to missing components affecting sequence of construction and commissioning of buildings. Staff is working diligently with Construction Managers at Risk to mitigate delays and minimize cost impacts.

Upcoming Milestones:

- The next CFAC meeting is scheduled as a videoconference on June 7, 2022. Anticipated agenda items include review and action on the five-year infrastructure plan for FY 2023–24 for project funding requests.
- To provide sufficient review of today’s Discussion items, a second CFAC videoconference has been scheduled for June 17, 2022, including a decision needed on which of the three Nevada City Courthouse project options should be included in the five-year infrastructure plan for FY 2023–24.

Action: The advisory committee took no action, as this item had only been presented for informational purposes.

Item 2

Nevada—Nevada City Courthouse: Project Study Review (No Action – Information Only)

Summary: The CFAC received a presentation of the capital project’s planning study findings.

Prior to the start of the presentation of the planning study findings, Hon. S. Robert Tice-Raskin, Presiding Judge of the Superior Court of Nevada County, made remarks that are captured verbatim in the materials (Tab 3G) for this item.

Consistent with the materials (Tabs 3A–B) for Item 2 of the agenda, which were posted online for public viewing in advance of the meeting and available at www.courts.ca.gov/documents/cfac-20220526-materials.pdf, Mr. Craig Evans presented slides 1–6, Mr. David Crotty presented slides 7–28 and 88–99, and Mr. Alan Bright presented slides 29–87.

Action: The advisory committee took no action, as this item had only been presented for informational purposes.

Item 3

Court of Appeal, Sixth Appellate District: New Courthouse Study Review (No Action – Information Only)

Summary: The CFAC received a presentation of feasibility study findings for consideration of a new courthouse.

Consistent with materials (Tabs 4A–B) for Item 3 of the agenda, which were posted online for public viewing in advance of the meeting and available at www.courts.ca.gov/documents/cfac-20220526-materials.pdf, Ms. Kim Bobic presented slides 1–3 and 12–20, and Mr. Adam Padua presented slides 4–11. Hon. Mary J. Greenwood, Administrative Presiding Justice of the Sixth District Court of Appeal, thanked Judicial Council staff and the project team as well as thanked the CFAC for its consideration to assist the court with its space needs given the level of interest shown by technology companies in its current location and the amount of new development and redevelopment—for private commercial and residential space but not for government space—taking place within the immediate neighborhood and downtown area. Moreover, the advisory committee made the following comments:

- Concerning the lease, it would be advantageous if it allows for an option to extend for additional time of less than five years, should it be needed to assist the project.
- Concerning benchmarking of utility and maintenance costs, other courthouse data could be used to supplement the data collected between 2009–2019 for the Palo Alto and Morgan Hill courthouses, since those courthouses had not operated full time within that timeframe.

Action: The advisory committee took no action, as this item had only been presented for informational purposes.

Item 4

Mendocino—New Ukiah Courthouse: Performance Criteria Review

Summary: The CFAC received a presentation of the capital project’s completed Performance Criteria, which was a scheduled milestone review.

Prior to the start of the presentation of the performance criteria, Ms. Kim Turner, Court Executive Officer of the Superior Court of Mendocino County, made remarks to thank Judicial Council staff, the project team, and the CFAC for its review and consideration of the project.

Consistent with the materials (Tabs 5A–B) for Item 4 of the agenda, which were posted online for public viewing in advance of the meeting and available at www.courts.ca.gov/documents/cfac-20220526-materials.pdf, Mr. Robert Shue presented slides 1–3 and 26–27, Mr. Jeff Fuller presented slides 4–5 and 19–25, and Mr. Michael LeBoeuf presented slides 6–18. During the presentation, Mr. Praful Kulkarni thanked the CFAC for its review and consideration of the project as well as Hon. Jeanine B. Nadel, Presiding Judge of the Superior Court of Mendocino

County, thanked Judicial Council staff, the project team, and the CFAC for its review and consideration of the project.

Action: The advisory committee—with exception of judges Donald Cole Byrd and William F. Highberger, as Ex-Officio, non-voting members, and members absent as shown above—voted to approve the following motion:

1. Recommend the project’s completed Performance Criteria move forward to the state Department of Finance/State Public Works Board for approval.

A D J O U R N M E N T

There being no further open meeting business, the meeting was adjourned at 2:00 p.m.

C L O S E D S E S S I O N (C A L . R U L E S O F C O U R T , R U L E 1 0 . 7 5 (D)

Closed Item 1

San Bernardino Juvenile Dependency Courthouse Addition and Renovation

Review of security-related topics requested from 100 Percent Schematic Design review.

In accordance with rule 10.75(d)(5) of the California Rules of Court, the Chair has exercised discretion to close this portion of the meeting to discuss security plans or procedures or other matters that if discussed in public would compromise the safety of the public or of judicial branch officers or personnel or the security of judicial branch facilities or equipment, including electronic data.

Adjourned closed session at 3:00 p.m.

Approved by the advisory body on June 17, 2022.