

Citizens Oversight Committee (COC)
Meeting Minutes
November 24, 2008

Chairman Ron Salem and Mayor Peyton opened the meeting with an apology for moving the date from the previous Thursday (11/18). The group then recognized and discussed the loss of original member Ralph Malphurs in October.

Mayor Peyton began his remarks:

The city's goal right now is to keep activity on the street. We are thankful for the BJP because it has put billion of dollars on the street. We've done 22 of 23 vertical projects, with the last being the courthouse. We are determined to get it done and not pass it on to next mayor. We will celebrate a near finished building before I leave office.

We are on the home stretch with the program and I appreciate [the COC members'] participation because it is good for you to get the facts. We can't rely on media to spread good news – the city needs ambassadors like you. As unpopular as the courthouse project has been, it will be a good thing. It will put hundreds, if not thousands, of people to work when the construction starts. We are also positioned to get the best bids in recent history, because on other projects we're seeing 22% savings compared to engineers estimates. I believe it have be a domino effect by freeing up the river land, providing a boost to the LaVilla area and complete the vision of a government square. It is important that we look after the value of land off of the river; the riverfront property will take care of itself. The courthouse will be a catalyst for this area of downtown, which has the highest vacancy, lowest leasing rates in the Southeast.

Chairman Salem followed the Mayor's comments by advising the committee that the Mayor plans to issue a new executive order to adjust the meeting frequency. The group may not necessarily meet quarterly; meetings may be more frequent, depending on the issues and events surrounding BJP. The executive order will allow the group to meet at the call of the Mayor or the chair, giving the flexibility needed now that the program is waning.

Chairman Salem then turned the meeting over to Dave Schneider, senior project manager for the courthouse, to provide an update on the project.

He began by showing a rendering of the proposed building while outlining the major specs – it will be seven stories tall, 188 feet to the top, 600 feet long, 200+ deep. Schneider said the finished building will be about the same height as the new federal courthouse. His comments continued:

When I presented in March, we'd just re-written the new budget to take to Council. That legislation passed in April, which set the budget to \$350 million for whole program, including \$212 million for the new court building and line items for State Attorney's Office space in the Old Federal Courthouse; the Public Defender's space in the Ed Ball Building, and furniture, fixtures and electronics (FF&E) and information technology. After Council approved the ordinance, we

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met with the design/build team and negotiated a contract for schematic design. We then amended that contract in October for design development. Today the plans are about 60% complete; our goal was to reach 75% by end of January. At that point, we will put them out to bid to take advantage of hungry market, then add up bid prices plus contingencies, then get the guaranteed maximum price (GMP). We will start construction soon thereafter.

At the end of September, we took plans to Downtown Development Review Board, which has jurisdiction over downtown. We got their tentative approval, but will go back on December 4 for the final approval of plans. Also, we need to take the plans back to the Courthouse Architectural Review Committee. The first visit with CARC involved a review of the exterior; the next meeting will focus on the interior, looking at efficiency.

Between now and January, we will coordinate mechanical, electrical, and plumbing parts of the plans to ensure there is no conflicts. We hope to start construction ASAP, looking to break ground in March to get done in 2011.

Update on Old Federal Courthouse, which is the State Attorney's Office – we started design right before election, and decided to slow down to allow the new State Attorney to look at the plans and make changes. The same holds true for the Public Defender's space in Ed Ball.

Schneider closed his comments by noting that while the new building is programmed for 2025, that doesn't mean that we will need a new courthouse in 17 years. It means that if it fills as we're projecting, that we will have a building at capacity, and at that time we will need to start considering the future. The building itself is not being designed to be expanded. The Mayor added that technology will likely change that impacts how the space fills out.

Chairman Salem then opened the floor for questions.

Will Monroe Street remain open?

Ultimately, Monroe Street stays open. It will have to close during construction, but we will reopen it. Like Mayor said, we expect to have 300-500 workers on site per day when foundations start, then ramping up to over 1000 at the height of construction.

Will parking be included in this project?

A 1200-space garage has already been completed across Monroe Street from the site.

What streets will be closed?

Clay will stay closed. Pearl may reopen. Monroe will stay open.

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If Monroe Street is open, how will you accommodate the pedestrian traffic from the garage? Will you build a bridge?

No. When we build it, Monroe Street will curve around the front of the building. It will help slow traffic.

Do you believe all of the security concerns we raised in March have been addressed?

Yes. The way it's designed, most floors have 12 courtrooms configured into 'pods'; each pod has room for 100 defendants. We coordinated with JSO, Public Defender, and State Attorney. The main holding downstairs will hold 150 or so. This building has separate corridors for public, judges, inmates, etc. No interaction except in courtroom.

Also to clarify – there will not be any facilities to hold inmates overnight, correct?

No. The defendants will be bussed back to the pre-trial facility.

So right now, we are waiting for the bid prices?

When we get the 75% drawings, we will put them to bid. However, the respondents will be bidding on the 100% design. We will let them fill the gap with their expertise, rather than create detailed parameters.

If the bids come in at \$350 million or below, we proceed...what happens if the bids come in over \$350 million? We will have some issues to address then, correct?

The goal is to bring it in under; if we do, the project would require no further action from a legislative body. We would have to go to our internal CSPEC committee to award.

Earlier in the process we talked about shelling out some space. Is the current plan for the courtrooms to all be done at the same time?

Yes, but that is part of our budgetary cushion. If the bids go over, we have option to shell out some space.

Will there be a power generator on site located above the 100-year flood level?

Yes. This facility will have a lot of security to make sure it's protected from outside while ensuring no one gets trapped on the inside.

How many elevators will it have?

All totaled it will have 14 elevator banks. There will also be a set of escalators that can take you up to the 6th floor. The main public traffic will be first two floors...second floor will be jury selection.

Will there be secured parking for judges and high-level staff?

Yes, though it will not be underground. It will be ground-level, but covered by the building. They will have secured entrance/exit.

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How many courtrooms do we currently have?

We have 22 or 23 and are going to 51.

Will the other sides of the building look like the rendering?

The wall on Duval Street will not be as ornate. The other two sides will be more architecturally enhanced.

Are we planning to use standard types of roofing and windows? Nassau has had problems with leakage on their new facility, and so has the Prime Osborn.

I don't know that level of detail; do know that the materials will have a warranty. It will also be LEED certified.

Are we doing anything with the local college or high school apprenticeship programs?

Will they be allowed to participate?

We haven't heard anything about it – it's definitely not a bad idea. Turner has a 25% small business goal, so they are talking to ensure we have JSEBs available.

Will you have the ability to add upward?

It is not being designed to expand either way.

What is the current wind load for hurricane?

Probably 115-120 for NE Florida. It differs by area of state.

The Mayor reminded the group that it is a post-9/11 building, so it will have blast protection.

What was the issue in Nassau county?

COC Member Robert Taylor: Water intrusion – it has been a continuing problem that manifested itself during the warranty period. They are still having problems. Architects can get fancy but we need to keep it simple. We also need a longer warranty on the roofing system. Needs to be 20-30 based on what you're spending.

Schneider committed to pass on the comments and concerns to the design/build team.

Mr. Taylor later added that the team should avoid internal gutters on the roof as well.

Will the exterior be pre-cast concrete?

Yes.

How weighty would the new State Attorney's and Public Defender's opinions be in terms of the existing design?

Their input revolves around how they want to lay out their space, like where the executive offices are, where their divisions go, etc. More layout than technical.

Mr. Burgess brought up issue with the BJP report showing that the libraries are all complete, when Bradham Brooks still has a broken elevator. Public Works representatives explained that the project reached substantial completion and is no longer

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considered a part of the BJP domain, but that the elevator is a lingering issue, which Public Works has a design to fix.

Regarding the sales tax revenue graphs [in the report] – have you [Chairman Salem] had any discussions with anyone about the revenue the sales tax is generating?

Chairman Salem: Yes. I would rather not say anything more because I think you will see activity in the very near future. Would rather it be addressed appropriately, may need to have another meeting about that.

Are the other committees reducing their meeting schedules?

Chairman Salem: No - they are established by the referendum. We may need to meet sooner, but then we may not meet for six months. Depends on what there is to talk about.

How are we doing [in terms of finances]. This is part of our oversight.

Chairman Salem: I can only say what I've said. The meeting was moved last week, but we need to let the Administration handle it as they feel appropriate. They have a plan and I want them to execute it. We may be meeting again very soon to discuss it.

We are taxed for real estate based on the previous year. How will the reductions in value affect BJP?

Chairman Salem: It doesn't because BJP is a sales tax.

Doesn't the additional Courthouse funding come out of general revenue bonds, which is driven by property taxes?

Chairman Salem: Part of the funding comes from the traffic ticket fee, but can't get into details.

What is our bonding capacity going to be next year?

Chairman Salem: We should all hear something on this subject soon.

COC member James Richardson suggested that the COC have a special meeting in the near future to hear from CFO Mickey Miller or someone from the Finance department on the topic of BJP finances. Richardson raised a concern with the committee's lack of information about the program's financial status and the possible impacts of the group's oversight with a less frequent meeting schedule.

Chairman Salem responded that the purpose of amending the Executive Order is to provide flexibility, and that he agreed that they all wanted the BJP to be successful.

Will the group meet at least once a year?

Chairman Salem: Yes – the group will meet as frequently as needed as long as there is something to discuss.

Chairman Salem adjourned the meeting.