

BEFORE THE 2009 JUDICIAL COUNCIL OF GUAM

RESOLUTION NO. JC 09-006

RELATIVE TO AMENDING THE JUDICIAL BUILDING FUND BUDGET FOR FISCAL YEAR 2009

WHEREAS, the Judicial Branch's budget was subject to a near ten percent (10%) across the board budget cut immediately prior to the Legislature passing the FY2009 budget; and

WHEREAS, in addition to this budget cut, the Judicial Branch of the Government of Guam has not received nearly six million dollars in allotments from the Department of Administration Central Accounting Office as set forth in the attached Exhibit A; and

WHEREAS the Governor has advised the Judiciary that continued compliance by the Government of Guam with the Order Re Contempt issued by the District Court of Guam in Civil Case No02-00022 United States of America vs. Government of Guam will necessitate an even further reduction in the allotments received; and

WHEREAS, the Judiciary already implemented an austerity plan that is set forth in the attached Memorandum from the Chief Justice to all Judiciary of Guam employees dated March 24, 2009; and

WHEREAS, the Judiciary must immediately identify and plan additional cost-cutting measures as a result of severe financial shortfalls resulting from the failure of the Department of Administration to remit allotments from the approved FY 2009 budget, the failure of DOA to satisfy prior fiscal year appropriations and the risk of an even further reduction in allotments; and

WHEREAS, various projects contained within the Judicial Building Fund (JBF) Budget for FY 2009 were approved by the Judicial Council on October 16, 2008; and

WHEREAS, in addition to the reduction in allotments, the Judiciary has also experienced a decrease in Judicial Building Fund collections; and

WHEREAS, fiscal responsibility requires that certain already approved Judicial Building Fund projects for FY 2009 be suspended and the Judicial Building Fund FY2009 Budget be amended due to funding shortfalls and the threat of additional revenue and allotment reductions; and

NOW THEREFORE BE IT RESOLVED that the Judicial Council hereby approves the Amended Judicial Building Fund Fiscal Year 2009 budget, attached hereto as Exhibit B.

DULY ADOPTED this 2nd day of April, 2009 at a duly noticed meeting of the Judicial Council of Guam.



ROBERT J. TORRES, Chairman
Date: 4-2-09

ATTEST:



JOLEEN F. RESPICIO, Secretary

Date: 4-2-09

FY2009
Judiciary of Guam
Budget/Allotment Schedule as of April 1 , 2009

PL29-113	19,543,645	Judiciary Operation
PL29-113	931,304	NCS
PL29-113	498,374	Adult & Juvenile Drug Courts
PL29-113	659,232	Court Appointed/Client Services Fund
PL29-105	624,529	Law Enforcement Compensation

Total Budget 22,257,084

20,168,174

	Allotment Schedule	Cash Collections	Allotment Due
1 October	1,899,822.00	-	1,899,822.00
2 November	1,899,821.00	245,620.00	1,654,201.00
3 December	1,899,821.00	2,200,000.00	(300,179.00)
4 January	1,899,821.00	1,628,638.00	271,183.00
5 February	1,899,821.00	1,406,067.00	493,754.00
6 March	1,899,821.00	1,847,777.00	52,044.00
7 April	1,859,053.00	-	
8 May	1,799,821.00	-	
9 June	1,799,821.00	-	
10 July	1,799,821.00	-	
11 August	1,799,821.00	-	
12 September	1,799,820.00	-	
Total	22,257,084	7,328,102.00	4,070,825.00

Cash Receipt Breakdown:

11/20/2008	3,799,643.00	52,045	3,747,598.00
11/26/2008	3,747,598.00	193,575.00	3,554,023.00
12/1/2008	5,453,844.00	500,000.00	4,953,844.00
12/12/2008	4,953,844.00	850,000.00	4,103,844.00
12/24/2008	4,103,844.00	850,000.00	3,253,844.00
1/9/2009	5,153,665.00	500,000.00	4,653,665.00
1/16/2009	4,653,665.00	300,000.00	4,353,665.00
1/23/2009	4,353,665.00	828,638.00	3,525,027.00
2/12/2009	5,424,848.00	500,000.00	4,924,848.00
2/20/2009	4,924,848.00	500,000.00	4,424,848.00
2/26/2009	4,424,848.00	406,067.00	4,018,781.00
3/6/2009	5,918,602.00	500,000.00	5,418,602.00
3/16/2009	5,418,602.00	533,458.00	4,885,144.00
	4,885,144.00	814,319.00	4,070,825.00
Total		7,328,102.00	

Breakdown of Outstanding	Allotment	Collections	Balance
Judiciary Operation	9,771,828.00	6,514,552.00	3,257,276.00
Adult & Juvenile Drug Courts	249,186.00	124,593.00	124,593.00
NCS	465,648.00	232,824.00	232,824.00
Law Enforcement Uniform	312,265.00	156,133.00	156,132.00
Client Services Fund	600,000.00	300,000.00	300,000.00
Total	11,398,927.00	7,328,102.00	4,070,825.00

Judiciary Expenditure 4/1/09	\$ 9,949,102.01
Judiciary Encumbrance 4/1/09	\$ 1,161,980.42

Due from General Fund FY 04	\$100,000.00
Due from General Fund FY 06	\$862,898.00
Due from General Fund FY 07	\$872,317.00
Total Owed Prior Years	\$1,835,215.00



AMENDED DECISION PACKAGE
JUDICIAL BUILDING FUND BUDGET PLAN
(FY 2009)

Program Title: Indicate the official title of the program.

Judicial Building Fund

ACTION OBJECTIVE:

In concise terms, describe the major functions/activities of the program.

To provide for quarterly installment payment of the eleven million dollars (\$11,000,000.00) long-term indebtedness with the Bank of Guam and continuing funding for financing the planning, construction, furnishing and equipment of the Judicial Building and others as provided by law.

MAJOR OBJECTIVE(S):

Briefly describe the major objective(s) of this program. The objective should be viable and should relate to the basic need which the program exists.

- To insure the general public have access to the Judicial Center Building and its facilities.
- To insure the Judicial Building and its facilities are safe, accessible and convenient to the general public.
- To insure compliance promulgated by polices and regulation and applicable building statutes that fall within the jurisdiction of the fund.
- To provide a clean and safe working environment for the court employees, patrons and visitors.
- To insure that court properties and equipment are well maintained.
- To assure safety in the working place for all employees, patrons and visitors.



- To enhance its operation with essential equipment necessary to carry out its duties and responsibilities.
- To provide efficient and effective delivery of services and strengthen security.

SHORT-TERM GOALS:

Describe efforts to be undertaken in FY 2009 that will directly contribute to the attainment of established objectives. Goals should be written in simple, meaningful and measurable terms.

- To provide a 10 year physical master plan addressing the needs of the court.
- To achieve a high level of aesthetics of the Judicial Center Building and grounds.
- To provide for the design and construction of the Forensic Science Laboratory and collateral equipment.
- To design and alter commercial leased facility for the Northern Court Satellite (NCS) operation.

WORKLOAD OUTPUT:

This element provides indicators for measuring a department’s anticipated level of accomplishment based on a specific funding level for fiscal year 2009. Each workload output should correspondingly relate to a short-term goal. Workload outputs can be quantified using percentage(s), number(s), dollar amounts or combinations of each.

	Accomplished in FY 2008	Proposed Level FY 2009	% of Change
Northern Court Satellite (NCS)	0%	100%	100%
Safety, convenience and compliance	80%	100%	20%
Physical Master Plan	0%	80%	80%
Design & Construction of Forensic Lab	60%	100%	40%

PROGRAM/DIVISION: JUDICIAL BUILDING

Provide a narrative description of the funding impact on the program. This description should indicate what the department/agency will accomplish as a result of each new funding level requested. Additionally, a justification of proposed expenditure increase must also be included.

ESTIMATED SOURCES OF FUNDS: \$3,997,614.00



Fees and Fines	\$1,990,619.00
Rental & Interest (\$178,550 + \$150,000)	\$328,550.00
Fund Balance	\$1,678,445.00

ESTIMATED PURPOSE OF FUNDS:	\$3,997,614.00
LESS DEBT SERVICE	
Annual Installment Payment of Loan	\$993,005.00
Annual transfer to JBF reserve account	\$0.00

CONTRACTUAL SERVICES **\$655,658.00**

232 - Insurance Bonding **\$00.00**

Insurance fidelity bonding as required by bond covenant

233 - Real Property Lease **\$138,000.00**

Parking facility lease for 12 months (\$8,500.00 x 12mos) = **\$102,000.00 annually**

Equipment Storage lease for 9 months (\$4,000.00 x 6mos) = **\$36,000.00**

234 - Preventive Building Maintenance **\$91,083.00**

- a. Maintenance service mechanical & electrical generators **\$5,625.00**
- b. Maintenance service Elevator System **\$16,700.00**
- c. Service Agreement Alarm System, Fire & Duress Alarm **\$4,820.00**
- d. Maintenance service Security Access Control System **\$12,000.00**
- e. Maintenance service X-ray machine & Camera System **\$1,840.00**
- f. Maintenance service Air Conditioning System **\$23,820.00**
- g. Maintenance service Sally Port, Leak & Elevator inspection **\$7,940.00**
- h. Maintenance service Fire extinguishers **\$1,000.00**
- i. Service Agreement Drinking Water System **\$1,520.00**
- j. Maintenance service IBM AS/400 Servers **\$15,818.00**



234 - Forensic Building Maintenance	\$100,000.00
a. Preventive Maintenance	\$6,100.00
b. Custodial/Ground/Waste Service	\$84,900.00
c. Ground/Custodial/Fuel/Others Supplies	\$9,000.00
235 - Professional Services/Review Agent	\$316,575.00
a. Judicial Center Roof	\$0.00
b. NCS	\$60,000.00
c. Replace Public Elevators	\$0.00
d. Facilities Master Plans	\$150,575.00
e. A/C Replacements	\$97,000.00
f. Upgrade PD's Electrical & Restroom	\$0.00
g. Fire Alarm and Control Panel	\$9,000.00
h. Security Ballards	\$0.00
237 - Ad, Duplication, Printing	\$10,000.00
a. Advertisement cost and printing for materials for bid process.	\$10,000.00
<u>360-UTILITIES</u>	\$540,727.00
361- Power (\$86,677 @ 5 months)	\$433,385.00
362- Water (\$7,110 @ 5 months)	\$35,552.00
361- Telephone (\$14,358 @ 5 months)	\$71,790.00
<u>450-CAPITAL OUTLAY SUMMARY</u>	\$1,808,224.00
451- Furniture & Equipment (over \$5,000)	\$116,300.00
453- Repair, Remodeling or Alteration of Building	\$1,648,000.00
454- New Construction	\$0.00
458 - Land and Improvement	\$43,950.00
a. Pending Land condemnation for the Judicial Center (CV995-87)	\$43,934.00



Item No. Requested	Object Title	Project Title (FY08)	Amount
1	453	Guam Judicial Center Roof Repair	\$0.00

Description of Project: Repair and replace deteriorated roof tiles. Existing tiles are brittle and are prone to further damage to the existing roof condition.

2	453	Northern Court Satellite (NCS) renovation	\$500,000.00
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Renovation/Alternative of NCS leased facility. To alter leased facility to accommodate court operation at a commercial leased facility.

3	451	Superior Court Jury Chairs	\$22,000.00
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Description of Project: To replace jury chairs in the Superior Court Rooms.

4	453	Employee Parking Lot Security Equipment	\$50,000.00
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Description of Project: To replace JC exterior security cameras with enhanced resolution cameras and to install security cameras at the employee parking lot. The existence of cameras in the parking lot will prevent vehicle vandalism and burglary.

5	451	Scanners	\$14,300.00
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Description of Project: To acquire two scanners w/UPS for the document imaging project

6	453	Upgrade Public Defender's Electrical in MIS Room and Renovate Restrooms in 2 nd Floor.	\$25,000.00
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Description of Project: To upgrade electrical units. The increased electrical load activates the breakers. Upgrade restrooms to comply with ADA requirements.

7	453	Replace Judicial Center public Elevators	\$0.00
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Description of Project: Replace elevator carts and install new wiring and control panel. Existing public elevator are obsolete and unreliable. Parts are not always available causing delay in repairs

8	453	A/C Replacement	\$838,000.00
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Description of Project: Replace chillers, AHUs, fittings, motors, blowers, pipping and chemically feed the system through out the Judicial Center and Old Court Building.

9	453	Upgrade Supreme/Superior Court Rooms	\$0.00
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Description of Project: Replace doors, carpets and wood work that were damaged or worn from long term use. Court rooms wood finishes will also be re-finished and carpets replaced or repaired where needed.

10	453	Security Ballards	\$0.00
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Description of Project: Install security ballards along the Judicial Center and West O'Brien Drive to prevent and deliberate attempts to crash a vehicle into the JC. This was recommended by HLS and Marshal of the Court after conducting risk analysis.

11	453	Replace/Upgrade Fire Alarm control panel	\$75,000.00
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Description of Project: Replace fire alarm panel that is obsolete. Corrosion of electronic parts and contacts have cause the system to activate. Parts are difficult to find.

12	453	Contingency Projects	\$60,000.00
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Description of Project: Painting, Plumbing, electrical, A/C, elevators, fire alarm system, structure, etc)



1	453	Replace Judicial Center Main Doors	\$100,000.00
2	453	Skylight	\$0.00
3	230	Point Of Sale Register/Hard Code Revenue accounts	\$80,000.00

Agency: Judiciary of Guam
Program: Judicial Building Fund

Budget Account code	Appropriation Classification	FY 2009 Amended Budget
100	<u>PERSONNEL SERVICES</u>	
101	Salary Adjustment	-
105	Overtime	
106	Night Differential	
107	Hazardous	-
	TOTAL PERSONNEL SALARIES	-
110	<u>BENEFITS</u>	
110	Retirement	-
111	Social Security (Medicare)	-
112	Life Insurance	-
113	Hospital Insurance	-
114	Dental Insurance	-
115	Death and Disability	-
	TOTAL PERSONNEL SALARIES & BENEFITS	-
220	<u>TRAVEL</u>	
221	Local Mileage	
222	Off-Island Official/Conference	-
227	Off-Island Training	
	TOTAL TRAVEL AND TRANSPORTATION	-
230	<u>CONTRACTUAL SERVICES</u>	
231	Insurance, Bonding	-
233	Real Property & Building Lease	138,000
234	Preventive Building Maintenance	91,083
234	Foresic Lab Maintenance	100,000
235	Professional/Consultant Services	316,575
236	Software Lease	-
237	Ad, Duplicating, Printing	10,000
238	Postal & Communication Svs	
239	Others Services	
	TOTAL CONTRACTUAL	655,658
240	<u>SUPPLIES & MATERIALS</u>	
241	Office Supplies & Materials	-
242	Fuel & Lubricants	
243	Testing Materials	-
244	Instructional Supplies	
245	Maintenance Supplies	
248	Computer Software	
	TOTAL SUPPLIES AND MATERIALS	-
250	<u>EQUIPMENT - Non-Capital Items</u>	
251	Office Furniture & Equip(<\$5,000)	-
252	Library Books	
253	Training Equipment	
254	Maintenance Equipment	
	TOTAL EQUIPMENT	-
290	<u>MISCELLANEOUS SUMMARY</u>	

Agency: Judiciary of Guam
Program: Judicial Building Fund

Budget Account code	Appropriation Classification	FY 2009 Amended Budget
290	Interpreter Fees	
291	Jury/ Client Fees	
292	Personnel Development	-
293	Court Appointed Attny Fees	
294	Stipend Pay	
295	Contingency Fund	
296	Holding Of Conference/Program	
297	Principal and Interest	993,005
298	Investigator Claims	
299	Other Miscellaneous	-
	TOTAL MISCELLANEOUS	<u>993,005</u>
	TOTAL OPERATION	<u>1,648,663</u>
360	<u>UTILITIES</u>	
361	Power	433,385
362	Water/Sewer	35,552
363	Telephone/Internet	71,790
354	Toll Calls	
	TOTAL UTILITIES	<u>540,727</u>
450	<u>CAPITAL OUTLAY SUMMARY</u>	
451	Office Furniture & Equip (>\$5,000)	116,300
452	Industrial Equipment	
453	Repair, Remodeling or Alter of Bldg.	1,648,000
454	New construction	-
455	Non-Structural Improvement	
456	Automation Hardware	-
458	Land and Improvement	43,924
	TOTAL CAPITAL OUTLAY	<u>1,808,224</u>
TOTAL APPROPRIATION		<u>3,997,614</u>
FUNDING SOURCES- JUDICIAL BUILDING FUND		2,319,169
	- Prior Year Funds (CY Fund)	1,678,445
TOTAL FUNDS		3,997,614