

**CIP-2**  
**Issues and Narratives**

**Exhibit D-3A**

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2024-25	FY 2024-25	FY 2024-25	
	POS AMOUNT	POS AMOUNT	POS AMOUNT	CODES
STATE COURT SYSTEM				22000000
PGM: DIST COURTS OF APPEAL				22100000
COURT OPER/APPELLATE COURT				22100600
STATE COURTS				15
STATE COURT SYSTEM				<u>1501.00.00.00</u>
CAPITAL IMPROVEMENT PLAN				9900000
MAINTENANCE AND REPAIR				990M000
FIXED CAPITAL OUTLAY				080000
MINOR REPAIRS/IMPROV-STATE				080002
GENERAL REVENUE FUND -STATE	1,806,358	1,806,358		1000 1

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AGENCY NARRATIVE:

2024-2025 BUDGET YEAR NARRATIVE: MINOR REPAIRS/IMPROV-STATE IT COMPONENT? NO

FIFTH DISTRICT COURT OF APPEAL COURTHOUSE REPAIRS

The judicial branch requests \$1,806,358 in non-recurring General Revenue funds to make repairs to the Fifth District Court of Appeal's (DCA) courthouse parking garage and to replace the courthouse chiller.

Florida's Fifth Appellate District is composed of the Fourth, Fifth, Seventh, and Eighteenth Judicial Circuits. The district is headquartered in Daytona Beach and occupies a courthouse that was constructed in 1982. The courthouse underwent a significant expansion that was completed in 2000.

PARKING GARAGE

Situated in close proximity to the Halifax River, the Fifth DCA's courthouse parking garage faces constant exposure to saltwater, which renders its metal supports highly susceptible to corrosion. In March 2023, prompted by the extensive corrosion observed at the base of the supports and in the rafters, the Fifth DCA commissioned engineers to assess the condition of the second-floor parking garage supports and the steel ceiling/rafters. The engineers determined that the current state of the supports does not pose an immediate safety risk, but emphasized that unless remedial actions are taken, the deterioration will persist and become a hazard.

CHILLER REPLACEMENT

In FY 2014-15, the Fifth DCA requested and received funding from the legislature to purchase a new chiller. The unit was installed in December 2017 in a project managed by the Department of Management Services. This chiller currently serves as the courthouse's sole cooling unit.

Since its installation in 2017, the chiller has required constant upkeep. The unit is seemingly too large for the courthouse, which has resulted in more than 90,000 start-stop cycles where it should have reached only 30,000. This has caused excessive wear and tear on the unit, which has led to system shutdowns and an intermittently un-airconditioned courthouse. To date, the chiller has required multiple instances of unscheduled maintenance, and currently requires several restarts each week to remain functional.

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2024-25	FY 2024-25	FY 2024-25	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
STATE COURT SYSTEM				22000000
PGM: DIST COURTS OF APPEAL				22100000
COURT OPER/APPELLATE COURT				22100600
STATE COURTS				15
STATE COURT SYSTEM				1501.00.00.00
CAPITAL IMPROVEMENT PLAN				9900000
MAINTENANCE AND REPAIR				990M000

The judicial branch requests \$1,806,358 in non-recurring General Revenue funds to make repairs to the Fifth DCA's courthouse parking garage and to replace the courthouse chiller.

The request, which was based on estimates provided by licensed contractors, includes \$668,772 in non-recurring General Revenue funds to address the corrosion issues on the second floor of the courthouse parking garage. These funds will enable the Fifth DCA to comprehensively remediate all affected metal surfaces, including the removal of corrosion.

Additionally, the hollow supports will be filled with anti-corrosion material, significantly extending the lifespan of all surfaces.

The request also includes \$1,137,586 in non-recurring General Revenue funds to purchase a new primary chiller for the Fifth DCA courthouse. Funding will allow the non-functioning chiller to be replaced with a new, efficient, properly sized chiller, which will include new condenser water piping and replacement of the controls.

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SPECIAL PURPOSE				990S000
FIXED CAPITAL OUTLAY				080000
6TH DCA CONS - DMS MGD				080079

GENERAL REVENUE FUND	-STATE	8,000,000	8,000,000		1000	1
		=====	=====	=====		

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AGENCY NARRATIVE:

2024-2025 BUDGET YEAR NARRATIVE: 6TH DCA CONS - DMS MGD IT COMPONENT? NO

SIXTH DISTRICT COURT OF APPEAL COURTHOUSE FUNDING

The judicial branch requests \$8,000,000 in non-recurring General Revenue funds to begin constructing a courthouse for the Sixth District Court of Appeal (DCA). Funds will be used for phase one of the project, which includes site acquisition and completing architectural and engineering services.

In 2022, the legislature passed House Bill 7027, which created seven new appellate judgeships and realigned Florida's appellate boundaries to create a Sixth DCA headquartered in Lakeland, Florida. That year, the legislature also provided funding to implement the provisions of House Bill 7027, which included:

\* 62 FTE and \$8.8 million to staff the Sixth DCA; and

	COL A03	COL A04	COL A05	
	AGY REQUEST	AGY REQ N/R	AG REQ ANZ	
	FY 2024-25	FY 2024-25	FY 2024-25	
POS	AMOUNT	POS	AMOUNT	POS
				AMOUNT
				CODES
STATE COURT SYSTEM				22000000
PGM: DIST COURTS OF APPEAL				22100000
COURT OPER/APPELLATE COURT				22100600
STATE COURTS				15
STATE COURT SYSTEM				<u>1501.00.00.00</u>
CAPITAL IMPROVEMENT PLAN				9900000
SPECIAL PURPOSE				990S000

\* \$50 million in non-recurring General Revenue to construct a courthouse for the Sixth DCA in Lakeland, Florida.

The Governor approved House Bill 7027, as well as funding to staff the Sixth DCA, but vetoed the \$50 million in funding for the courthouse.

In 2023, the Governor's recommended budget included \$6 million in trust fund authority in the Department of Management Services (DMS) budget to design and plan a courthouse in the Sixth DCA. The legislature included this funding in the FY 2023-24 General Appropriations Act, but it was subsequently vetoed by the Governor.

The Sixth DCA became operational on January 1, 2023, with nine judges and 65 employees. These judges and employees currently work from leased office space in Polk and Orange counties. Because these spaces do not contain a courtroom, oral argument for the Sixth DCA is held in a library at Florida Southern College and other available locations in the district.

While these arrangements are suitable for the short-term, they are not sustainable. Housing judges, staff attorneys, clerks, and marshal staff in multiple office locations throughout the district is disjointed and inefficient. It also raises security concerns, which are compounded when judges travel to different locations for oral argument.

The judicial branch requests \$8,000,000 in non-recurring General Revenue funds for first-year funding to begin constructing a courthouse for the Sixth DCA. Funds will be used for site acquisition (estimated at approximately \$2 million) and for architectural and engineering services, which is a necessary first step in fixed capital outlay projects (estimated at approximately \$6 million). Once complete, these services, will provide reliable projections for the total project cost and guide future budget requests.

The Sixth DCA intends to adhere to the legislature's directive in s. 35.05, F.S., to "operate as efficiently as possible using leading technologies and by adopting policies and practices that encourage innovation and workplace flexibility." To that end, the court is fully exploring the possibilities of remote workplaces for both judges and employees and anticipates the final project cost will reflect these increased efficiencies. However, the need for a permanent building to serve as the Sixth DCA's headquarters remains critical.

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TOTAL: STATE COURT SYSTEM				<u>1501.00.00.00</u>
BY FUND TYPE				
GENERAL REVENUE FUND.....	9,806,358	9,806,358		1000
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