

Executive Summary R2026-0146

Approving a Courthouse Capital Funding Agreement*

Parties: Cuyahoga County *and* Cuyahoga County Court of Common Pleas, General Division (“Court”)

Purpose: To fund remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving the facilities of the Court, with related site improvements and appurtenances thereto.

County Consideration:

The County established the Justice Center Capital Projects Fund in 2022 “to fund acquisition for, construction, and improvements to a County correction center and courthouse.” It will now additionally establish a “Common Pleas Court General Division Capital Improvement Account” within that Fund into which revenues will be transferred and disbursed from, in accordance with the Agreement. The Court will play a direct role in identifying project priority and scope. The County’s investment will represent a minimum of \$161,589,028 in confirmed shorter-term funding, in-kind commitments, and additional categories of confirmed and contingent revenue that is, together, collectively estimated to exceed \$200,000,000 if the Court is not placed into a new or fully renovated facility before the Agreement’s termination.

Near-Term Funding: The County will allocate \$15,740,534 already funded in this budget cycle to the Court’s Capital Improvement Account and imminently issue debt sufficient to fund \$66,000,000 in capital improvements.

In 2028, it will transfer \$20,000,000 in general fund dollars into the Court’s Capital Improvement Account.

In 2029, it will transfer \$34,000,000 into that Account.

Future Funding from the County’s Capital Budget: From 2028 to 2033, the County will appropriate a total of \$22,500,000 for capital improvement projects to benefit the Court (\$3,750,000 annually). The County will retain discretion to finance this commitment through debt issuance if appropriate. Beginning in 2034, the County will commit a minimum of \$2,000,000 from the Capital Improvement Plan in each subsequent year until the Agreement expires.

The County will annually allocate a portion of surplus quarter-percent sales and use tax revenues, authorized by Ordinances O2023-0013 and O2023-0014 through the expiration of the Agreement, to support the Court’s capital needs.

One-time Funding and In-Kind Commitments: The County will complete improvements to the tunnel connecting the Huntington Park Garage to the Justice Center Garage by 2027 using allocated funds not included in the above.

No later than January 2029, the County will appropriate \$1,000,000 from the Parking Garage Enterprise Fund to pay for improvements to, and repair and maintenance of, the Justice Center Parking Garage (or reimburse the Court for any expenses it allocates towards these improvements prior to that appropriation).

The County will allocate to Court operations approximately 60,500 square feet of usable space in Tower II of the Justice Center, currently occupied by the soon-departing City of Cleveland Division of Police. Renovations will begin as space becomes available, enhancing the efficiency of the Court's operations by consolidating all its downtown offices under the shared roof of the Justice Center.

Parking spaces in the Tower II Garage previously allocated to the City of Cleveland Division of Police and/or County Sheriff will be proportionally committed to the Court as they become available.

The Department of Public Works will coordinate with the Court to facilitate a space and security study of the current Court facilities, an evaluation and update of the current assessment of Court facilities, and will conduct reassessments of Court facilities every three years beginning in 2027.

The County will provide technology upgrades to the 34 Court attorney conference rooms necessary to facilitate telecommunications with inmates in the new County corrections center.

The County will reinvest any future capital reimbursement it receives from the City of Cleveland back into the Court's facilities.

When the County completes construction on the new corrections center, an amount equal to any unspent project funds budgeted for material and labor will be deposited into the Court's Capital Improvement Account.

The County will formally close out the 2023 Courthouse Request for Proposals.

Summary: In total, the combined funding and in-kind commitments are collectively estimated to exceed \$200,000,000 if the Court is not placed into a new or fully renovated facility before the termination of the Agreement.

Court Consideration

Administrative Orders To document the history and current condition of the Court's facilities, it intends to issue an Administrative Order declaring its facilities unsuitable to enable its proper and efficient operation and directing the County to take immediate steps to cure these defects. After the Agreement is fully approved and executed, the Court will immediately thereafter file a superseding Administrative Order that will suspend the execution of its initial Administrative Order, declaring that the County's execution and actual performance of the Agreement provide an acceptable short-term triage to the Court's facilities on an interim basis.

*** Until it is approved by County Council, then signed by the County Executive and Administrative Judge, the Agreement remains tentative, privileged, and confidential pursuant to the Uniform Mediation Act codified at Ohio Revised Code Chapter 2710; Rules 16.41 through 16.43 of the Rules of Superintendence of the Courts of Ohio; and Section 19 of the Rules of Ohio Supreme Court Practice. In accordance with R.C. Chapter 2710, the parties and mediators have agreed to release this Executive Summary of the tentative Agreement. Following the passage of this legislation and the execution of the Agreement by the Parties, the finalized Agreement and filed Administrative Orders will be public documents.**