

ORDINANCE NO. 18-2021

Amending Ordinance No. 44-2020 (As Amended) to Adjust the Annual Budget by Providing for Appropriations from the General Fund Unappropriated Balance, Authorizing the City Manager to Enter into a Development Agreement with DRP Worthington, LP, and Determining to Proceed with Certain Public Improvements.

WHEREAS, this Council desires to encourage the redevelopment of parcel number 100-006788, The Shops at Worthington Place, located at 150 W. Wilson Bridge Road (the “**Property**”), to further the economic development goals of the City in a manner that is consistent with the existing neighborhood; and,

WHEREAS, DRP Worthington, LP (the “**Developer**”) desires to redevelop the Property into a mixed-use development called High North, featuring approximately one hundred and ten thousand (110,000) square feet of restaurant or retail space, and approximately two hundred fifteen thousand (215,000) square feet of Class A office space (collectively, the “**Project**”); and,

WHEREAS, the Project includes designated improvements in the public right-of-ways including certain High Street enhancements, City entrance monument, fencing, landscaping, accent lighting, and pedestrian paving at the Wilson Bridge intersection (the “**Off-Site Improvements**”); and,

WHEREAS, the Project will be developed in accordance with PUD 02-2020 as passed by City Council on April 19, 2021; and,

WHEREAS, in connection with the administration of any financial incentives and the Planned Unit Development, the City and the Developer desire to execute a development agreement (the “**Development Agreement**”); and,

WHEREAS, the City seeks to increase employment opportunities and to encourage establishment of new jobs in the City, in order to improve the economic welfare of the City and its citizens, in furtherance of the public purposes enunciated in Article VIII, Section 13 of the Ohio Constitution; and,

WHEREAS, this Council desires that the Project be constructed, pursuant to the terms of the Development Agreement; and,

WHEREAS, the Charter of the City of Worthington, Ohio, provides that City Council may at any time amend or revise the Budget by Ordinance, providing that such amendment does not authorize the expenditure of more revenue than will be available.

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NOW, THEREFORE, BE IT ORDAINED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That there be and hereby is appropriated from the unappropriated balances in the General Fund and W Wilson Bridge Rd. MPI TIF Fund as follows:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
<u>General Fund #101</u>		
101.1070.560983	Development Incentives	\$ 800,000.00
<u>W Wilson Bridge Rd. MPI TIF Fund #920</u>		
920.9020.560990	High North Site Improvements	\$ 1,500,000.00

SECTION 2. For the purposes of Section 2.21 of the Charter of the City, this ordinance shall be considered an “Ordinance Determining to Proceed” with the Off-Site Improvements, notwithstanding future actions of this Council, which may be necessary or appropriate in order to comply with other requirements of law.

SECTION 3. That the City Manager is hereby authorized to execute the Development Agreement on behalf of the City with DRP Worthington, LP, and/or any related entity formed for the specific purpose of developing said Property (“DRP Worthington”), which includes provisions regarding the construction of the Project, administration of the PUD, financial incentive structure, and the undertaking of the Off-Site Improvements. The City Manager and other appropriate City officials are further authorized to provide such information and to execute, certify or furnish such other documents, and to do all other things as are necessary for and incidental to carrying out the provisions of the Development Agreement.

SECTION 4. That the City Manager, upon consultation with the City Engineer and approval to form by the Law Director, is authorized to grant to DRP Worthington temporary construction easements in, over, through, under, and across all public right-of-ways to the extent reasonably necessary to complete the Project.

SECTION 5. The City Manager, the Director of Finance and the Director of Law, and any other City official, as appropriate, are each authorized and directed to sign any other documents, instruments or certificates and to take such administrative actions as are necessary or appropriate to consummate or implement the transactions described in or contemplated by this Ordinance and the Development Agreement, except for any additional financial incentives that require separate legislative approval.

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SECTION 6. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 7. That notice of passage of this Ordinance shall be posted in the Municipal Administration Building, the Worthington Library, the Griswold Center and the Worthington Community Center and shall set forth the title and effective date of the Ordinance and a statement that the Ordinance is on file in the office of the Clerk of Council. This Ordinance shall take effect and be in force from and after the earliest period allowed by law and by the Charter of the City of Worthington, Ohio.

Passed June 7, 2021

/s/ Bonnie D. Michael
President of Council

Attest:

/s/ Ethan Charles Barnhardt
Acting Clerk of Council

Introduced May 10, 2021
P.H. May 17, 2021 (not noticed)
P.H. June 7, 2021
Effective June 30, 2021