



GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET



Meeting Date	11/18/2020	Department	Planning/Economic Dev
Agenda Item	4.e Consider Approval of Libby Hill Area Wide TIF Second Amendment		
Est. Cost	n/a		

Background Information

The City Council is being asked to amend the Libby Hill Area-Wide TIF.

The purposes of these proposed amendments are to:

(1) alter the boundaries of the districts resulting from new parcel boundaries due to ownership changes and a new development project, and

2) add new project costs as permissible uses of TIF revenues by the City

No credit enhancement agreements are being proposed with these amendments.

The amendments are meant to better facilitate the City's economic development goals.

The proposed amended documents are attached.

Requested Action	'I move to approve the proposed amendments to the Libby Area Wide TIF as presented.'
City Manager and/or Finance Review	The City Manager recommends the above action.
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

**ECONOMIC DEVELOPMENT
GARDINER, MAINE**

*An Application for a Municipal Development and Tax Increment Financing District
Development Program*

**SECOND AMENDMENT TO
AREA-WIDE LIBBY HILL MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM
(OMNIBUS)**

Presented to:

**City Council
City of Gardiner
November 18, 2020**

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I. Introduction

The Area-Wide Libby Hill Municipal Development and Tax Increment Financing District (the “District”) was first approved by the Maine Department of Economic and Community Development (“DECD”) on March 31, 2009. The City of Gardiner (the “City”) created the District in order to capture increased assessed value from commercial development within the Libby Hill Business Park and to utilize tax increment revenues to fund a variety of economic development expenditures by the City. The Development Program was amended and restated in 2012 (the “First Amendment”). The First Amendment added the ability for the City to enter into future credit enhancement agreements to provide reimbursements to property owners or developers of up to 100% for up to the entire term of the Area-Wide District. DECD approved the First Amendment on August 1, 2012.

II. Second Amendment to Development Program

The City now wishes to amend the District and Development Program a second time (the “Second Amendment”) in order to adjust the district boundaries to reflect new ownership and development projects in a nearby adjacent TIF District. This Second Amendment seeks to change the District’s acreage by adding one lot, identified as tax map 7 lot 18A-3,¹ to the District. The District’s total acreage will now be 201.82 acres. Please see Exhibit A-1 for an amended map of the District. The District’s Original Assessed Value (the “OAV”) will now be \$297,300, as detailed in Exhibit B, the amended assessor’s certificate. Given the changes to the District’s OAV and proposed new development within the District, amended projections of anticipated TIF revenue and tax shifts are included in Exhibits C-1 and C-2.

The City also seeks to amend the project list as set forth in Table 1. The City reserves the right to fund any project cost with municipal indebtedness if the City Council votes to do so, and such debt service can be paid for with TIF revenues.

The existing Development Program and prior approved projects shall remain in full force and effect in all other material respects except for the changes described herein. The Second Amendment shall become effective upon approval by DECD for the July 1, 2021 – June 30, 2022 fiscal year.

¹ Note that lot 18A-3 was merged with lots 18A-1 and 18A-2, parcels already included in the District, pursuant to the City’s Planning Board process.

TABLE 1
City of Gardiner's Project Costs

a. Previously Approval Projects

Project	Cost Estimate	Statutory Cite	Status
I. Libby Hill Business Park Improvements			
1. <u>Current Debt Service</u> : Fund remaining debt service for Phase I at Libby Hill Business Park. Phase I improvements included the installation of a road and water, sewer and power and telecommunication infrastructure and other utilities.	\$1,591,543 (estimated as of 1/09/2009)	30-A M.R.S.A. § 5225(1)(A)(2)	Complete
2. <u>Prospective Debt Service</u> : Fund future debt service for Phase II expansion at Libby Hill Business Park. Phase II public infrastructure is an extension of Phase I infrastructure and includes road, water, sewer and (power and telecommunication infrastructure). Phase II of Libby Hill includes approximately 6.5 acres of area designated for this infrastructure.	\$5,016,388	30-A M.R.S.A. § 5225(1)(A)(2)	Ongoing
3. <u>Road Improvements</u> : Fund city costs for road improvements within the Libby Hill Business Park, to extend the life cycle for road, water and sewer infrastructure improvements in District.	\$25,000	30-A M.R.S.A. § 5225(1)(B)(1)	Ongoing
4. <u>Credit Enhancement Agreement Payments</u> : Payments to developers and other businesses within the Area-Wide District pursuant to credit enhancement agreements to be negotiated. Dennison Lubricants is the first entity with which the City anticipates reaching an agreement subject to the Area-Wide District, but as development continues, it anticipates executing additional agreements requiring payment of TIF Revenues.	\$200,000 Annually (estimate based on Libby Hill Phase I experience, but subject to future negotiations between the City and developers)	30-A M.R.S.A. § 5225(1)(A)(1) and/or (A)(2)	No planned credit enhancement agreements associated with District at this time.

Area-Wide Libby Hill Omnibus Municipal Development and Tax Increment Financing District
Second Amendment

Project	Cost Estimate	Statutory Cite	Status
II. City-Wide Improvements			
5. <u>Planning and Development Department</u> : Fund the City's Planning and Development department for its Economic Development program. These services include marketing efforts and staff support such as the department's director, administrative assistant, planning consulting, a pro-rated portion of the tax assessor's salary devoted to supporting and administering TIF programs, and other related Planning and Development Department operating expenses.*	\$175,000 Annually	30-A M.R.S.A. § 5225(1)(C)(1)	Ongoing
6. <u>Revolving Loan Program</u> : Fund support for the city's economic development revolving loan fund program to complement the City's existing revolving loan fund.**	\$25,000 Annually	30-A M.R.S.A. § 5225(1)(C)(3)	Ongoing
7. <u>Economic Development Signage Program</u> : The City will fund the purchase of new signage including directional and interpretive signs. The citywide signage plan will help visitors reach destinations downtown (such as the redeveloped Kennebec River Waterfront Park, businesses within its historic downtown district and public amenities such as public parking areas). Signage will also direct those seeking the City's Libby Hill Business Park. New signage will include historic marker and heritage tourism signage to support the city's cultural tourism efforts, such as the Museum in the Street program and EA Robinson tours.**	\$75,000	30-A M.R.S.A. § 5225(1)(C)(1)	Ongoing

Area-Wide Libby Hill Omnibus Municipal Development and Tax Increment Financing District
Second Amendment

Project	Cost Estimate	Statutory Cite	Status
8. <u>Preserve America/Marketing</u> : In support of the project funded by a 2008 National Parks Service grant, the City will utilize funds to provide the required match. Funds will be utilized to develop a marketing program for downtown development, including additional interpretive signage, such as scenic overlook signs, and heritage tourism signage.	\$50,000	30-A M.R.S.A. § 5225(1)(C)(1)	Complete
9. <u>Gardiner Main Street</u> : In 2001, the City was one of four original communities in Maine designated by the Maine Development Foundation as a "Main Street Maine Community." The City values this designation and supports the organization's downtown development efforts through an annual budget contribution. Gardiner Main Street ("GMS") encourages the economic and cultural vitality of the downtown with focused marketing and revitalization efforts that also preserve Gardiner's unique historic character. GMS is a vital partner in the City's economic development efforts.	\$25,000 Annually	30-A M.R.S.A. § 5225(1)(C)(1)	Ongoing
10. <u>Professional & Administrative Costs</u> : The City will fund professional and administrative services related to the negotiation and completion of this development program and credit enhancement agreements with both Dennison Lubricants and future developers within the Area-Wide District. This includes a portion of the salaries to support the City Assessor and City Manager in their duties administering TIF development programs.*	\$20,000 for Professional Costs and \$6,575 Annually for City Administration	30-A M.R.S.A. § 5225(1)(A)(4) and (1)(A)(5)	Ongoing

Area-Wide Libby Hill Omnibus Municipal Development and Tax Increment Financing District
Second Amendment

Project	Cost Estimate	Statutory Cite	Status
11. <u>Road Intersection Improvements</u> : Public safety upgrades to Route 201 intersection approaching the District as required by the Maine Department of Transportation permit and made necessary by the District.	\$75,000	30-A M.R.S.A. § 5225(1)(B)(1) and (2)	Ongoing
III. Downtown TIF District			
12. <u>Downtown TIF Projects</u> : The City will use funds to mitigate adverse impact upon the Downtown TIF by funding those public facilities and improvement projects described in the 2003 Gardiner Downtown Tax Increment Financing District Development Program, as it may be amended from time to time.**	\$7,000,000	30-A M.R.S.A. § (1)(B)(3)	Ongoing
TOTAL	\$14,284,506		

b. Projects to be Added in this Second Amendment

Project	Cost Estimate	Statutory Cite
13. <u>Public Safety Facilities and Equipment</u> : Fund costs of new public safety facilities and equipment, prorated for portion of costs related to general economic development within the City not to exceed 15% of the captured assessed value of the District.***	\$3,000,000	30-A M.R.S.A. § 5225(1)(C)(9)
14. <u>Natural Gas Infrastructure</u> : Fund costs associated with natural gas infrastructure installed which will provide an alternative, and likely cost competitive, energy source for existing and future business development, prorated for portion of costs used within the District or made necessary by or directly related to the District.	\$300,000	30-A M.R.S.A. § 5225(1)(A)(1), (1)(B)(1)

Area-Wide Libby Hill Omnibus Municipal Development and Tax Increment Financing District
Second Amendment

Project	Cost Estimate	Statutory Cite
15. <u>Broadband Infrastructure</u> : Costs associated with broadband and fiber optics expansion projects serving commercial or businesses areas of the City, including preparation, planning, engineering and other related costs in addition to the construction costs of those projects. If an area within a municipality or plantation is unserved with respect to broadband service, as defined by the ConnectME Authority as provided in Title 35-A, section 9204-A, subsection 1, broadband and fiber optics expansion projects may serve residential or other nonbusiness or noncommercial areas in addition to business or commercial areas within the municipality or plantation.**	\$500,000	30-A M.R.S.A. § 5225(1)(C)(9)
16. <u>Streetscape Improvements</u> : Fund costs associated with streetscape improvements within the District, including, but not limited to, streetlights and sidewalks.	\$200,000	30-A M.R.S.A. § 5225(1)(A)(1)
17. <u>Environmental Improvement Projects</u> : Fund costs of funding environmental improvement projects developed by the municipality for commercial use or related to such activities.**	\$50,000	30-A M.R.S.A. § 5225(1)(C)(2)
18. <u>Recreational Trails</u> : Fund costs associated with planning, design, construction, maintenance, grooming and improvements to new or existing recreational trails determined to have significant potential to promote economic activity.**	\$500,000	30-A M.R.S.A. § 5225(1)(C)(6)

Area-Wide Libby Hill Omnibus Municipal Development and Tax Increment Financing District
Second Amendment

Project	Cost Estimate	Statutory Cite
19. <u>Capital Improvement Costs</u> : Fund costs of capital improvements to facilitate the District's development projects, including but not limited to water and sewer projects, within the District or made necessary by or directly related to the District.	\$300,000	30-A M.R.S.A. § 5225(1)(A)(1), (1)(B)(1)
20. <u>Quality Child Care Costs</u> : Funding will go towards quality child care costs, including finance costs and construction, staffing, training, certification and accreditation costs related to child care. Quality Child Care shall be certified by the state of Maine's Department of Human Services.***	\$50,000	30-A M.R.S.A. § 5225(1)(C)(5)
21. <u>Environmental Studies and Engineering</u> : Fund costs of environmental impact studies and engineering costs necessary for future development within the District.	\$50,000	30-A M.R.S.A. § 5225(1)(A)(4), (7)
22. <u>Matching Grant Fund</u> : Create a discretionary reserve fund to be used as the local match for state and federal economic development grants, such as Community Development Block Grants, for projects that would otherwise be permissible to be funded under this development program, including, but not limited to, façade improvements and recreational trail construction and maintenance.**	\$50,000	30-A M.R.S.A. §§ 5225(1)(C)(3); 5230
Total:	\$5,000,000	

*Similar project exists for the Downtown TIF, the EJ Prescott TIF, and the Central Maine Crossing TIF Districts.

**Similar project exists for the EJ Prescott TIF District.

***Similar project exists for the EJ Prescott TIF and the Central Maine Crossing TIF District.

III. Second Amendment Municipal Approvals

A. Notice of Public Hearing

Attached as Exhibit D hereto is a copy of the Notice of Public Hearing regarding adoption of the Second Amendment to the Development Program for the District, published in a newspaper of general circulation in the City, on a date at least ten (10) days prior to the public hearing. The public hearing on the Second Amendment was held on November 18, 2020, in accordance with the requirements of 30-A M.R.S.A. § 5226(1).

B. Authorizing Votes

Attached as Exhibit F hereto is a copy of the Gardiner City Council Order approving this Second Amendment, which Order was adopted by the Council at a meeting of the Council duly called and held on November 18, 2020.

C. Minutes of Public Hearing Held by City Council

Attached as Exhibit E hereto is a certified copy of the minutes of the public hearing held on November 18, 2020, at which time this Second Amendment to the Development Program was discussed by the public.

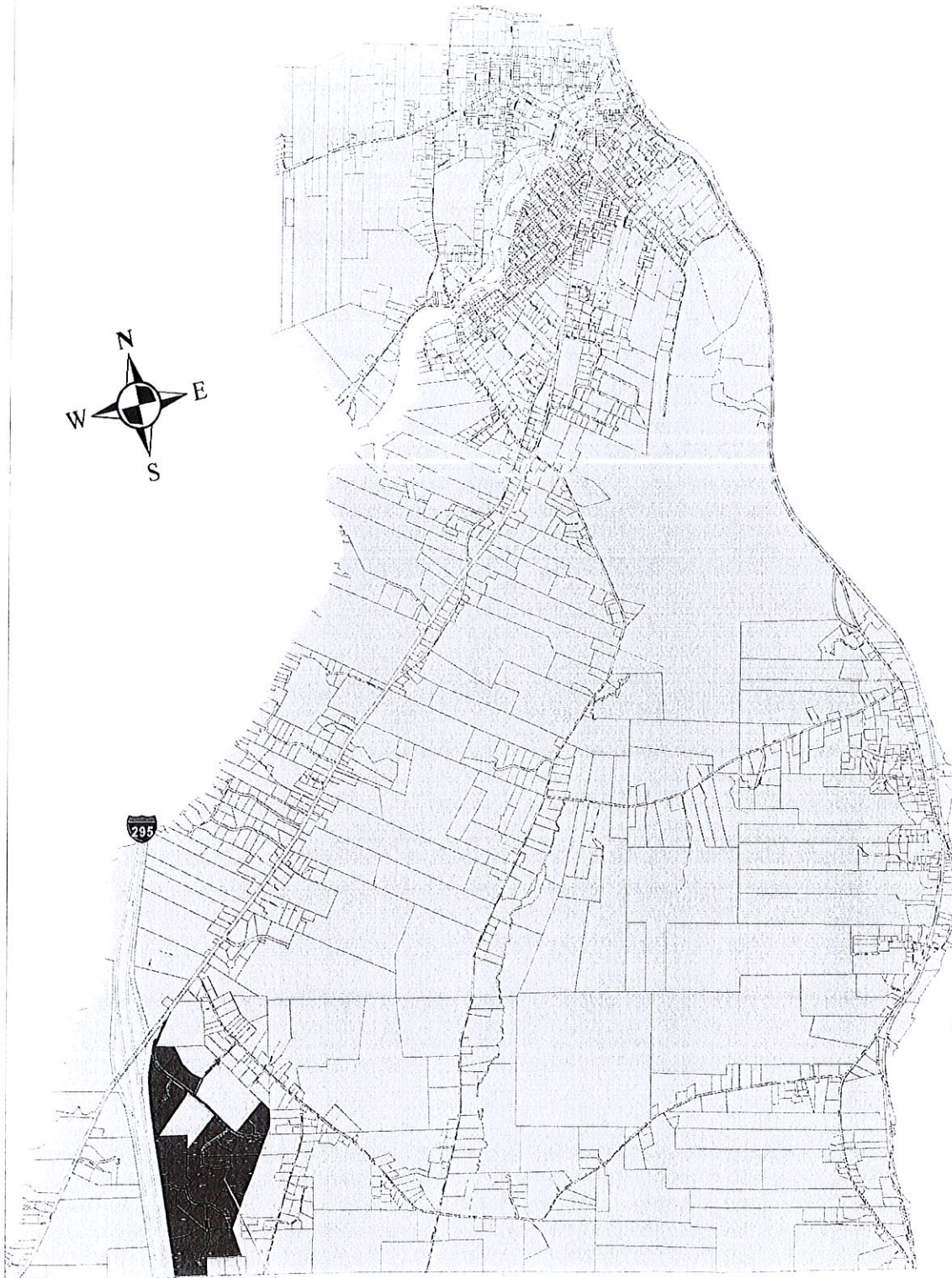
D. Statutory Requirements and Thresholds Form

Attached as Exhibit G hereto is a completed Statutory Requirements and Thresholds Form demonstrating the District's statutory compliance.

Exhibit A-1

**(City of Gardiner Map Showing Amended District Property
Relative to City Boundaries)**

City of Gardiner Libby Hill Area Wide TIF

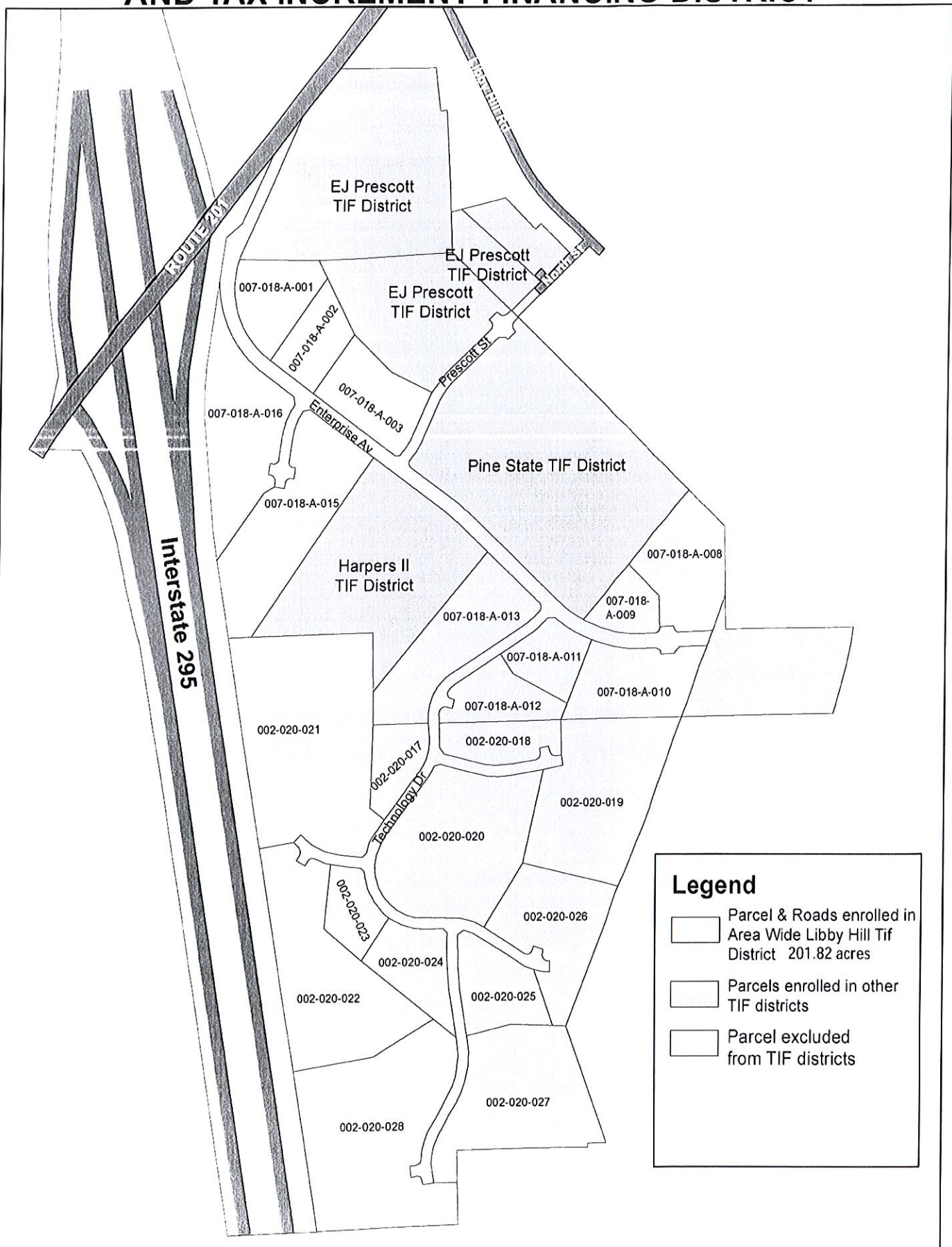


Libby Hill Area Wide TIF Location

Exhibit A-2

**(City of Gardiner Property Map Showing Amended District
Property)**

AREA WIDE LIBBY HILL MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT



EJ Prescott and Libby Hill AWT TIF Amendments

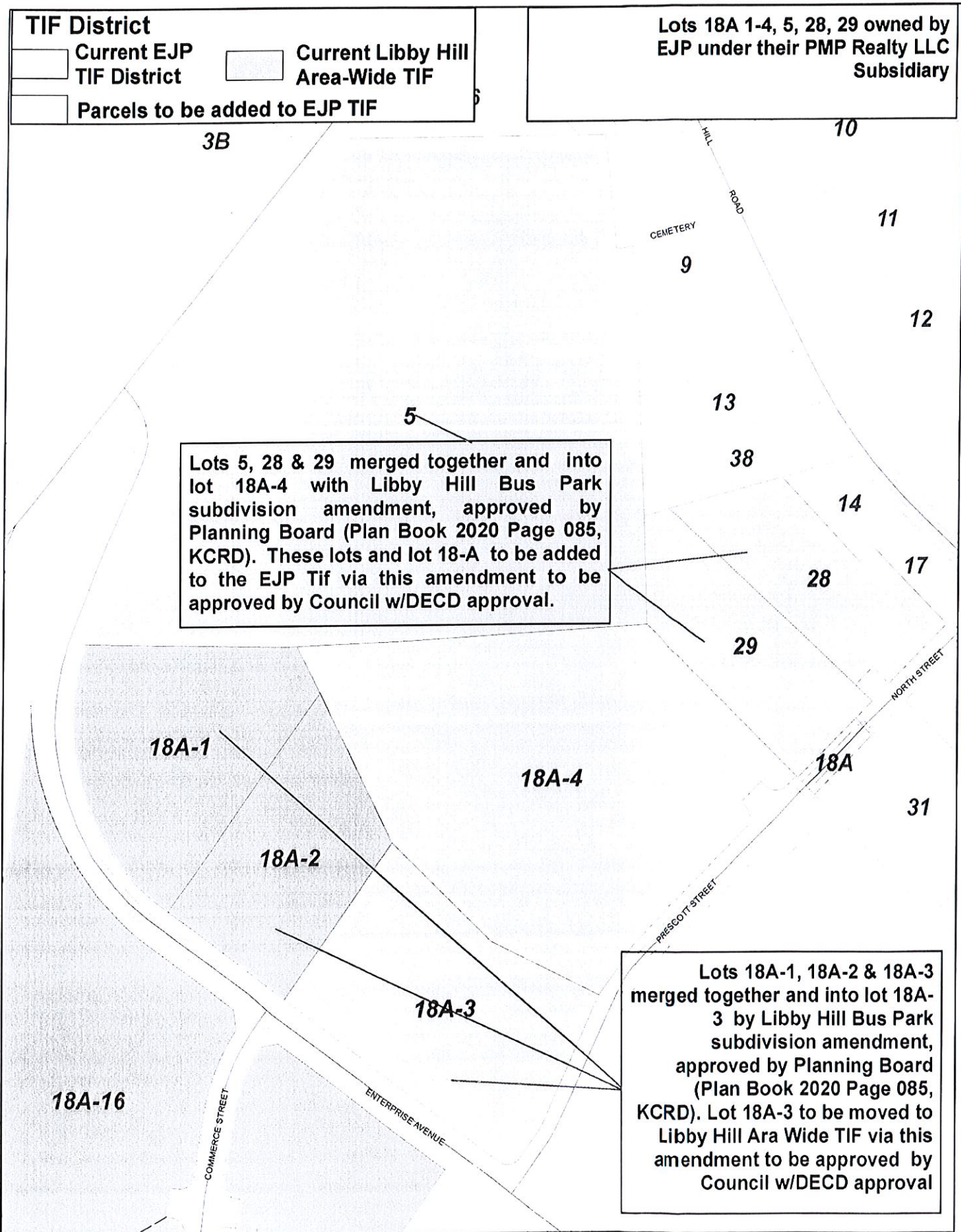


Exhibit B

(Amended Assessor's Certificate)

EXHIBIT B
AMENDED ASSESSOR'S CERTIFICATE
AREA-WIDE LIBBY HILL MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT

The undersigned Assessor for the City of Gardiner, Maine, hereby certifies pursuant to the provisions of 30-A M.R.S.A. § 5227(2) that:

The taxable real assessed value of the **Area-Wide Libby Hill Municipal Development and Tax Increment Financing District** as described in the Second Amendment to the Development Program to which this Certificate is included, is **\$297,300**. This total original assessed value for the District consists of **\$144,900** as of March 31, 2008 (April 1, 2007) that was included in the District when it was originally designated, and **\$152,400** as of March 31, 2020 (April 1, 2019) that was added to the District in the Second Amendment adopted by the City in 2020.

PARCELS INCLUDED IN THE ORIGINAL DISTRICT

Property as Identified on City Tax Maps					Individual Original Assessed Value as of March 31, 2008 (April 1, 2007)
Map Number	Block Number	Lot Number	Unit Number	Acreage	
007	018	A	001	4.35*	\$53,600*
007	018	A	002	3.37*	\$91,300*
007	018	A	008	6.40	\$0
007	018	A	009	2.40*	\$0
007	018	A	010	6.17	\$0

Property as Identified on City Tax Maps					Individual Original Assessed Value as of March 31, 2008 (April 1, 2007)
Map Number	Block Number	Lot Number	Unit Number	Acreage	
007	018	A	011	4.18	\$0
007	018	A	012	3.64	\$0
007	018	A	013	7.63	\$0
007	018	A	015	10.60	\$0
007	018	A	016	9.00	\$0
002	020	017		2.83	\$0
002	020	018		3.37	\$0
002	020	019		12.91	\$0
002	020	020		13.45	\$0
002	020	021		19.90	\$0
002	020	022		13.49	\$0
002	020	023		2.78	\$0
002	020	024		4.10	\$0
002	020	025		4.80	\$0
002	020	026		8.41	\$0
002	020	027		10.94	\$0
002	020	028		17.23	\$0
Roadways				24.86	\$0
TOTAL:				196.81	\$144,900

* Acreage and original assessed value corrected/amended by a subdivision amendment in September 2020.

PARCEL ADDED IN SECOND AMENDMENT¹

Property as Identified on City Tax Maps					Individual Original Assessed Value as of March 31, 2020 (April 1, 2019)
Map Number	Block Number	Lot Number	Unit Number	Acreage	
007	018	A	003	5.01	\$152,400
TOTAL:				5.01	\$152,400

IN WITNESS WHEREOF, this Certificate has been executed as of this 13th day of October, 2020.

ASSESSOR


Curt Lebel

¹ Note that lot 18A-3—the parcel to be added to the District in this Second Amendment—was merged together with lots 18A-1 and 18A-2, parcels already included in the District, pursuant to the City's Planning Board process.

Exhibit C-1

(TIF Revenue Projection)

Exhibit C-1 | Estimated Captured Assessed Values
Second Amendment to the Libby Hill Area Wide Increment Financing District

	TIF Year	Fiscal Year	Original Assessed Value	Actual or Projected Captured Assessed Value	Percent of Value Captured	Actual or Projected Mil Rate	Actual or Projected TIF Revenue	City General Fund Revenue on Original Assessed Value
Actual	1	2009-2010	\$ 145,400	\$ 1,923,300	100%	\$ 17.20	\$ 33,080.76	\$ 2,500.88
Actual	2	2010-2011	\$ 145,400	\$ 2,110,300	100%	\$ 19.90	\$ 41,994.97	\$ 2,893.46
Actual	3	2011-2012	\$ 145,400	\$ 2,110,300	100%	\$ 19.90	\$ 41,994.97	\$ 2,893.46
Actual	4	2012-2013	\$ 145,400	\$ 2,451,900	100%	\$ 19.90	\$ 48,792.81	\$ 2,893.46
Actual	5	2013-2014	\$ 145,400	\$ 2,296,300	100%	\$ 19.90	\$ 45,696.37	\$ 2,893.46
Actual	6	2014-2015	\$ 145,400	\$ 2,292,200	100%	\$ 20.60	\$ 47,219.32	\$ 2,995.24
Actual	7	2015-2016	\$ 145,400	\$ 3,597,400	100%	\$ 21.60	\$ 77,703.84	\$ 3,140.64
Actual	8	2016-2017	\$ 145,400	\$ 4,350,500	100%	\$ 21.50	\$ 93,535.75	\$ 3,126.10
Actual	9	2017-2018	\$ 145,400	\$ 4,476,700	100%	\$ 22.00	\$ 98,487.40	\$ 3,198.80
Actual	10	2018-2019	\$ 145,400	\$ 5,227,300	100%	\$ 21.40	\$ 111,864.22	\$ 3,111.56
Actual	11	2019-2020	\$ 145,400	\$ 5,016,500	100%	\$ 21.70	\$ 108,858.05	\$ 3,155.18
	12	2020-2021	\$ 145,400	\$ 5,468,300	100%	\$ 21.70	\$ 118,662.11	\$ 3,155.18
	13	2021-2022	\$ 297,300	\$ 6,500,000	100%	\$ 21.70	\$ 141,050.00	\$ 6,451.41
	14	2022-2023	\$ 297,300	\$ 7,500,000	100%	\$ 21.70	\$ 162,750.00	\$ 6,451.41
	15	2023-2024	\$ 297,300	\$ 8,500,000	100%	\$ 21.70	\$ 184,450.00	\$ 6,451.41
	16	2024-2025	\$ 297,300	\$ 10,000,000	100%	\$ 18.00	\$ 180,000.00	\$ 5,351.40
	17	2025-2026	\$ 297,300	\$ 10,000,000	100%	\$ 18.00	\$ 180,000.00	\$ 5,351.40
	18	2026-2027	\$ 297,300	\$ 10,000,000	100%	\$ 18.00	\$ 180,000.00	\$ 5,351.40
	19	2027-2028	\$ 297,300	\$ 12,000,000	100%	\$ 18.00	\$ 216,000.00	\$ 5,351.40
	20	2028-2029	\$ 297,300	\$ 12,000,000	100%	\$ 18.00	\$ 216,000.00	\$ 5,351.40
	21	2029-2030	\$ 297,300	\$ 12,000,000	100%	\$ 18.00	\$ 216,000.00	\$ 5,351.40
	22	2030-2031	\$ 297,300	\$ 12,000,000	100%	\$ 18.00	\$ 216,000.00	\$ 5,351.40
	23	2031-2032	\$ 297,300	\$ 15,000,000	100%	\$ 18.00	\$ 270,000.00	\$ 5,351.40
	24	2032-2033	\$ 297,300	\$ 15,000,000	100%	\$ 18.00	\$ 270,000.00	\$ 5,351.40
	25	2033-2034	\$ 297,300	\$ 15,000,000	100%	\$ 18.00	\$ 270,000.00	\$ 5,351.40
	26	2034-2035	\$ 297,300	\$ 15,000,000	100%	\$ 18.00	\$ 270,000.00	\$ 5,351.40
	27	2035-2036	\$ 297,300	\$ 15,000,000	100%	\$ 18.00	\$ 270,000.00	\$ 5,351.40
	28	2036-2037	\$ 297,300	\$ 15,000,000	100%	\$ 18.00	\$ 270,000.00	\$ 5,351.40
	29	2037-2038	\$ 297,300	\$ 15,000,000	100%	\$ 18.00	\$ 270,000.00	\$ 5,351.40
	30	2038-2039	\$ 297,300	\$ 15,000,000	100%	\$ 18.00	\$ 270,000.00	\$ 5,351.40
Years 1-11 Actual Total:							\$ 749,228.46	\$ 32,802.24
Years 1-11 Actual Average:							\$ 68,111.68	\$ 2,982.02
Years 12-30 Projected Total:							\$ 4,170,912.11	\$ 102,780.41
Years 12-30 Projected Average:							\$ 219,521.69	\$ 5,409.50

Assumptions:

1. Projections for TIF years 13-30 show anticipated increased assessed values, captured assessed values and TIF revenues provided by Cty Assessor based on general predictions of expected growth in the District.
2. Assumes a 30-year district term.
3. Projections assume a flat mil rate of 18 beginning in TIF year 16, upon a planned City revaluation.
4. Assumes 100% of the increased assessed value is captured in the District and available for municipal project costs in TIF years 13-30.
5. Projections are much less likely to be accurate farther into the future and are for demonstrative purposes only.

Exhibit C-2

(Projected Tax Shift Benefits)

Exhibit C-2 | Tax Shift Benefits

Second Amendment to the Libby Hill Area Wide Increment Financing District

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Additional Local Education	Total Tax Benefit
2020-2021	12	-	-	-	-	\$0
2021-2022	13	-	-	-	-	\$0
2022-2023	14	-	\$5,629	\$12,898	-	\$18,527
2023-2024	15	\$44,731	\$6,690	\$15,290	\$8,689	\$75,400
2024-2025	16	\$53,170	\$7,718	\$17,596	\$10,317	\$88,802
2025-2026	17	\$61,350	\$8,747	\$19,890	\$11,892	\$101,879
2026-2027	18	\$69,530	\$10,289	\$23,309	\$13,462	\$116,590
2027-2028	19	\$81,800	\$10,289	\$23,309	\$15,813	\$131,211
2028-2029	20	\$81,800	\$10,289	\$23,309	\$15,813	\$131,211
2029-2030	21	\$81,800	\$12,344	\$27,826	\$15,813	\$137,783
2030-2031	22	\$98,160	\$12,344	\$27,826	\$18,934	\$157,265
2031-2032	23	\$98,160	\$12,344	\$27,826	\$18,934	\$157,265
2032-2033	24	\$98,160	\$12,344	\$27,826	\$18,934	\$157,265
2033-2034	25	\$98,160	\$15,426	\$34,515	\$18,934	\$167,036
2034-2035	26	\$122,700	\$15,426	\$34,515	\$23,591	\$196,233
2035-2036	27	\$122,700	\$15,426	\$34,515	\$23,591	\$196,233
2036-2037	28	\$122,700	\$15,426	\$34,515	\$23,591	\$196,233
2037-2038	29	\$122,700	\$15,426	\$34,515	\$23,591	\$196,233
2038-2039	30	\$122,700	\$15,426	\$34,515	\$23,591	\$196,233
2039-2040		\$122,700	\$15,426	\$34,515	\$23,591	\$196,233
2040-2041		\$122,700	\$15,426	\$34,515	\$23,591	\$196,233
2041-2042		\$122,700	-	-	\$23,591	\$146,291
Totals:		\$1,848,421	\$232,439	\$523,027	\$356,266	\$2,960,153
Averages:		\$97,285	\$12,234	\$27,528	\$18,751	\$148,008

Assumptions:

1. Data sources include the 2021 mil rate from the City, Kennebec County Commissioner's FY2020-2021 Adopted Budget, the State Treasurer's Office Municipal Revenue Sharing projections for FY2021 (07/01/2020 - 06/30/2021 Published 08/03/2020), the Maine Department of Education 0/22/20 2020-2021 ED 279 form for RSU 11/MSAD 11, and State Valuation Contribution based on the Average Kennebec County Tax Allocation as set forth in Section 4 of the ED 279.
2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur a couple of years following the year in which the new assessed value is first recognized in the assessment. No tax shift losses occur when a TIF captures all of the new value.
3. These projections assume that the formulas and general inputs for state subsidies and county taxes do not change over time and they assume that all other values in other communities are static relative to one another except for the new value assessed. The projections are less likely to be accurate farther into the future.
4. Assumes the assessment ratio in the City is 100% when new property value arrives, such that the market value of new property is used for assessment purposes.
5. The projections above assume that no tax increment financing district is put in place, thus the mil rate is reduced by the influx of new value in the City. This analysis factors in tax shift impacts resulting from the project's new assessed value into future commitments and mil rate calculations to arrive at projected property tax payments.

Exhibit D

(Notice of Public Hearing)

**NOTICE OF PUBLIC HEARINGS
CITY OF GARDINER
Regarding**

**Amendments to Two Municipal Development and Tax Increment Financing Districts and
Development Programs Known As:**

**“Area-Wide Libby Hill Municipal Development and Tax Increment Financing District”
(Second Amendment)
&
“EJ Prescott Municipal Development and Tax Increment Financing District”
(Second Amendment)**

Notice is hereby given that the City of Gardiner will hold public hearings at its City Council Meeting on November 18, 2020 at 6:00 p.m. via REMOTE HEARING described below. The purpose of the public hearings is to receive public comments on the proposed amendments to the tax increment financing (“TIF”) districts and development programs pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The proposed Second Amendment to the EJ Prescott TIF District seeks to change the District’s acreage by (a) removing one parcel, identified as tax map 7 lot 18A-3, from the District, and (b) by adding four parcels, identified as tax map 7 lots 5, 18A, 28, and 29 to the District. The District’s total acreage will now be 63.68 acres. The Second Amendment to the EJ Prescott TIF District also seeks to add additional project costs to the list of approved projects.

The proposed Second Amendment to Libby Hill TIF District seeks to change the District’s acreage by adding one parcel, identified as tax map 7 lot 18A-3, to the District. The District’s total acreage will now be 201.82 acres. The Second Amendment to the Libby Hill TIF District also seeks to add additional project costs to the list of approved projects.

Copies of the relevant materials will be on file with the City Clerk prior to the Public Hearing, and are available at www.gardinermaine.com and can also be obtained by calling (207) 582-4200 during normal business hours and requesting that a copy be mailed to you. All interested persons are invited to participate in the public hearings and will be given an opportunity to be heard.

Public comments will be taken at the hearings and written comments should be submitted to tdesjardins@gardiner.maine.com. Written comments will be accepted until Monday, November 16, 2020.

The Gardiner City Council will hold these public hearings remotely using Zoom. Virtual meetings are allowed using emergency legislation approved by LD 2167; 1 M.R.S. §403A, that authorizes municipalities to conduct meetings online. Allow your computer to install the free Zoom app to get the best meeting experience.
For more information regarding the Zoom link, please contact city hall or visit www.gardinermaine.com.

Exhibit E

(Minutes of Public Hearing)

Exhibit F

(City Council Order)

CITY OF GARDINER CITY COUNCIL ORDER

**Second Amendment to the Area-Wide Libby Hill Municipal Development and
Tax Increment Financing District**

WHEREAS, the City of Gardiner (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the **Area-Wide Libby Hill Municipal Development and Tax Increment Financing District** (the "Libby Hill District") and the Development Program (the "Libby Hill Development Program"); and

WHEREAS, the Libby Hill District was first approved by the Maine Department of Economic and Community Development ("DECD") on March 31, 2009 and was amended and restated for the first time in 2012, receiving approval from DECD on August 1, 2012.

WHEREAS, the City now wishes to amend the Libby Hill District and Development Program a second time (the "Second Amendment to the Libby Hill District") to change the district boundaries and to add additional project costs to the approved list.

WHEREAS, there is a need for economic development in the City of Gardiner, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Gardiner; and to improve the general economy of the City of Gardiner and the surrounding region; and

WHEREAS, implementation of the Second Amendment will help to improve and broaden the tax base in the City of Gardiner and improve the economy of the City of Gardiner and the region by attracting business development to the Districts; and

WHEREAS, it is expected that approval will be obtained from DECD, approving the *Second Amendment to Area-Wide Libby Hill Municipal Tax increment Financing District and Development Program*.

ORDERED AS FOLLOWS:

Section 1. The City of Gardiner hereby approves the Second Amendment to Area-Wide Libby Hill Municipal Tax Increment Financing District and Development Program; such amendment to be pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

a. The Second Amendment to the Libby Hill District will not result in the Libby Hill District falling out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3); and

b. The Second Amendment to the Libby Hill District will make a contribution to the economic growth and wellbeing of the City of Gardiner and the surrounding region, and will

EXHIBIT F
CITY COUNCIL ORDER

contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Gardiner, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Development Program Amendments.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value is hereby established as set forth in the Libby Hill Development Program, as amended. To the extent that the Second Amendment to the Libby Hill District conflicts with anything contained within the corresponding original relevant development program (or anything contained within any of the corresponding previous amendments to original development programs), the Second Amendment to the Libby Hill District shall govern. All other provisions of the original development programs shall remain in effect.

Section 4. The City Manager, or her duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Second Amendment to the Libby Hill District to DECD for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 5. The foregoing adoption of the Second Amendment to the Libby Hill District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the by the DECD, without requirement of further action by the City, the City Council, or any other party.

Section 6. The City Manager, or her duly appointed representative, is hereby authorized and empowered, at her discretion, from time to time, to make such revisions to the Second Amendment to the Libby Hill District as the City Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval of Second Amendment to the Libby Hill District by DECD, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Second Amendment to the Libby Hill District.

Section 7. This order shall take effect immediately upon adoption.

Approved November 18, 2020, by the City Council of the City of Gardiner, at a meeting duly convened and conducted at Gardiner, Maine.

Attest:

Gardiner City Clerk
Attestation Dated:

Exhibit G

(Statutory Requirements & Thresholds)

STATUTORY REQUIREMENTS AND THRESHOLDS
Area-Wide Libby Hill Municipal TIF (Amd 2)

SECTION A. Acreage Caps		
1. Total municipal acreage;	10,362 acres	
2. Acreage of proposed Municipal TIF District;	201.82 acres	
3. Downtown-designation acres in proposed Municipal TIF District;	0	
4. Transit-Oriented Development ¹ acres in proposed Municipal TIF District;	0 acres	
5. Total acreage [=A2-A3-A4] of proposed Municipal TIF District counted toward 2% limit;	201.82 acres	
6. Percentage [=A5+A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).	1.9%	
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ² Downtown TIF/121.23 acres Associated Grocers TIF/25.82 acres* Summer Street AHTIF/1.75 acres Pine State Trading TIF/55.16 acres* Libby Hill Area TIF/201.82 acres**** Harper's II TIF/42.46 acres* EJ Prescott TIF 1/63.68 acres* Central Maine Crossing TIF/23.19 acres	Existing	333.29**
	Proposed	201.82
	Total:	535.11
30-A § 5223(3) EXEMPTIONS³		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district;	121.23 acres	
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0 acres	
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0 acres	
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts common to ⁴ Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such acreage also factored in Exemptions 8-10 above:	283.93 acres***	
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	129.95 acres	
13. Percentage of total acreage [=A12+A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	1.25%	
14. Real property in proposed Municipal TIF District that is:	ACRES	% [=Acres÷A2]
a. A blighted area;		
b. In need of rehabilitation, redevelopment or conservation;		
c. Suitable for commercial or arts district uses.	201.82 acres	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

* In 2011, the City amended these districts to include roadways located in the Libby Hill Area TIF, adding 24.86 acres to each district. The roadways are counted five times toward the total for item 7, total acreage in existing and proposed TIF districts.

**This total acreage includes the same 24.86 acres, comprised of roadways in the Libby Hill Area TIF, counted five times due to it being located in multiple districts.

*** This total acreage includes the entirety of the Libby Hill Area TIF, 0.94 acres of the Associated Grocers TIF, 33.27 acres of the EJ Prescott TIF, 30.3 acres of the Pine State Trading TIF, and 17.6 acres of the Harper's II TIF. The 24.86 acre roadways in the Libby Hill Area TIF that are counted in other districts are only counted with the Libby Hill Area TIF for the purposes of the Pine Tree Development Zone exemption.

****This assumes that the proposed amendments to the Libby Hill Area TIF and the EJ Prescott TIF are approved.

¹ For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

² For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section 8. must exclude AH-TIF valuation.

³ Downtown/TOD overlap nets single acreage/valuation caps exemption.

⁴ PTDZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
Area-Wide Libby Hill Municipal TIF (Amd 2)

SECTION B. Valuation Cap		
1. Total TAXABLE municipal valuation—use most recent April 1;	\$344,611,100	
2. Taxable Original Assessed Value (OAV) of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;	\$297,800	
3. Taxable OAV of all existing/proposed Municipal TIF districts in municipality excluding Municipal Affordable Housing Development districts: Downtown TIF/\$23,253,600 Associated Grocers TIF/\$26,400 Pine State Trading TIF/\$202,100 Harper's II TIF/\$0.00 EJ Prescott TIF/\$401,500 Libby Hill Area TIF/\$297,300**** Central Maine Crossing TIF/\$169,000	Existing	\$24,052,600
	Proposed	\$297,300
	Total:	\$24,349,900
30-A § 5223(3) EXEMPTIONS		
4. Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;	\$23,253,600	
5. Taxable OAV of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	\$0.00	
6. Taxable OAV of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	\$0.00	
7. Taxable OAV of all <u>existing/proposed</u> Single Taxpayer/High Valuation ⁵ Municipal TIF districts:	\$0.00	
8. Taxable OAV in all <u>existing/proposed</u> Municipal TIF districts common to Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such OAV also factored in Exemptions 4-7 above:	\$870,900	
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$225,400	
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	0.07%	

COMPLETED BY	
NAME :	Shana Cook Mueller, Esq.
DATE :	October 22, 2020

⁵ For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.