



GARDINER CITY COUNCIL AGENDA ITEM INFORMATION SHEET



Meeting Date		Department	
Agenda Item			
Est. Cost			

Background Information

Requested Action	
City Manager and/or Finance Review	
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 _____

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING

A. General Information

1. Municipality Name: City of Gardiner		
2. Address: 6 Church Street, Gardiner, Maine		
3. Telephone: 207-582-6888	4. Fax:	5. Email: mlindley@gardinermaine.com
6. Municipal Contact Person: Melissa Lindley, Economic Development Director		
7. Business Name:		
8. Address:		
9. Telephone:	10. Fax:	11. Email:
12. Business Contact Person:		
13. Principal Place of Business:		
14. Company Structure (e.g. corporation, sub-chapter S, etc.):		
15. Place of Incorporation: Maine		
16. Names of Officers:		
17. Principal Owner(s) Name:		
18. Address:		

B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
<input type="checkbox"/> job creation	<input type="checkbox"/> job retention	<input type="checkbox"/> capital investment
<input type="checkbox"/> training investment	<input type="checkbox"/> tax base improvement	<input type="checkbox"/> public facilities improvement
<input type="checkbox"/> other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
<input type="checkbox"/> real estate purchase	<input type="checkbox"/> machinery & equipment purchase	<input type="checkbox"/> training costs
<input type="checkbox"/> debt reduction	<input checked="" type="checkbox"/> other (list): See Project Cost List.	

C. Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project (*please use next page*).

N/A

ECONOMIC DEVELOPMENT PROJECT

CITY OF GARDINER MAINE

An Application for a Municipal Development and Tax Increment Financing District

**COMMONWEALTH OMNIBUS MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT**

DEVELOPMENT PROGRAM

Approved by:

**City Council
City of Gardiner
February _____, 2024**

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Development Program

I. Introduction

The Maine Legislature established tax increment financing as an economic development tool to be used by municipalities to: (a) provide new employment opportunities; (b) improve and broaden its tax base; and (c) improve the general economy of the State. The Legislature recognizes that the State and its municipalities benefit from a municipality's economic development partnership with a local business to promote responsible new development that (a) enhances local efforts for economic, industrial or commercial development; and (b) retains and expands the local tax base and employment opportunities.

The City of Gardiner (the "City" or "Gardiner") seeks to establish a Tax Increment Financing ("TIF") district to be known as the "**Commonwealth Omnibus Municipal Development and Tax Increment Financing District**" (the "District") at the site of a commercial development zone and mixed-use residential properties in need of redevelopment located off Route 201.

In designating the proposed District and adopting this Development Program, the City can accomplish the following goals:

- Maintain the existing tax revenues;
- Enjoy enhanced future tax revenues generated by improvements within the District;
- Enable the investment of TIF Revenues (defined below) in high priority City projects;
- Create long-term, stable employment opportunities for area residents; and
- Improve the overall economy of the City, the Kennebec County region, and the State of Maine.

In addition, by creating a TIF district, the City will "shelter" the increase in municipal valuation that the development will bring about. The tax benefit provided by the District will mitigate the adverse effect that the District's increased assessed property value would have on the City's share of state aid to education, municipal revenue sharing, and its county tax assessment. An estimate of the tax shift benefit is shown as **Exhibit C-2** attached hereto.

The District is a so-called "omnibus" district which means that the City Council will be permitted in the future to enter into credit enhancement agreements with individual property owners in the District as it sees fit for up to the full term of the District for up to 100% of the captured assessed value so long as the City Council holds a public hearing prior to the approval of any such credit enhancement agreement.

II. Development Program Narrative

A. The Development District

The District will encompass approximately 54.9 acres of real property located off of Route 201, as Tax Map/Lots 23A-027, 027-018, 027-018-A, 027-019, 027-019-001, 027-019-002, 028-064, 028-064A, 028-066, 028-066-A, 028-006-A-001, 028-067, 028-068, 028-069, 029-001, 029-001A, 029-002, and 037-168. The District is shown in Exhibit A-1 and Exhibit A-2 attached hereto.

B. The Development Program

The City's designation of the District and adoption of this Development Program creates a single municipal TIF District in order to capture the value of the taxable real property improvements made within the District and to authorize the use of tax increment financing revenues for various municipal economic development projects, as well as any potential future credit enhancement agreements. The Development Program will begin with the City's 2024-2025 fiscal year on July 1, 2024 and will continue for a total of twenty (20) years, ending on June 30, 2044.

Under this Development Program, the City will capture 100% of the increased assessed value of taxable real property over the original assessed value of the District and retain the tax revenues generated by the captured assessed value for designated economic development purposes. The calculation of TIF Revenues (as defined below) is more specifically described below in Section IV – Financial Plan. In the Assessor's Certificate attached as Exhibit B hereto, the Assessor has certified the original assessed value of the District.

By adopting this Development Program, the City is creating a TIF district that will: (1) Maintain existing tax revenues; (2) Enjoy enhanced future tax revenues generated by new development within the District; and (3) shelter the captured assessed value from impacting the overall State valuation for the City of Gardiner, thereby minimizing: (a) potential decreases in the City's State school subsidy and State revenue sharing, and (b) potential increases in the City's county tax assessments and local school district contributions.

Further, approval of this Development Program and the designation of the District will have a neutral impact on the existing tax base; only the increased assessed value over the original assessed value within the District will be captured. In addition, at the end of the District and Development Program, the City expects to emerge with a substantial amount of new taxable property value to add to its municipal tax base.

This Development Program is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended (the "TIF Statute"). Subsequent to a City Council vote designating the District and adopting this Development Program, evidenced by Exhibit F hereto, the designation of the District and adoption of this Development Program are effective upon approval by the DECD.

C. The Projects

Development within the District will provide a revenue source for the City’s economic development projects. The City plans to use its portion of the TIF Revenues for several projects related to economic and infrastructure development. Please see Table 1 herein for a complete list of authorized projects and their respective cost estimates.

**TABLE 1
Municipal Project Costs**

Project	Cost Estimate	Statutory Citation
I. Cost Within the District		
1. <u>Administrative & Professional Services Costs.</u> Fund prorated portion of salaries of City staff for time associated with creation and administration of District, and fund costs of professional services, including, but not limited to, legal fees, associated with creation and administration of District.	\$30,000	30-A M.R.S. §5225(1)(A)(4),(5)
2. <u>Credit Enhancement Agreement Payments:</u> In the event the City sees fit to enter into credit enhancement agreements with developers and other businesses within the Commonwealth Omnibus District the City Council shall have the authority after a public hearing to enter into such agreements as long as the agreements comply within the existing TIF policy of the City.	\$450,000	30-A M.R.S § 5225(1)(A)(1) and/or (A)(2)
3. <u>Infrastructure Development:</u> Fund costs associated with infrastructure development and improvements, including, but not limited to, sewer upgrades, survey and permitting work, streetlights, road improvements, and natural gas expansion located within the district.	\$1,000,000	30-A M.R.S § 5225(1)(A)(1)
II. Cost Outside District but Directly Related		
1. <u>Public Safety Facilities and Equipment.</u> Fund costs of new public safety facilities and equipment, prorated for portion of costs related to establishment of the District, and/or related to general economic development within the City not to exceed 15% of the captured assessed value of the District.	\$2,275,000	30-A M.R.S. §5225(1)(B)(2), (1)(C)(9)

Project	Cost Estimate	Statutory Citation
2. <u>Infrastructure Development</u> . Fund costs associated with infrastructure development and improvements, including, but not limited to, sewer upgrades, streetlights, road improvements, and natural gas expansion, that are directly related to or made necessary by the District.	\$300,000	30-A M.R.S. §5225(1)(B)(1)
III. City-Wide Improvements		
1. <u>Economic Development Programs</u> . Fund costs associated with economic development programs and events for the purposes of promoting and marketing the City as a business location, as well as City costs and City staff time devoted to economic development generally. ^{1,2}	\$200,000 (10,000/year)	30-A M.R.S. §5225(1)(C)(1)
2. <u>Quality Childcare Costs</u> : Funding will go towards quality childcare costs, including finance costs and construction, staffing, training, certification and accreditation costs related to childcare. Quality Childcare shall be certified by the state of Maine’s Department of Human Services. ¹	\$400,000 (20,000/year)	30-A M.R.S.A §5225 (1)(C)(5)
3. <u>Affordable Housing</u> : Authorized project costs for improvements as described in Title 30-A M.R.S. Section 5249 in support of municipal economic development activities regardless of whether such costs are within an affordable housing development district as defined in Title 30-A M.R.S. Section 5246, subsection 2; costs associated with the operation and financial support of affordable housing in the municipality. Costs associated with the operation and financial support of: (a) Affordable housing in the municipality to serve ongoing economic development efforts, including the further development of the downtown tax increment financing districts; and (b) Housing programs and services to assist those who are experiencing homelessness in the municipality or plantation as defined in the municipality's development program. Costs associated with the development and operation of affordable housing or housing services for persons who are experiencing	\$400,000	30-A M.R.S. § 5225 (1)(A)(9); (1)(B)(4); (1)(C)(11); (1)E

Project	Cost Estimate	Statutory Citation
homelessness as defined in the municipality's development program.		
<p>4. <u>Broadband Infrastructure:</u> Costs associated with broadband and fiber optics expansion projects, 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 ConnectMaine 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.</p>	\$500,000	30-A M.R.S.A §5225 (1)(C)(10)
<p>5. <u>Revolving Loan Fund:</u> Establishment of a permanent economic development revolving loan fund in order to encourage economic development activities.</p>	\$100,000	30-A M.R.S.A §5225 (1)(C)(3)
<p>6. <u>Recreational Trails:</u> Expansion and Construction of new segments of the Kennebec Rail Trail and Cobbossee Trails, which have potential to promote economic development within the City.</p>	\$500,000	30-A M.R.S.A §5225 (1)(C)(6)
<p>7. Capital Costs for construction or renovation of City administrative offices, the portion of which is necessary related to economic development within the City, not to exceed 15% of the captured assessed value of the District.</p>	\$2,275,000	30-A M.R.S. §5225(1)(C)(12)
Totals	\$8,430,000	

¹ Projects also contained within the Downtown TIF and Central Maine Crossing Omnibus Development Program

² Projects also contained within the Libby Hill TIF and Central Maine Crossing Omnibus Development Program

D. Strategic Growth and Development

By creating and designating the District, the City is maximizing the economic development potential of the District and the City in general. TIF Revenues from the District will be used on important City economic development projects and programs.

Further, the City's designation of a TIF district and pursuit of this Development Program constitute a good and valid public purpose described in the TIF statute in Chapter 206 of Title 30-A because it represents a substantial contribution to the economic well-being of both the City and the Kennebec County Region, by providing jobs and contributing to property taxes.

E. Improvements to the Public Infrastructure

As further set forth in Table 1, the City will use certain TIF Revenues for a variety of projects, including public infrastructure improvements.

F. Operational Components

1. Public Facilities

Please refer to Table 1 to review public facilities intended to be financed with TIF Revenues.

2. Commercial Improvements Financed Through Development Program

The District is an “omnibus” district because the City will have the option to approve credit enhancement agreements for property located within the District on a case by case basis as described in Table 1.

The City Council may approve Credit Enhancement Agreements that provide a reimbursement to a developer or company of up to 100% of the Development District Revenue for up to the duration of the District term. A Credit Enhancement Agreement for any specific lot development proposal or use will not be entered by the City unless such development proposal and use is specifically approved by the City Council after the public hearing. By adoption of this Development Program, the City is not promising to provide tax increment financing to the developer of any lot in the District. No property owner is entitled to a Credit Enhancement Agreement and the requirement to receive City Council approval related to the proposed lot development and use as referenced above is simply the minimum criteria required to be eligible for a Credit Enhancement Agreement. Approval or disapproval of any request for any Credit Enhancement Agreement and the terms thereof will be in the sole discretion of the City Council.

3. Relocation of Displaced Persons

No persons will be displaced.

4. Transportation Improvements

Please refer to Table 1 to review transportation improvements intended to be financed with TIF Revenues.

5. Environmental Controls

The improvements made under the proposed Development Program will meet or exceed all federal and state environmental regulations and will comply with all applicable land use requirements for the City.

6. Plan of Operation

During the term of the District, the City Manager or her designee will be responsible for all administrative matters within the purview of the City concerning the implementation and operation of the District.

III. Physical Description

Municipal documents relating to the District's physical description attached as Exhibits:

- (a) City of Gardiner property map showing the District relative to City boundaries. **Exhibit A-1**
- (b) City of Gardiner property map showing the District property. **Exhibit A-2**
- (c) Certification by the City of Gardiner Assessor of the original assessed value of the District. **Exhibit B.**

IV. Financial Plan

The District will encompass approximately 54.9 acres of property. The original assessed value of the property in the District was \$3,769,150 as of March 31, 2023 (April 1, 2022). Development of the proposed district is estimated to add approximately \$9.4 million of new assessed real property value to the City.

Upon each payment of property taxes by property owners inside the District, the City will deposit into a Development Program Fund the entirety of the property tax payments constituting TIF revenues (the "Development Program Fund"). TIF revenues will consist of property taxes paid on 100% of the increased assessed value in the District ("TIF Revenues").

The City will capture one hundred percent (100%) of the increased assessed value of the taxable real property located within the District for the duration of the 20-year term of the District. In the event of a revaluation of taxable property within the City, the Captured Assessed Value of this District may be adjusted in proportion to the change in taxable assessed property valued within the District in the year of the revaluation resulting from such revaluation pursuant to an amendment to this Development Program. The TIF Revenues so collected will fund and/or contribute to the funding of the approved projects, including each of the projects described on Table 1 hereof, which collectively increase the City's ability to stand out in a competitive marketplace as a dynamic municipality in which to grow a business. All assessed real property value captured in the District will be added to the general tax rolls at the end of the TIF term.

Upon each payment of property taxes for property located inside the District, the City will deposit into a development program fund (the "Commonwealth Omnibus Development Program Fund or the "Development Program Fund") the entirety of the property tax payments constituting TIF Revenues. The Development Program Fund is pledged to and charged with the payment of the project costs in the manner provided in 30-A M.R.S. § 5227(3). The Development Program Fund will consist of a project cost account (the "Project Cost Account"). All TIF Revenues will be deposited in the Project Cost Account except to the extent that the City undertakes municipal bonded indebtedness to fund any project costs, in which case the percentage of TIF Revenues

required to meet debt service obligation must be deposited into a sinking fund account (the “Sinking Fund Account”).

Estimates of the increased assessed value of the District, the anticipated TIF Revenues generated by the District, and the estimated tax shifts are shown in Exhibit C-1 and Exhibit C-2, respectively.

A. Costs and Sources of Revenues

Developers of District property will pay for and/or finance all costs of projects located in the District through private sources.

B. Municipal Indebtedness

The City reserves the right to issue municipal bonds in order to pay for infrastructure improvements described in Table 1. Any municipal bond issued for such project would require City Council approval.

V. Financial Data

The original assessed value of the taxable property in the District was \$3,769,150 as of March 31, 2023 (April 1, 2022). Please find attached as Exhibit G the Statutory Requirements and Thresholds Form required by the Maine Department of Economic and Community Development.

VI. Tax Shifts

In accordance with Maine statutes governing the establishment of a tax increment financing district, the table set forth in Exhibit C-2 identifies the tax shifts that are expected to result during the term of the District from the establishment of the District.

VII. Municipal Approvals

A. Notice of Public Hearing

Attached as Exhibit D is a certified copy of the Notice of Public Hearing held on February 7, 2024 in accordance with the requirements of 30-A M.R.S. § 5226(1). The notice was published in the *Kennebec Journal*, a newspaper of general circulation in the City on a date at least ten (10) days prior to the public hearing.

B. Minutes of Public Hearing

Attached as Exhibit E is a certified copy of the minutes of the public hearing held on February 7, 2024, at which time the proposed District was discussed by the public.

C. City Council Order

Attached as **Exhibit F**, is an attested copy of the City Council Order adopted by the Gardiner City Council at a Council Meeting duly called and held on February ____, 2024, designating the District and adopting the Development Program.

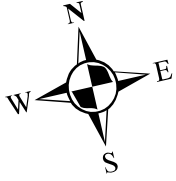
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Exhibit A-1

**(City of Gardiner Property Map Showing District Property
within City Boundaries)**

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Commonwealth Omnibus Municipal Development and Tax Increment Financing District



**Commonwealth Omnibus
TIF District Location
54.90 Acres**

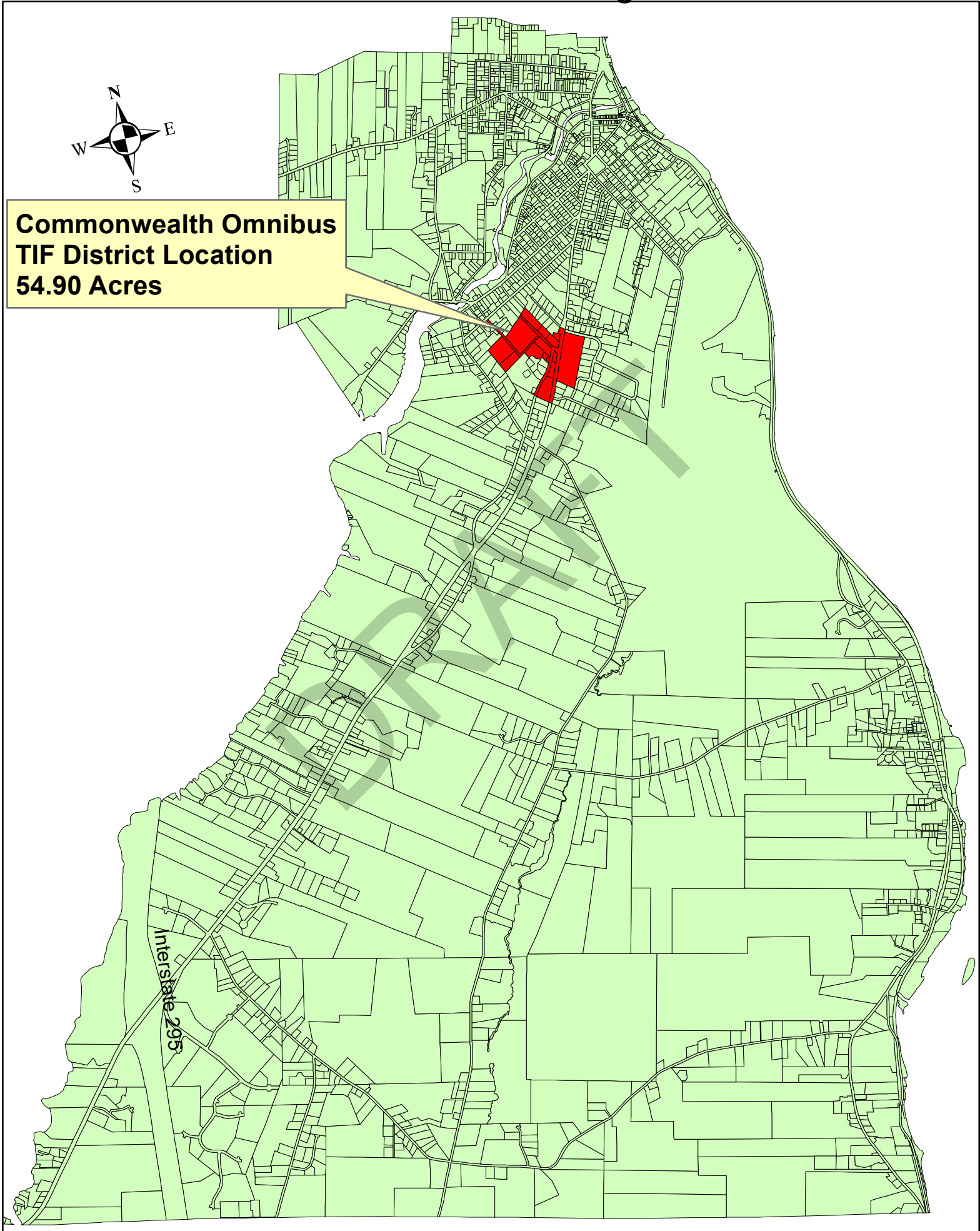
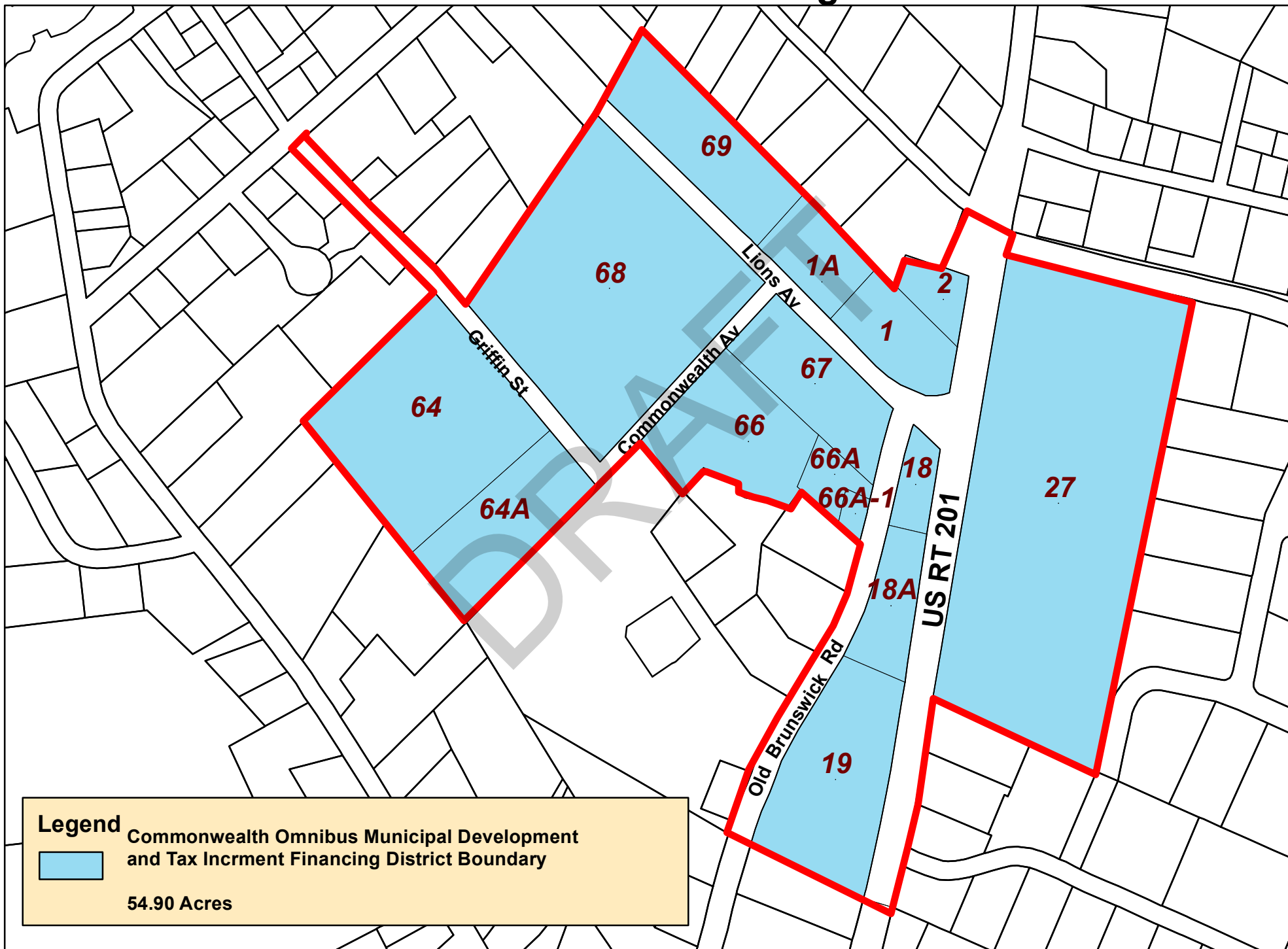


Exhibit A-2

(City of Gardiner Property Map Showing District Property)

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Commonwealth Omnibus Municipal Development And Tax Increment Financing District



Legend



Commonwealth Omnibus Municipal Development
and Tax Increment Financing District Boundary

54.90 Acres

Exhibit B

(Assessor's Certificate)

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EXHIBIT B

ASSESSORS' CERTIFICATE CITY OF GARDINER, MAINE

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 assessed value of taxable real property of the Commonwealth Omnibus Municipal Development and Tax Increment Financing District as described in the Development Program to which this Certificate is included, was \$3,769,150.00 as of March 31, 2023 (April 1, 2022). This includes the following properties:

Property as Identified on City 2022 Tax Maps					Individual Original Assessed Value
Map Number	Block Number	Lot Number	Unit Number	TIF Acres	
23A	027			13.23	\$59,000
027	018			.44	\$332,900
027	018	A		1.20	\$28,000
*027	019			3.50	\$0
*027	019	001		0	\$0
027	019	002		0	\$55,900
028	064			5.1	\$658,500
*028	064	A		2.30	\$0
028	066			2.38	\$187,500
028	066	A		.50	\$112,850
028	066	A	001	.18	\$70,300

Property as Identified on City 2022 Tax Maps					Individual Original Assessed Value
Map Number	Block Number	Lot Number	Unit Number	TIF Acres	
028	067			2.09	\$164,800
028	068			8.73	\$1,428,300
*028	069			2.45	\$0
029	001			1.27	\$300,900
029	001	A		1.11	\$153,200
*029	002			.67	\$0
**037	168			0	\$217,000.00
Roadways				9.75	\$0
TOTAL:				54.90	\$3,769,150.00

* Tax exempt property

** Allocation of taxable natural gas distribution installed within the district as of April 1, 2022.

IN WITNESS WHEREOF, this Certificate has been executed as of this ____ day of ____ 2023.

ASSESSOR

Curt Lebel

Exhibit C-1

(Anticipated TIF Revenues Generated by District)

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Exhibit C-1 - Estimated Captured Assessed Value & TIF Revenue Projections

City of Gardiner Commonwealth Omnibus TIF District

Tax Year	TIF Year	Original Assessed Value	Projected Increased Assessed Value	Percent Captured in TIF	Estimated Assessment Ratio	TIF District Projected Captured Assessed Value	Projected Mill Rate 24/25: 22.70 25/26: 22.70 26/27+: 15.00	Projected Total TIF Revenue	City General Fund Revenue on Original Assessed Value
2024-2025	1	\$ 3,769,150	\$ 2,100,000	100%	95%	\$ 1,995,000	22.70	\$ 45,287	\$ 81,282
2025-2026	2	\$ 3,769,150	\$ 2,500,000	100%	95%	\$ 2,375,000	22.70	\$ 53,913	\$ 81,282
2026-2027	3	\$ 3,769,150	\$ 8,800,000	100%	95%	\$ 8,360,000	15.00	\$ 125,400	\$ 53,710
2027-2028	4	\$ 3,769,150	\$ 8,800,000	100%	95%	\$ 8,360,000	15.00	\$ 125,400	\$ 53,710
2028-2029	5	\$ 3,769,150	\$ 8,800,000	100%	95%	\$ 8,360,000	15.00	\$ 125,400	\$ 53,710
2029-2030	6	\$ 3,769,150	\$ 8,800,000	100%	95%	\$ 8,360,000	15.00	\$ 125,400	\$ 53,710
2030-2031	7	\$ 3,769,150	\$ 8,800,000	100%	95%	\$ 8,360,000	15.00	\$ 125,400	\$ 53,710
2031-2032	8	\$ 3,769,150	\$ 11,000,000	100%	95%	\$ 10,450,000	15.00	\$ 156,750	\$ 53,710
2032-2033	9	\$ 3,769,150	\$ 11,000,000	100%	95%	\$ 10,450,000	15.00	\$ 156,750	\$ 53,710
2033-2034	10	\$ 3,769,150	\$ 11,000,000	100%	95%	\$ 10,450,000	15.00	\$ 156,750	\$ 53,710
2034-2035	11	\$ 3,769,150	\$ 11,000,000	100%	95%	\$ 10,450,000	15.00	\$ 156,750	\$ 53,710
2035-2036	12	\$ 3,769,150	\$ 11,000,000	100%	95%	\$ 10,450,000	15.00	\$ 156,750	\$ 53,710
2036-2037	13	\$ 3,769,150	\$ 13,500,000	100%	95%	\$ 12,825,000	15.00	\$ 192,375	\$ 53,710
2037-2038	14	\$ 3,769,150	\$ 13,500,000	100%	95%	\$ 12,825,000	15.00	\$ 192,375	\$ 53,710
2038-2039	15	\$ 3,769,150	\$ 13,500,000	100%	95%	\$ 12,825,000	15.00	\$ 192,375	\$ 53,710
2039-2040	16	\$ 3,769,150	\$ 13,500,000	100%	95%	\$ 12,825,000	15.00	\$ 192,375	\$ 53,710
2040-2041	17	\$ 3,769,150	\$ 13,500,000	100%	95%	\$ 12,825,000	15.00	\$ 192,375	\$ 53,710
2041-2042	18	\$ 3,769,150	\$ 16,000,000	100%	95%	\$ 15,200,000	15.00	\$ 228,000	\$ 53,710
2042-2043	19	\$ 3,769,150	\$ 16,000,000	100%	95%	\$ 15,200,000	15.00	\$ 228,000	\$ 53,710
2043-2044	20	\$ 3,769,150	\$ 16,000,000	100%	95%	\$ 15,200,000	15.00	\$ 228,000	\$ 53,710

20-Year Projected Total: \$ 3,155,824 \$ 1,129,350
20-Year Projected Average: \$ 157,791 \$ 56,468

Assumptions:

1. The above projections show the anticipated increased assessed values, captured assessed values, and TIF revenues throughout the term of the District. The Assessor has estimated the projected increased assessed value based on available project plans and currently available information. The final assessed value will be determined based on the actual land and improvement values on the applicable April 1st.
2. The projections assume a 20-year district term. A new project has Planning Board approval within the district for Years 1-2. A Projected Revaluation is expected in Year 3. Projected redevelopment projects are anticipated in Years 8, 13 and 18 that will increase the District.
3. Projections assume a mill rate of \$22.70 for Years 1-2; a flat mill rate of \$15.00 for Years 3-20 based on projected revaluation and a projected certified assessment ratio of 95%.
4. Projections assume 100% of the increased assessed value is captured in the District and that TIF revenue is available for municipal project costs and assume periodic redevelopment and improvement of properties within the District over the term of the District.
5. The preceding financial information contains projections and forward-looking statements that are subject to a number of risks and uncertainties that could cause the actual results, performance, or achievements to differ materially from any future results, performances, or achievements expressed or implied by the financial information reported in this projection. The model is not, nor is it intended to be, an appraisal or guarantee of an assessed value, and there may be positive or negative variations in the actual assessment of the project due to variety of factors, including without limitation, the employment of alternative methods of valuation and then-current market conditions.

Exhibit C-2

(Tax Shift Benefits)

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Exhibit C-2 - Tax Shift Benefits
City of Gardiner Commonwealth Omnibus TIF District

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Additional Local Education	Total Tax Benefit
2024-2025	1	-	-	-	-	\$0
2025-2026	2	-	-	-	-	\$0
2026-2027	3	-	\$1,902	\$9,394	-	\$11,296
2027-2028	4	\$13,905	\$2,264	\$11,175	\$5,957	\$33,300
2028-2029	5	\$16,554	\$7,966	\$38,853	\$7,089	\$70,461
2029-2030	6	\$58,269	\$7,966	\$38,853	\$24,812	\$129,900
2030-2031	7	\$58,269	\$7,966	\$38,853	\$24,812	\$129,900
2031-2032	8	\$58,269	\$7,966	\$38,853	\$24,812	\$129,900
2032-2033	9	\$58,269	\$7,966	\$38,853	\$24,812	\$129,900
2033-2034	10	\$58,269	\$9,955	\$48,359	\$24,812	\$141,396
2034-2035	11	\$72,837	\$9,955	\$48,359	\$30,955	\$162,106
2035-2036	12	\$72,837	\$9,955	\$48,359	\$30,955	\$162,106
2036-2037	13	\$72,837	\$9,955	\$48,359	\$30,955	\$162,106
2037-2038	14	\$72,837	\$9,955	\$48,359	\$30,955	\$162,106
2038-2039	15	\$72,837	\$12,216	\$59,064	\$30,955	\$175,071
2039-2040	16	\$89,390	\$12,216	\$59,064	\$37,905	\$198,576
2040-2041	17	\$89,390	\$12,216	\$59,064	\$37,905	\$198,576
2041-2042	18	\$89,390	\$12,216	\$59,064	\$37,905	\$198,576
2042-2043	19	\$89,390	\$12,216	\$59,064	\$37,905	\$198,576
2043-2044	20	\$89,390	\$14,476	\$69,666	\$37,905	\$211,438
2042-2043		\$105,944	\$14,476	\$69,666	\$44,825	\$234,911
2043-2044		\$105,944	\$14,476	\$69,666	\$44,825	\$234,911
2044-2045		\$105,944	-	-	\$44,825	\$150,769
Totals:		\$1,450,771	\$198,279	\$960,946	\$615,882	\$3,225,877
Averages:		\$72,539	\$9,914	\$48,047	\$30,794	\$140,256

Assumptions:

1. Data sources include the mil rate and proposed mil rate reported by the City, Kennebec County's FY2024 Budget reflecting municipal Tax Allocation, the State Treasurer's Office Municipal Revenue Sharing projections for FY2024, published 08/30/23, the Maine Department of Education 2023-2024 ED 279 form as of 10/17/23 for RSU 11, and the 2023-2024 EF-M 46 for RSU 11 as of 06/21/23 based on Town Valuation.
2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur for 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. The preceding financial information contains projections and forward-looking statements that are subject to a number of risks and uncertainties that could cause the actual results, performance, or achievements to differ materially from any future results, performances, or achievements expressed or implied by the financial information reported in this projection. 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 95% when the new property value arrives, such that the market value of new property is used for assessment purposes.

Exhibit D

(Notice of Public Hearing)

DRAFT

**NOTICE OF PUBLIC HEARING
CITY OF GARDINER
Regarding**

**The Designation of a Municipal Tax Increment Financing District Known as the
“Commonwealth Omnibus Municipal Development and
Tax Increment Financing District”**

Notice is hereby given that the City of Gardiner will hold a public hearing at its Council Meeting
on

Wednesday, February 7, 2024

at

**The Gardiner City Hall, 6 Church Street, Gardiner, Maine,
The Public Hearing will be at 6:00 p.m.**

The purpose of the public hearing is to receive public comments on the development program for the municipal tax increment financing district known as the Commonwealth Omnibus Municipal Development and Tax Increment Financing District (the “District”), pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The District consists of approximately 54.9 acres of property located off of Route 201.

A copy of the relevant materials relating to the proposed District will be on file with the City and a copy can be requested from the City by calling (207) 582-4200 prior to the public hearing and requesting the a copy be mailed or emailed to you. Copies of the materials can also be obtained at gardinermaine.com. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Public comments will be taken at the hearing and written comments should be submitted to Deputy City Clerk Hailee Lovely at hlovely@gardinermaine.com. Written comments will be accepted until February 7, 2024.

Exhibit E

(Minutes of Public Hearing)

DRAFT

Exhibit F

(City Council Order)

DRAFT

**CITY OF GARDINER, MAINE
COUNCIL ORDER**

**AN ORDER APPROVING THE COMMONWEALTH OMNIBUS MUNICIPAL TAX
INCREMENT FINANCING DISTRICT AND DEVELOPMENT PROGRAM**

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 designate specific areas within the City as the Commonwealth Omnibus Municipal Tax Increment Financing District (the "District") and to adopt an amendment to the development program for the District (the "Development Program"); and

WHEREAS, there is a need to provide continuing employment opportunities for the citizens of the City and the surrounding region; to improve and broaden the tax base of the City; and to improve the general economy of the City, the surrounding region and the State of Maine; and

WHEREAS, adopting and implementing the District and Development Program will help to improve and broaden the tax base in the City and improve the economy of the City and the State of Maine; and

WHEREAS, the City has held a public hearing on _____, 2024 on the question of adopting the District and Development Program in accordance with the requirements of 30-A M.R.S. §5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City; and

WHEREAS, it is expected that approval will be sought and obtained from DECD approving the designation of the District and the adoption of the Development Program.

**NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY
OF GARDINER, MAINE:**

Section 1. The City hereby finds and determines that:

(a) At least twenty-five percent (25%), by area, of the real property within the District, as hereinafter designated, is in need of rehabilitation, redevelopment or conservation or is suitable for commercial uses as defined in 30-A M.R.S. §5223(3); and

(b) The total area of the District does not exceed two percent (2%) of the total acreage of the City, and the total area of all development districts within the City (including the District) does not exceed five percent (5%) of the total acreage of the City; and

(c) The aggregate original assessed value of the District plus the original assessed value of all other existing tax increment financing districts in the City does not exceed five percent (5%) of the total value of taxable property within the City as of April 1, 2022; and

(d) The City Council has considered all evidence presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that any such adverse economic effect on or detriment to any existing business is outweighed by the

contribution expected to be made through the District and the adoption of the Development Program. The projects and improvements described in the Development Program will contribute to the economic growth and well-being of the City and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City, including employment opportunities, a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the District and adopts the Development Program all as more particularly described in the Development Program presented to the City Council and such Development Program is hereby incorporated by reference into this vote as the Development Program for the District.

Section 3. Pursuant to the provisions of 30-A M.R.S. §5227, the percentage of increased assessed value to be retained in the District as captured assessed value and the term for which it will be retained is hereby established as set forth in the Development Program.

Section 4. The City Manager be, and hereby is, authorized, empowered and directed to submit the designation of the District and the Development Program to DECD for review and approval pursuant to the requirements of 30-A M.R.S. §5226(2).

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

Section 6. The City Manager be and hereby is authorized and empowered, at his discretion, from time to time, to make such revisions and corrections to the Development Program or to the scope, cost or description of the public improvements to be financed with tax increment revenues generated by the District as described in the Development Program, and to the exhibits to the Development Program, as the City Manager deems reasonably necessary or convenient, in order to facilitate the process for review and approval of the District or the Development Program 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 Development Program.

Section 7. The District is an “omnibus” district because the City will have the option to approve credit enhancement agreements for property located within the District on a case by case basis as described in the Development program. The City Council may approve Credit Enhancement Agreements that provide a reimbursement to a developer or company of up to 100% of the Development District Revenue for up to the duration of the District term. A Credit Enhancement Agreement for any specific lot development proposal or use will not be entered by the City unless such development proposal and use is specifically approved by the City Council after the public hearing. By adoption of this Development Program, the City is not promising to provide

tax increment financing to the developer of any lot in the District. No property owner is entitled to a Credit Enhancement Agreement and the requirement to receive City Council approval related to the proposed lot development and use as referenced above is simply the minimum criteria required to be eligible for a Credit Enhancement Agreement. Approval or disapproval of any request for any Credit Enhancement Agreement and the terms thereof will be in the sole discretion of the City Council.

Section 8. This Order shall take effect immediately upon adoption.

Approved _____ 2024, by the City Council, at a meeting duly convened and conducted in Gardiner, Maine.

DRAFT

Exhibit G

(Statutory Requirements and Thresholds Form)

DRAFT

STATUTORY REQUIREMENTS AND THRESHOLDS
Commonwealth Omnibus Municipal TIF District | OD

SECTION A. Acreage Caps		
1. Total municipal acreage;		10,362
2. Acreage of proposed Municipal TIF District;		54.90
3. Downtown-designation ¹ acres in proposed Municipal TIF District;		0
4. Transit-Oriented Development ² acres in proposed Municipal TIF District;		0
5. Total acreage [=A2-A3-A4] of proposed Municipal TIF District counted toward 2% limit;		54.90
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).		.53%
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ Downtown TIF/121.23 acres Associated Grocers TIF/ 25.82 acres* Pine State Trading TIF/55.16 acres* Libby Hill AWTIF/201.82 acres* EJ Prescott TIF/63.68 acres* Central Maine Crossing TIF/23.19 acres Summer St AHTIF/1.75 acres Harpers II TIF/42.46 acres* Commonwealth TIF/54.9 acres	Existing	535.11
	Proposed	54.90
	Total:	590.01
30-A § 5223(3) EXEMPTIONS⁴		
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 ⁵ Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such acreage also factored in Exemptions 8-10 above:		310.04***
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;		158.74
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).		1.53%
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;	7.03	13%
c. Suitable for commercial or arts district uses.	47.87	87%
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 Wide TIF, counted 5 times due to it being located in multiple districts.
***This total acreage includes the entirety of the Libby Hill Area Wide 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, 17.6 acres of the Harpers II TIF and 26.11 acres of the Commonwealth TIF. The 24.86-acre roadways in the Libby Hill Area Wide TIF that are counted in other districts are only counted with the Libby Hill Area Wide TIF for the purposes of the Pine Tree Development Zone exemption. This assumes that the Commonwealth TIF has been approved.

¹ Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).
² For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.
³ For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.
⁴ Downtown/TOD overlap nets single acreage/valuation caps exemption.
⁵ PTDZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
Commonwealth Omnibus Municipal TIF District | OD

SECTION B. Valuation Cap	
1. Total TAXABLE municipal valuation—use most recent April 1;	\$375,538,760
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;	\$3,769,150
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 Libby Hill AWTIF/\$297,300 EJ Prescott TIF/\$401,500 Central Maine Crossing TIF/\$169,000 Harpers II TIF/\$0 Commonwealth TIF/\$3,769,150	Existing 24,349,900
	Proposed \$3,769,150
	Total: \$28,119,050
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
6. Taxable OAV of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0
7. Taxable OAV of all <u>existing/proposed</u> Single Taxpayer/High Valuation ⁶ Municipal TIF districts:	0
8. Taxable OAV in all <u>existing/proposed</u> Municipal TIF districts common to Pine Tree Development Zones per 30-A § 5250-1 (14)(A) excluding any such OAV also factored in Exemptions 4-7 above:	\$3,947,250****
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$918,200
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	0.24%

****This total includes Pine State Trading TIF OAV-\$202,100; EJ Prescott TIF OAV-\$345,100 (includes 007-018-A-004 & 007-005) (Excludes 007-028 & 007-029); Associated Grocers TIF OAV-\$26,400; Libby Hill Area Wide TIF OAV- \$297,300; Commonwealth TIF OAV-\$3,076,350 (Includes parcels 028-064, 028-064-A, 028-066, 028-066-A, 028-066-A-001, 028-067, 028-068, 028-069, 029-001, 029-001-A)

COMPLETED BY			
PRINT NAME	Philip Saucier, Esq.		
SIGNATURE		DATE	
<p>If this form has not been completed by the municipal or plantation assessor, the assessor must sign and date below, acknowledging he/she agrees with the information reported on this form, and understands the OAV stated in Section B, line 2, will be used to determine the IAV for this District.</p>			
PRINT NAME	Curt E. Lebel, City Assessor		
SIGNATURE		DATE	

⁶ For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.