



STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT



JANET T. MILLS
GOVERNOR

HEATHER JOHNSON
COMMISSIONER

January 4, 2021

Christine Landes
City Manager
CITY OF GARDINER
6 Church Street
Gardiner, Maine 04345

RE: Area-Wide Libby Hill (Omnibus) Municipal *Tax Increment Financing* (TIF) District and Development Program *Second Amendment* (AMD-2) ^Δ

A P P R O V E D

Dear Ms. Landes,

The Maine Department of Economic and Community Development (DECD) reviewed and EFFECTIVE TODAY APPROVED the application to amend the above referenced Municipal TIF District and Development Program (Program). Based on the application, DECD notes/approves:

- a. District taxable Original Assessed Value of \$297,300, consisting of \$144,900, as of March 31, 2008 (April 1, 2007), and \$152,400, as of March 31, 2020 (April 1, 2019)—acreage 201.82;

Per February 25, 2009 original designation and previous amendment approvals, DECD restates:

- b. District term of 30 years, ending June 30, 2039;
- c. Real and personal property Increased Assessed Value (IAV) capture of 100%;
- d. District revenues deposited/held in dedicated account[s] and applied ONLY toward approved activities/projects due completion BEFORE/BY JUNE 30, 2039,
 - i) Project Cost accounts to reimburse Company /Developer for costs authorized by 30-A M.R.S.A. § 5225(1)(A) and DECD rules as amended from time to time AND/OR fund public activities/projects,
 - ii) Sinking Fund Account to retire associated public debt, if any;
- e. Company/Developer payments within sole City Council discretion, are limited to incremental taxes from NEW actual value and may include up to 100% reimbursement during District term;
- f. AFTER EXECUTION, CITY MUST FORWARD A COPY of any associated credit enhancement agreement and its amendment(s) or assignment(s) to DECD— enclosing completed matching **Application Cover Sheet** with detailed private project description and (if Company and not Developer) **Employment Goals Form**;
- g. Any non-captured incremental property values resulting in General Fund revenue/deposits MUST be included/reported with City equalized assessed value;
- h. Any future amendment MUST comply with 30-A M.R.S.A. §§ 5221-5235 and DECD rules;
- i. When District expires, or is terminated, GARDINER MUST NOTIFY DECD IN WRITING.

As further described in the Program, City revenue allocation projected at \$4,920,139 may facilitate funding for an estimated \$30,158,638 in public costs and associated debt—if any. This funding MUST comply with already established Gardiner appropriation process—with activities/projects due



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completion BEFORE/BY JUNE 30, 2039. DECD restates/approves public activities/projects costs listed below, with AMD-2 changes/additions underlined:

WITHIN DISTRICT

- j. Debt service funding related to capital improvement of infrastructure installation of road, water, sewer, power, telecommunication and other utilities related to Libby Hill Business Park Phase 1 \$1,591,543 (completed);
- k. Prospective debt service funding related to capital improvement infrastructure installation of road, water, sewer, power, telecommunication and other utilities related to Libby Hill Business Park Phase 2 \$5,016,388; Ψ
- l. Reimbursement agreements with, and associated payments to, companies/developers, per bullet (e) \$6,000,000;
- m. Professional services costs \$20,000, and administrative services including prorated tax assessor and City manager salaries \$197,250; *
- n. Streetscape improvements \$200,000;
- o. Environmental studies and engineering \$50,000;

WITHIN/OUTSIDE DISTRICT ◊

- p. Natural gas infrastructure \$300,000; Ψ
- q. Capital improvement costs to facilitate District's development projects \$300,000;

OUTSIDE DISTRICT ◊

- r. Road improvements \$25,000;
- s. Public safety upgrades to Route 201 intersection \$75,000;
- t. Portage to Downtown District, only while Downtown Omnibus CAV remains at 100% \$7,000,000; **

WITHIN MUNICIPALITY

- u. Economic Development Department funding including salaries and marketing efforts, prorated tax assessor salary \$5,250,000; *
- v. Permanent revolving loan funds program per § 5225(1)(C)(3) for costs authorized by 30-A M.R.S.A. § 5225 and DECD rules as amended from time to time \$750,000; **
- w. Economic Development Signage program \$75,000; **
- x. Preserve America/Marketing grant matching program for downtown development \$50,000 (completed);
- y. Gardiner Main Street funding \$750,000;
- z. Public safety facilities and equipment, prorated for portion of costs related to general economic development, not to exceed 15% of CAV \$3,000,000; ***
- aa. Broadband infrastructure expansion projects \$500,000; **
- bb. Environmental improvement projects for, or related to, commercial use \$50,000; **
- cc. Recreational trails having significant potential to promote economic activity \$500,000; ◊ **
- dd. Quality childcare costs \$50,000; ***
- ee. Grant matching related to 30-A M.R.S.A. §§ 5221-5235 economic development activities \$50,000. **

DECD notes while the Program may list multiple statutory citations with the public project costs in the application, not all citations apply to all activities/projects described within each cost description. Gardiner is obligated to verify proper authorization for each project cost to be undertaken. DECD advises City to plan for debt retirement to coincide with District term end of June 30, 2039.

Please contact Development Program Officer Tina Mullins with questions about this certification. With this approval, the Department extends best wishes for the success of the District.

Sincerely,

Heather Johnson
Commissioner



JANET T. MILLS
GOVERNOR



HEATHER JOHNSON
COMMISSIONER

cc: via e-mail only
Representative Thom Harnett (HD-83)—130th Legislature
Peter Lacy, MRS Director Property Tax Division
Curt Lebel, Gardiner Assessor
Shana Cook Mueller, Bernstein, Shur, Sawyer & Nelson, P.A.

^Δ Per Program, page 1, Section II, AMD-2 changes effective with City's 2022 fiscal year (July 1, 2021 to June 30, 2022).

◊ To the extent a project is outside the District, Gardiner must prorate/allocate costs not directly related to or made necessary by establishment/operation of this District to other funding sources.

* Project common to development program of Downtown Omnibus, EJ Prescott, and Central Maine Crossing Omnibus Districts.

** Project common to development program of EJ Prescott District.

*** Project common to development program of EJ Prescott and Central Maine Crossing Omnibus Districts.

EXCLUDING FOLLOWING COSTS/FUNDING:

Φ Public park(s) as it relates to MRS 30-A, § 5225(2)

Ψ Private residential distribution line(s)

MTIF: Application Synopsis for Commissioner Consideration

■ DISTRICT DATA: PREVIOUS DATA GRAY

MUNICIPALITY	Gardiner	COUNTY	Kennebec	TERM	30
DISTRICT NAME	Area-Wide Libby Hill (Omnibus) (FKA Area-Wide Libby Hill Business Park)				
ORIGINAL DISTRICT (OD): Y/N	N	AMENDED: Y/N	Y	# AMD	2
DOWNTOWN EXEMPT: Y/N	N	PAPER MILL EXEMPT: Y/N	N	RP/PP CAPTURE	100%
APPLICATION BASIS	Adjust District boundaries and amend project costs, effective July 1, 2021. City approved 11/18/2020				
HISTORY	[8/1/2012] AMD-1: CEA terms provided. City approved 6/6/2012.				
	[3/31/2009] OD: Fund infrastructure improvements in a 22-lot Business Park, support a company's expansion, along with any future business that may locate to this Business Park. No clear CEA terms provided in application.				
TERM DATES	START: July 1, 2009- June 30, 2010 (FY 2010)		END: July 1, 2038- June 30, 2039 (FY 2039)		
DESIGNATION DATE OF ORIGINAL DISTRICT AND DEVELOPMENT PLAN:			February 25, 2009		

Increased Assessed Value (IAV); Real/Personal Property (RP/PP)

■ COMPANY OR DEVELOPER DATA

ENTITY ADDRESS	Dennison Lubricants 131 Enterprise Avenue Gardiner, ME 04345					
PROJECT	20,000 square-foot expansion of existing business					
NEW INVSTMNT	\$1,300,000	FT JOBS NEW	3	1	9	12
NEW PAYROLL	\$1,198,000	AVG WAGE/YR	\$75,000	\$22,000	\$55,000	\$38,000
#NEW JOBS	25	FT JOBS RETAINED	2	6	7	-
AVGE WAGE	\$47,920	AVG WAGE/YR	\$65,000	\$48,000	\$33,000	-

Company (CO); Developer (DEV)

■ STATUTORY REQUIREMENTS

WITHIN ACREAGE CAP?	OD: 196.63 196.81* + AMD-2: 5.01 TOTAL: 201.82	Y	MUNICIPAL BONDS ISSUED? Y/N/MAY	Y
	ON SUITABLE PROPERTY?	Y	TAX SHIFTS CALCULATED?	Y
OAV CERTIFIED?	OD: \$145,400 \$144,900* + AMD-2: \$152,400 TOTAL \$297,300	Y	PUBLIC NOTICE AND HEARING?	Y
	WITHIN VALUE CAP?	Y	PASSED BY MAJORITY VOTE? 7/0	Y

*Acreage and OAV corrected/amended by a subdivision amendment in Sept 2020.

■ PLANNED REVENUE DISTRIBUTION

TO GENERAL FUND (NON-TIF)?	\$0				
FOR MUNICIPAL DEBT?	\$6,607,931	IF AMD, ANY BONDS TO DATE?	As of AMD-2: outstanding bond amount \$290,170		
FOR CREDIT ENHANCEMENT AGREEMENT?	Dennison Lubricants: actual amount \$74,591	OMNIBUS DISTRICT	Y	TIF POLICY	Y

MTIF: Application Synopsis for Commissioner Consideration

REIMBURSEMENT SCHEDULE	OD: Dennison Lubricants: 25% for 10-year term, July 1, 2009-June 30, 2019. AMD-2: City confirmed expired as of 2018. AMD-1: Up to 100% company/developer reimbursement not to exceed TIF term, in City Council's discretion.		
FOR BONA-FIDE ECONOMIC DEVELOPMENT?	\$749,228 <u>\$4,170,911</u> \$4,920,139	Actual TIF Years 1-11 (FY 2010-2020) Projected TIF Years 12-30 (FY 2021-2039) Total	
PUBLIC PROJECTS/COSTS	<p> (\$20,167,250 \$30,158,638) AMD-2 changes <u>underlined</u>. (T1) Debt service funding related to capital improvement of infrastructure installation of road, water, sewer, power, telecommunication and other utilities related to Libby Hill Business Park Phase 1 \$1,591,543 (<u>completed</u>); Prospective debt service funding related to capital improvement of infrastructure installation of road, water, sewer, power, telecommunication and other utilities related to Libby Hill Business Park Phase 2 \$5,016,388Ψ; Reimbursement agreements with, and associated payments to, companies/developers \$6,000,000; Professional services costs \$20,000, and administrative services including prorated tax assessor and City manager salaries \$197,250*; <u>Streetscape improvements \$200,000; Environmental studies and engineering \$50,000;</u> (T1/T2) <u>Natural gas infrastructure \$300,000 Ψ; Capital improvement costs to facilitate District's development projects \$300,000;</u> (T2) Road improvements \$25,000; Public safety upgrades to Route 201 intersection \$75,000; Portage to Downtown District \$7,000,000**; (T3) Economic Development Department funding including salaries and marketing efforts, prorated tax assessor salary \$5,250,000*; Revolving loan program \$750,000**; Economic Development Signage program \$75,000**; Preserve America/Marketing grant matching program for downtown development \$50,000 (<u>completed</u>); Gardiner Main Street funding \$750,000; <u>Public safety facilities and equipment, prorated for portion of costs related to general economic development, not to exceed 15% of CAV \$3,000,000***;</u> <u>Broadband infrastructure expansion projects \$500,000**;</u> <u>Environmental improvement projects for, or related to, commercial use \$50,000**;</u> <u>Recreational trails having significant potential to promote economic activity \$500,000 Φ **;</u> <u>Quality childcare costs \$50,000***;</u> <u>Grant matching related to 30-A M.R.S.A. §§ 5221-5235 economic development activities \$50,000**.</u> <u>EXCLUDING ANY COSTS/FUNDING FOR:</u> Φ Public park(s) Ψ Private residential distribution line(s)/benefit residential users Projects unique to this District/Program? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO: Project marked * common to Downtown Omnibus, EJ Prescott, and Central Maine Crossing Omnibus Districts. Project marked ** common to EJ Prescott District. Project marked *** are common to EJ Prescott, and Central Maine Crossing Omnibus Districts. </p>		

Over TIF Term (OTT); §5225(1) (A-C) = Tier (T) 1-3

■ STAFF RECOMMENDATION

DEVELOPMENT PROGRAM OFFICER (DPO) REVIEWED APPLICATION AND OFFERS THIS OPINION:	Recommend approval to the best of my knowledge; no concerns.		
DPO RECOMMENDS COMMISSIONER APPROVAL? Y/N/OTHER	Y	<i>T.M.</i>	1/5/2021
APPLICATION RECEIPT DATE	12/11/2020	CHECK AFTER DATA ENTRY <input type="checkbox"/>	

Form revised 5/14/2020



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Sawyer & Nelson, P.A.**
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Shana Cook Mueller
(207) 228-7134 direct
smueller@bernsteinshur.com

Sent via FedEx
Tracking No.: 7723 4373 5140

December 11, 2020

Tina M. Mullins
Department of Economic and Community Development
111 Sewall Street
Burton Cross Building, 3rd Floor
Augusta, ME 04330

**Re: Second Amendment to Area-Wide Libby Hill Municipal
Development and Tax Increment Financing District Development
Program (Omnibus)
City of Gardiner**

Dear Tina:

Enclosed with this letter please find the application for the Second Amendment to Area-Wide Libby Hill Municipal Development and Tax Increment Financing District Development Program (Omnibus) as approved by the City of Gardiner on November 18, 2020.

As always, thank you for your assistance in this regard. If you have any questions or concerns regarding the enclosed, please do not hesitate to contact me at any time.

Sincerely,

A handwritten signature in blue ink that reads "Shana Cook Mueller".

Shana Cook Mueller

Enclosure

cc: Christine Landes, City Manager



CITY OF
Gardiner
Moving Forward

6 Church Street
Gardiner, ME 04345
(207) 582-4200
Fax (207) 582-6895

November 19, 2020

Heather Johnson, Commissioner
Maine Department of Economic
and Community Development
State House Station 59
Burton Cross Building, 3rd Floor
Augusta ME 04333

Re: *Second Amendment to Area-Wide Libby Hill Municipal Development and Tax
Increment Financing District Development Program (Omnibus)*

Dear Commissioner Johnson,

On behalf of the City of Gardiner, I am submitting the application for the *Second Amendment to the Area-Wide Libby Hill Municipal Development and Tax Increment Financing District Development Program (Omnibus)* as approved by the City of Gardiner on November 18, 2020.

With this letter, I certify that all information contained in this application is true and correct to the best of my knowledge.

Sincerely,

Christine Landes
City Manager

**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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Exhibit List

Exhibit A-1	City of Gardiner Property Map Showing Amended District Property Relative to City Boundaries
Exhibit A-2	City of Gardiner Property Map Showing Amended District Property
Exhibit B	Amended Assessor’s Certificate – City of Gardiner, Maine
Exhibit C-1	Anticipated TIF Revenues Generated by District
Exhibit C-2	Tax Shift Benefits
Exhibit D	Notice of Public Hearing
Exhibit E	Minutes of Public Hearing
Exhibit F	City Council Order
Exhibit G	Statutory Requirements and Thresholds Form

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			
<p>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.*</p>	\$175,000 Annually	30-A M.R.S.A. § 5225(1)(C)(1)	Ongoing
<p>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.**</p>	\$25,000 Annually	30-A M.R.S.A. § 5225(1)(C)(3)	Ongoing
<p>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.**</p>	\$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
<p>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.</p>	<p>\$50,000</p>	<p>30-A M.R.S.A. § 5225(1)(C)(1)</p>	<p>Complete</p>
<p>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.</p>	<p>\$25,000 Annually</p>	<p>30-A M.R.S.A. § 5225(1)(C)(1)</p>	<p>Ongoing</p>
<p>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.*</p>	<p>\$20,000 for Professional Costs and \$6,575 Annually for City Administration</p>	<p>30-A M.R.S.A. § 5225(1)(A)(4) and (1)(A)(5)</p>	<p>Ongoing</p>

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	\$25,158,638		

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
<p>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.**</p>	\$500,000	30-A M.R.S.A. § 5225(1)(C)(9)
<p>16. <u>Streetscape Improvements</u>: Fund costs associated with streetscape improvements within the District, including, but not limited to, streetlights and sidewalks.</p>	\$200,000	30-A M.R.S.A. § 5225(1)(A)(1)
<p>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.**</p>	\$50,000	30-A M.R.S.A. § 5225(1)(C)(2)
<p>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.**</p>	\$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.

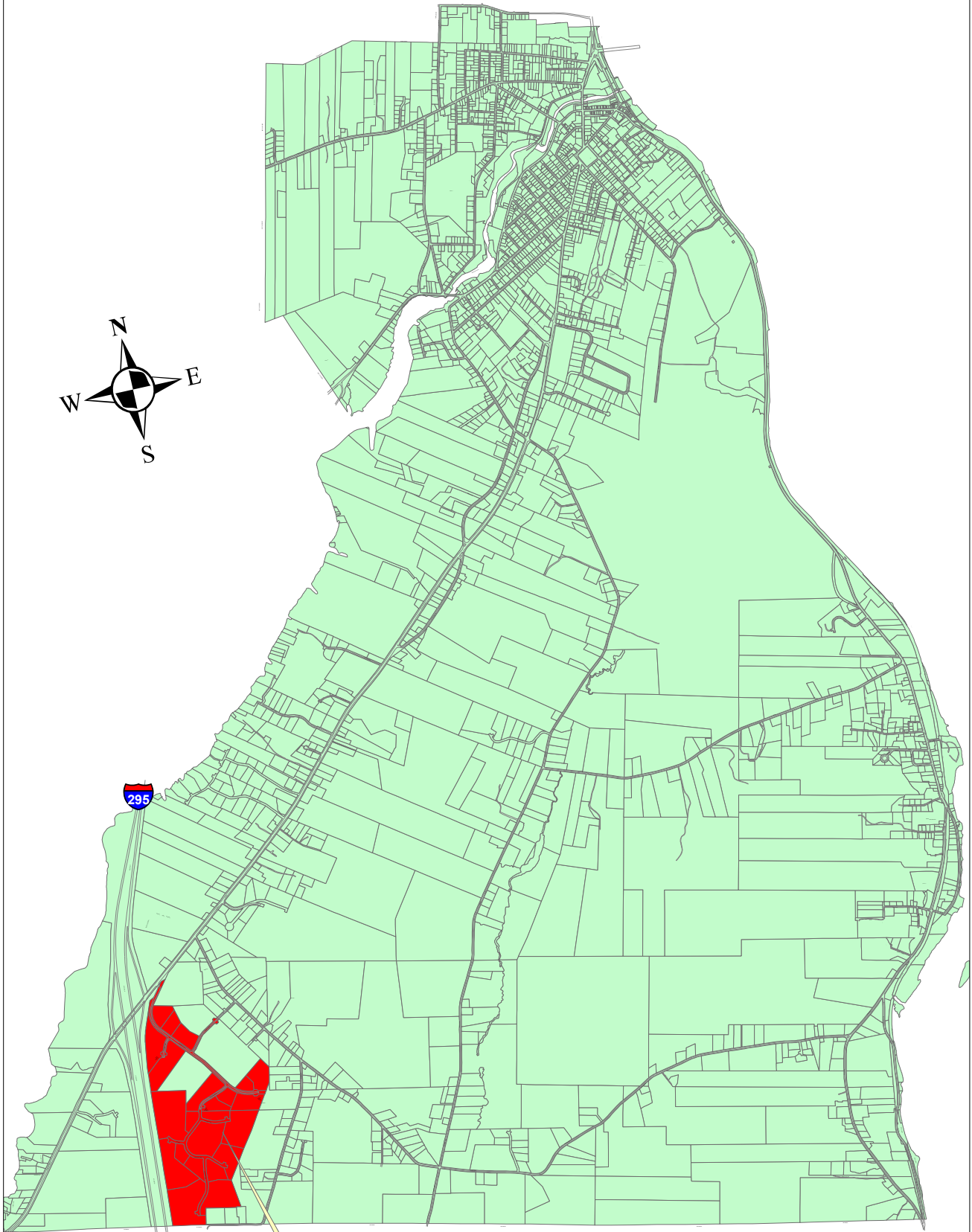
D. Statutory Requirements and Thresholds Form

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

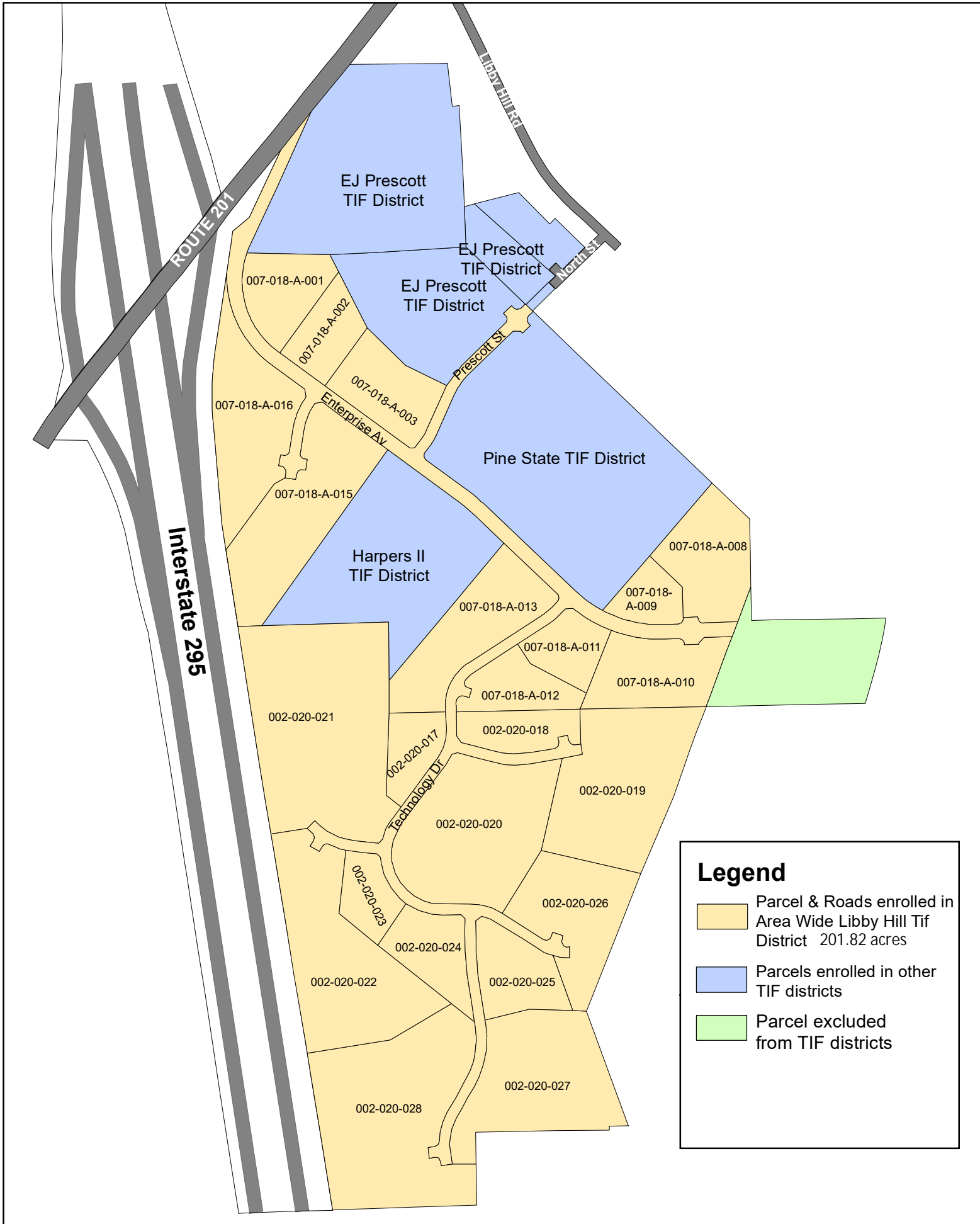


Libby Hill Area Wide TIF Location




Exhibit A-2

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

AREA WIDE LIBBY HILL MUNICIPAL DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT



Legend

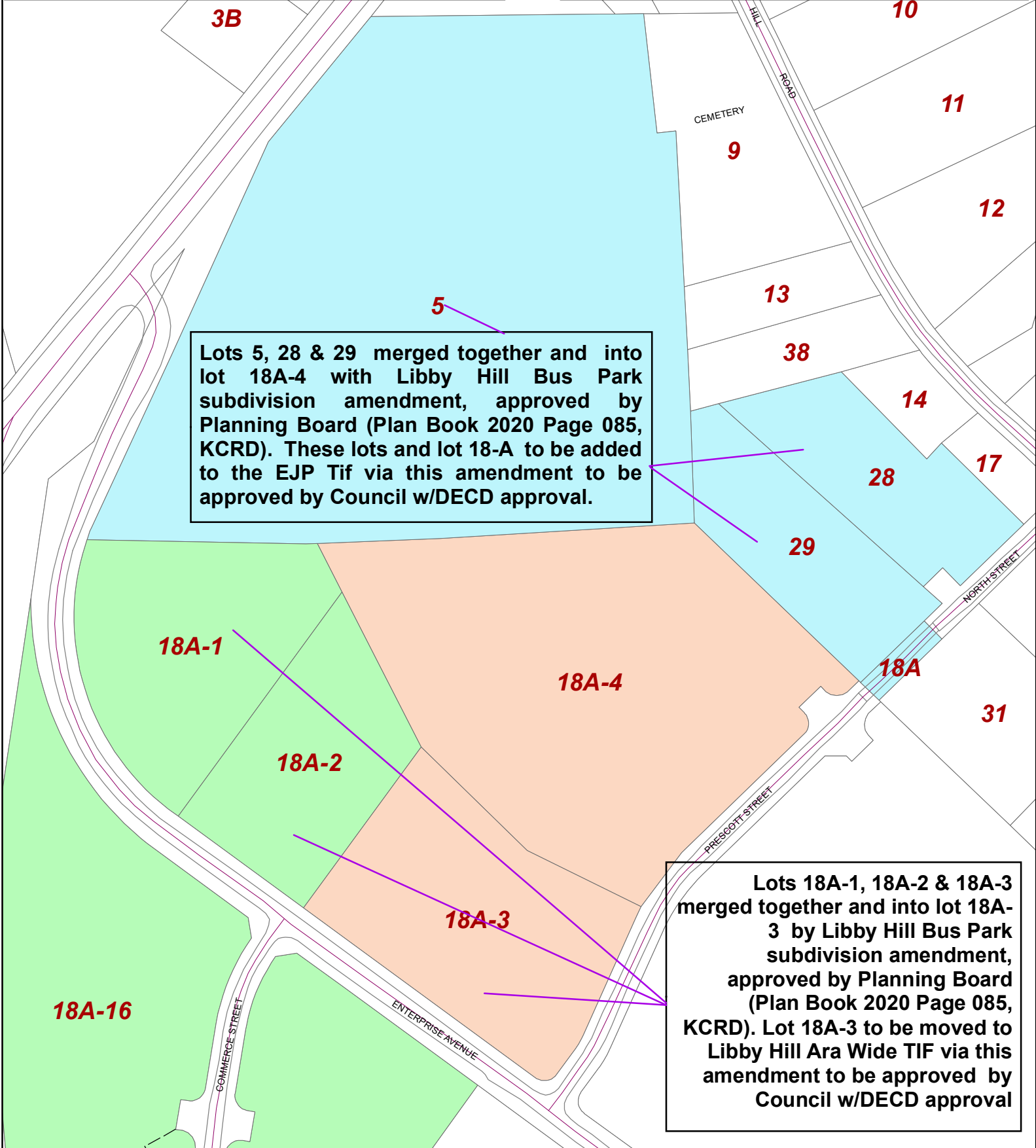
-  Parcel & Roads enrolled in Area Wide Libby Hill Tif District 201.82 acres
-  Parcels enrolled in other TIF districts
-  Parcel excluded from TIF districts

EJ Prescott and Libby Hill AWT TIF Amendments

TIF District

- Current EJP TIF District
- Current Libby Hill Area-Wide TIF
- Parcels to be added to EJP TIF

Lots 18A 1-4, 5, 28, 29 owned by EJP under their PMP Realty LLC Subsidiary



Lots 5, 28 & 29 merged together and into lot 18A-4 with Libby Hill Bus Park subdivision amendment, approved by Planning Board (Plan Book 2020 Page 085, KCRD). These lots and lot 18-A to be added to the EJP Tif via this amendment to be approved by Council w/DECD approval.

Lots 18A-1, 18A-2 & 18A-3 merged together and into lot 18A-3 by Libby Hill Bus Park subdivision amendment, approved by Planning Board (Plan Book 2020 Page 085, KCRD). Lot 18A-3 to be moved to Libby Hill Ara Wide TIF via this amendment to be approved by Council w/DECD approval

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 City 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)

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State and local notices are published in Maine newspapers and are also recorded at mainenotices.com, where anyone can browse or search notices, and sign up to receive email alerts when relevant notices appear.

ANNOUNCEMENTS

Public Notices

Public Notice
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)

Public Notices

Revised Statues, 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 Notices

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. §403-A, 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.

Public Notices

Public Notice

OWNER'S REPRESENTATIVE SERVICES REQUEST FOR QUALIFICATIONS

The Portland Public Schools wishes to procure Owner's Representative Services for the Building for Our Future (BFOF) expansion and renovation projects at Longfellow Elementary School, Presumpscot Elementary School, and Reiche Elementary School in Portland, Maine (collectively, the "Project"). The total Project budget is \$48,000,000. The Project Architect is Harriman Associates. It is expected that Project design will be completed in December 2020 and go out to bid at that time. It is expected that construction will com-

Public Notices

mence by June 2021. The Owner and Architect seek to engage the services of a Project Representative before going out to bid. By way of background, and not part of this Request for Qualifications, The Portland Public Schools will complete the first BFOF school renovation project at

Public Notices

the Harrison Lyseth Elementary School early in calendar year 2020. Information regarding Project scope and Owners Representative Qualifications Exhibits may be found on the Portland Public Schools' website: <https://www.ppsbfof.projects.com/> Interested firms should

Public Notices

submit three paper copies of a Letter of Interest and Statement of Qualifications. Responses are due to Xavier Botana, Superintendent, Portland Public Schools, 353 Cumberland Avenue,

Public Notices

Portland, ME 04101 by 1:00 p.m. Wednesday, November 18, 2020.

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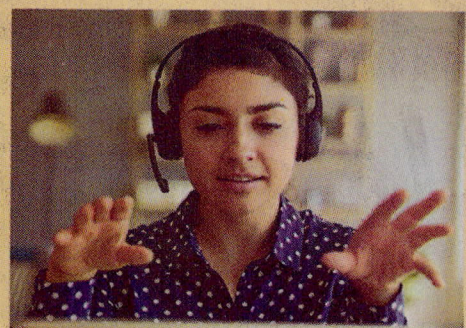
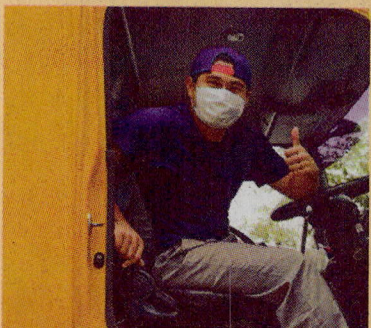
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The Town of Sidney seeks an individual to fill a full time, with benefits Administrative Assistant position. Preferred qualifications include previous job experience in municipal services and knowledge of basic bookkeeping. The Town is looking for a motivated self-starter who can work independently. Starting pay is dependent on experience, plus excellent benefits, including health insurance. An application and job description is available online at www.sidneymaine.org or by request at town.office@sidneymaine.org. NO PHONE CALLS PLEASE. Please submit an application and/or cover letter, resume, and three references to: Town of Sidney, Administrative Assistant, 2986 Middle Road, Sidney, ME 04330. The Town of Sidney is an Equal Opportunity Employer

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AUGUSTA * LAMBARD PARK, TOWN & COUNTRY, MEADOW PARK. meadowparkapartments.com. 207-623-6476

FAIRFIELD 2 bdrm, stove/fridge, refs required, no pets, 207-692-6893

WATERVILLE 267 Main St, 1 bdrm, \$850 mo. Call 978-602-2097

WINSLOW 2 large rooms + bath, all utilities incl. \$750/dep. 877-5581

WINTHROP 1 bdrm., \$550/mo. Call 458-1804 for details

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MADISON 2 bdrm. senior park, \$525/mo. utilities & dep. 431-1505

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FORD MUSTANG GT 1985, 5.0, 5 spd, runs good, \$4000. 449-5420

Truck, Heavy Duty & Trailers

2002 F550 Diesel, 1 owner, 15K, 9' Commercial plow, 4WD, 2 fuel tanks. \$28,000. 474-6151

Vehicles Wanted

ABANDONED/UNWANTED VEHICLES Paying up to \$500 Cash! Free pick up. Call 873-1881

ALWAYS BUYING junk cars, trucks, iron, tin, copper, brass, John Clark 623-1725

KENNEBEC SCRAP IRON Buying cars (we pick up) and all types of metals. Call 465-7696

EARN EXTRA CASH
Deliver this Newspaper.
Call 207-791-6001

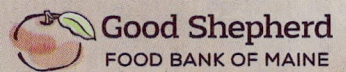
Due to the pandemic, more Mainers are struggling to put food on the table.

To bridge that need, Good Shepherd Food Bank is distributing emergency food boxes to food pantries. Packed with shelf-stable foods and fresh vegetables, each box is designed to stretch a food budget while requiring minimal volunteer labor.

Most critically, we continue to supply local pantries with healthy food for free. But with fewer retail donations, Good Shepherd Food Bank has to buy more of the food it distributes, at significant cost.

You can help.

Help neighbors in your community have enough to eat while staying healthy at home. Make a donation to Good Shepherd Food Bank at www.mainershelpingmainers.org. All donations go directly to the purchase and distribution of food for Maine people in need.



Real Estate Foreclosure Auction 20-100
28,703 +/- SF Class A Office Complex
101 Second St.
HALLOWELL, ME
NEW DATE: Thu., Nov. 19th at 1PM On Premises

Keenan Auction Co., Inc.
1 Runway Rd.
So. Portland, ME 04106
207-885-5100
info@keenauction.com

Deposit to bid \$50,000. KeenanAuction.com or call (207) 885-5100 and request by auction number 20-100. Richard J. Keenan #236. Our 48th Year and 8,251st Auction.
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Florestaff Lake, 2016. Michael C. Ferguson, J. Allary, Christina

**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)

Mayor Hart called the meeting to order at 6:00pm

1. ROLL CALL & PLEDGE OF ALLEGIANCE

Patricia Hart, Mayor at large; Councilors: Colin Frey, District 3; Tim Cusick, At large; Amy Rees, District 2; Marc Rines, District 4; Maryann White, At large; Jon Ault, At large; Terry Berry, District 1

Also in attendance: Christine Landes, City Manager; Alisha Ballard, City Clerk; Douglas Clark Wastewater Director ; Denise Brown, Finance Director; Tracey Desjardins Economic Development Director; Richard Sieberg, Fire Chief; Anne Davis, Director of Library and Information Services

2. PUBLIC COMMENT (anything not on the Agenda) (ALL PUBLIC COMMENT MUST BE SENT VIA EMAIL TO CLANDES@GARDINERMAINE.COM, REGULAR MAIL: 6 CHURCH STREET GARDINER ME 04345 OR CALL 207-582-4200 DURING REGULAR BUSINESS HOURS)

None

3. PETITIONS/PUBLIC HEARINGS

- a) 2020 Wastewater Treatment Plant Upgrades/General Obligation Bond Anticipation Note (BAN) and General Obligation Bond

Mayor Hart opened the public hearing at 6:06pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:07pm.

- b) EJP Tax Increment Finance District Second Amendment

Mayor Hart opened the public hearing at 6:07pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:07pm.

- c) Area Wide Libby Hill Tax Increment Finance District Second Amendment

Mayor Hart opened the public hearing at 6:07pm and asked for any comments from the public. Hearing none. Mayor Hart closed the public hearing at 6:08pm.

4. NEW BUSINESS

- a) Confirm Appointment of Fire Chief Richard Sieberg

The City Council is being asked to confirm the appointment of Richard Sieberg, Fire Chief.

The City Manager is pleased to announce the appointment of Richard Sieberg to the Fire Chief position.

Beginning his career with Gardiner in 1997, Rick worked his way through the ranks serving as Lieutenant, Captain and now Chief. Originally from Conway, NH, Rick moved to Gardiner just out of college after being hired as a Firefighter/EMT. Soon he was back in school, achieving his Paramedic License two years later. Rick attended NH Technical College receiving a degree in Fire Science.

Mr. Sieberg has been offered a salary of \$74,568, 27 vacation days a year, and 8 hours of sick time per month.

Mr. Sieberg assumed his position November 1, 2020.

Councilor Cusick moved to confirm the appointment of Rick Sieberg as Fire Chief.

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

b) Acceptance of November 3, 2020 Election Results

Councilor Rines moved to accept the November 3, 2020 Election Results as presented and give many thanks to all the individuals that made this election a success especially during these trying times.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Mayor Hart stated it went very smoothly and the number of absentee ballots was remarkable. Many Thanks to everyone and special thank you to MSAD#11 school board for allowing us to use the gym.

All those in favor. Unanimous

c) Second Read and Possible Approval of the General Obligation Bond Anticipation Note (BAN) and a General Obligation Bond for the WasteWater Treatment Plant Upgrades

The General Obligation Bond Anticipation Note (BAN) will be in the amount of \$3,532,000 and will be used during the construction phase of the project. The final funding will require a General Obligation Bond in the amount of \$3,032,000, issued to the United State Department of Agriculture, acting through its Rural Utilities Service, and will be distributed in conjunction with a \$500,000 grant from USDA.

These bonds will be used to finance the city's 2020 Wastewater Treatment Plant Upgrades and will be for a term of thirty (30) years. The City Council approved this project on June 24, 2020.

Councilor Berry moved to adopt Order number 2020-04 as written.

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous

d) Consider Approval of the EJP TIF Second Amendment

The City Council is being asked to amend the EJP 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.

EDD Desjardins spoke briefly.

Mayor Hart asked if the Planning Board already approved the amendment to the subdivision. EDD Desjardins stated that is correct.

Councilor Rees moved to approve the amendments to the EJP TIF as presented.

Councilor Ault seconded.

Mayor Hart asked for any discussion.

Councilor Berry asked about the addition of the broadband and the list she read and if it is exclusive to the new area or encompass entire TIF District of Libby Hill Park.

EDD Desjardins explained that this TIF is just for EJP. She answered you will notice it is area wide. However with the broadband you look at it as far as outside of the scope as a city as a whole to be able to use those funds as a broadband.

All those in favor. Unanimous

- e) Consider Approval of Libby Hill Area Wide TIF Second Amendment

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.

EDD Desjardins spoke briefly. She went back to Councilor Berry's question regarding the other projects; Broadband is included in this, Public Safety is included due to it being an area wide one. Natural Gas infrastructure this has been something we wanted to do out in that area. Broadband infrastructure, streetscape; environmental improvements.

Councilor Cusick moved to approve the proposed amendments to the Libby Hill Area Wide TIF as presented.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous Councilor Berry unable to vote.

- f) Advise and Consent to the Mayor's Appointment of Economic Development Committee Members

With the new leadership of the Economic Development/Planning department, it is time to reactivate the Economic Development Committee.

Councilor Ault moved to advise and consent to the Mayor's appointment of Economic Development Committee members: Jean Claveau, Carrie Arsenault, Dennis Doiron, Tamara Whitmore, Stacy Caron, Terry Berry, and Tim Cusick.

Councilor Rines seconded.

Mayor Hart asked for any discussion.

Councilor Ault asked what the plan is to keep this vital and to have this continue.

EDD Desjardins answered with trying to keep things going with monthly meetings. Working with Gardiner Maine Street and how we can keep things viable. Discuss what we need to do whether it is with marketing purposes and having folks acting as liaison's when they are out and about.

Councilor Ault asked Desjardins if they would not consider the work of the committee to be redundant to her position.

EDD Desjardins stated that when she come to Gardiner she looked at the committees. Her department is involved in many things and things can get tricky when it comes to pulling community members. She states that when they first meet they can try to get a good sense of the committee members and ask what they would like to see going forward. She states she will need to get guidance from council, the Mayor has been involved along with Councilor Berry and Councilor Cusick.

Councilor Ault states his recollection the committee was formed to fill the gap of the previous EDD departure.

Mayor Hart states this has been a very long-standing committee Councilor Berry has been a part of this for a long time. The committee worked closely with Nate Rudy and the other EDD in the past. When Patrick Bridge both the Gardiner Main St position and the City Position, the one thing he stopped doing was staffing the EDD committee because it was too much and he and the City Manager Morelli was doing the ED. This is in City Ordinance and this is one of the special committees were it is spelled out with whom needs to be on the committee. She states this is an important committee and there is a lot going on. EDD has stated it is important to have a standing committee that she can ideas too.

Councilor Ault said this is helpful and that in the past it has gone in and out. He is glad to see it coming back.

Councilor Berry asked about the two other appointments that need to be filled.

EDD Desjardins stated yes because there is a criteria to follow.

Councilor Berry asked if anyone has talked to Dennis Wheelock.

Mayor Hart Stated they have not. In the past they have not had the Real Estate contract with the City as a formal member. They can go and be a part of the meetings.

Councilor Berry said he isn't sure he agrees with that because that an addition to Tracey, front line response with what is going on with the real estate community. ED has to be 90% real estate at least.

Mayor Hart states he could be a member and not vote.

Councilor Berry states he wouldn't find it an issue if he could vote or not vote.

Mayor Hart states this is to approve the list of names and that there are two vacant spots. She asks if there is any other discussion to the motion.

All those in favor. Unanimous

Mayor Hart asked how Council wants to provide with the City's Real Estate Agent as a formal member. Councilor Rees states if Dennis wants to be involved as a non-voting member so there is no question of conflict of interest.

Councilor Ault Hear' Hear'

Councilor White Hear' Hear'

Mayor Hart asked council if would like to push this for discussion to a future meeting or keep it as it stands.

No response. Mayor Hart states this will be pushed to a future meeting to discuss.

- g) Advise and Consent to the Mayor's Appointment of CDBG Community Enterprise Advisory Committee Members

The City of Gardiner received a \$25,000 CDBG Community Enterprise Grant for the purpose of renovating McKay Park. As part of the grant process, Council needs to appoint members to the CDBG Community Enterprise Grant Advisory Committee.

Councilor Rines moved to advise and consent to the Mayor's appointment of members to the CDBG Community Enterprise Grant Advisory Committee: Kala Ladenheim, Robert Abbey, John Callinan, Melissa Lindley, and Mariea Dixon.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous; Councilor Berry unable to vote

h) Consider Purchase Offer for Marks Lane

Attached is an email from Brandon Bibber whom lives at 59 Marks Lane. He is offering the City of Gardiner \$8,000 for 56 Marks Lane (Map 15 Lot 005 H). This property was sent out to bid on March 6, 2019 (abutters were also notified) with a minimum bid of \$6,500. No bids were received.

The property, assessed for a total of \$44,800, and taxes owed totaling \$6,550.94 has been owned by the city since November 2014.

Previously, this property did include a clean-up clause in the first bid process.

City Manager Landes spoke briefly.

Councilor White asked if the lot in the packet was where the trailer was located and if that was the area that needs to be cleaned up.

City Manager Landes states there has been some abandoned cars located there that the fire department has used for training and even talked about using the trailer. The trailer is not livable and will need to be dismantled.

Councilor White asked where Marks LN was.

Councilor Berry explained.

Councilor Rees moved to accept Brandon Bibber's offer of \$8,000 for 56 Marks Lane, Map 015 Lot 005 H, and transfer the property with a quit claim deed and a clean-up clause that must be completed within six months.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous Councilor Berry abstained.

i) Consider Internet Policy

There has been some discussion held previously on how to keep the city's internet and server safe during these times of virus/spam/ransomware attacks.

The outcome from that discussion resulted in our IT Director Davis preparing a proposed addendum to the employee handbook. This proposal is attached.

This proposal is intended to protect the city servers and computers and to allow a Department Head to work with the IT Director on technology needs if they fall within the budget. It also restricts any department to negotiate internet contracts with all outside vendors.

Councilor White moved to approve the proposed addendum to the employee handbook regarding internet use.

Councilor Ault seconded.

Mayor Hart asked for any discussion.

City Manager Landes spoke briefly.

Anne Davis spoke briefly.

Councilor Berry asked if we have a direction if we were to get hacked with a ransom like Augusta did.

Anne Davis states she would not like to discuss that during a public forum but do they do have a plan in place.

All those in favor. Unanimous

j) Consider Approval of a Victualer's License: Gerard's Pizza

The City Council is being asked to consider the approval of a Victualer License for Gerard's Pizza.

Councilor Rees moved to approve the Victualers License for Gerard's Pizza.

Councilor Cusick seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous Councilor Berry unable to vote.

k) Consider Approval of a Beano/Bingo License: Gardiner/Augusta Lions Club

This license is issued through the Department of Public Safety and requires a 5-year blanket authorization letter signed by the City Manager along with the state application to be signed by the City Council. If renewed this license will be effective from January 1, 2021 through December 31, 2025.

Councilor Cusick moved to approve the five-year Beano/Bingo license for the Gardiner/Augusta Lions Club.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous. Councilor Berry Unable to vote.

l) Discussion Regarding the Current Grant Agreement with Hoppy Days LLC/ John and Lynn Callinan

Hoppy Days LLC, John and Lynn Callinan, closed their business on Water Street in 2018, but have diligently been working on reopening Jokers & Rogues. In 2015, they made an Agreement with the City for a \$35,000 interest only loan. This loan had a five-year agreement with a fixed interest rate of 5.75%. There were chronological increments of forgiveness. Hoppy Days, LLC has passed the three-year time frame, so 25% of the loan should be forgiven.

In October 2018 the City Council unanimously agreed to allow a six month grace period and then start the time again on the agreement. In May 2019, the City Council unanimously approved to restart the five-year agreement with the closed time being added onto the agreement.

The City Council is being asked to extend this loan agreement for two-years (with an expiration of 11/18/2022) with the same terms and with the interest already being paid for year one. As we are all aware, COVID rules on tasting rooms has once again delayed his opening.

Manager Landes spoke briefly.

Councilor Ault moved to allow the loan agreement with Hoppy Days LLC to expire on November 18, 2022. All original terms of the agreement stand as previously agreed and interest has already been paid for year one.

Councilor Frey seconded.

Mayor Hart asked for any discussion.

Councilor Rees states she believes she was the president of Gardiner Maine when the loan came through and she is very familiar with the arrangements of the loan. The fact that Mr. Callinan has made a substantial investment in downtown. He is one of the most diligent building and business owner down there. He is incredibly committed to down town Gardiner. I whole heartily support extending this.

Councilor Ault Hear' Hear'. He could not agree more. He is still here and he needed to change his business. Even with the pandemic disrupting his plans despite all of his diligence. I give him all the applause in the world.

Councilor White states she feels the same way as Councilor Rees and Councilor Ault.

All those in favor. Unanimous

- m) Review and Accept Monthly Reports from City Manager and Department Heads

Mayor Hart wants to extend her deep gratitude for doing this. She likes how to are in synced and informative it give the folks in the community can see all the good work everyone is doing. Councilor Cusick said Hear' Hear'

Councilor Cusick moved to accept the October 2020 monthly reports from the City Manager and Department Heads.

Councilor Frey seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous

- n) Review and Accept Meeting Minutes from October 21, 2020

Councilor Rines moved to approve the minutes of October 21, 2020 as presented.

Councilor Ault seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous

5. CITY MANAGER REPORT

- Department head monthly reports will be a standing agenda item.
- City Mayor and I was able to meet and talk with new Council Member Sergent this week.
- Reminder I sent out an invitation for a Council informational session. Similar that what I did with Councilor Frey last year. Department heads will be meeting with soon to be Councilor Sergent and any of you that are interested via zoom on the morning of January 5th and in the afternoon we will take any interested to each individual department.
- Wastewater project out to bid twice and all the bids that came in were above budget and will wait until spring to send that out again.
- You all will receive in a day or two from Tracey or Chief Toman an invite to "Coffee with the Chief" this will allow businesses in and around Gardiner talk to the chief about how to handle the mask mandate in their business. There will be two sessions and that they will have the opportunity to attend. The first one will be Monday 23rd at 9am via zoom and the second December 7th at 9am via zoom. If you have any questions you can reach out to Chief Toman or EDD Desjardins or myself.

6. CITY COUNCIL REPORT

Councilor Ault

- None

Councilor Cusick

- Congratulate Chief Sieberg
- Thank you to all the department heads and the City Staff. Great job with the election

Councilor White

- Congratulate Chief Sieberg
- Happy Thanksgiving and keep your chin up. Stay Safe.

Councilor Berry

- Happy Thanksgiving everyone
- Bridge Project is looking great. I have found very little inconvenience. The police department has done great, Reed & Reed and McGee they have all done great.

Councilor Rees

- None

Councilor Frey

- Question about the speeding on Brunswick Ave and wondering if there has been any movement on that.
 - Chief Toman states they have done some research about purchasing speed signs that can be mounted on telephone poles. We can purchase those for the small price of \$6,500 apiece that is the DOT price. That would be one of the solutions for the council to consider. The other is more police presence on Brunswick ave and we are doing our best to do so with our staffing levels.
 - Councilor Frey states the department is doing a great job. A persistent issue happens coming into town near the school and all the way down the hill. I would support pushing this forward to having further talk about permanent signs.
 - Mayor Hart states this could be a budget discussion.
 - Councilor Rees would like to see the specks on speeding signs. What they look like, how do they look. Would like to talk about this during a budget discussion for Brunswick ave and 126.
 - Chief Toman states they can work on moving the sign they currently have on River View drive. We can start to gather same data from each road.
 - Councilor Rines states it's a great idea to move if from River view to Brunswick Ave. How many unit's do we have? He states he

notices on his street when you hit the speed limit, which is 25, it starts to flash. I think it might be better if it flashed with a warning at 26.

- Chief Toman states they only have 1 and your suggestion is noted.

- Happy Thanksgiving

Councilor Rines

- Have a happy and safe Thanksgiving

Mayor Hart

- Want to extend my congratulations to Councilor White and Councilor Cusick and Councilor Elect Sergent for a successful candidacy.
- Thank you to City Staff for running a smooth Election.
- Thanksgiving is coming up and the is community need. The high school national honor society is still collecting food for those in need. Gardiner Rotary club is doing a Turkey Trot on Thanksgiving morning at 10 and it will start at the common, they will keep people spaced apart and it is a fundraiser for the community. Any proceeds or money raised goes right back into Gardiner or the food pantry's, things that the students need and other charitable events.
- Gardiner Rotary will be selling Christmas Trees the first weekend in December. If you would like a fresh cut Christmas tree please get one from rotary.
- Shop Local day across America is Saturday after Thanksgiving. Go Big and Go Local.

7. ADJOURN

Councilor Ault moved to adjourn at 7:17pm

Councilor White seconded.

Mayor Hart asked for any discussion. Seeing none. All those in favor. Unanimous.

This document is in draft form and will be reviewed and possibly approved during the December 9, 2020 City Council Meeting.

Respectfully submitted and attested on 12/2/2020 by,

Alisha Ballard,
Gardiner City Clerk

**CERTIFIED TRUE COPY
OF AN ORIGINAL DOCUMENT
SIGNED** Alisha Ballard
DATE 12/2/2020

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:

11/20/2020

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 B. must exclude AH-TIF valuation.

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

⁴ PTZ 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;	\$297,300	
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%	

***** 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

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

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