

Attest: Darci L. Wheeler, City Clerk



BATH
MAINE *City of Ships*

OFFICE of the CITY MANAGER

Marc Meyers

City Manager

mmeyers@cityofbath.com

Memorandum

To: Chair Park, Vice Chair DeChant and Members of the City Council

CC: Juli Millett, Assistant City Manager/Finance Director, Lawrence Renaud, Fire Chief

Date: February 11, 2022

From: Marc Meyers, City Manager

RE: Downtown TIF Amendment and 31 Centre CEA

Introduction/Background

Grant-Tates Building, LLC (the "Developer") plans to renovate and redevelop the Grant Tate Building at 31 Centre Street and has proposed an amendment to the existing Downtown TIF District that would have the effect of authorizing a credit enhancement agreement ("CEA") between the City and the Developer on the following terms:

- 10-year CEA term
- Reimbursement to the Developer of 75% of the property taxes paid on captured assessed value relating to their parcel within the Downtown TIF District.

The Developer approached the City staff regarding a potential request for a tax increment financing credit enhancement agreement and the City Manager, City Planner and outside City TIF Attorney met with the Developer and its consultants on two occasions over the winter to discuss their project and to both consider whether the request was potentially consistent with the City's economic development goals and to give the Developer feedback about the request. On January 25, 2022, the Developer presented the project and credit enhancement agreement proposal to the City Economic Development Committee, a necessary step in the process leading to a Council presentation. On February 2, 2022, the Developer presented to the City Council about the proposed redevelopment project generally and met with the Council in executive session regarding the project's confidential financials.

The City Council is holding a public hearing on the proposed Downtown TIF Amendment and Credit Enhancement Agreement on February 16, 2022. Following the public hearing, the Council can vote on the Order authorizing the amendment and CEA on March 2, 2022.

City staff has prepared this memorandum both to (1) provide the staff's perspective on appropriate public policy questions to ask when considering a credit enhancement agreement; and (2) provide the staff's perspective on the way in which this proposal has addressed those questions. Staff is not suggesting every proposal for a CEA must perform well on every question identified below to qualify for a CEA from the City of Bath; however, staff does suggest that the responses to at least a critical mass of the questions below should be very strong. The questions below provide one approach to reviewing a proposed credit enhancement agreement but the City Council is the final authority about whether to approve the proposed amendment and CEA. The facts identified in this memo regarding the application are drawn from the application materials themselves and other presentation materials from the Developer. The City Council may also have additional relevant facts shared with the Council in executive session. Finally, this memo is also meant to share with the City Council some of the substantive review undertaken by staff prior to bringing it forward for Council consideration.

Credit Enhancement Agreement Public Policy Question/Factors

1. Will the project create and/or retain quality employment opportunities for the citizens of the City of Bath (the "City") and the region?

The Developer anticipates retaining 35 existing workers from the existing Union Co. facility as well as adding an additional 63 workers at Union Co. and the other planned businesses on site.

2. Will the project create significant new taxable property value?

The original assessed value for 31 Centre Street (Parcel: 27-098-000) when the district was established was \$648,600. The Tax Year 2021 assessed value has decreased from the start of the TIF District to \$536,100. The Developer anticipates that the total value at completion will be approximately \$2.2 million. This means that the project is anticipated to result in \$1,551,400 in increased assessed value in the District (and an additional \$112,500 of value, the taxes on which will go to the City's general fund).

3. Will the project improve a blighted area or building or provide needed rehabilitation or redevelopment to an area or building?

The building at 31 Centre Street has been unused for almost ten years and is one of the largest existing buildings in the center of the City's Downtown area. The property needs rehabilitation and upgrades from a building systems and life safety perspective. Those improvements include automatic sprinklers, a new stormwater system, a rooftop solar installation and upgraded mechanical, electrical and pumping systems throughout the building.

4. Will the project stimulate an expansion of Bath's commercial and industrial tax base?

The project will increase the commercial and industrial tax base by rehabilitating a historically unused building. In addition, the Developer believes that Union & Co. has the potential to result in

some business spin-offs and start-up companies, each of whom could expand and require their own dedicated workspace in the City.

5. Will the project have a positive impact on the existing business community?

The project proposes three commercial spaces on the lower level, providing a prime location for new businesses to take root in Bath, and allowing for the expansion of Union & Co. Additionally, the Developer believes that bringing this building into productive use will invigorate the Downtown more broadly and will have an important ripple effect.

6. Will the project stimulate new affordable and market rate housing investment in Bath, or growth in another strategically important industry sector?

The project includes four units of residential development. The other planned uses, theater, co-working space and fitness center, are all community-minded service businesses which can support other businesses in the Downtown by increasing foot traffic and activity.

7. Is the City's participation economically meaningful to the success of the project? (for example, are there unique costs of public infrastructure improvements or other costs unique to the project or site; is there a need to offset economic advantages available to an entity if it should build (or expand) outside of Bath; and is there a lack of sufficient private or other public funding sources to meet the full capital investment needs of the project?)

Rehabilitating an old, historic building which has been out of productive use for this long creates unique costs, including in this case upgrades to virtually all systems within the building as well as hazardous materials removal. In addition, Gorham Savings Bank is intending to offer loan financing for the project but is relying on the City's partnership in making its commitment to the Developer. In other words, the Developer's financing with Gorham Savings Bank is significantly impacted the whether the City approved this TIF Amendment and CEA.

8. Is the project consistent with or does it support Bath's Comprehensive Plan and other established planning and strategic documents and initiatives of the City?

The project is consistent with and supports Bath's Comprehensive Plan, including diversifying the economy, promoting housing development and maintaining a vibrant downtown.

9. Does the project create needed public infrastructure?

The developer has already removed storm drains that were connected to the City's sewer system, which is a benefit for public infrastructure and capacity. Within the Downtown TIF, projects from property tax revenue within the district may include pedestrian and sidewalk improvements.

10. Does the project create other public benefits?

The project will provide a more inviting entrance into the City's Downtown area than currently exists. It will also provide service-based businesses to the residents of Bath, as well as a small increase in rental housing stock in an area that needs additional housing options.

11. Will the Project meet all City ordinances as well as other local state and federal laws?

The project is completing its required permitting and compliance activities.

12. Does the project and its developer have the capacity and expertise to successfully undertake the project?

The Developer has a project team comprised of financial and development experts known to the industry and the region. The Developer has had many successful development projects and specializes in small scale, mixed use, downtown historic revitalization projects. The Developer has been running Union & Co. and has experienced success such that it is necessary to expand to a larger space. In addition, the Developer has submitted letters from the Genesis Fund and Gorham Savings Bank vouching for the Developer's capabilities to undertake this project successfully. The Developer has demonstrated realistic expectations for the additional uses within the building.

**NOTICE OF PUBLIC HEARING
CITY OF BATH
Regarding**

**The Approval of the Third Amendment to “Downtown Improvement Municipal Development
and Tax Increment Financing District” and the Development Program therefor**

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

**Wednesday, February 16, 2022
at City Hall
located at 55 Front Street, Bath, ME 04530 at 6:00 p.m.**

The purpose of the public hearing is to receive public comment on the item identified above, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The proposed Third Amendment to the Downtown Improvement TIF seeks to amend the Development Program to authorize the City to enter into a Credit Enhancement Agreement with Grant-Tates Building, LLC to develop the parcel located at 31 Centre Street.

A copy of the materials relating to the Third Amendment to the Downtown Improvement District will be on file with the City Clerk prior to the public hearing. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time. A copy of the proposed application is available at the City Clerk's Office and can also be obtained by calling the City Clerk at 207-443-8332 during normal business hours and requesting that a copy be mailed to you.

Please see the City of Bath website at cityofbath.com in advance of the meeting to find out if there will be a remote participation option.

Public comments will be taken at the meeting and written comments should be submitted to dwheeler@cityofbath.com.

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Exhibits A-1 and A-2

(Maps)

City of Bath Downtown TIF District (Amendment, 2020)



1 inch = 4,000 feet

**City of Bath
Downtown TIF District
(2nd Amd) 68.03 acres**

Area to be removed
for Affordable Housing TIF



1 inch = 400 feet

Exhibit B

(Amended Assessor's Certificate)

EXHIBIT B

**AMENDED ASSESSOR'S CERTIFICATE
CITY OF BATH**

**DOWNTOWN IMPROVEMENT MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT**

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

The taxable real assessed value of the **Downtown Improvement Municipal Development and Tax Increment Financing District** as described in the Second Amendment to the Development Program to which this Certificate is included, is \$72,327,400. This original assessed value is comprised of \$71,505,500 from the remaining original parcels in the District valued as of March 31, 2007 (April 1, 2006) and \$821,900¹ from the parcels added in the First Amendment to the District valued as of March 31, 2009 (April 1, 2008).

IN WITNESS WHEREOF, this Certificate has been executed as of this 30th day of June, 2020.

ASSESSOR

Bruna E. Curran CMA

¹ While the First Amendment documentation stated that the original assessed value of \$998,000 was as of March 31, 2009 (April 1, 2008), the \$998,000 value was actually as of March 31, 2010 (April 1, 2009). This Amendment corrects the OAV for the parcels added in the First Amendment to their April 1, 2008 values.

Downtown TIF (As Amended)				
PARCEL ID	ACRES	Valuation Date	OAV	Notes
26-174-000	0.8	4/1/2007	\$ 974,000	
26-217-000	3.9	4/1/2007	\$ 2,019,700	
26-219-000	0.22	4/1/2007	\$ 332,900	
26-220-000	0.1	4/1/2007	\$ 127,100	
26-221-000	0.3	4/1/2007	\$ 728,300	
26-222-000	0.17	4/1/2007	\$ 294,300	
26-223-000	0.19	4/1/2007	\$ 275,200	
26-224-000	0.16	4/1/2007	\$ 121,400	
26-225-000	0.21	4/1/2007	\$ 811,600	
26-226-000	0.08	4/1/2007	\$ 154,500	
26-227-000	0.08	4/1/2007	\$ 165,200	
26-228-000	0.09	4/1/2007	\$ 197,300	
26-229-000	0.05	4/1/2007	\$ 73,300	
26-230-000	0.07	4/1/2007	\$ 116,900	
26-231-000	0.08	4/1/2007	\$ 280,700	
26-232-000	0.05	4/1/2007	\$ 19,400	
26-233-000	0.15	4/1/2007	\$ 175,800	
26-234-000	0.06	4/1/2007	\$ 61,300	
26-235-000	0.37	4/1/2007	\$ 896,100	
26-236-000	0.06	4/1/2007	\$ 107,700	
26-237-000	0.17	4/1/2007	\$ 246,600	
26-238-000	0.09	4/1/2007	\$ 126,600	
26-239-000	0.11	4/1/2007	\$ 271,100	
26-240-000	0.32	4/1/2007	\$ 211,400	
26-241-000	0.1	4/1/2007	\$ 740,200	
26-242-000	0.07	4/1/2007	\$ 193,400	
26-243-000	0.18	4/1/2007	\$ 615,600	
26-244-000	0.07	4/1/2007	\$ 283,400	
26-245-000	0.18	4/1/2007	\$ 427,700	
26-246-000	0.09	4/1/2007	\$ 330,600	
26-247-000	0.04	4/1/2007	\$ 119,200	
26-248-000	0.18	4/1/2007	\$ 239,100	*Portion of parcel removed in 2nd Amendment
26-258-000	0.36	4/1/2007	\$ 119,900	*Portion of parcel in TIF
26-264-000	0.98	4/1/2007	\$ 1,046,300	
26-265-000	0.61	4/1/2007	\$ 1,982,800	

26-266-000	0.16	4/1/2007	\$ 288,800	
26-267-000	0.1	4/1/2007	\$ 238,200	
26-268-000	0.27	4/1/2007	\$ 1,944,200	
26-271-000	0.11	4/1/2007	\$ 48,800	*Corrected to reflect actual portion of parcel in TIF
26-272-000	0.10	4/1/2007	\$ 38,100	*Corrected to reflect actual portion of parcel in TIF
26-273-000	1.6	4/1/2007	\$ 590,000	
27-003-000	0.16	4/1/2007	\$ 260,000	
27-004-000	0.27	4/1/2007	\$ 1,084,000	
27-005-000	0.14	4/1/2007	\$ 7,000	
27-006-000	0.28	4/1/2007	\$ 136,200	
27-014-000	0.24	4/1/2007	\$ 201,500	
27-015-000	0.14	4/1/2007	\$ 281,700	
27-016-001	0.7	4/1/2007	\$ 185,000	
27-016-002	0	4/1/2007	\$ 123,300	
27-016-003	0	4/1/2007	\$ 123,300	
27-016-004	0	4/1/2007	\$ 123,300	
27-016-005	0	4/1/2007	\$ 123,300	
27-016-006	0	4/1/2007	\$ 123,300	
27-017-000	0.15	4/1/2007	\$ 212,700	
27-018-000	0.6	4/1/2007	\$ 279,500	
27-029-000	0.09	4/1/2007	\$ 145,200	
27-030-000	0.1	4/1/2007	\$ 143,900	
27-031-000	0.08	4/1/2007	\$ 368,600	
27-032-000	0.09	4/1/2007	\$ 131,100	
27-033-001	0.76	4/1/2007	\$ 218,300	
27-033-002	0	4/1/2007	\$ 219,400	
27-033-003	0	4/1/2007	\$ 381,900	
27-034-000	0.42	4/1/2007	\$ 169,800	
27-035-000	0.22	4/1/2007	\$ 264,200	
27-036-000	0.09	4/1/2007	\$ 161,500	
27-037-000	0.16	4/1/2007	\$ 209,300	
27-038-000	0.15	4/1/2007	\$ 267,700	
27-039-000	0.07	4/1/2007	\$ 226,400	
27-040-000	0.06	4/1/2007	\$ 86,100	
27-046-000	0.12	4/1/2007	\$ 214,100	
27-047-000	0.32	4/1/2007	\$ 183,300	
27-048-000	0.17	4/1/2007	\$ 201,300	
27-049-000	0.16	4/1/2007	\$ 43,300	

27-050-000	0.02	4/1/2007	\$ 5,200	
27-051-000	0.23	4/1/2007	\$ 98,800	
27-065-000	0.32	4/1/2007	\$ 101,000	
27-066-000	0.46	4/1/2007	\$ 749,000	
27-067-000	0.33	4/1/2007	\$ 377,600	
27-068-000	1.2	4/1/2007	\$ 622,400	
27-068-001	0.431	4/1/2007	\$ 182,400	
27-069-000	0.08	4/1/2007	\$ 291,500	
27-070-000	0.13	4/1/2007	\$ 41,600	
27-071-000	0.14	4/1/2007	\$ 129,200	
27-072-000	0.3	4/1/2007	\$ 789,700	
27-073-000	0.14	4/1/2007	\$ 276,500	
27-074-000	0.03	4/1/2007	\$ 89,900	
27-075-000	0.15	4/1/2007	\$ 217,200	
27-076-000	0.25	4/1/2007	\$ 389,700	
27-077-000	0.62	4/1/2007	\$ 1,714,000	
27-080-000	0.6	4/1/2007	\$ 406,400	
27-081-000	1.02	4/1/2007	\$ 2,800,500	
27-082-000	0.14	4/1/2007	\$ 88,100	
27-083-000	0.07	4/1/2007	\$ 104,300	
27-084-000	0.84	4/1/2007	\$ 2,387,400	
27-085-000	0.07	4/1/2007	\$ 85,000	
27-086-000	0.08	4/1/2007	\$ 167,100	
27-088-000	0.01	4/1/2007	\$ 48,000	
27-089-000	0.04	4/1/2007	\$ 53,700	
27-090-000	0.2	4/1/2007	\$ 234,500	
27-091-000	0.08	4/1/2007	\$ 51,600	
27-092-000	0.15	4/1/2007	\$ 279,300	
27-093-000	0.13	4/1/2007	\$ 54,300	
27-094-000	0.41	4/1/2007	\$ 205,700	
27-095-000	0.21	4/1/2007	\$ 115,000	
27-096-000	0.87	4/1/2007	\$ 321,800	
27-097-000	0.09	4/1/2007	\$ 321,200	
27-098-000	0.16	4/1/2007	\$ 648,600	
27-099-000	0.29	4/1/2007	\$ 812,800	
27-100-000	0.1	4/1/2007	\$ 32,800	
27-101-000	0.09	4/1/2007	\$ 166,900	
27-102-000	0.17	4/1/2007	\$ 87,500	
27-103-000	0	4/1/2007	\$ 349,500	
27-103-001	0.33	4/1/2007	\$ 492,200	
27-104-000	0.06	4/1/2007	\$ 162,900	

27-105-000	0.04	4/1/2007	\$ 56,300	
27-106-000	0.53	4/1/2007	\$ 1,037,000	
27-107-000	0.17	4/1/2007	\$ 900,200	
27-109-000	0.1	4/1/2007	\$ 313,900	
27-110-000	0.25	4/1/2007	\$ 309,100	
27-111-000	0.06	4/1/2007	\$ 206,000	
27-112-000	0.08	4/1/2007	\$ 314,800	
27-113-000	0.37	4/1/2007	\$ 1,361,400	
27-114-000	0.21	4/1/2007	\$ 1,238,600	
27-115-000	0.04	4/1/2007	\$ 212,300	
27-116-000	0.07	4/1/2007	\$ 358,900	
27-117-000	0.14	4/1/2007	\$ 675,700	
27-118-000	0.04	4/1/2007	\$ 315,900	
27-119-000	0.05	4/1/2007	\$ 270,700	
27-120-000	0.07	4/1/2007	\$ 311,400	
27-121-000	0.08	4/1/2007	\$ 792,900	
27-122-000	0.18	4/1/2007	\$ 2,744,800	
27-123-000	0.33	4/1/2007	\$ 817,000	
27-124-000	0.18	4/1/2007	\$ 2,041,700	
27-125-000	0.12	4/1/2007	\$ 658,000	
27-126-000	1.3	4/1/2007	\$ 1,564,400	
27-127-000	0.78	4/1/2007	\$ 257,100	
27-128-000	0.09	4/1/2007	\$ 239,700	
27-129-000	0.25	4/1/2007	\$ 623,000	
27-130-000	0.29	4/1/2007	\$ 2,675,600	
27-131-000	0.48	4/1/2007	\$ 601,900	
27-132-000	0.22	4/1/2007	\$ 248,700	
27-133-000	0.39	4/1/2007	\$ 265,800	
27-134-000	0.17	4/1/2007	\$ 240,200	
27-135-000	1.3	4/1/2007	\$ 327,300	
27-137-000	1.98	4/1/2007	\$ 80,400	
27-138-000	0.21	4/1/2007	\$ 536,300	
27-139-000	0.17	4/1/2007	\$ 87,300	
27-140-000	0.16	4/1/2007	\$ 547,400	
27-141-000	0.16	4/1/2007	\$ 85,300	
27-174-000	1.5	4/1/2007	\$ 3,263,800	
27-175-000	0.16	4/1/2007	\$ 59,300	
27-176-000	0.2	4/1/2007	\$ 226,700	
27-178-000	0.1175	4/1/2007	\$ 43,500	
28-114-000	0.31	4/1/2007	\$ 175,300	
28-115-000	0.59	4/1/2007	\$ 2,797,500	

28-116-000	0.16	4/1/2007	\$ 135,400	
Railroads, roads, etc.	21.66			
26-260-000	0.4	4/1/2008	\$ 183,100	*Parcel Added in 1st Amendment
26-261-000	0.23	4/1/2008	\$ 150,000	*Parcel Added in 1st Amendment
26-262-000	1.4	4/1/2008	\$ 345,800	*Parcel Added in 1st Amendment
26-263-000	0.05	4/1/2008	\$ 17,900	*Parcel Added in 1st Amendment
26-269-000	0.1	4/1/2008	\$ 35,100	*Parcel Added in 1st Amendment
26-270-000	0.23	4/1/2008	\$ 90,000	*Parcel Added in 1st Amendment
TOTAL	68.03		\$72,327,400.00	

Exhibit C

(Notice of Public Hearing)

**CITY OF BATH
NOTICE OF PUBLIC HEARINGS**

regarding

**THE SECOND AMENDMENT TO THE DOWNTOWN IMPROVEMENT MUNICIPAL
DEVELOPMENT TAX INCREMENT FINANCING DEVELOPMENT PROGRAM**

and

**THE DESIGNATION OF THE UPTOWN AFFORDABLE HOUSING DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT AND ADOPTION OF THE
DEVELOPMENT PROGRAM FOR SUCH DISTRICT**

Notice is hereby given that the City of Bath City Council will hold public hearings on Wednesday, July 1, 2020, at 6:01 p.m. via remote meeting described below for purposes of receiving public comments on the proposed Second Amendment to the Downtown Improvement Municipal Development and Tax Increment Financing District and the Uptown Affordable Housing Development and Tax Increment Financing District and Development Program.

The public hearings are being undertaken pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. The Second Amendment to the Downtown District proposes to remove three parcels from the Downtown District's boundaries in order for those parcels to be included in the proposed Uptown Affordable Housing District. The Uptown Affordable Housing District will encompass approximately 0.98 acres of real property located at the adjacent properties of 26 Summer Street, 24 Summer Street, and 168-194 Front Street. Copies of the proposed Second Amendment to the Downtown District and the proposed Uptown Affordable Housing Development Program are available at www.cityofbath.com and can also be obtained by calling Marc Meyers at (207) 443-8330 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.

The Bath 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.

MEETING INSTRUCTIONS

Access to the meeting, online or by phone, will be available on Tuesday, June 30, 2020, at www.cityofbath.com. If you need phone information and are unable to access the City's website, call (207) 443-8332.

For more information on how to attend and participate in remote meetings, please go to <https://www.cityofbath.com/ParticipatinginVirtualCouncilMeetings>.

Public comments will be taken at the hearings and written comments should be submitted to dwheeler@cityofbath.com. Written comments will be accepted until Wednesday, July 1, 2020.

Persistently high layoffs suggest a slow US economic rebound

BY CHRISTOPHER RUGABER
AP Economics Writer
WASHINGTON, D.C.

Three months after the viral outbreak shut down businesses across the country, U.S. employers are still shedding jobs at a heavy rate, a trend that points to a slow and prolonged recovery from the recession.

The number of laid-off workers seeking unemployment benefits barely fell last week to 1.5 million, the government said Thursday. That was down from a peak of nearly 7 million in March, and it marked an 11th straight weekly drop. But the number is still more than twice the record high that existed before the pandemic. And the total number of people receiving jobless aid remains a lofty 20.5 million.

The figures surprised and disappointed analysts who had expected far fewer people to seek unemployment aid as states increasingly reopen their economies and businesses recall some laid-off people.



ELAINE THOMPSON / ASSOCIATED PRESS

A customer walks out of a U.S. Post Office branch and under a banner advertising a job opening, in Seattle on June 4. The U.S. government will issue its latest snapshot Thursday, June 18, of the layoffs that have left millions unemployed but have slowed as businesses have increasingly reopened and rehired some of their laid-off workers.

their business remains far below pre-pandemic levels. This week, Hilton Hotels said it would cut 22% of its corporate global workforce — about 2,100 jobs.

Although consumer spending, the primary driver of the U.S. economy, is recovering from its low in mid-April, it remains far below its pre-pandemic level, according to data compiled by Opportunity

more than double. She is grateful, though, for the extra \$600 in federal unemployment benefits, which have allowed her to pay some bills.

Dealing with the state's bureaucracy "was very stressful," she said.

Daco of Oxford Economics said he still expects the June jobs report, to be released in early July, to show another hiring gain. But these figures will be one

Decline in new virus deaths may be temporary reprieve

BY CARLA K. JOHNSON
and NICKY FORSTER
The Associated Press

The number of deaths per day from the coronavirus in the U.S. has fallen in recent weeks to the lowest level since late March, even as states increasingly reopen for business. But scientists are deeply afraid the trend may be about to reverse itself.

"For now, it's too soon to be reassured that deaths are going down and everything's OK," said Dr. Cyrus Shahpar of Resolve to Save Lives, a nonprofit organization that works to prevent epidemics.

Deaths from COVID-19 across the country are down to about 680 a day, compared with around 960 two weeks ago, according to an Associated Press analysis of data compiled by Johns Hopkins University. The analysis looked at a seven-day rolling average of deaths through Wednesday.

A multitude of reasons are believed to be at play, including the advent of effective treatments and

in deaths in many places in the United States."

The outbreak has killed about 118,000 people in the U.S. and nearly a half-million worldwide, according to Johns Hopkins' count, though the real numbers are believed to be higher. Potential vaccines are in early stages of testing, and it is unlikely any will be ready before early next year.

Experts note that a rise in deaths could take awhile to show up in the U.S. statistics. Stay-at-home orders imposed in March, combined with the use of face masks and other social-distancing measures, have been bringing down the daily death toll since mid-April, and the U.S. as a whole is still seeing the positive effects, even though people are starting to work, shop and eat out again.

Doctors watching for an uptick in deaths will be on the alert for certain signals to emerge in a specific order, Shahpar said.

First, cellphone data will show people moving around more. Next,

kins University School of Medicine. Lessons learned from the "awful early days" are now benefiting the severely sick and people in nursing homes, Shoham said.

It looks that way in Washington state's King County, where the first nursing home outbreak in the U.S. killed 45 people at the Life Care Center in suburban Seattle. County data shows deaths in similar facilities declining over the past two months. And no single facility in the county has come close to the death toll at Life Care, which was struck unaware.

While it is unclear how much specific treatments may have contributed to the decline in deaths, doctors are trying antivirals such as remdesivir, plasma donated from people who have recovered from the virus and steroids such as dexamethasone, which grabbed attention this week with reports confirming it can save the lives of many of the sickest patients.

While all viruses mutate, scientists say

and businesses recall some laid-off people back to work. The data also raised concerns that some recent layoffs may reflect permanent losses as companies restructure their businesses, rather than temporary cuts in response to government-ordered closures.

The report is "telling us that the scars from the job losses in the recession will be longer-lasting than we expected," said Gregory Daco, chief U.S. economist at Oxford Economics.

At the same time, Thursday's figures may have raised as many questions about the state of the job market as they answered. Jobless claims generally tracks the pace of layoffs. But they provide little information about how much hiring is occurring that would offset those losses. In May, for example, employers added 2.5 million jobs — an increase that caught analysts off-guard because the number of applications for unemployment aid was still so high.

Some likely factors help explain why applications for jobless benefits remain so high even as businesses increasingly reopen and rehire some laid-off workers. For one thing, many businesses that deal face-to-face with customers — from restaurants and movie theaters to gyms and casinos — remain strictly limited to less-than-full capacity. Some of those

pre-pandemic level, according to data compiled by Opportunity Insights. That trend may be forcing changes at some companies that managed to withstand the initial shutdowns. AT&T, for instance, said this week that it plans to cut 3,400 technical and clerical workers over the next few weeks. It also plans to permanently close 250 of its Mobility and Cricket Wireless stores.

"We're starting to see more job losses among higher-skilled positions that are harder to recall," said Brad Hershbein, a senior economist at the Upjohn Institute.

And some states may still be clearing backlogs of applications from weeks or months ago.

Corinne Cook, who lives in Kissimmee, near Orlando, just received her first unemployment payment last week, after being laid-off from her job in mid-April. Cook, 28, moved to the area in September for an 18-month contract position as a 3-D modeler for Walt Disney, a job involving sculpting character prototypes that were printed on 3-D printers. She lost her job when the parks closed down.

She's receiving the minimum state unemployment benefit from Florida, \$125 a week, because the state has no record of her prior earnings in New Jersey, even though she said she has uploaded, mailed and faxed her documents

in early July, to show another hiring gain. But these figures will be particularly hard to forecast. Tens of millions of people may be flowing in and out of work each month, he noted, making it much more difficult to forecast where the job market is headed.

The jobs report for May had suggested that the damage might have bottomed out. The unemployment rate declined from 14.7% to a still-high 13.3%.

Even so, nearly 21 million people are officially classified as unemployed. And including people the government said had been erroneously categorized as employed in May and those who lost jobs but didn't look for new ones, 32.5 million people are out of work, economists estimate.

Thursday's report showed that an additional 760,000 people applied for jobless benefits last week under a new program for self-employed and gig workers that made them eligible for aid for the first time. These figures aren't adjusted for seasonal variations, so the government doesn't include them in the official count.

Other recent data have been more encouraging and suggest that the lifting of shutdown orders has sparked some pent-up demand from consumers. Most economic gauges remain far below their pre-pandemic levels, though, and some analysts question whether

A multitude of reasons are believed to be at play, including the advent of effective treatments and improved efforts at hospitals and nursing homes to prevent infections and save lives.

But already there are warning signs.

For one thing, the number of newly confirmed cases per day has risen from about 21,400 two weeks ago to 23,200, the AP analysis found.

And in Florida, Georgia, Texas and Arizona — states that loosened their stay-at-home restrictions early — daily deaths have been quietly rising since early June, said Ali Mokdad, professor of health metrics sciences at the University of Washington in Seattle.

"These are not numbers. These are human beings," Mokdad said. "We're going to see a rise

and

First, cellphone data will show people moving around more. Next, doctors will report more flu-like illnesses, and the proportion of people testing positive for the virus will rise. Hospitalizations will then go up and, finally, so will deaths.

Several factors are believed to be pushing the curves for deaths and cases in opposite directions.

Rising case numbers can partially be explained by the wider availability of testing. Mild cases, previously undetected because of limits on who could be tested, are now showing up in the numbers.

As for the drop in deaths, "It is probably several things happening at once," said Dr. Shmuel Shoham, a professor of medicine at Johns Hop-

kins, the lives of many of the sickest patients.

While all viruses mutate, scientists say the coronavirus so far is not changing in a way that has made it less deadly.

The decline in deaths this spring might well be tied in part to warmer weather as people spend more time outdoors where circulating air disperses the virus. But that does not bode well for the U.S. come this fall and winter.

Mokdad noted that deaths are on the rise in the Southern Hemisphere, where it's now winter.

"This virus is going to have a second wave. It's going to follow the pattern of pneumonia," he said. "What we're seeing in the Southern Hemisphere will be happening here."

PAID CONTENT

KEEPING KIDS ACTIVE

School is finally ending in an exceedingly unusual year. This has been a year in which the final semester of school on all levels was closed down and completed on line from home. The coronavirus pandemic and the stay-at-home orders that all of us had to comply with had an overwhelming impact on all of our lives. Suddenly, school was being conducted at home in front of computers and parents were working at home or having to stay home after being laid off. Meetings and connecting with others moved to Zoom and other on-line venues. The result has been multitasking parents and school children sitting in front of screens for excessive periods of time.

From the start of this new pandemic scenario, staying active has been of critical importance, not only for health, but also for a badly needed mental break, fresh air and some increased bloodflow to the brain and throughout the body. Students in Scandinavian countries consistently



Dr. Augat

casinos — remain strictly limited to less-than-full capacity. Some of those establishments are still cutting jobs as a result.

Casinos in Louisiana, for example, can open at half-capacity. But Boyd Gaming Corp., which operates five casinos in the state, has informed 1,500 of its workers that with financial losses mounting, they could be laid off by early July.

And in some especially hard-hit sectors, like the hotel and travel industries, corporations are now slashing white-collar workers because

though she said she has uploaded, mailed and faxed her documents from her job there. If her previous earnings were properly credited, her state benefits would

their pre-pandemic levels, though, and some analysts question whether the recent gains can be sustained, especially if the virus were to surge back.

but also for a badly needed mental break, fresh air and some increased bloodflow to the brain and throughout the body. Students in Scandinavian countries consistently shine academically and achieve high scores in aptitude/comprehension and cognitive testing in various academic disciplines. Students in these countries take multiple lengthy outdoor activity breaks throughout their school days, allowing for a great deal of exercise and, when they return to the classroom, they are more focused and their brains are able to absorb more. Conversely, just sitting and studying or working for long hours dulls our concentration and performance.

That being said, exercise is important and should be a daily part of our lives. Ideally, when a younger person sits in front of a computer and is doing schoolwork, regular breaks are necessary. The same is true for adults. If your work or hobbies involve spending hours sitting at a desk and working on a computer, frequent breaks should be taken and exercise should be part of every day. Even just getting up and taking a walk makes a significant difference.

Live Well & Stay Healthy

While this pandemic has held us down and forced us to change our lives in a multitude of ways, it has also afforded us numerous opportunities to change and improve our lives. With more time available and a break from our normal routines, we have a rare opportunity to add exercise to our daily routines, expand the variety of exercise in our lives and to increase the time we devote to exercise and activities. While this is critical for our physical and mental health at this atypical time, it is always important. Hopefully, regular exercise and activity will become more integrated into our normal lives as our world gradually returns to normal.

Another opportunity afforded by the pandemic is taking advantage of entire families being stuck at home together and doing more things together. This includes not only meals, games, movies and indoor activities, but also getting outside and walking, hiking, bicycling, paddling kayaks/canoes and kicking or throwing a ball. With the onset of summer, school finally coming to an end and more people returning to work, it is important to continue with the habit of regular activity.

Health Naturally!



AUGAT
CHIROPRACTIC
9 Pleasant St., Brunswick
725-7177



PUBLIC HEARING NOTICE CITY OF BATH

regarding

THE SECOND AMENDMENT TO THE DOWNTOWN IMPROVEMENT
MUNICIPAL DEVELOPMENT TAX INCREMENT FINANCING
DEVELOPMENT PROGRAM

and

THE DESIGNATION OF THE UPTOWN AFFORDABLE HOUSING
DEVELOPMENT AND TAX INCREMENT FINANCING DISTRICT AND
ADOPTION OF THE DEVELOPMENT PROGRAM FOR SUCH DISTRICT

Notice is hereby given that the City of Bath City Council will hold public hearings on Wednesday, July 1, 2020, at 6:01 p.m. via remote meeting described below for purposes of receiving public comments on the proposed Second Amendment to the Downtown Improvement Municipal Development and Tax Increment Financing District and the Uptown Affordable Housing Development and Tax Increment Financing District and Development Program.

The public hearings are being undertaken pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended. The Second Amendment to the Downtown District proposes to remove three parcels from the Downtown District's boundaries in order for those parcels to be included in the proposed Uptown Affordable Housing District. The Uptown Affordable Housing District will encompass approximately 0.98 acres of real property located at the adjacent properties of 26 Summer Street, 24 Summer Street, and 168-194 Front Street. Copies of the proposed Second Amendment to the Downtown District and the proposed Uptown Affordable Housing Development Program are available at www.cityofbath.com and can also be obtained by calling Marc Meyers at (207) 443-8338 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.

The Bath 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.

MEETING INSTRUCTIONS

Access to the meeting, online or by phone, will be available on Tuesday, June 30, 2020, at www.cityofbath.com. If you need phone information and are unable to access the City's website, call (207) 443-8332.

For more information on how to attend and participate in remote meetings, please go to:
<https://www.cityofbath.com/ParticipatingInVirtualCouncilMeetings>.

Public comments will be taken at the hearings and written comments should be submitted to cityclerk@cityofbath.com. Written comments will be accepted until Wednesday, July 1, 2020.



Bruce Giberson
Serving Customers
for 50 years



207-729-1611

7/24/2020 attested by:
City Clerk, *[Signature]*

Exhibit D

(Minutes)

REGULAR MEETING MINUTES
City Council of the City of Bath, Maine
Wednesday, July 1, 2020 6:00 PM
Remote Zoom Meeting

Present: Councilor Bailey, Councilor Paulhus, Councilor Nordmann arrived at 6:18pm, Councilor Leonard, Councilor DeChant, Councilor Bauer, Councilor Park, Councilor Ambrosino and Madame Chair, Eosco.

Also Present: City Manager Owen, City Solicitor Therriault and City Clerk Wheeler

Madame Chair Eosco called the meeting to order at 6:01 PM.

Madame Chair Eosco introduced Chief of Police Michael Field for a presentation of Law Enforcement in Maine in 2020.

Councilor Bailey made comment about the banning use of force such as choke holds. Chief Field explained that it's not trained in the academy nor has he seen it in his 30+ years of service. Councilor Ambrosino asked for clarification regarding the meeting between the Black Lives Matter members and the Bath Police Department. Chief Field stated that it was more about conversation and not demands. Councilor Leonard thanked Chief Field for his and his departments involvement in the community.

B. Public Hearing 6:39pm:

- 1) Second Amendment to the Downtown Improvement Municipal Development and Tax Increment Financing District
- 2) Uptown Affordable Housing Development and Tax Increment Financing District and Development Program

Madame Chair Eosco read the following:

CITY OF BATH
NOTICE OF PUBLIC HEARINGS

regarding

**THE SECOND AMENDMENT TO THE DOWNTOWN IMPROVEMENT MUNICIPAL
DEVELOPMENT TAX INCREMENT FINANCING DEVELOPMENT PROGRAM**

and

**THE DESIGNATION OF THE UPTOWN AFFORDABLE HOUSING DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT AND ADOPTION OF THE
DEVELOPMENT PROGRAM FOR SUCH DISTRICT**

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Assistant City Manager, Marc Meyers explained the information, where to obtain it, and how members of the public can participate.

Madame Chair Eosco asks for public comment on Item 1, seeing none she closed public comment on Item 1.

Madame Chair Eosco asks for public comment on Item 2 at 6:45pm.

Assistant City Manager Meyers explained the information, where to obtain it, and how members of the public can participate. He states that Szanton Company President Nathan Szanton and Project Manager/Partner Amy Cullen have joined the meeting to provide a brief presentation. Madame Chair Eosco introduces them, encouraging a brief recap and letting residents know where the full presentation can be viewed.

Tara Verville of 19 Dummer Street asks for denial of request.

Brian Verville of 19 Dummer Street loves the project but is not in favor of the 20-year TIF.

Amy Cullen of the Szanton Company spoke about the reason why the request was for 20 years.

Gretchen Jaeger of 11 Snow Park thanks the council for hearing this and as President of Main Street Bath this project aligns with Main Street Bath's goals and supports the project.

Debora Keller of 23 Bedford Street, Executive Director of Bath Housing, shared why they purchased the building and what their goals are, utilizing the partnership of The Szanton Company to achieve those goals.

Seeing no more comments, Madame Chair closed the public hearing at 7:11pm.

C. Consent Agenda 7:11pm

3*) Minutes of the Bath City Council Meeting on June 6, 2020 and Items E4, 5, 6, and 7 (Motion to Accept as Presented)

Motion made by Councilor Park to accept as presented, seconded by Councilor Bauer.

ROLL CALL VOTE:

YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, Park and Ambrosino

NAYS: None

Passed unanimously, 8-0

Madame Chair Eosco introduces City Clerk Darci Wheeler to explain the election procedures she will administer to keep the public and the election workers safe during this time of COVID-19.

D. Time Devoted to Residents to Address the City Council: 7:24pm

Gretchen Jaeger at 11 Snow Park thanks the Council for their support of Main Street Bath despite the fundraisings that can't happen this year, such as Heritage Days. Nancy Nellis of 985 High Street made the announcement that the Henry Tallman House is now in foreclosure which is a step in the direction of an abandoned property becoming alive again.

E. Resolutions, Orders, and Ordinances:

**4*) ORDER: To prepare and post Notice of Election for the State
Primary/Referendum Election to be held on Tuesday, July 14, 2020**

ORDER

In City Council
July 1, 2020

BE IT HEREBY ORDERED BY THE CITY COUNCIL, AS FOLLOWS:

That, the Notice of State of Maine Primary/Referendum Election be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the State of Maine Primary/Referendum Election will be held at their respective Wards 1-7 inclusive, on Tuesday, July 14, 2020 for the purpose of determining the following questions:

To determine:

Candidates in the Republican and Democratic Parties:

STATE OFFICES:

United States Senator
Representative to Congress: District 1
State Senate - District 23
State Representative to the Legislature - District 52

COUNTY OFFICES:

Judge of Probate
Registrar of Probate
Sheriff

Question 1: Bond Issue-Do you favor a \$15,000,000 bond issue to invest in high-speed internet infrastructure for unserved and underserved areas, to be used to match up to \$30,000,000 in federal, private, local, or other funds?

Question 2: Bond Issue-Do you favor a \$105,000,000 bond issue for improvement of highways and bridges statewide and for multimodal facilities or equipment related to transit, freight and passenger railroads, aviation, ports, harbors, marine transportation and active transportation projects, to be used to match an estimated \$275,000,000 in federal and other funds?

Absentee Ballots shall be processed on July 11, 2020 starting at 9am and continuing until all ballots received at that time have been processed and on Election Day.

The polls shall be opened at 8:00am and closed at 8:00pm.

5*) ORDER: To prepare and post warrant for Regional School Unit #1 Budget Validation Election to be held on Tuesday, July 14, 2020

ORDER

In City Council
July 1, 2020

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BATH, THAT:

Warrants be prepared and issued to notify and summons the inhabitants of the City of Bath, qualified to vote, that the Regional School Unit #1 Budget Election will be held on the Tuesday following the second Monday of July, the same being the 14th day of said month, in the Year of our Lord Two Thousand Twenty, at 8' O'clock in the forenoon, then and there, to cast their votes for the following question:

Question 1: **School Budget.** Shall Regional School Unit No. 1 appropriate the sum of \$37,866,970 and raise the sum of \$18,704,558 for the 2020-2021 school budget?
School Board Recommends a "Yes" Vote.

VOTER INFORMATION FOR QUESTION 1

The Regional School Unit No. 1 school budget submitted in this Question 1 totals \$37,866,970. It includes locally raised funds in the amount of \$18,704,558, to be assessed in shares to member municipalities in accordance with the RSU's cost sharing formula and state law. The locally raised amount exceeds the maximum state and local spending target by \$3,550,258. This budget includes these cost centers and amounts:

Cost Center	Amount Appropriated
Regular Instruction	\$ 11,841,750
Special Education	\$ 6,295,027
Career and Technical Education	\$ 1,546,080
Other Instruction	\$ 759,990
Student and Staff Support	\$ 2,977,413
System Administration	\$ 609,906
School Administration	\$ 1,773,557
Transportation and Buses	\$ 1,444,925
Facilities Maintenance	\$ 3,327,671
Debt Service and Other Commitments	\$ 7,290,652
Summary of Total Authorized School Budget Expenditures:	\$ 37,866,970

Question 2: **RSU Nutrition Program:** Shall Regional School Unit No. 1 raise and appropriate \$215,000 for the school nutrition program with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the school nutrition program?
School Board Recommends a "Yes" Vote.

Question 3: **RSU Adult Ed Program.** Shall Regional School Unit No. 1 raise and appropriate \$73,569 for the adult education program with authorization to expend any additional, incidental, or miscellaneous receipts in the interest and for the well-being of the adult education program?
School Board Recommends a "Yes" Vote.

Question 4: **Capital Reserve Fund.** Shall the School Board be authorized to raise \$50,000 for the previously established Capital Reserve Fund and to expend the funds if necessary?
School Board Recommends a "Yes" Vote.

- Question 5:** Do you favor authorizing the School Board of Regional School Unit No. 1 (the "RSU") to issue bonds and other evidences of indebtedness in the name of the RSU in an amount not to exceed \$365,327 through the State of Maine's zero interest rate/loan forgiveness School Revolving Renovation Fund Program for Priority 1 Health, Safety and Compliance renovations related to the conversion from steam to hot water heat and abatement at Dike Newell School in Bath (the "Project")?
- A. Zero Interest/Loan Forgiveness Program: The Maine Department of Education has awarded the RSU a loan in the amount of \$365,327 through the State's zero interest rate/loan forgiveness School Revolving Renovation Fund Program for the Project.
 - B. Loan Principal Forgiveness: The Maine Municipal Bond Bank will forgive approximately 51.06% (up to an estimated \$188,536) of the total approved loan amount.
 - C. Interest Free Loan: The RSU will be obligated to repay approximately 48.94% (up to an estimated \$178,791) of the total approved loan amount over a five-year term. The Maine Municipal Bond Bank has agreed to lend these funds and to permit repayment at zero interest.
- School Board Recommends a "Yes" Vote.

and, be it further ordered, that said polls are to be kept open until eight o'clock in the afternoon of said day and then be closed.

6*) ORDER: Appointing Warden and Ward Clerk for the Election to be held on July 14, 2020

ORDER

Be It Ordered by the City Council of the City of Bath,

that the following Warden and Ward Clerk be appointed for the State of Maine Primary/Referendum Election to be held on Tuesday, July 14, 2020:

<u>State Warden</u>	<u>State Ward Clerk</u>
Darlene Compton	Mary Arsenault

7*) ORDER: Registrar of Voters' hours for the July 14, 2020 State Primary/Referendum/RSU #1 Budget Validation Election

ORDER

Be It Ordered by the City Council of the City of Bath, that the hourly schedule for the office of the Registrar of Voters shall be from 8:30am to 4:30pm Monday through Friday prior to the State of Maine Primary/Referendum Election and RSU #1 Validation Budget Election to be held Tuesday, July 14, 2020 at the City Clerk's Office, 55 Front Street.

Voters may register on the Day of the Election from 8:00AM to 8:00PM at the polls at the Bath Middle School, 6 Old Brunswick Road.

These Resolutions (4-7) were passed on the consent agenda.

8) ORDER: Approving Easement for 756 Middle Street

ORDER APPROVING EASEMENT

WHEREAS, the City of Bath is the owner of property designated as Middle Street; and

WHEREAS, Green on the Hill Properties, LLC, a Maine Limited Liability Company, is the owner of property located at, and designated as 756 Middle Street in Bath, and is more particularly described in deed recorded in the Sagadahoc County Registry of Deeds in Book 2019R, Page 08568; and

WHEREAS, the property is being renovated as a subdivision; and

WHEREAS, the Bath Planning Board conditionally approved the subdivision at its April 7, 2020 meeting, subject to the granting of an Easement from the City of Bath over a portion of the right-of-way of Middle Street for the purpose of locating a handicapped access ramp and stairs; and

WHEREAS, the Easement does not encroach upon the sidewalk or travelled portion of Middle Street or otherwise interfere with the use of Middle Street by the travelling public.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that an Easement Deed, substantially in the form attached hereto, be and hereby is approved, granting the Green on the Hill Properties, LLC the right to construct and perpetually maintain a handicapped access ramps and stairs on a limited portion of the Middle Street right-of-way, and the City Manager is authorized to execute the Easement Deed and such other and further documentation that may be necessary, appropriate or convenient to the Easement.

Motion made by Councilor Bauer, seconded by Councilor Park to put on floor.

City Planner Ben Averill stated that Madame Chair has read what he is going to present. The easement is for a handicap access ramp and stairs that will go to the roadway. Madame Chair asked if the Councilors have any questions. She asks if the neighbors have been notified. Mr. Averill stated that they were, and issues were brought to the developer. Seeing no further comment from public or council she asks for a vote.

ROLL CALL VOTE:

YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, Park and Ambrosino

NAYS: None

Passed unanimously, 8-0

9) ORDER: Approving a subordination agreement with Bath Iron Works

**ORDER APPROVING A SUBORDINATION AGREEMENT
WITH BATH IRON WORKS**

WHEREAS, the Bath Iron Works owns property at 700 Washington Street, which is identified as Lot 142, on City of Bath Tax Map 27, and consists of approximately 62 acres; and

WHEREAS, the Bath Iron Works Corporation has been engaged with the Maine Department of Environmental Protection (Maine DEP) to address certain environmental issues; and

WHEREAS, an Agreement has been proposed between Maine DEP and Bath Iron Works in the form of a Declaration of Environmental Covenant; and

WHEREAS, the City of Bath is being asked to subordinate its rights under certain sewer and stormwater easements which allow the City to repair, replace and maintain those pipes, and to excavate on BIW property; and

WHEREAS, the Environmental Covenants proposed by the State concern the disturbing of subsurface or surface soils by excavation; and

WHEREAS, the Environmental Covenants include a Soil Management Plan dealing with the management of soil excavation and providing protocols for the management of contaminated soils, and other hazardous waste; and

WHEREAS, the City of Bath is being asked to execute a Subordination Agreement that will have the effect of making the Soil Management Plan applicable to any excavations done by the City of Bath in maintaining its sewer and stormwater pipes located on BIW property.

NOW, THEREFORE, BE IT ORDERED by the City Council of the City of Bath that the Subordination Agreement, attached hereto, be and hereby is approved and that the City Manager is authorized to execute the Subordination Agreement and such other documentation that may be necessary, appropriate or convenient to the implementation of the Subordination Agreement.

Motion made by Councilor Bailey, seconded by Councilor Bauer to put on floor.

City Solicitor Roger Therriault explains that the order is sign the city up to the same protocols such as notices and handling of contaminated soils as the state would be. City Manager Peter Owen states that there are sewer lines that run under the yard and are still owned and maintained by the city. It would be BIW's contamination and would be responsible for the costs of the removal of that.

ROLL CALL VOTE:

YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, Park and Ambrosino

NAYS: None

Passed unanimously, 8-0

10) ORDER: Amending the Downtown Improvement Municipal Development Tax Increment Financing Development Program and designating the Uptown Affordable Housing Development and Tax Increment Financing District and adopting the Development Program for such affordable housing district

**CITY OF BATH, MAINE
COUNCIL ORDER**

**AN ORDER AMENDING THE DOWNTOWN IMPROVEMENT MUNICIPAL
DEVELOPMENT TAX INCREMENT FINANCING DEVELOPMENT PROGRAM AND
DESIGNATING THE UPTOWN AFFORDABLE HOUSING DEVELOPMENT AND TAX
INCREMENT FINANCING DISTRICT AND ADOPTING THE DEVELOPMENT
PROGRAM FOR SUCH AFFORDABLE HOUSING DISTRICT**

WHEREAS, the City of Bath (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the *Downtown Improvement Tax Increment Financing District* (the "Downtown District") and the development program for the Downtown District (the "Downtown Development Program"); and

WHEREAS, the City is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate the *Uptown Affordable Housing Development and Tax Increment Financing District* (the "Uptown AHTIF District," and together with the Downtown District, the "Districts") and the Development Program (the "Uptown AHTIF Development Program," and together with the Downtown Development Program, the "Development Programs"); and

WHEREAS, the City desires to adopt the Second Amendment to the Downtown District and Downtown Development Program (the "Second Amendment") to continue to achieve the Downtown District's original goals and to remove three parcels from the Downtown District to be included in the Uptown AHTIF District; and

WHEREAS, the City desires to designate the Uptown AHTIF District because there is a need for the development of affordable, livable housing in the City of Bath, in the surrounding region, and in the State of Maine; and

WHEREAS, the City Council has held a public hearing on July 1, 2020, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Downtown District and Downtown Development Program in accordance with the requirements of 30-A M.R.S.A. § 5226, and the City Council has held a public hearing on July 1, 2020, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of establishing the Uptown AHTIF District in accordance with the requirements of 30-A M.R.S.A. § 5250; and

WHEREAS, the City Council has considered the comments provided at the public hearings, regarding the Second Amendment to the Downtown District and the establishment of the Uptown AHTIF District and Development Program, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development, approving the Second Amendment to the Downtown District and from the Maine State Housing Authority approving the Uptown AHTIF District and Development Program;

NOW THEREFORE BE IT ORDERED AS FOLLOWS:

Section 1. The City Council hereby finds and determines that:

a. Pursuant to Title 30-A M.R.S.A. Section 5226(5) pertaining to TIF district and development program amendments, this Second Amendment does not result in the Downtown District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which pertain to the percentage of area within the Downtown District that is suitable for commercial use, the TIF acreage caps for single TIF districts and for all TIF districts in the Town, and the total TIF district valuation cap.

b. The Second Amendment will make a contribution to the economic growth and well-being of the City of Bath and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Bath, including 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 Council hereby amends the *Downtown Improvement Municipal Development Tax Increment Financing* and adopts the Second Amendment, all as more particularly described in the Second Amendment presented to the City Council.

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

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Second Amendment to the Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2).

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

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the Second Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the Second Amendment.

Section 7. The designation of the Uptown AHTIF District and pursuit of the Uptown AHTIF Development Program will contribute to the expansion of affordable housing

opportunities in the City of Bath and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City, and therefore constitutes a good and valid public purpose.

Section 8. Pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the ***Uptown Affordable Housing Development and Tax Increment Financing District*** and hereby adopts the Development Program for the Uptown AHTIF District described as more particularly set forth in the documents presented to the City Council in conjunction with this Order.

Section 9. Pursuant to the provisions of 30-A M.R.S.A. § 5250-A, the percentage of captured assessed value to be retained in the Uptown AHTIF District is hereby established as set forth in the Uptown AHTIF Development Program.

Section 10. The City Manager be, and hereby is, authorized, empowered and directed to submit the proposed designation of the Uptown AHTIF District and the proposed Development Program for the Uptown AHTIF District to MaineHousing for review and approval pursuant to the requirements of 30-A M.R.S.A. Chapter 206, Subchapter 3; and further is authorized and directed to execute a Credit Enhancement Agreement consistent with the provisions of the Uptown AHTIF Development Program as presented and approved herein and to create the accounts and take all the actions described in such agreement consistent with the Uptown AHTIF Development Program.

Section 11. The City Manager be, and hereby is, authorized and directed to execute an agreement with the developer of the Uptown affordable housing project regarding the District property owner's obligations if the project becomes entitled to pay less than 100% of the property tax obligation during the term of the Uptown AHTIF District.

Section 12. The City Manager be and hereby is authorized and empowered at his direction from time to time to make such revisions to the Development Program for the Uptown AHTIF District as he deems reasonably necessary or convenient in order to facilitate the process of review and approval of the Uptown AHTIF District by MaineHousing, or for any other reason, so long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the Uptown AHTIF Development Program. The City Manager is also hereby authorized and directed to submit any reports to MaineHousing regarding the Uptown AHTIF District and Development Program throughout the term of the Uptown AHTIF District.

Section 13. The foregoing designation of the Uptown AHTIF District and the adoption of the Development Program for the Uptown AHTIF District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the proposed Uptown AHTIF District by MaineHousing without requirements of further action by the City, City Council or any other party.

Section 14. The City hereby finds and determines that:

a. At least twenty-five percent (25%), by area, of the real property within the Uptown AHTIF District, as hereinafter designated, is suitable for residential use, blighted area or is in need of rehabilitation or redevelopment; and

b. The total area of the Uptown AHTIF 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, and the total area of all development districts within the City does not exceed five percent (5%) of the total acreage of the City; and

c. The original assessed value of the Uptown AHTIF District plus the original assessed value of all existing affordable housing development districts within the City does not exceed five percent (5%) of the total value of the City.

d. The Uptown AHTIF District and pursuit of the Uptown AHTIF Development Program will contribute to the expansion of affordable housing opportunities within the municipality or to the betterment of the health, welfare or safety of the inhabitants of the City. The City has considered all evidence, if any, presented to it with regard to any substantial detriment to another party's existing property interests in the City and has found and determined that such interested party's property interests in the City are outweighed by the contribution made by the Uptown AHTIF District or the Uptown AHTIF Development Program to the availability of affordable housing within the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

Section 15. The City Manager is authorized to file the yearly reports required by Title 30-A M.R.S.A. § 5250-E and otherwise to take all lawful actions required in the administration of the Uptown AHTIF District and Uptown AHTIF Development Program.

Dated: July 1, 2020

Councilor Park motioned to waive the reading; Councilor Leonard seconded the motion.

ROLL CALL VOTE:

YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, Park and Ambrosino

NAYS: None

Passed unanimously, 8-0

Madame Chair Eosco introduces Assistant City Manager Marc Meyers to then turn it over to Shana Cook Mueller from Bernstein Shur as legal TIF Counsel. She explains why it is in one order and what it authorizes.

Madame Chair asks for any public comments, then any further Council comments. Seeing none, she asks for a roll call vote.

ROLL CALL VOTE:

YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, Park and Ambrosino

NAYS: None

Passed unanimously, 8-0

F. Petitions & Communications

G. City Manager's Report 7:52pm

City Manager Peter Owen stated that the Economic and Development Committee has worked on many ideas to stimulate the downtown, reminding everyone to shop local. Concrete barriers to be placed on Front Street, parklets started on Centre Street, Benches and tables put out for social distancing dining, Maine Maritime Cruises and the LL Bean Boot mobile will be coming to the downtown in August.

City Hall will open the first floor without appointment starting July 6th and the City Bus will start operating as well by appointment. The report from the USDA has been received by the City and will be posted on the City website Thursday AM.

H. Committee Reports

Councilor Park reports that the Facilities Committee is still looking for community input for the Morse High School Reuse Response Survey

Councilor Leonard reports the Bike and Pedestrian Committee is looking into new bike racks and the Bath Water District is looking into building a new tank.

Councilor Bailey states that the Community Development Committee that there are still micro enterprise grants available for small businesses.

Councilor Ambrosino stated that the Tsugaru exchange is not happening this year and the committee is brainstorming ways to connect still virtually.

Councilor Bauer reports that the library plans to reopen soon.

I. Unfinished Business

J. New Business:

11) Re-appointments to the Bath Bicycle and Pedestrian Committee:

Anne Dunham Term Exp. 5/2025

Haley Blanco Term Exp. 5/2025

Madame Chair Eosco asks for any other nominations, seeing none she asks for a roll call vote.

ROLL CALL VOTE:

YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, Park and Ambrosino

NAYS: None

Passed unanimously, 8-0

L. Councilor Announcements:

EXECUTIVE SESSION 8:18pm

Real Estate Matter per 1 MRSA §405(6)(C)

Motion made by Councilor Ambrosino to enter executive session, seconded by Councilor Bailey.

ROLL CALL VOTE:

YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, Park, Ambrosino

NAYS: None

Passed, 8-0

Entered back into regular meeting at 8:43pm.

Madame Chair Eosco asked for a motion to adjourn the meeting.

Councilor Bailey motioned to adjourn, seconded by Councilor Leonard

ROLL CALL VOTE:

YEAS: Councilors Bailey, Paulhus, Nordmann, Leonard, DeChant, Bauer, Park and Ambrosino

NAYS: None

Passed, 6-0

Meeting adjourned at 8:44pm.

Attest:


Darci L. Wheeler

Darci L. Wheeler, City Clerk

July 24, 2020

Exhibit E

(Council Order)

**CITY OF BATH, MAINE
COUNCIL ORDER**

**AN ORDER AMENDING THE DOWNTOWN IMPROVEMENT MUNICIPAL
DEVELOPMENT TAX INCREMENT FINANCING DEVELOPMENT PROGRAM AND
DESIGNATING THE UPTOWN AFFORDABLE HOUSING DEVELOPMENT AND TAX
INCREMENT FINANCING DISTRICT AND ADOPTING THE DEVELOPMENT
PROGRAM FOR SUCH AFFORDABLE HOUSING DISTRICT**

WHEREAS, the City of Bath (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the *Downtown Improvement Tax Increment Financing District* (the "Downtown District") and the development program for the Downtown District (the "Downtown Development Program"); and

WHEREAS, the City is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate the *Uptown Affordable Housing Development and Tax Increment Financing District* (the "Uptown AHTIF District," and together with the Downtown District, the "Districts") and the Development Program (the "Uptown AHTIF Development Program," and together with the Downtown Development Program, the "Development Programs"); and

WHEREAS, the City desires to adopt the Second Amendment to the Downtown District and Downtown Development Program (the "Second Amendment") to continue to achieve the Downtown District's original goals and to remove three parcels from the Downtown District to be included in the Uptown AHTIF District; and

WHEREAS, the City desires to designate the Uptown AHTIF District because there is a need for the development of affordable, livable housing in the City of Bath, in the surrounding region, and in the State of Maine; and

WHEREAS, the City Council has held a public hearing on July 1, 2020, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Downtown District and Downtown Development Program in accordance with the requirements of 30-A M.R.S.A. § 5226, and the City Council has held a public hearing on July 1, 2020, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of establishing the Uptown AHTIF District in accordance with the requirements of 30-A M.R.S.A. § 5250; and

WHEREAS, the City Council has considered the comments provided at the public hearings, regarding the Second Amendment to the Downtown District and the establishment of the Uptown AHTIF District and Development Program, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development, approving the Second Amendment to the Downtown District and from the Maine State Housing Authority approving the Uptown AHTIF District and Development Program;

NOW THEREFORE BE IT ORDERED AS FOLLOWS:

Section 1. The City Council hereby finds and determines that:

a. Pursuant to Title 30-A M.R.S.A. Section 5226(5) pertaining to TIF district and development program amendments, this Second Amendment does not result in the Downtown District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which pertain to the percentage of area within the Downtown District that is suitable for commercial use, the TIF acreage caps for single TIF districts and for all TIF districts in the Town, and the total TIF district valuation cap.

b. The Second Amendment will make a contribution to the economic growth and well-being of the City of Bath and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Bath, including 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 Council hereby amends the *Downtown Improvement Municipal Development Tax Increment Financing* and adopts the Second Amendment, all as more particularly described in the Second Amendment presented to the City Council.

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

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Second Amendment to the Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2).

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

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the Second Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the Second Amendment.

Section 7. The designation of the Uptown AHTIF District and pursuit of the Uptown AHTIF Development Program will contribute to the expansion of affordable housing opportunities in the City of Bath and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City, and therefore constitutes a good and valid public purpose.

Section 8. Pursuant to Chapter 206, Subchapter 3 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby designates the *Uptown Affordable Housing Development and Tax Increment Financing District* and hereby adopts the Development Program for the Uptown AHTIF District described as more particularly set forth in the documents presented to the City Council in conjunction with this Order.

Section 9. Pursuant to the provisions of 30-A M.R.S.A. § 5250-A, the percentage of captured assessed value to be retained in the Uptown AHTIF District is hereby established as set forth in the Uptown AHTIF Development Program.

Section 10. The City Manager be, and hereby is, authorized, empowered and directed to submit the proposed designation of the Uptown AHTIF District and the proposed Development Program for the Uptown AHTIF District to MaineHousing for review and approval pursuant to the requirements of 30-A M.R.S.A. Chapter 206, Subchapter 3; and further is authorized and directed to execute a Credit Enhancement Agreement consistent with the provisions of the Uptown AHTIF Development Program as presented and approved herein and to create the accounts and take all the actions described in such agreement consistent with the Uptown AHTIF Development Program.

Section 11. The City Manager be, and hereby is, authorized and directed to execute an agreement with the developer of the Uptown affordable housing project regarding the District property owner's obligations if the project becomes entitled to pay less than 100% of the property tax obligation during the term of the Uptown AHTIF District.

Section 12. The City Manager be and hereby is authorized and empowered at his direction from time to time to make such revisions to the Development Program for the Uptown AHTIF District as he deems reasonably necessary or convenient in order to facilitate the process of review and approval of the Uptown AHTIF District by MaineHousing, or for any other reason, so long as such provisions are not inconsistent with these resolutions or the basic structure and intent of the Uptown AHTIF Development Program. The City Manager is also hereby authorized and directed to submit any reports to MaineHousing regarding the Uptown AHTIF District and Development Program throughout the term of the Uptown AHTIF District.

Section 13. The foregoing designation of the Uptown AHTIF District and the adoption of the Development Program for the Uptown AHTIF District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the proposed Uptown AHTIF District by MaineHousing without requirements of further action by the City, City Council or any other party.

Section 14. The City hereby finds and determines that:

a. At least twenty-five percent (25%), by area, of the real property within the Uptown AHTIF District, as hereinafter designated, is suitable for residential use, blighted area or is in need of rehabilitation or redevelopment; and

b. The total area of the Uptown AHTIF 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, and the total area of all development districts within the City does not exceed five percent (5%) of the total acreage of the City; and

c. The original assessed value of the Uptown AHTIF District plus the original assessed value of all existing affordable housing development districts within the City does not exceed five percent (5%) of the total value of the City.

d. The Uptown AHTIF District and pursuit of the Uptown AHTIF Development Program will contribute to the expansion of affordable housing opportunities within the municipality or to the betterment of the health, welfare or safety of the inhabitants of the City. The City has considered all evidence, if any, presented to it with regard to any substantial detriment to another party's existing property interests in the City and has found and determined that such interested party's property interests in the City are outweighed by the contribution made by the Uptown AHTIF District or the Uptown AHTIF Development Program to the availability of affordable housing within the City or to the betterment of the health, welfare or safety of the inhabitants of the City.

Section 15. The City Manager is authorized to file the yearly reports required by Title 30-A M.R.S.A. § 5250-E and otherwise to take all lawful actions required in the administration of the Uptown AHTIF District and Uptown AHTIF Development Program.

Dated: July 1, 2020

CITY OF BATH MAINE
IN CITY COUNCIL
July 1, 2020
UNRECEIVED READ AND ACCEPT
☐ TABLED ☐ GRANTED ☒ PASSED ☐ FAILED
REFERRED TO: [Signature]
ATTEST [Signature] CITY CLERK

passed by vote 8-0

Exhibit F

(Statutory Requirements and Thresholds)

STATUTORY REQUIREMENTS AND THRESHOLDS
Downtown Improvement Municipal TIF District | AMD-2

SECTION A. Acreage Caps		
1. Total municipal acreage;	4,480	
2. Acreage of proposed Municipal TIF District;	68.03	
3. Downtown-designation ¹ acres in proposed Municipal TIF District;	68.03	
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;	0	
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).	0%	
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ BIW I/10 Wing Farm/37.66 Huse School AHTIF/2.49 BIW II/58 * Downtown/68.03 Uptown AHTIF/0.98 **	Existing	109.13
	Proposed	68.03
	Total:	177.16
30-A § 5223(3) EXEMPTIONS⁴		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district;	68.03	
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0	
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0	
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:	0	
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	51.13	
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	1.14%	
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.	68.03	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

* This district is excluded from the acreage cap calculation under 30-A M.R.S.A 5223 (3)(c), ¶ 2.

** The Uptown AHTIF is being proposed simultaneously with this Second Amendment to the Downtown TIF.

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 PTZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
Downtown Improvement Municipal TIF District | AMD-2

SECTION B. Valuation Cap		
1. Total TAXABLE municipal valuation—use most recent April 1;	\$1,346,667,700	
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;	\$72,327,400	
3. Taxable OAV of all <u>existing/proposed</u> Municipal TIF districts in municipality excluding Municipal Affordable Housing Development districts: BIW I/\$0 Wing Farm/\$8,684,900 BIW II/\$128,011,800 Downtown/\$72,327,400	Existing	\$136,696,700
	Proposed	\$72,327,400
	Total:	\$209,024,100
30-A § 5223(3) EXEMPTIONS		
4. Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;	\$72,327,400	
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:	\$128,011,800	
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:	0	
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$8,684,900	
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	0.64%	

COMPLETED BY	
NAME :	Shana Cook Mueller
DATE :	June 17, 2020; corrected August 4, 2020

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

Exhibits G-1 and G-2

(Projections and Tax Shifts)

Exhibit G-1 Captured Assessed Value & TIF Revenue Projections
City of Bath - Second Amendment to the Downtown TIF District

Fiscal Year	TIF Year	Projected Increased Assessed Value	Estimated Assessment Ratio	TIF District Projected Captured Assessed Value	Projected Mil Rate 19-20: 19.80	Projected Total TIF Revenue
2019-2020	12	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2020-2021	13	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2021-2022	14	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2022-2023	15	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2023-2024	16	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2024-2025	17	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2025-2026	18	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2026-2027	19	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2027-2028	20	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2028-2029	21	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2029-2030	22	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2030-2031	23	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2031-2032	24	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2032-2033	25	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2033-2034	26	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2034-2035	27	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2035-2036	28	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2036-2037	29	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
2037-2038	30	\$13,409,900	100%	\$13,409,900	19.80	\$265,516
Total:						\$5,044,804

Assumptions:

1. Projections show anticipated increased assessed values, captured assessed values, and TIF revenues for the remainder of the 30-year TIF District term, assuming the actual increased assessed value for the 2019-2020 fiscal year remains unchanged for the duration.
2. The Second Amendment to the District removed a small portion of the acreage for purposes of designating a special affordable housing TIF district.
3. Projections assume a flat mil rate of 19.80.
4. Projections are much less likely to be accurate farther into the future and are for demonstrative purposes only.

Exhibit G-2 Tax Shift Benefits
City of Bath - Second Amendment to the Downtown TIF District

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Total Tax Benefit
2019-2020	12	-	-	-	\$0
2020-2021	13	-	-	-	\$0
2021-2022	14	-	\$19,645	\$18,849	\$38,494
2022-2023	15	\$109,693	\$19,645	\$18,849	\$148,187
2023-2024	16	\$109,693	\$19,645	\$18,849	\$148,187
2024-2025	17	\$109,693	\$19,645	\$18,849	\$148,187
2025-2026	18	\$109,693	\$19,645	\$18,849	\$148,187
2026-2027	19	\$109,693	\$19,645	\$18,849	\$148,187
2027-2028	20	\$109,693	\$19,645	\$18,849	\$148,187
2028-2029	21	\$109,693	\$19,645	\$18,849	\$148,187
2029-2030	22	\$109,693	\$19,645	\$18,849	\$148,187
2030-2031	23	\$109,693	\$19,645	\$18,849	\$148,187
2031-2032	24	\$109,693	\$19,645	\$18,849	\$148,187
2032-2033	25	\$109,693	\$19,645	\$18,849	\$148,187
2033-2034	26	\$109,693	\$19,645	\$18,849	\$148,187
2034-2035	27	\$109,693	\$19,645	\$18,849	\$148,187
2035-2036	28	\$109,693	\$19,645	\$18,849	\$148,187
2036-2037	29	\$109,693	\$19,645	\$18,849	\$148,187
2037-2038	30	\$109,693	\$19,645	\$18,849	\$148,187
2038-2039	31	\$109,693	\$19,645	\$18,849	\$148,187
2039-2040	32	\$109,693	\$19,645	\$18,849	\$148,187
2040-2041	33	\$109,693	-	-	\$109,693
Totals:		\$2,084,167	\$373,251	\$358,137	\$2,815,555
Averages:		\$109,693	\$19,645	\$18,849	\$148,187

Assumptions:

1. Data sources include the 2019 tax year tax rate calculation form, Sagadahoc County Commissioner's FY 2019-FY2020 Budget, the State Treasurer's Office Municipal Revenue Sharing projections for FY2020 (07/01/19 - 06/30/20, published 03/13/19) - *the State Treasurer has already announced that these projections are overstating the total amount of dollars likely to be available for Municipal Revenue Sharing for the coming expected payments but no new projections have yet been undertaken*, the Maine Department of Education 02/15/19 2018-2019 ED 279 form for RSU 01, and State Valuation Contribution based on the Average Sagadahoc 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.

**ECONOMIC DEVELOPMENT
BATH, MAINE**

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

**THIRD AMENDMENT TO
DOWNTOWN IMPROVEMENT MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM**

Presented to:

**City Council
City of Bath
February 16, 2022**

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING

A. General Information

1. Municipality Name: City of Bath		
2. Address: 55 Front Street, Bath, ME 04530		
3. Telephone: 207-443-8330	4. Fax:	5. Email: mmeyers@cityofbath.com
6. Municipal Contact Person: Marc Meyers, City Manager		
7. Business Name: Grant – Tate's Building, LLC		
8. Address: PO Box 51 Bath, ME 04530		
9. Telephone: 207-632-0424	10. Fax:	11. Email: seanireland72@gmail.com
12. Business Contact Person: Sean Ireland		
13. Principal Place of Business: 31 Centre Street, Bath ME 04530		
14. Company Structure (e.g. corporation, sub-chapter S, etc.): Grant-Tates Building LLC has no employees, it is a sole member LLC (Sean Ireland – Owner)		
15. Place of Incorporation: PO Box 51 Bath, ME 04530		
16. Names of Officers: Sean Ireland		
17. Principal Owner(s) Name: Sean Ireland		
18. Address: 31 Centre Street, Bath, ME 04530		

B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
<input checked="" type="checkbox"/> job creation	<input checked="" type="checkbox"/> job retention	<input checked="" type="checkbox"/> capital investment
<input type="checkbox"/> training investment	<input checked="" 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): Please turn to project cost list update in Development Program.	

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*).

**BATH DOWNTOWN MUNICIPAL TIF DISTRICT THIRD AMENDMENT
EMPLOYMENT GOALS**

Company Goals for Job Creation and Job Retention

<i>A. Job Creation Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
1. Executive, Professional & Technical	65		\$50,000+ / annual
2. Administrative Support, inc. Clerical	4		\$35,000 / annual
3. Sales & Service	0		\$n/a
4. Agriculture, Forestry & Fishing	0		\$n/a
5. Maintenance, Construction, Production, & Transportation	4		\$35,000 / annual
<i>B. Job Retention Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
1. Executive, Professional & Technical	35		\$50,000+
2. Administrative Support, inc. Clerical	0		\$
3. Sales & Service	0		\$
4. Agriculture, Forestry & Fishing	0		\$
5. Maintenance, Construction, Production, & Transportation	0		\$
<i>*Please use the Occupational Cluster descriptions on the next page to complete this form.</i>			

INSTRUCTIONS

A. Job Creation Goals. Please list the number, type and wage level of jobs created as a result of the economic development incentive. **NOTE:** For this form, "full-time" employment means 30 hours or more; "part-time" employment means less than 30 hours. "Wage level" means the average annual wage paid for jobs created within an occupational cluster, e.g. either their annual salary, or their hourly wage times their annual hours. Also, "type" means "occupational cluster" which refers to the 12 categories defined below. Please include the number of your employees (both full-time and part-time) working within the category that most closely reflects their job duties.

B. Job Retention Goals. Please list the number, type and wage level of jobs retained as a result of the economic development incentive. Part B should be completed using same definitions in Part A.

OCCUPATIONAL CLUSTERS

1. EXECUTIVE, PROFESSIONAL & TECHNICAL

Executive, administrative and managerial. Workers in executive, administrative and managerial occupations establish policies, make plans, determine staffing requirements, and direct the activities of businesses and other organizations. Workers in management support occupations, such as accountant and auditor or underwriter, provide technical assistance to managers.

Professional specialty. This group includes engineers; architects and surveyors; computer, mathematical, and operations research occupations; life, physical, and social scientists; lawyers and judges; social, recreational, and religious workers; teachers, librarians, and counselors; health diagnosing, assessment, and treating occupations; and communications, visual arts, and performing arts occupations.

Technicians and related support. This group includes health technologists and technicians, engineering and science technicians, computer programmers, tool programmers, aircraft pilots, air traffic controllers, paralegals, broadcast technicians, and library technicians.

2. ADMINISTRATIVE SUPPORT, INCLUDING CLERICAL

Administrative support, including clerical. Workers in this group prepare and record memos, letters and reports; collect accounts; gather and distribute information; operate office machines; and handle other administrative tasks.

3. SALES AND SERVICE

Marketing and sales. Workers in this group sell goods and services, purchase commodities and property for resale, and stimulate consumer interest.

Service. This group includes a wide range of workers in protective, food and beverage preparation, health, personal, private household, and cleaning and building services.

4. AGRICULTURE, FORESTRY AND FISHING

Agriculture, forestry and fishing. Workers in these occupations cultivate plants, breed and raise animals, and catch fish.

5. MAINTENANCE, CONSTRUCTION, PRODUCTION & TRANSPORTATION

Mechanics, installers, and repairers. Workers in this group adjust, maintain, and repair automobiles, industrial equipment, computers, and many other types of machinery.

Construction trades and extractive. Workers in this group construct, alter, and maintain buildings and other structures or operate drilling and mining equipment.

Production. These workers set up, adjust, operate, and tend machinery and/or use hand tools and hand-held power tools to make goods and assemble products.

Transportation and material moving. Workers in this group operate the equipment used to move people and materials. This group also includes handlers, equipment cleaners, helpers, and laborers who assist skilled workers and perform routine tasks.

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Exhibit C	Minutes of Public Hearing
Exhibit D	Statutory Requirements and Thresholds Form
Exhibit E-1	Anticipated TIF Revenues Generated by Grant Tates Project in District
Exhibit E-2	Tax Shift Benefits Associated with Grant Tates Project in District
Exhibit F	Prior Approved Development Program Materials

I. Introduction

The Downtown Improvement Municipal Development and Tax Increment Financing District (the “District”) was first approved by the Maine Department of Economic and Community Development (“DECD”) on March 21, 2008. The City of Bath (the “City”) created the District in order to capture increased assessed value from a particular new business development within the Downtown area and to utilize tax increment revenues to fund a variety of economic development expenditures by the City designed to enhance the Downtown area, including improving pedestrian access and access to the Kennebec River, increasing pedestrian traffic in the area, improving the infrastructure aesthetics and visual appearance of the Downtown area, promoting the history of Bath and the region, addressing parking issues Downtown, and continuing with implementation of the railroad station plan.

The Development Program was subsequently amended and restated (the “First Amendment”) to add additional parcels totaling 2.80 acres to the District and alter the public project cost list, receiving City Council approval on June 24, 2009. DECD approved the First Amendment on February 26, 2010.

The District and Development Program were amended a second time to remove three parcels from the District. The parcels were removed to be included in an affordable housing development and tax increment financing district. The District’s acreage was reduced to 68.03 acres and the Original Assessed Value (OAV) was adjusted to \$72,327,400 to reflect the reduced acreage. The City Council approved the Second Amendment on July 1, 2020. DECD approved the Second Amendment on August 6, 2020.

II. Third Amendment to Development Program

The City now wishes to amend the District and Development Program a third time (the “Third Amendment”) in order to permit and authorize a Credit Enhancement Agreement (“CEA”) at the 31 Centre Street parcel within the District, known as The Grant – Bates Building. The parcel is described as tax map 27 lot 98. The CEA will be for a term of 10 years starting on July 1, 2023 and ending on June 30, 2033. The Developer will receive a 75% reimbursement of the captured assessed value on the parcel. The City will retain the remaining 25% of captured assessed value for use on municipal project costs.

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 Third Amendment shall become effective upon approval by DECD for the July 1, 2022 – June 30, 2023 fiscal year.

III. Second Amendment Municipal Approvals

A. Notice of Public Hearing

Attached as Exhibit A hereto is a copy of the Notice of Public Hearing regarding adoption of the Third 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 Third Amendment was held on February 16, 2022, in accordance with the requirements of 30-A M.R.S.A. § 5226(1).

B. Authorizing Votes

Attached as Exhibit B hereto is a copy of the Bath City Council Order approving this Third Amendment, which Order was adopted by the Council at a meeting of the Council duly called and held on March 2, 2022.

C. Minutes of Public Hearing Held by City Council

Attached as Exhibit C hereto is a certified copy of the minutes of the public hearing held on February 16, 2022, at which time this Third Amendment to the Development Program was discussed by the public.

D. Statutory Requirements and Thresholds Form

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

Exhibit A

(Notice of Public Hearing)

**NOTICE OF PUBLIC HEARING
CITY OF BATH**

Regarding

The Approval of the Third Amendment to “Downtown Improvement Municipal Development and Tax Increment Financing District” and the Development Program therefor

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

**Wednesday, February 16, 2022
at City Hall**

located at 55 Front Street, Bath, ME 04530 at 6:00 p.m.

The purpose of the public hearing is to receive public comment on the item identified above, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The proposed Third Amendment to the Downtown Improvement TIF seeks to amend the Development Program to authorize the City to enter into a Credit Enhancement Agreement with Grant-Tates Building, LLC to develop the parcel located at 31 Centre Street.

A copy of the materials relating to the Third Amendment to the Downtown Improvement District will be on file with the City Clerk prior to the public hearing. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time. A copy of the proposed application is available at the City Clerk's Office and can also be obtained by calling the City Clerk at 207-443-8332 during normal business hours and requesting that a copy be mailed to you.

Please see the City of Bath website at cityofbath.com in advance of the meeting to find out if there will be a remote participation option.

Public comments will be taken at the meeting and written comments should be submitted to dwheeler@cityofbath.com.

Exhibit B

(City Council Order)

**CITY OF BATH, MAINE
COUNCIL ORDER**

**AN ORDER AMENDING THE DOWNTOWN IMPROVEMENT MUNICIPAL
DEVELOPMENT TAX INCREMENT FINANCING DEVELOPMENT PROGRAM AND
APPROVING THE CREDIT ENHANCEMENT AGREEMENT WITH GRANT-TATES
BUILDING, LLC**

WHEREAS, the City of Bath (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 Downtown Improvement Tax Increment Financing District ("the District") and to adopt a development program for the District (the "Development Program"); and

WHEREAS, on February 6, 2008, the Bath City Council (the "City Council") designated the District and adopted a Development Program for the District (the "Original Development Program"), which received the approval from the Maine Department of Economic and Community Development (the "Department") on March 21, 2008; and

WHEREAS, on June 12, 2009, the City adopted the First Amendment to the Original Development Program (the "First Amendment"), adding additional parcels to the District and altering the public project cost list, which received the approval from the Department on February 26, 2010; and

WHEREAS, on July 1, 2020 the City adopted the Second Amendment to the Development Program (the "Second Amendment"), removing parcels from the District, which received the approval from the Department on August 6, 2020; and

WHEREAS, the City desires to adopt this Third Amendment to the District and Development Program (the "Third Amendment") to allow for the authorization of a Credit Enhancement Agreement ("the CEA") with Grant-Tates Building, LLC, located at 31 Centre Street and to continue to achieve the District's original goals; and

WHEREAS, the City desires to approve the Credit Enhancement Agreement with Grant-Tates Building, LLC and grants authorization to the City Manager to finalize the CEA.

WHEREAS, the City Council has held a public hearing on July 1, 2022, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City, on the question of amending the Development Program in accordance with the requirements of 30-A M.R.S.A. § 5226; and

WHEREAS, the City Council has considered the comments provided at the public hearing, regarding the Third Amendment, if any; and

WHEREAS, it is expected that approval will be sought and obtained from the Department, approving the Third Amendment;

NOW THEREFORE BE IT ORDERED AS FOLLOWS:

Section 1. The City Council hereby finds and determines that:

a. Pursuant to Title 30-A M.R.S.A. Section 5226(5) pertaining to TIF district and development program amendments, this Third Amendment does not result in the District being out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3) which pertain to the percentage of area within the District that is suitable for commercial use, the TIF acreage caps for single TIF districts and for all TIF districts in the Town, and the total TIF district valuation cap.

b. The Third Amendment will make a contribution to the economic growth and well-being of the City of Bath and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Bath, including 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 Council hereby amends the Downtown Improvement Municipal Development Tax Increment Financing Development Program and adopts the Third Amendment, all as more particularly described in the Third Amendment presented to the City Council.

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

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Third Amendment to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226(2); and further is authorized, empowered and directed to enter into the CEA on terms described in the Third Amendment on behalf of the City.

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

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the documents adopting the Third Amendment as he may deem reasonably necessary or convenient in order to facilitate the process for review and approval of the Third Amendment by the Department, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Council in adopting the Third Amendment.

Dated: _____, 2022

Exhibit C

(Minutes of Public Hearing)

Exhibit D

(Statutory Requirements and Thresholds Form)

STATUTORY REQUIREMENTS AND THRESHOLDS
Downtown Improvement Municipal TIF District | AMD-3

SECTION A. Acreage Caps		
1. Total municipal acreage;		4,480
2. Acreage of proposed Municipal TIF District;		68.03
3. Downtown-designation ¹ acres in proposed Municipal TIF District;		68.03
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;		0
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2%).		0%
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ BIW I/10 Wing Farm/37.66 Huse School AHTIF/2.49 BIW II/58 * Downtown/68.03 Uptown AHTIF/0.98	Existing	109.13
	Proposed	68.03
	Total:	177.16
30-A § 5223(3) EXEMPTIONS⁴		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district;		68.03
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:		0
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:		0
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:		0
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;		51.13
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).		1.14%
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.	68.03	100%
TOTAL (except for § 5223 (3) exemptions a., b. OR c. must be at least 25%)		100%

* This district is excluded from the acreage cap calculation under 30-A M.R.S.A 5223 (3)(c), ¶ 2.

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.

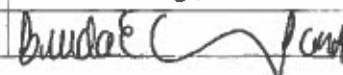
³ For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

⁴ Downtown/TOD overlap nets single acreage/valuation caps exemption.

⁵ PTDZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
Downtown Improvement Municipal TIF District | AMD-3

SECTION B. Valuation Cap		
1. Total TAXABLE municipal valuation—use most recent April 1;	\$1,219,067,400	
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;	\$72,327,400	
3. Taxable OAV of all <u>existing/proposed</u> Municipal TIF districts in municipality excluding Municipal Affordable Housing Development districts: BIW I/\$0 Wing Farm/\$8,684,900 BIW II/\$128,011,800 Downtown/\$72,327,400	Existing	\$136,696,700
	Proposed	\$72,327,400
	Total:	\$209,024,100
30-A § 5223(3) EXEMPTIONS		
4. Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;	\$72,327,400	
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 Valuation⁶ Municipal TIF districts:	\$128,011,800	
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:	0	
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5% limit;	\$8,684,900	
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5%).	0.712%	

COMPLETED BY			
PRINT NAME	Shana Cook Mueller		
SIGNATURE		DATE	
<p>If this form has <u>not</u> be 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	Brenda Cummings, CMA		
SIGNATURE		DATE	Feb 8, 2022

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

Exhibit E-1

**(Anticipated TIF Revenues Generated by Grant Tates
Project in District)**

Exhibit E-1 Anticipated TIF Revenues
Generated by Grant Tates Project in District
City of Bath - Second Amended Downtown TIF District (Grant Tates Project only)

Fiscal Year	TIF Year	CEA Year	Projected Increased Assessed Value	Percent of Value Captured in TIF	Estimated Assessment Ratio	TIF District Projected Captured Assessed Value	Projected Mil Rate 21/22: 20.30	Projected Total TIF Revenue	CEA with Developer (75%)	Municipal TIF Fund (25%)
2022-2023	15	-	\$0	100%	100%	\$0	20.30	\$0	\$0	\$0
2023-2024	16	1	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2024-2025	17	2	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2025-2026	18	3	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2026-2027	19	4	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2027-2028	20	5	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2028-2029	21	6	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2029-2030	22	7	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2030-2031	23	8	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2031-2032	24	9	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2032-2033	25	10	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$23,620	\$7,873
2033-2034	26	-	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$0	\$31,493
2034-2035	27	-	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$0	\$31,493
2035-2036	28	-	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$0	\$31,493
2036-2037	29	-	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$0	\$31,493
2037-2038	30	-	\$1,551,400	100%	100%	\$1,551,400	20.30	\$31,493	\$0	\$31,493

10-year CEA total:	\$314,934	\$236,201	\$78,734
10-year CEA average:	\$31,493	\$23,620	\$7,873
16-year total:	\$472,401	\$236,201	\$236,201
16-year average:	\$29,525	\$14,763	\$14,763

Assumptions:

- Projections show anticipated increased assessed values, captured assessed values, and TIF revenues.
- Includes demonstration of remainder of 30-year district term with 100% capture. Assumes 10-year CEA starting at TIF year 16 where 75% of the TIF Revenue is allocated to the Developer and the remaining 25% goes to the City TIF Fund. All other TIF Revenue is allocated to the City TIF Fund.
- Projections assume a flat mil rate of 20.30.
- Table only shows projects for only the one parcel affected by the CEA. The original assessed value for this parcel is \$648,600 and the current assessed value as of April 1, 2021 is \$536,100. The Developer estimates the project will result in a total assessed value of \$2,200,000, resulting in a \$1,551,400 increased assessed value over the original assessed value.
- Projections are much less likely to be accurate farther into the future and are for demonstrative purposes only.

Exhibit E-2

**(Tax Shift Benefits Associated with Grant Tates Project in
District)**

Exhibit E-2 Tax Shift Benefits

City of Bath - Second Amended Downtown TIF District (Grant Rates Project Only)

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Total Tax Benefit
2022-2023	15	-	-	-	\$0
2023-2024	16	-	-	-	\$0
2024-2025	17	-	\$0	\$0	\$0
2025-2026	18	\$0	\$1,036	\$2,534	\$3,570
2026-2027	19	\$11,015	\$1,036	\$2,534	\$14,585
2027-2028	20	\$11,015	\$1,036	\$2,534	\$14,585
2028-2029	21	\$11,015	\$1,036	\$2,534	\$14,585
2029-2030	22	\$11,015	\$1,036	\$2,534	\$14,585
2030-2031	23	\$11,015	\$1,036	\$2,534	\$14,585
2031-2032	24	\$11,015	\$1,036	\$2,534	\$14,585
2032-2033	25	\$11,015	\$1,036	\$2,534	\$14,585
2033-2034	26	\$11,015	\$1,036	\$2,534	\$14,585
2034-2035	27	\$11,015	\$1,036	\$2,534	\$14,585
2035-2036	28	\$11,015	\$1,036	\$2,534	\$14,585
2036-2037	29	\$11,015	\$1,036	\$2,534	\$14,585
2037-2038	30	\$11,015	\$1,036	\$2,534	\$14,585
2038-2039		\$11,015	\$1,036	\$2,534	\$14,585
2039-2040		\$11,015	\$1,036	\$2,534	\$14,585
2040-2041		\$11,015	-	-	\$11,015
Totals:		\$165,224	\$15,541	\$38,015	\$218,780
Averages:		\$10,327	\$971	\$2,376	\$11,515

Assumptions:

1. Data sources include the projected calculated mil rate, Sagadahoc County 2022 Taxes adopted June 8, 2021, the State Treasurer's Office Municipal Revenue Sharing projections for FY2022 (07/01/2021 - 06/30/2022 Published 07/02/2021), and the Maine Department of Education 01/18/22 2022-2023 ED 279 form for RSU 1.
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, so it is characterized as the tax shift benefit. Based on the most recent formulas and data sources, the City of Bath experiences a 46% tax shift loss from all new tax revenues. TIF revenues are retained at 100%.
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 F

(Prior Approved Development Program Materials)

CITY OF BATH, MAINE

AMENDED AND RESTATED DOWNTOWN IMPROVEMENT MUNICIPAL
DEVELOPMENT TAX INCREMENT FINANCING DEVELOPMENT PROGRAM

Dated: February 6, 2008
Amended and Restated: June 12, 2009

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DEVELOPMENT PLAN
DOWNTOWN IMPROVEMENT MUNICIPAL
DEVELOPMENT TAX INCREMENT FINANCING DISTRICT

I. Development Program Narrative:

Overview/Background:

The City of Bath is proposing to form the Downtown Improvement Municipal Development Tax Increment Financing District in order to fund and accomplish a number of downtown improvement projects identified below. These projects generally consist of a number of enhancements to the Bath downtown that are designed to improve pedestrian access and access to the Kennebec River, increase pedestrian traffic in the area, improve the infrastructure aesthetics and visual appearance of the downtown, continue with implementation of the railroad station plan, to promote and display the history of Bath and the Bath region, and to address downtown parking issues.

These downtown improvements are vital to the continued viability and economic health of the downtown area. They are based on plans and studies, some of which are as much as a decade old, as well as committee reports and recommendations. All have the general support of the community but have been delayed due to funding requirements and the inability to fund these improvements through the property tax.

Upcoming changes to the economy of the area, continued improvements and construction at the Bath Iron Works, and the availability of funding, make these projects necessary and appropriate to create and maintain viable economic conditions in the downtown. The economic factor recognizes that the local economy including Bath's downtown economy, will be affected by the closure of the Brunswick Naval Air Station scheduled for 2011. The closure will remove some 5,000 military and civilian personnel traditionally employed at the facility. A large number

of these personnel live in the area with their families. The jobs have been estimated as providing some \$300,000,000.00 per year to the local economy. These jobs will be gradually phased out over time up to the date of the closure. The proposed Wing Farm Enterprise Tax Increment Financing District and Development Program is intended to begin addressing the replacement of some of these local jobs and replace at least a portion of the wages generated by these jobs. The Downtown Improvement Municipal Development Tax Increment Financing District and Development Program is intended to address the affect the loss of those jobs would have on the Bath downtown by creating a more viable, attractive destination for not only those living in the region but also to encourage our visitors from away to consider Bath a destination location. The status of Bath Iron Works and its employees also bares a direct relationship to the viability of the Bath downtown economy. The local economy and the City's tax base are dependent on the status of Bath Iron Works. They are the largest private sector employer in the State of Maine and the largest taxpayer in the City of Bath. There have been significant job fluctuations over recent years at Bath Iron Works. Over the last ten years, their employment has decreased approximately 25% (from approximately 8,000± to 6,000±). At the present time, they are in the midst of layoffs of certain trades due to fluctuations in their workflow. Bath Iron Work's ship workers support the local economy and the loss of jobs at Bath Iron Works affects the Bath downtown economy as much if not more so than the job loss at the Brunswick Naval Air Station. As well, with the construction of new ship building facilities at the far south end of the Bath Iron Work's property, more remote from the downtown area, there is less opportunity for employees during noon breaks to access the downtown because of the distance involved.

Funding becomes available through the proposed Wing Farm Enterprise Tax Increment Financing District. As noted in that Development Program, the initial cost of providing the

infrastructure for the business park expansion, and even the off site related projects, will not utilize all of the tax increment revenue from the project. It is proposed, therefore, that the revenue be shared with the Downtown Improvement Municipal Development Tax Increment Financing District in order to fund the improvement projects identified under this Development Program.

The City proposes to amend its Downtown Improvement Municipal Development Tax Increment Financing District and Development Plan to include certain land parcels in the northern end of the Downtown District (known collectively as the "Prawer Block" and consisting of Lots 260, 261, 262, 263, 269, and 270, on City of Bath Tax Map 26). The purpose of amending the District is to capture planned new private sector investment on those parcels to fund public infrastructure improvements necessary and appropriate to support the new private sector investment and to provide additional funding for the District's previously stated Development Program. The proposed new private sector investment is an 86-room Hampton Inn, expected to result in an estimated \$7,000,000 of additional assessed value in the District. It is believed that all permits are in hand for construction and that the developer is finalizing construction contracts.

The City further proposes to amend its Downtown Development TIF by adding additional municipal improvement projects to the District's Development Program and to make commensurate revisions to the previously submitted Development Program Budget.

New captured assessed value in the amended Downtown Improvement Municipal Development Tax Increment Financing District is estimated at \$3,371,200 over the 30-year life of the District to support the infrastructure improvements associated with the Prawer Block development and to support municipal improvement projects initially identified as part of the

Development Program. Funding provided by tax revenue from this additional captured assessed value will be in addition to revenue shared from the Wing Farm Enterprise Tax Increment Financing District.

Project Description:

The primary purpose of the Downtown Improvement Municipal Development Tax Increment Financing District is to support and fund six separate and distinct projects that are intended to maintain and enhance the economic viability of the downtown area and of the businesses located in that area. The District has been drawn carefully to include the obvious downtown area as well as several adjacent properties that are immediately adjacent to the downtown area that will be specifically involved in the proposed projects. For example, the railroad station property is included as that property is to be connected to the downtown and the riverfront by walkways. As well, the Winter Street Center property is included as it is proposed to be part of the cultural-heritage-education project. Excluded from the District, however, but within the downtown area itself and adjacent to the downtown, are several significant commercial parcels that are undeveloped or underdeveloped. The Development District has been extended along public rights of way and includes the proposed riverwalk. Both the rights of way and the riverwalk are adjacent to parcels that are available for future commercial development and will provide links from these commercial areas to the existing downtown and existing commercial properties. By way of amendment, the City proposed to add the so-called "Prawer Block" properties, designated by specific Map and Lot number above to the District, for the purpose of capturing proposed additional valuation represented by the Hotel Project.

Even with the TIF revenues anticipated to result from the private sector investment relating to the Hotel Project on the Prawer Block there is not likely to be sufficient new valuation

generated within the District, as amended, to support the cost of the municipal investment required for the projects articulated in the original Development Plan. Even at a recapture rate of 100% on increased real estate valuation, the increment is minimal. Therefore, the City is proposing to "share" tax increment revenues with the Wing Farm Enterprise Tax Increment Financing District. Tax increment revenues generated by the Wing Farm Enterprise Tax Increment Financing District shall be considered available for the projects under the Downtown District, to the extent that they are not needed to support debt service needed for financing of any of the identified projects under the Wing Farm Enterprise District. The Downtown Improvement Municipal Development Tax Increment Financing District conforms to the requirement of downtown development districts as stated in 30-A M.R.S.A. Section 522(8) and (9).

Costs and Projects Within the District:

The specific projects proposed for the Downtown Improvement Municipal Development Tax Increment Financing District are as follows:

- Implement "Walkable City" initiatives. The "Walkable City" initiatives is a key part of an "Action Plan for the Bath Waterfront and Downtown," prepared for the City of Bath by Wilbur Smith Associates and TAMS Consultants, Inc., 1999.

Water Street will be improved so that it looks less like the backside of the Front Street retail block and, also, less like one is driving through a mall parking lot. Street trees will be planted along the street to create an edge to Water Street and a buffer to the parking lots. Downtown-style streetlights will also be installed along Water Street. These improvements will make Water Street an attractive part of the downtown. Estimated cost for the Water Street improvements is \$75,000.

Sidewalks will be constructed on the east side of Commercial Street from Broad Street to the Kennebec Tavern, and on the west side to Summer Street. Downtown-style, energy efficient streetlights and street trees will also be installed. The unsightly overhead utility wires will be put underground. Estimated cost for Commercial Street improvements is \$400,000.

By way of amendment, the City proposed to construct public sidewalks, period lighting, and appropriate landscaping and hardscaping on the public rights-of-way surrounding the proposed Hotel Project on the Prawer Block property. It is the City's responsibility to

create these public infrastructure improvements in order to tie the Hotel to the rest of the adjacent downtown area. The City expects to collaborate with the Hotel developer and his contractors for construction of the sidewalks, lighting, streetscape, and landscape improvements. The project will be funded through municipal bonded indebtedness, to be repaid with TIF proceeds generated by the increased assessed value created by the Hotel Project. Estimated costs for the Prawer Block infrastructure improvements is \$400,000.

A riverwalk along the Kennebec River will also be constructed. This system, along with the expanded sidewalks (above) and the walkways in the RR Station Park (below), are part of the improved multi-modal pedestrian connections and "walkers city" program described in the "Action Plan for the Bath Waterfront and Downtown." The riverwalk and expanded sidewalks will provide walkable connections from the City's public waterfront park and the City's railroad station which is part of plans for a multi-modal transportation facility to the south, and to other commercial properties to the north. In order to fully execute this plan land along the river will have to be acquired from property owners. The estimated cost of this riverwalk system is \$1,400,000.

The decorative lighting installed along Front and Centre streets in the 1970s will be replaced with more energy efficient lighting of the same style. This may allow the City to reduce the number of fixtures and have better lighting downtown. This street light upgrade is estimated to cost \$200,000.

A part of the City's wayfinding plan will be implemented in the downtown. Two directories, similar to the ones by City Hall and at the Waterfront Park, will be constructed. One of these directories will be installed in the Water Street parking lot and the other near the corner of Elm and Front streets. These directories will identify places to visit in the downtown and in the region. Additional pedestrian amenities such as benches and waste receptacles will be placed at strategic locations in the downtown. These improvements are estimated to cost \$5,000.

Total Cost of implementation of "Walkable City" initiatives is \$2,480,000.

- Implement Railroad Station Plan. The Railroad Station Plan is part of the "Commercial Street Extension Improvement Plan," that was prepared for the City by Terrance J. DeWan and Associates in 2004.

Parking and safety improvements will be made around the Station. A brick or paving-stone walkway will be constructed on the south side of the Station to encourage pedestrians to walk on the trackside of the Station, not in Commercial Street. Parking improvements will be constructed east of the Station for visitors as well as inter-city buses. A riverwalk will be built that will connect the Station to the Waterfront Park. The space under the Sagadahoc Bridge will be developed for dual use; twice a week it will accommodate the Bath Farmers' Market as a covered, yet fresh air market, while the rest of the week it will be parking for the downtown. Other additional parking will be constructed for long term use by downtown employees and train riders, customers using the Railroad Station, and for day use by RVs and motor homes.

Landscaping and decorative lighting like that in the Waterfront Park will add to the Railroad Station - Waterfront Park connection. Other pedestrian amenities such as benches and kiosks explaining the history and significance of the area will be installed.

The estimated cost to implement the Railroad Station Park Plan is \$1,400,000.

- Implement Downtown Parking Improvements. This project, again, is based upon the "Action Plan for the Bath Waterfront and Downtown," cited above, and from a Plan by Wright-Pierce in February of 2005.

The Water Street parking lot (on the south side of the Police Station) will be expanded. Also, a parking management plan will be developed and implemented. This plan will include the best use (long-term to short-term) for the various parking areas in the downtown, information regarding downtown parking in the form of a brochure and on the City's web site, and a signage plan directing motorists to the most appropriate and convenient parking locations.

Through this amendment, the City proposes to construct additional parking-related improvements under its Development Program related to displacement of parking by the Hotel Development on the Praver Block. The site of the planned Hotel Development is presented being used as a parking area to accommodate downtown employees and customers of nearby businesses. Once construction commences, these parking places will be displaced and will create an adverse impact on existing and already limited public parking in the downtown area. The City proposes to include with this amendment, project costs associated with construction of municipally owned surface parking lot(s) to address the demand for parking for downtown employees and business customers brought about by the Hotel Development. The site or sites for these improvements has not yet been determined; it is possible that improvement sites could be identified outside by in close proximity to the Downtown District. Under these circumstances, the City proposes that project costs would be eligible and authorized under 30-A M.R.S.A. Section 5225(1)(B), as improvements made outside the District but directly related to or made necessary by District improvements.

The estimated cost of these parking improvements related to the Water Street parking lot, to replace parking displaced by the Hotel Project, and a parking management plan is \$400,000.

- Implement Renovations for Redevelopment - Former YMCA Building. After the Bath Area Family YMCA constructed and occupied their new facility on outer Congress Avenue in 1999, the former YMCA building was conveyed to the City of Bath. A significant portion of that building is unoccupied and needs significant renovations to become useable space. It is, however, a building that has potential for business/commercial uses. A sale to a private developer is unlikely due to the estimated cost of renovations.

Through this amendment, the City recognizes that additional work has been done regarding the viability of the YMCA building and financial realities of building renovation. As a result, the City proposes to direct additional funding under this project cost for the demolition of the former YMCA building and reclamation of the site for the purpose of facilitating private commercial purpose and redevelopment of the City-owned tax exempt property. The prominent location of the site within the downtown and within the original Development District, is likely to generate commercial interest in the site, similar to that which has lead to the redevelopment of the Praver Block, enabling the City to further expand its commercial tax base in the downtown.

To provide for business or commercial use of the site the estimated cost is \$600,000.

- Implement Waterfront Park Commercial Pier and Multi-Modal Transportation Improvements. This project is a result of work done and recommendations made by the City's Waterfront Park Committee.

The pier at the Waterfront Park will be replaced. The paths throughout the Park will be surfaced with paving stones. The 20-year old restrooms will be refurbished.

These improvements, especially improvements to the pier, will allow larger vessels to utilize the pier. This will enable the City to attract cruise ships that are currently unable to utilize the facility due to their size, which will in turn bring additional people to the Bath destination and will funnel them to the multi-modal transportation facility at the train station and through the riverwalk and other pedestrian walkways as well as other commercial locations in the downtown. The pier expansion and renovations will also allow for more commercial vehicles such as excursion boats to utilize the pier and the waterfront park.

The estimated cost of these Waterfront Park improvements is \$500,000

- Implement Cultural-Heritage-Education Project. This project is, again, part of the "Action Plan for the Bath Waterfront and Downtown," cited above.

A permanent heritage center (perhaps at the Winter Street Center) will be established. This Center will house and display information on the history of Bath and the region. "Museum-in-the-Streets"-type of markers will be erected in the downtown and along historic street adjoining the downtown. These markers will be a part of a self-guided walking tour promoting Bath's history, including its architectural history. This historical walkway will be connected to the riverwalk along the river.

The estimated cost of this Cultural-Heritage-Education project is \$100,000.

- Implement Associated Costs. Also included as projects costs are the City's general municipal development costs. These would include costs related to economic development in the District, tax increment financing administrative costs, professional

services costs and fees, marketing expenses, and employee training, and if funds are available, the establishment of a commercial revolving loan fund.

- Implement Update Plans. As may be necessary and appropriate, the City of Bath proposes to update and/or supplement its planning documents and to provide tax increment revenue costs associated with that process.

Costs Outside But Related to the District:

Under this Development Program, there are no costs for projects that are outside the Development District. The projects delineated under the original Development Program do not provide for any costs for activities outside the originally identified Development District. The City has identified, however, the possibility that costs associated with replacing with additional public spaces, those private spaces eliminated by the development of the Praver Block. To the extent that such development of parking is outside the District, the City proposes that these projects and the costs associated with it are determined to be directly related to or made necessary by development within the District and be allowed as project costs.

The captured tax increment generated by the Wing Farm Enterprise District that exceeds the repayment costs for bonded indebtedness for securities issued for the projects listed in the Wing Farm Enterprise Development Program, will be available to be diverted to support the Development Program set forth above. The Wing Farm Enterprise Municipal Development and Tax Increment Financing Development Program is linked with the Bath Downtown Improvement Municipal Development Tax Increment Financing District due to the adverse traffic impacts generated by development of the Wing Farm Business Park and the affect of employment at Bath Iron Works, together with shifting the focus of that employment to the south end of the yard and away from downtown. It is anticipated that both of those factors will have a significant affect on the City's downtown and make the project improvements aimed at enhancing the downtown, imperative. The adoption of the Development Program and

designation of the Wing Farm Enterprise Municipal Development District is being proposed to the Bath City Council for adoption contemporaneous with this Development Program and District designation and it is intended to be submitted to the Department of Economic and Community Development with this application.

With two exceptions, all of the property involved in the Downtown Improvement Projects listed above are to be carried out on City-owned property. The two exceptions that may involve private property would be the riverwalk and the Winter Street center. To the extent that any private property was involved, long term arrangements with the property owner would be put in place before property development.

As a result, there appears to be no requirement for permitting processes. As well, there do not appear to be any wetlands or environmental issues that are known at this time. Such issues, if they exist, would be identified as part of the engineering of each individual project. Any required permitting or environmental controls would be put in place at that time.

No buildings or residences are being displaced within the District and there will not be any physical dislocation of any persons, residences or businesses.

Goals and Objectives:

The goals and objectives of this Development Program are as follows:

- To enhance and increase the economic viability of downtown Bath.
- To improve and facilitate pedestrian access to downtown Bath and the Bath waterfront.
- To enhance the aesthetics of and access to downtown Bath and to enhance its desirability as a downtown destination.
- To incorporate Bath's historic and cultural assets with the downtown.
- To address and improve downtown parking.
- To maintain and enhance downtown employment.

- To enhance and improve the economy of Bath and of the area.

Municipal Development Program:

The Downtown Improvement Municipal Development Tax Increment Financing District is relying on the tax increment generated by the Wing Farm Enterprise Municipal Development District to fund the projects in its Development Program. The Downtown Improvement Municipal Development Tax Increment Financing District is essentially fully built and will not be generating any significant additional valuation. Funding for the downtown improvement projects will be provided from the tax increment from the Wing Farm Enterprise District, to the extent that they are not needed for debt service to support debt acquired for the Wing Farm Enterprise Development Projects and will compete with the other projects listed in the Development Program for funding. By way of amendment, the City proposes to include the Prawer Block with its associated Hotel Project, within the Development District, for the purpose of capturing the approximate \$7,000,000 additional valuation represented by the Project. The taxes generated by the Project will become available tax increment revenues for project costs in the Downtown District. Tax increment revenues from the project will first be allocated to pay debt services on the City's bonded indebtedness, which indebtedness will fund the infrastructure improvements to the sidewalks surrounding the Prawer Block.¹ Additional tax increment revenue from the Hotel Project, and tax increment revenue from the Wing Farm Enterprise District, will providing funding for the project costs listed in this Development Plan as amended.

¹ At its meeting on June 24, 2009, the Bath City Council gave second and final passage to a Bond Ordinance authorizing the issuance of general obligation bonds in the amount not to exceed \$425,000.00 for the purpose of financing the construction of the sidewalks around the Prawer Block and appropriating the bond proceeds to that purpose. In accordance with Section 3, the term of the bond is anticipated to be ten (10) years at an estimated interest rate of 4.5% per annum. At this assumed term and rate, the interest on the bonded indebtedness over the 10-year term of the bond will approximate \$95,625.00. In addition, the Bath City Council is expected at its July 1, 2009 meeting, to approve a Design-Build Contract for the design and construction of the sidewalks and related infrastructure.

It is expected that the Bath City Council will determine among these competing projects which is appropriate and at what time, based on such factors as necessity, other available funding sources, and available tax increment revenues. The tax increment funds in which the Downtown Improvement District is expected to share, initially, will be generated by development that is in place on the Bath Iron Works Tract of the Wing Farm Enterprise District. These improvements will generate an additional \$12,000,000.00 in additional real property valuation and \$2,300,000.00 in personal property valuation. The revenue from new real property valuation will be captured at a rate of 75% and the new revenue from the increased personal property valuation will be captured at a rate of 100%. Additionally, it is reasonably expected that the Wing Farm Tract will provide for up to 260,000 square feet of additional business/commercial space and an additional \$14,500,000.00 of increased assessed value in that District. This will be captured at the rate of 75%. An additional \$2,000,000.00 is expected to be generated from additional personal property valuation on the Wing Farm Tract. This will be captured at a rate of 100%. Over the 30-year term of the Wing Farm Enterprise Tax Increment Financing District, revenues have been estimated at \$7,959,638.00. These funds are available for projects costs in both the Wing Farm Enterprise District and the Downtown Improvement District. Additionally, with the amendments to the Downtown District and this Development Plan, private investment in the Praver Block associated with the Hotel Project is expected to generate an additional \$7,000,000 in real property valuation. The revenue from new real property valuation will be captured at the rate of 100% over the remainder of the 30-year term of this amended Downtown Improvement Municipal Development Tax Increment Financing District, additional tax increment revenues have been estimated at \$3,371,200. Priorities for use of these funds will be determined by the Bath City Council after all debt service requirements are met. This

Development Program does not call for participation by any private developer or private entity and all tax increment revenue and project costs associated with this Development Program are utilized solely for the municipal projects as designated.

This Development Program presents few risks to the City. The estimates of tax increment revenue are conservative, in terms of projection of funds available over the term of the TIF. This Program, as well as the Wing Farm Enterprise Program also recognizes the need to support debt service before utilizing funds for other projects or debt service on other projects.

The projects listed under this Development Program, even more so than the projects identified under the Wing Farm Enterprise TIF Development Program, involve traditional municipal activities which are managed by the municipalities, including the City of Bath, on a regular basis. These are the types of projects that the City would normally undertake, provide funding, and would construct. Additionally, the funding will be provided from a known source of revenue.

In addition to the significant benefits already identified, the City suggest that the following benefits are also provided:

- The goals and objectives outlined above are met by the Development Program.
- There is very little impact on current City services and municipal costs.
- Municipal ownership of virtually all of the project sites allows the municipality to fully control the construction schedule and financing.

II. Physical Description:

1.	Total Taxable Acreage of Community	4,480 Acres
2.	Total Taxable Acreage for Proposed District	66.72 Acres
3.	Percentage Line 2 of Line 1	1.489%

(Line 2 Divided by Line 1 – Cannot Exceed 2%)

- | | | |
|----|---|--------------|
| 4. | Total Acreage of Existing TIF Districts in Bath | 68 Acres |
| 5. | Percent Line 4 of Line 1
(Line 4 Divided by Line 1 – Cannot Exceed 5%) | 1.52% |
| 6. | Total Acreage of Existing and Proposed TIF Districts | 134.72 Acres |
| 7. | Percent Line 6 of Line 1
(Line 6 Divided by Line 1 – Cannot Exceed 5%) | 3.01% |
| 8. | Not less than 25%, by area, of the real property within a Development District shall meet at least one of the following Criteria: | |
| | a. Blighted Area | N/A |
| | b. Area in need of rehabilitation, redevelopment or conservation | N/A |
| | c. Area suitable for commercial development
(Percent Line 6c of Line 2) | 66.72 Acres |
| | (Line 6c divided by Line 2 – must exceed 25%) | 100% |
| 9. | Enclosed Locator Maps | |
| | a. Municipal map showing site location of TIF District Relative to municipal boundaries | |
| | b. Tax Map – showing TIF District | |

I hereby certify that all of the above physical description is true and accurate to the best of my knowledge.

Paul D. Mateosian
Tax Assessor
City of Bath

Note: The Downtown Improvement District is exempt from these requirements under 30-A M.R.S.A. Section 5223(3)(D)(2).

III. Financial Plan:

Summary: The proposed Tax Increment Financing District encompasses essentially the entire City of Bath's downtown, with the exception of unimproved properties, together with adjacent and adjoining parcels that are part of the Development Program Project. The current valuation of the property within the District, both real and personal, is \$77,996,500.00. This generates a tax revenue at the current mill rate of 16.7 mills of \$1,302,542.00. Since the area in the District is essentially full developed, there is expected to be negligible new investment and, therefore, no significant new valuation within the District. As noted, the District projects delineated in this Development Program will be funded by revenues generated by additional valuation and tax increment generated by the Wing Farm Enterprise Tax Increment Financing District. That revenue, after having been adjusted for debt service, is expected to provide available income over the 30-year life of both tax increment financing districts of \$9,606,624.00. This amount is available for projects in either district subject only to debt service requirements, and these monies shall be allocated by the Bath City Council.

Financing Plan: In accordance with the provisions of 30-A M.R.S.A. Section 5227(1), the amount of tax increment revenues to be retained for purposes of the Downtown Improvement Municipal Development Tax Increment Financing District shall be in accordance with the following:

- **Term:** Tax reimbursements made under this Development Program will begin during fiscal year 2008-2009 and continue through fiscal year 2037-2038.
- **Real Property:** The municipality shall capture 100% of the new real estate property tax revenue for the 30 years of the Development Program. Based on projections that there will be little, if any, new real estate development within the District.

- **Personal Property:** The municipality shall not capture any of the new personal property tax revenue for the 30 years of the Development Program.

Municipal Development Program Fund: This Development Program and the provisions of 30-A M.R.S.A. Section 5227(3) require that a Program Development Fund be established and the tax increment revenues transferred into this account. This shall include a project cost account from which all project costs are to be paid, including all debt service associated with project costs. There will be no developer's sub-account of the project cost account, since all of the projects are solely municipal related and the municipality is acting as the developer for these projects identified in this Development Program. Most, if not all, of the income into the Program Development Fund will be monies transferred from the Program Development Fund of the Wing Farm Enterprise Tax Increment Financing District. Any revenues from the capture of additional real estate investments within the District, would be deposited directly into this Development Program Fund. To the extent that there are remaining funds in the project account not necessary for ongoing or current expenses, then these funds will be invested by the City of Bath in accordance with accepted municipal investment practices and State Law requirements. The Development Program Fund and the City's project cost account will be used exclusively for paying for the expenses related to the projects outlined in this Development Program and associated administrative expenses.

Public Improvements: This TIF Municipal Development Program provides for a number of public improvement projects in the downtown area. The municipality will be undertaking these projects as developer and shall have the full responsibility of constructing the designed public improvement projects. The City reserves the right, in accordance with the responsibility of the Bath City Council to assign development priorities, to divert tax increment financing

revenue from the Wing Farm/Enterprise TIF to the Downtown Improvement Tax Financing District to support development projects in the Downtown District and to the extent that such funding is not necessary for debt service for the Wing Farm Enterprise TIF. This will allow the City to schedule development projects in either or both Districts as needed and as opportunities occur, other funding may become available, and the priorities and requirements shift over the term of the Development Program.

Financial Data:

1. Total value of taxable equalized property in the municipality as of 3/31/07:
\$1,139,019,600.00
2. Original assessed value of all properties in existing and proposed tax increment Financing Districts:

BIW TIF District I:	<i>\$128,011,800.00</i>
BIW TIF District II:	<i>\$0.00</i>
Proposed Downtown Improvement TIF District:	<i><u>\$77,996,500.00</u></i>
Total Line 2	<i>\$206,008,300.00</i>
- 2a. Total Line 2 divided by Line 1: 18.08%

NOTE: The existing BIW TIF is exempt under 30-A M.R.S.A. Section 3223(3)(C)(1,2,3,4). The proposed District is exempt under 30-A M.R.S.A. Section 3223(3-Final Paragraph).

3. Estimated increased assessed value by year after implementation of the Development Program: See Schedule E.
4. Percentage of increased assessed valuation to be applied to the development sinking fund: Any Captured Assessed Value and distribution of and the

distribution of tax increment revenue that may be realized within the Development District shall be captured at the rate of 100% of the new real estate valuation. Any increased valuation and tax increment revenue based on new personal property valuation is not proposed to be captured. Any of these increased revenues not captured will remain in the General Fund.

5. Estimated annual tax increment: See Schedule E.
6. Total annual value of developing sinking fund: The sinking for this Development District will consist primarily of monies transferred from the Wing Farm Enterprise TIF District. It is anticipated that these funds will be transferred on an as needed basis to offset direct project costs or funding for debt service for project costs. It is anticipated that excess revenues will be retained in the Wing Farm Enterprise TIF account and will be invested as prescribed under accepted municipal investment practices and State Law.
7. Annual principal and interest payments of City bonded indebtedness: None anticipated at present.
8. Financial assumptions and safeguards: As noted, funding for the projects proposed as part of this Development Program, are dependent upon tax increment received under the Wing Farm Enterprise TIF. The financial assumptions and safeguards that are delineated in that Program would be the same as would be applicable to the projects described in this Development Program. In summary, they note that the infrastructure is in place for the BIW Tract investment and is certain to generate tax increment revenue. Other income is dependent upon the

build out of the Wing Farm Business Park Phase II and the timing of that build out. Funds obviously can only be utilized as they become available.

9. Statement of impact of TIF on Taxing Jurisdictions within the County: In accordance with Maine Statutes governing the establishment and approval of Tax Increment Financing Districts, certain tax shifts relating to this project which result from the establishment of this District, and accrue to the benefit of the City of Bath. These tax shifts have been identified as follows:

- Education Tax Shift \$1,283,800
- Revenue Sharing Tax Shift \$308,284
- County Tax Shift \$259,206

See Tax Shift Schedule, Schedule F.


SCHEDULE A

CITY OF BATH CERTIFICATION OF ORIGINAL ASSESSED VALUE
AS RESTATED AND AMENDED

NOW COMES Paul D. Mateosian, duly constituted and acting Assessor in and for the City of Bath, and hereby constitutes, pursuant to the provisions of 30-A M.R.S.A. Section 5254(2) that the original assessed value as of March 31, 2007 was \$75,095,500 and additional value added as of March 31, 2009 of the real property in the Downtown Improvement Municipal Tax Increment Financing District was \$998,000. As amended the total value of the District was as follows:

Total Original Assessed Value With District Amendment: \$76,093,500

IN WITNESS WHEREOF this Certificate has been executed this 10th day of June, 2009.



Paul D. Mateosian
Assessor
City of Bath



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ECONOMIC
AND COMMUNITY DEVELOPMENT



HEATHER JOHNSON
COMMISSIONER

August 6, 2020

Peter H. Owen
City Manager
CITY OF BATH
55 Front Street
Bath, Maine 04530

RE: Downtown Improvement Municipal Tax Increment Financing (TIF) District and Development Program *Second Amendment* (AMD-2)

A P P R O V E D

Dear Mr. Owen,

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

- a. District taxable Original Assessed Value of \$72,327,400, consisting of \$71,505,500 as of March 31, 2007 (April 1, 2006) and \$821,900 as of March 31, 2009 (April 1, 2008) —acreage 68.03;

Per February 6, 2008 original designation and previous amendment approvals, DECD restates:

- b. District term of 30 years ending June 30, 2038;
- c. Real property Increased Assessed Value (IAV) capture of up to 100%. Note 30-A M.R.S.A. §§ 5225(1)(B)(3)(b) allows portage of revenue from other Bath Municipal TIF districts into this District, only while capture remains 100% for this TIF and such portage is an allowable project cost in Commissioner-approved development program for the other districts;
- d. District revenues deposited/held in dedicated accounts and applied ONLY toward approved activities/projects due completion BEFORE/BY JUNE 30, 2038.
 - i) Project Cost accounts to fund public activities/projects,
 - ii) Sinking Fund Account to retire associated public debt, if any;
- e. CITY may NOT negotiate/execute any agreements with reimbursement components without due public process and future amendment;
- f. Any non-captured incremental property values resulting in General Fund revenue/deposits MUST be included/reported with City equalized assessed value;
- g. Any future amendment MUST comply with 30-A M.R.S.A. §§ 5221-5235 and DECD rules;
- h. When District expires, or is terminated, BATH MUST NOTIFY DECD IN WRITING.

As further described in the Program, City revenue allocation projected at \$6,359,502 may facilitate funding for an estimated \$5,580,000 in public costs and associated debt—if any. This funding MUST comply with already established Bath appropriation process—with activities/projects due completion



JANET T. MILLS
GOVERNOR



HEATHER JOHNSON
COMMISSIONER

BEFORE/BY JUNE 30, 2038. DECD restates/approves public activities/projects costs listed below, with AMD-2 changes/additions underlined:

WITHIN DISTRICT

- i. Implement "Walkable City" Initiatives: construct and improve sidewalks, streetscapes, street lighting, wayfinding, and a Riverwalk trail to improve pedestrian travel throughout Downtown: Water Street \$75,000, east side of Commercial Street from Broad Street to Kennebec Tavern, and on west side to Summer Street \$400,000, Hotel Project Prawer Block \$400,000/Kennebec Riverwalk system \$1,400,000/Street light upgrade along Front and Centre Streets \$200,000/ Wayfinding Directories and pedestrian amenities \$5,000;
- j. Railroad Station Plan implementation \$1,400,000;
- k. Downtown Parking Improvements and management plan \$400,000;
- l. Former YMCA Building redevelopment renovations for business/commercial use \$600,000 (completed);
- m. Waterfront Park Commercial Pier and Multi-Modal Transportation Improvements \$500,000 (completed);
- n. Cultural-Heritage-Education Project \$100,000;
- o. Economic Development costs related to District economic development, administrative and professional services costs, marketing, and employee training. If funds available, establishment of commercial permanent revolving loan funds 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 \$50,000;
- p. Update/Supplement Planning Documents \$50,000.

Bath is obligated to verify proper authorization for each project cost to be undertaken, pursuant to 30-A M.R.S.A. §§ 5225(1)(A-B). DECD advises City to plan for debt retirement to coincide with District term end of June 30, 2038.

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

cc: via e-mail only
Senator Eloise A. Vitelli (SD-23)—129th Legislature
Representative Sean C. Paulhus (HD-52)—129th Legislature
Peter Lacy, MRS Property Tax Division Acting Director
Brenda Cummings, Bath Assessor
Shana Cook Mueller, Bernstein, Shur, Sawyer & Nelson, P.A

MTIF: Application Synopsis for Commissioner Consideration

■ DISTRICT DATA: PREVIOUS DATA GRAY

MUNICIPALITY	Bath	COUNTY	Sagadahoc	TERM	30
DISTRICT NAME	Downtown Improvement				
ORIGINAL DISTRICT (OD): Y/N	N	AMENDED: Y/N	Y	# AMD	2
DOWNTOWN EXEMPT: Y/N	Y	PAPER MILL EXEMPT: Y/N	N	RP CAPTURE	100%
APPLICATION BASIS	Remove three parcels to create a proposed Uptown Affordable Housing TIF. Town approved 7/1/2020				
HISTORY	<p>[3/21/08] OD: To fund and accomplish several downtown improvement projects, intended to maintain and enhance the economic viability of the downtown area and the businesses located in that area. Downtown Redevelopment Plan name "Bath Waterfront and Downtown Final Report, dated February 1999.</p> <p>[2/26/10] AMD-1: Increase District footprint, by adding "Prower Block" properties to capture planned new private sector investment, add public project costs, and revise/correct OAV. Town approved June 24, 2009.</p>				
TERM DATES	START: July 1, 2008- June 30, 2009 (FY 2009)		END: July 1, 2037- June 30, 2038 (FY 2038)		
DESIGNATION DATE OF ORIGINAL DISTRICT AND DEVELOPMENT PLAN:		February 6, 2008			

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

■ COMPANY OR DEVELOPER DATA

ENTITY ADDRESS	N/A
-----------------------	-----

Company (CO); Developer (DEV)

■ STATUTORY REQUIREMENTS

WITHIN ACREAGE CAP?	OD 66.72 + AMD-1 2.40 TOTAL: 69.12 - AMD-2 1.09 TOTAL 68.03	EX	MUNICIPAL BONDS ISSUED? Y/N/MAY	Y
ON SUITABLE PROPERTY?		Y	TAX SHIFTS CALCULATED?	Y
OAV CERTIFIED?	OD \$77,996,500 + AMD-1 \$998,000 TOTAL \$76,093,500 - AMD-1 \$3,766,100 TOTAL \$72,327,400	EX	PUBLIC NOTICE AND HEARING?	Y
WITHIN VALUE CAP?		EX	PASSED BY MAJORITY VOTE? 8/0	Y

Downtown; Transit-Oriented Development; Community Wind Power; Single Taxpayer/High Valuation exemptions may apply (EX).

■ PLANNED REVENUE DISTRIBUTION

TO GENERAL FUND (NON-TIF)?		\$0	
FOR MUNICIPAL DEBT?	\$425,000 (Amd-1, pg. 13)	IF AMD, ANY BONDS TO DATE?	Two debts, 11 years remaining: Prower Block has \$298,074 outstanding & Waterfront Park upgrade has \$580,000.
FOR CREDIT ENHANCEMENT AGREEMENT?		\$0	
OMNIBUS DISTRICT Y/N			N

MTIF: Application Synopsis for Commissioner Consideration

REIMBURSEMENT SCHEDULE	OD-N/A		
FOR BONA-FIDE ECONOMIC DEVELOPMENT?	\$1,580,214	Assessment Year: 2008-2019	
	\$4,779,288	<u>Projected 2019-2037</u>	
	\$6,359,502	Total	
PUBLIC PROJECTS/COSTS	<p>[\$5,480,000 \$5,580,000] AMD-2 changes <u>underlined</u>.</p> <p>(T1) Implement "Walkable City" initiatives: construct and improve sidewalks, streetscapes, street lighting, wayfinding, and a Riverwalk trail to improve pedestrian travel throughout Downtown: Water Street \$75,000, east side of Commercial Street from Broad Street to Kennebec Tavern, and on west side to Summer Street \$400,000, Hotel Project Prawer Block \$400,000/Kennebec Riverwalk system \$1,400,000/Street light upgrade along Front and Centre Streets \$200,000/ Wayfinding Directories and pedestrian amenities \$5,000; Railroad Station Plan implementation \$1,400,000; Downtown Parking Improvements and management plan \$400,000; Former YMCA Building redevelopment renovations for business/commercial use \$600,000 (<u>completed</u>); Waterfront Park Commercial Pier and Multi-Modal Transportation Improvements \$500,000 (<u>completed</u>); Cultural-Heritage-Education Project \$100,000; Economic Development costs related to District economic development, administrative and professional services costs, marketing, and employee training. If funds available, establishment of commercial permanent revolving loan funds 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 <u>\$50,000</u>; Update/Supplement Planning Documents <u>\$50,000</u>.</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.		
DPO RECOMMENDS COMMISSIONER APPROVAL? Y/N/OTHER	Y	T.M.	8/6/2020
APPLICATION RECEIPT DATE	7/29/2020	CHECK AFTER DATA ENTRY <input type="checkbox"/>	

Form revised 5/14/2020

Department is in receipt of required advisories from MDOACF, dated 2/10/2010.

AMD-1 Bond: 10- year bond, estimated interest of 4.5% per annum, approximate total \$95,625 for sidewalks construction around the Prawer Block (newly added footprint with AMD-1)

AMD-2: Requested verification Downtown Redevelopment Plan name "Bath Waterfront and Downtown Final Report, dated February 1999, adopted by Bath. Now able to provide, at time of AMD-2 approval. Since AMD-2 is to remove parcels, to create an affordable housing TIF, approval issued, while working on resolving this issue.



Shana Cook Mueller
(207) 228-7134 direct
smueller@bernsteinshur.com

July 29, 2020

Sent via FedEx
Tracking No. – 7711 2260 1572

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

**Re: Second Amendment to the City of Bath Downtown Improvement
Municipal Development and Tax Increment Financing District**

Dear Tina:

Enclosed with this letter please find the application for the Second Amendment to the Downtown Improvement Municipal Development and Tax Increment Financing District Development Program as approved by the City of Bath on July 1, 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 black ink, appearing to read "Shana Cook Mueller".

Shana Cook Mueller

Enclosures

cc: Peter Owen, City of Bath, City Manager
John Kaminski, Esq.



CITY of BATH, MAINE

Office of the City Manager

Peter H. Owen

55 Front Street

Bath, Maine 04530

July 20, 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 the Downtown Improvement Municipal Development and Tax
Increment Financing District*

Dear Commissioner Johnson,

On the behalf of the City of Bath, I am pleased to submit the Second Amendment to the
Downtown Improvement Municipal Development and Tax Increment Financing District
Development Program.

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

Sincerely,

Peter H. Owen, P.E.

City Manager

**ECONOMIC DEVELOPMENT
BATH, MAINE**

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

**SECOND AMENDMENT TO
DOWNTOWN IMPROVEMENT MUNICIPAL DEVELOPMENT
AND TAX INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM**

Approved by:

**City Council
City of Bath
July 1, 2020**

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING

A. General Information

1. Municipality Name: City of Bath		
2. Address: 55 Front Street, Bath, Maine 04530		
3. Telephone: 207-443-8330	4. Fax:	5. Email: powen@cityofbath.com
6. Municipal Contact Person: Peter Owen, City Manager		
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:		
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	X <input type="checkbox"/> other (list): Please reference project cost list in the development program	

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

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A. Notice of Public Hearing	3
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C. Minutes of Public Hearing and City Council Meeting	4
D. Statutory Requirements and Thresholds Form.....	4

Exhibit List

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

I. Introduction

The Downtown Improvement Municipal Development and Tax Increment Financing District (the “District”) was first approved by the Maine Department of Economic and Community Development (“DECD”) on March 21, 2008. The City of Bath (the “City”) created the District in order to capture increased assessed value from a particular new business development within the Downtown area and to utilize tax increment revenues to fund a variety of economic development expenditures by the City designed to enhance the Downtown area, including improving pedestrian access and access to the Kennebec River, increasing pedestrian traffic in the area, improving the infrastructure aesthetics and visual appearance of the Downtown area, promoting the history of Bath and the region, addressing parking issues Downtown, and continuing with implementation of the railroad station plan.

The Development Program was subsequently amended and restated (the “First Amendment”) to add additional parcels to the District and alter the public project cost list, receiving City Council approval on June 24, 2009. DECD approved the First Amendment on February 26, 2010.

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 remove three parcels, identified on City tax maps as 26-248-001,¹ 26-249-000, and 26-218-000, from the District. The parcels to be removed from this District will instead be included in proposed Uptown Affordable Housing Development and Tax Increment Financing District being considered by the City Council along with this Second Amendment. The District’s total acreage will now be 68.03 acres. Please see Exhibit A-1 for an amended map of the District. The District’s Original Assessed Value (the “OAV”) will now be \$72,327,400, 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 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, 2020 – June 30, 2021 fiscal year.

¹ When the District was originally created, lot 26-248-001 was included as part of lot 26-248-000. A portion of lot 26-248-000 remains in the District after this Second Amendment.

TABLE 1
City of Bath's Project Costs
Previously Approved Projects

Project	Cost Estimate	2020 Status Update
1. "Walkable City" Initiatives: construct and improve sidewalks, streetscapes, street lighting, wayfinding, and a riverwalk trail to improve pedestrian travel throughout Downtown. a. Water Street b. Commercial Street c. Hotel Project Prawer Block d. Riverwalk System e. Street Light Upgrade f. Wayfinding Directories and pedestrian amenities	 \$75,000 \$400,000 \$400,000 \$1,400,000 \$200,000 \$5,000	 Underway
2. Railroad Station Park Plan: fund costs associated with safety, pedestrian, and parking improvements at Railroad Station Park, including constructing walkways and a riverwalk as well as new parking areas.	 \$1,400,000	 Underway
3. Downtown Parking Improvements: expand and construct new parking areas in the Downtown and establish a parking management plan.	 \$400,000	 Underway
4. Renovations for Redevelopment – Former YMCA Building: costs associated with demolition of former YMCA building and reclamation of lot for redevelopment.	 \$600,000	 Completed

Downtown Improvement Municipal Development and Tax Increment Financing District
Second Amendment

5. Waterfront Park Commercial Pier and Multi-Modal Transportation Improvements: replace pier, pave paths in Park, and refurbish restrooms.	\$500,000	Completed
6. Cultural-Heritage Education Project: establish a permanent heritage center.	\$100,000	Not yet undertaken
7. Economic Development Costs: costs related to economic development in the District, tax increment financing administrative costs, professional services costs and fees, marketing expenses, and employee training, and if funds are available, the establishment of a commercial revolving loan fund.	\$50,000	Ongoing
8. Update/Supplement Planning Documents	\$50,000	Ongoing
Total:	\$5,580,000	

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 July 1, 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 Bath 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 July 1, 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 July 1, 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.
