

**FALMOUTH TOWN COUNCIL**  
**ORDER TO AMEND THE DEVELOPMENT PROGRAMS**  
**FOR THE WEST FALMOUTH CROSSING AND ROUTE ONE NORTH AND SOUTH**  
**TAX INCREMENT FINANCING DISTRICTS**

**Public Comment: December 8, 2008**

**Adopted: \_\_\_\_\_**

WHEREAS, the Council amended the TIF Development Programs for the West Falmouth Crossing and Route One – North and South Tax Increment Financing Districts in 2005; and

WHEREAS, staff reviewed in 2008 the development projects that have been completed under these two programs, projects that still are to be completed, and new projects that could be implemented in these two districts over the next ten years; and

WHEREAS, staff provided a general TIF overview PowerPoint presentation to the Council on April 15, 2008; and

WHEREAS, the Council reviewed the 2009 Development Programs as well as the project lists by year and TIF schedules for 2009 through 2018; and

WHEREAS, the Council will review and authorize specific expenditures for each of these projects as part of its regular operating and capital improvement budget cycles; and

WHEREAS, a Public Hearing was held on 10 days notice for such hearing published in The Forecaster.

WHEREAS, the Town Council desires to amend the Development Programs for the West Falmouth Crossing and Route One – North and South Tax Increment Financing Districts to authorize tax increment revenues be used for additional qualified TIF projects, as presented to the Town Council; and

WHEREAS, it is expected that approval will be sought and obtained from the Commissioner of the Maine Department of Economic and Community Development (the “DECD”), approving adoption of the amendments to the Development Programs;

NOW THEREFORE BE IT ORDERED, by the Falmouth Town Council in Town Council assembled:

Section 1. The Town Council hereby finds and determines that adoption and pursuit of the amendments to the Development Programs for the West Falmouth Crossing and Route One – North and South Tax Increment Financing Districts presented to the Town Council (the “Amended Development Programs”) to authorize the additional qualified TIF projects presented to the Town Council (the “New TIF Projects”) will generate substantial economic benefits for the Town and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore the Amended Development Programs and the New TIF Projects described therein constitute good and valid public purposes and will contribute to the

economic growth or well-being of the inhabitants of the Town or to the betterment of the health, welfare or safety of the inhabitants of the Town, and any adverse economic effect on or detriment to any existing business is outweighed by the contribution expected to be made through the Amended Development Programs and the New TIF Projects described therein to the economic growth or well-being of the Town and the betterment of the health, welfare and safety of its inhabitants.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the Town hereby adopts the Amended Development Programs presented to the Town Council and such Amended Development Programs are hereby established as the Development Programs for the West Falmouth Crossing and Route One North and South Tax Increment Financing Districts.

Section 3. The term of the Route One – North and South Tax Increment Financing District is extended from FY2020 to FY2023.

Section 4. The Town Manager be, and hereby is, authorized, empowered and directed to submit the proposed Amended Development Programs to DECD, in such form and format as he shall deem suitable and appropriate, for review and approval pursuant to the requirements of 30-A M.R.S.A. §5226(2).

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

Section 6. The Town Manager be and hereby is authorized and empowered, at his discretion, from time to time, to make such revisions as the Town Manager deems reasonably necessary or to the scope, cost or description of the public improvements to be financed with a portion of tax increment revenues generated under the Amended Development Programs, in order to facilitate the process for review and approval of the Amended Development Programs by DECD, or for any other reason so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Amended Development Programs.

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

Adopted by the Falmouth Town Council on \_\_\_\_\_, 2008, at its regular meeting.

Acting Town Clerk: \_\_\_\_\_ Dated: \_\_\_\_\_