# CITY COUNCIL MEETING

## AGENDA ITEM VII



# CITY OF FRANKLIN COUNCIL AGENDA REPORT

November 7, 2016 City Council Meeting

From:

Richard Lewis, Director of Planning and Zoning

Subject:

Action by the City Council on the proposed TIF Plan

Recommended Motion:

"I move the Franklin City Council conduct a public hearing on December 5, 2016 on the revised Franklin Falls Mixed Use TIF Plan".

#### Discussion:

As most of you are aware, the City Council adopted a Tax Increment Financing [TIF] Plan for the downtown area in September of 2008. Due to the economic downturn that began later that same year, there have been substantial declines in the values of properties within the TIF District. In order to better position the City to capture new values and revenues for the revitalization efforts now taking place in the downtown, the preparation of a revised TIF Plan was deemed necessary. This TIF Plan will replace and supersede the 2008 plan.

Pursuant to the provisions of RSA 162-K, this public hearing will provide for any comments from the Merrimack County Commissioners and the impacted School Boards. A memo on the TIF Plan and the proposed hearing will be sent to both of these agencies immediately following the setting of the hearing by the Council.

I am attaching a copy of the draft 2016 TIF Plan; I am also attaching a copy of the TIF Primer that can help answer any questions you have. I will also remind you that the TIF process was the subject of an informative article in the recent NHMA "Town and City" magazine. I think both the Primer and the article can help explain the TIF process and it benefits.

The 2016 TIF Plan has been discussed by the City Manager, Jim Aberg, of FBIDC, and Niel Cannon, the City's Downtown Coordinator, who is funded through the grant from the USDA Rural Development Office. The consensus of this group is that:

- 1. The new TIF Plan incorporates the goals and objectives from the Franklin for a Lifetime projects of April, 2015 and June, 2016.
- 2. The Plan recognizes the need for the City to be flexible in deciding which projects will receive TIF funding. This is achieved by requiring that each individual proposed project come before the City Council for funding; this will insure that the best and most appropriate projects are selected to benefit from the expenditure of TIF dollars.
- 3. As mentioned above, the values set in 2008 have dropped, and by revising the Plan for 2016 values, we can better capture new values from the improvements already occurring in the downtown and mill district area.

Depending on the specific nature of the comments coming out of the 12/5/16 hearing, and assuming that the changes are not substantial in scope and do not change the overall intent or nature of the TIF plan, the Council could, at the January 2, 2017 hearing of this City Council, approve and adopt the 2016 plan, or take other action as the Council sees fit.

Adopting and using a TIF Plan is an important tool towards the creation of a public / private partnership, which is seen by many as being critical for successful downtown revitalization efforts.

#### **Fiscal Impacts:**

No significant fiscal impacts are anticipated since the appropriated TIF funds come from the added tax revenues arising from the new values of the improvements to properties in the TIF District, and not from the base values established at the time of the adoption of the Plan. And as mentioned in the Plan itself, the projects funded with the TIF dollars will help raise the overall values of the downtown properties thus adding broader tax revenues to the general fund.

#### **Alternatives:**

The City Council can either vote to schedule the public hearing for the December meeting, or it can push the hearing to another date.

#### **Attachments:**

Copy of the Draft 2016 TIF Plan; copy of the TIF Primer

# Franklin Falls Mixed Use Tax Increment Finance District

(Franklin, New Hampshire)

Development Program and Financing Plan January, 2017



Adopted by the Franklin City Council on January 2, 2017

### **TABLE OF CONTENTS**

l.	Introduction	3
II.	Purpose and Objectives	3
III.	Background	3
IV.	District Boundaries	5
V.	Conformance with Limitations of the District	5
VI.	Proposed Improvements	5
VII.	Economic Benefits	
VIII.	Open Space	7
IX.	Environmental Controls	7
Χ.	Proposed Re-Use of Private Property	8
XI.	Relocation and Displacement	8
XII.	Operations and Maintenance of the District	8
XIII.	Estimated Costs of the Development Program	8
XIV.	Funding Sources	8
	**************************************	_
XV	The TIF District and RSA 79-e	
XV XVI.	<u> </u>	9
	The TIF District and RSA 79-e	9 10
XVI.	The TIF District and RSA 79-e  Development Agreements	9 10 11
XVI. XVII.	The TIF District and RSA 79-e  Development Agreements  Impacts on Other Taxing Jurisdictions	9 10 11
XVI. XVII. XVIII.	The TIF District and RSA 79-e  Development Agreements  Impacts on Other Taxing Jurisdictions  Plan Amendment	9 10 11 11
XVI. XVII. XVIII. XIX.	The TIF District and RSA 79-e  Development Agreements  Impacts on Other Taxing Jurisdictions  Plan Amendment  Duration of Program	9 10 11 11 11
XVI. XVII. XVIII. XIX. XX.	The TIF District and RSA 79-e  Development Agreements  Impacts on Other Taxing Jurisdictions  Plan Amendment  Duration of Program  TIF District Administration	9 10 11 11 12 12
XVI. XVII. XVIII. XIX. XXI. XXII.	The TIF District and RSA 79-e  Development Agreements  Impacts on Other Taxing Jurisdictions  Plan Amendment  Duration of Program  TIF District Administration  Advisory Board	9 10 11 11 12 12
XVI. XVII. XVIII. XIX. XXI. XXII.	The TIF District and RSA 79-e  Development Agreements  Impacts on Other Taxing Jurisdictions  Plan Amendment  Duration of Program  TIF District Administration  Advisory Board  Annual Report	9 10 11 11 12 12
XVI. XVII. XVIII. XIX. XX. XXI. XXII. XXIII.	The TIF District and RSA 79-e  Development Agreements  Impacts on Other Taxing Jurisdictions  Plan Amendment  Duration of Program  TIF District Administration  Advisory Board  Annual Report	9 10 11 11 12 12 13

#### I. Introduction

In accordance with the provisions of RSA 162-K, *Municipal Economic Development and Revitalization Districts*, the Franklin City Council hereby establishes the Franklin Falls Tax Increment Financing (TIF) District, and the associated Development Program and Financing Plan [hereinafter "the TIF Plan"]. The Plan replaces and supersedes the Downton TIF Plan approved in 2008.

#### II. Purpose and Objectives

The purposes of the TIF Plan are to advance desirable mixed use development [and redevelopment] and private investment in the downtown and adjacent mill district of the City of Franklin, and create the framework to fund a variety of public improvements necessary to support these investments. The objectives of this development program and TIF plan are to:

- Improve and upgrade public infrastructure and public amenities that encourage and create opportunities for businesses to locate and expand within the district.
- Enhance employment and residential opportunities for area residents within the district.
- Expand the property tax base of the City of Franklin.
- Promote design and re-use activities that respect the historic nature of the district.
- Provide for better utilization of the recreational resources and opportunities that exist
  within the Winnipesaukee River and the walking / bike pathways located downtown
  and which could connect to the trail system extending into West Franklin

Achievement of these objectives will occur through a combination of efforts. Existing and future downtown property and business owners, new investors, and City staff and the City Council will be required to discuss redevelopment initiatives, and work cooperatively on funding plans and development agreements. The eight years since the 2008 Downtown TIF Plan was adopted have proven that good ideas by themselves do not create the momentum to turn around a downtown that has suffered since the days when the mills closed and harder economic realties became evident. What happens to one singular building is important, especially to its owner, but more important is the goal of implementing comprehensive revitalization efforts that help support the economic, cultural, and societal health of the entire downtown area. The goal, purpose, objective, and strategy of the City of Franklin is to work in a systematic and dedicated fashion to bring back the vitality, excitement, and small-city character to downtown Franklin.

#### III. Background

Land within the district has remained largely underdeveloped because of the multitude of vacant and underutilized properties. Older buildings with few modern amenities means that rents are low, and adequate maintenance funds are not available to the owners. Business and residential tenants can be transient which means the monthly flow of rents can be hit or miss.

Three different planning documents [the 1997 PlanNH Charrette, the Vision 2000 plan, and the 2006 PlanNH Charrette] all point to the need for, and importance of, an overall revitalization plan. The documents point out that the implementation of such a plan will result in a positive and productive shift in the economic well being of this historically important portion of the community. The economic turn-down in 2008 dealt a significant blow to these goals.

In the last 2-3 years a corner has been turned though, and fresh, new initiatives have come forward that are laying the groundwork for positive changes in the days ahead.

- ✓ In the summer of 2014 planning began on a project that was eventually called "Franklin for a Lifetime". A three-day workshop, in April of 2015, was organized through the cooperative efforts of the UNH Cooperative Extension, PlanNH, and the City; this project was supported by the National Endowment for the Arts and the US Department of Agriculture through the Citizens Institute for Rural Design. The workshop was initially going to focus on the needs of our aging population, but it expanded to look at the issues of aging, housing, economic development [especially in our older mill-based downtown] and general planning and community design. The workshop created significant energy and excitement, supported by the national, state and local speakers and the hundreds of interested citizens who participated in a variety of programs.
- ✓ The "Franklin for a Lifetime" workshop lead directly to the submission of a grant to the USDA's Rural Development Office for funding to hire a Downtown Business Coordinator to provide a broad range of assistance to property owners, potential investors, and the City, with the goals of new business development, new jobs being created, and fresh vitality being created in the downtown and mill district area. The City was successful with this grant and as of this TIF Plan being adopted, this consultant is making great progress toward these goals.
- ✓ The discussion by a small group of individuals on the subject of downtown revitalization efforts led to the formation of a non-profit organization, "PermaCityLife", which in early 2017 purchased 7 properties in the downtown district with plans for the creation of new businesses, restaurants, recreational shops, and co-working centers. A common theme for all of these new efforts is the creation of new links to the Winnipesaukee River that flows through downtown and the recreational opportunities available through the nearby walking and biking pathway as well as the river itself. These links can help create a new breed of individuals interested in working and residing in, and enjoying the natural resource and cultural assets, both existing and proposed.
- ✓ In 2008, one of the remaining mill buildings was permitted for 57 new residential condo units. The economic turn down stalled that project, but the same building has now been purchased by the Concord Area Trust for Community Housing [CATCH] for the creation of 45 affordable housing units, and construction is slated to start in the summer of 2016.
- ✓ The team behind the creation of PermaCityLife have also established a positive working relationship with Colby-Sawyer College [in nearby New London] which has grown such that the College has created a new innovative three-year Bachelor

program for Community-Based Sustainability. This will be a first rate experiential learning opportunity that will benefit the students with real world experience, as well as benefit the City and all of the downtown businesses through new re-development concepts, and assistance with business plans and marketing.

In early 2014, the Franklin Planning board began work on an update to the 2005 Master Plan. While this update has been slowed by the work on the "Franklin for a Lifetime" project, staff time directed to the Rural Development grant, and other downtown related activities, the Planning Board did approve a draft Vision Statement, which is one of the two-required chapters of a Master Plan. This Vision Statement, like the one from 2005, recognized the importance of downtown revitalization efforts for a strengthening of the City's economic, cultural, and recreational foundations.

Some have said for many years that the future of Franklin was written when the mills closed and the feeling of a sadder, less vibrant, community was prevalent. A brighter picture is being painted today though. All of the initiatives, programs, and efforts outlined above, and many other ideas yet to be spawned, can be supported, in one way or another, through the utilization of TIF funding. This is the key to raising the proverbial tide that lifts all boats, thus infusing new economies and energies into the downtown and mill district of Franklin.

#### **IV** District Boundaries

The boundary of the district is shown on Appendix A. Generally speaking it conforms to the Downtown Historic District, but it also includes a few outlying parcels, especially some City land adjacent to Winnipesaukee River.

#### V. Conformance with the Statutory Limitations of the District

The size of the district is 99.37 acres. The City of Franklin has a total of 18,687.92 acres. Therefore the district represents significantly less than the 5% maximum of the total City acreage [approximately 934 acres] per RSA 162-K:5.I.

The total assessed value [as of April 1, 2016] of all taxable property within the TIF boundary is \$15,992,400, or 3% of the total of all taxable property within the City [\$537,482,395.00]. Therefore the properties within the TIF represent significantly less than the 8% maximum of the total assessed value as contained in RSA 162-K:5.II. It should be noted that the City does have another approved TIF district in the Franklin Industrial Park located off of South Main Street, but there are no outstanding bonds or other obligations for this district. A listing of the properties within the Franklin Falls district with the corresponding acreage and values is included in Appendix B.

#### VI. Proposed Improvements

Different charrette and planning discussions over the last 10-15 years have highlighted a broad range of concepts and proposals that can facilitate economic revitalization for specific

properties and the overall downtown and mill district area. It is the belief of the City Council that the best TIF plan is one which does not lock the City into a defined list of specific projects; re-development goals or the infrastructure needs of the City can shift with changing markets, or as a result of different land uses that might be proposed for a specific property. Being flexible towards what potential TIF projects might work at a certain time will provide for the best utilization of TIF funds, which are, at the end of the day, the incremental tax revenues paid by the TIF District. The City Council firmly believes that spending these TIF funds in a wise and targetted manner helps to support the entire City and its citizens.

It is important to be smart and focused with the use of TIF funds, so that the right project, at the right time, is fully evaluated by the Advisory Committee, City staff, and all interested parties, before a formal proposal is taken the City council for review and potential adoption. There is a broad framework of projects that could provide for enhanced revitalization efforts; examples include, but are not limited to, the following:

- a. Infrastructure improvements [sewer or water] that allow for better utilization of property in the District; or, stormwater drainage upgrades that will provide for enhanced protection of the Winnipesaukee River, which wraps around the entire TIF District;
- b. The construction of, or improvements to, public spaces that will create better links between City residents and visitors to the River, which was so important to our City's economic and cultural history;
- c. Improvements to recreational systems or opportunities [ex. walking, biking, boating] that exist, or could be developed, within the District; and,
- d. The acquisition of buildings or properties which be better utilized for a public purpose [ex. parking or open / recreational spaces].
- e. Transportation projects that improve access to the TIF District and/or provide for pedestrian sfety.

Each TIF project which is presented to the City Council will be linked with one of these general project categories. Each project much also satisfy one of the "public use" definitions contained in RSA 162-K:2. Each project that is approved, following a public hearing, by the Council will constitute a formally adopted modification to this overall TIF Plan, and it's Financing Plan.

#### VII. Economic Benefits of the Overall TIF Project

The framework of these improvement categories described herein are required in order to service the existing population and accommodate and encourage future growth. It is the latter that is needed most in the City. As pointed out earlier in this Plan, the economic viability of the downtown area has suffered for many years. Businesses throughout the City felt the impact of the closing of the mills and the ripples of economic downturns. There was little incentive to invest funds into adequate maintenance of the existing buildings or venture out onto that economic limb by investing new capital into significant modifications to the larger mill buildings that now stood silent.

The decisions by the City Council to undertake TIF funded improvements, coupled with the positive initiatives being brought forwards by some owners and investors, can and will be a significant catalyst for an upswing in the downtown economies. The combination of TIF projects, private investments, and the use of other state and federal loan, grant and tax incentive programs, create a cooperative framework that can be very effective and transformative. The complete economic revitalization of downtown and mill district area of Franklin will be fulfilled with many small steps. Progress is being made, and will continue to be made, through cooperation and communication. Goals and needs of the business community and the City must be openly discussed, and all aspects of a project must be clearly outlined and understood by all parties. In this way, the economic benefits of the TIF Plan and the future project-specific modifications will be realized.

#### VIII. Open Space

As referenced in the Proposed Improvement chapter, open spaces, the creation of the associated recreational opportunities, and the cultural benefits of these types of spaces are important factors for the City council to weigh when considering the adoption of a specific TIF-funded project. Any project brought forward to the Council for approval will need to address how open space is utilized, created, or benefited through the implementation of the project. The City Council understands the importance of public spaces, especially given the valuable resources associated with the Winnipesaukee River, to a vibrant downtown.

Examples of open / public spaces that could be part of a TIF project include:

- The creation of new access to the River;
- Recreational pathways along the River; or,
- The creation of new recreational opportunities in the riverway itself [boating!].

#### IX. Environmental Controls

Given the historic nature of the developed areas of downtown Franklin and the industrial activities that occurred in the mills, without question there are environmental issues and concerns that will need to be dealt with during any project. The City of Franklin, as well as private parties, will be required to comply with all appropriate environmental regulations. These regulations may include, but are not limited to, any or all of the following:

- State and federal regulations regarding the protection of wetlands and floodplains.
- State standards for design of public sewer systems.
- State permits regarding soil disturbance/filling.
- State and federal regulations regarding air, water, and noise pollution.
- Applicable building and life safety codes, zoning ordinance, subdivision and site planning regulations.
- Contamination by hazardous materials, and the required clean-up protocols.

It is noted that the City received an exemption from NH DES in 2009 for the provisions of the State Shoreland Protection Act. This exemption was granted based on the historic industrial urbanization which exists in the downtown area. While the City does not need to comply with

the Shoreland Act, the City Council is keenly aware of the importance of the need to maintain quality and integrity of the River and its shoreland area. TIF projects brought to the City Council for consideration will need to take into account how the Shoreland are will be treated, impacted, and protected through the project.

#### X. Proposed Re-Use of Private Property

Since the City Council will consider specific projects as plans are finalized in future years, it is difficult to know for certain what the intersection of private property and public projects will look like. The City has explored in the past the acquisition of certain properties for public uses, and it is expected that this approach will remain as an option for future projects. As with all TIF projects, the costs and benefits for a possible purchase or taking of private property will be weighed with great care. All public uses and any private uses, whether through lease agreements, outright sales, or other appropriate mechanism will be conducted in conformance with all applicable sections of the RSA 162-K, especially Section 162-k:6.III.(i).

#### XI. Relocation and Displacement

The City of Franklin will work to minimize the impacts of relocation for any residents or businesses within the District boundary. All relocation and dislocation activities will be in conformance with RSA 162-K, Section 6 and 15. Prior to the final acquisition of any property that is part of a specific TIF project and which would involve persons displaced by the project, a Relocation Plan will be prepared and submitted to the Administrator for review and approval. A copy of this plan will also be submitted to the Advisory Board for comment.

#### XII. Operations and Maintenance of the District

The added cost for operation and maintenance [O & M] associated with the specific design of a TIF project will be part of the proposal package presented to the City Council. The City will make every effort to minimize added O & M costs by wrapping these activities into the existing activities carried out by existing City staff. If significant added O & M costs are identified, then, at the discretion of the City Council, the funding of O & M costs may need to be part of the TIF Financing plan.

#### XIII. Estimated Costs of the Development Program

Due to the fact that the Franklin City Council is utilizing a project-specific approval process, it is not possible to provide estimates at this time for a development program. Any TIF project presented to the Council must include a complete cost estimate.

#### XIV. Funding Sources

The City of Franklin intends to use multiple funding sources to complete the proposed work associated with any TIF project. Without question, a comprehensive revitalization

program needs to utilize a broad range of funding sources or support mechanisms. Examples include:

- Community Development Block Grant programs (CDBG);
- USDA Rural Development Grants
- NHDES Financial Assistance Water or Wastewater Grant programs
- New Market Tax Credits
- Historic Tax Credits
- Community Development Finance Authority programs
- N.H. Housing and Finance Authority programs
- NHDOT Enhancement Grants
- TCSP Grants from the Federal Highway Authority
- New Hampshire Business Finance-Authority programs

A key component for the project funding is the use of the accumulated TIF Funds. All of the added-value tax increments shall be set aside and placed into the dedicated TIF Account fund. It is the overall goal of the City Council to pay for projects [either entirely or partially] through the use of the TIF Account Fund. All of the TIF Funds shall be directed towards the payment for specific TIF projects or the retirement of the outstanding bonds and notes issued for the improvements and activities approved through this Plan. The baseline values used to determine tax increments will be as of April 1, 2016.

For the purposes of determining the tax increments, the market based appreciation in value of any property shall be considered as new values to be captured for the dedicated TIF fund.

If there are available TIF Funds in excess of that which is necessary to fund the outstanding financial obligations for approved projects in a given year then the excess amount shall: 1) be used to make additional principal payments on bonds issued in conjunction with approved projects; 2) with the consent of the City Council, be applied to a newly approved project within the TIF District; or 3) be returned to the General Fund.

Pursuant to RSA 162-K, the City of Franklin may issue bonds or other appropriate debt instruments to pay for the proposed work and improvements approved under this Plan, and any future approved modification.

As noted elsewhere in this Plan, the projects carried out under this Plan need to be fluid so the City can react to changing needs and circumstances in order to effectively move the goals and objectives forward. The City Council, through a public hearing and Plan modification process, must approve all projects and the expenditures of all funds.

#### XV. The TIF District and RSA 79-E

The Franklin City Council voted in 2013 to adopt the provisions of RSA 79-E, the Community Revitalization Tax Relief Incentive program. This program provides a tax

incentive for the rehabilitation of buildings in the City's core downtown area, which includes the area within the TIF District. Projects that are granted tax relief under RSA 79-E pay property taxes, for a determined period of time [typically up t 5 years] based on the pre-rehabilitation values.

Recognizing that there is a relationship between the implementation of a TIF Plan or project, and the collection of taxes that might occur under a property subject to tax relief under 79-E, the NH Legislature included the following language at Paragraph 79-E:4:

"VI. Municipalities shall have no obligation to grant an application for tax relief for properties located within tax increment finance districts when the governing body determines, in its sole discretion, that the granting of tax relief will impede, reduce, or negatively affect:

- (a) The development program or financing plans for such tax increment finance districts; or
- (b) The ability to satisfy or expedite repayment of debt service obligations incurred for a tax increment financing district; or
- (c) The ability to satisfy program administration, operating, or maintenance expenses within a tax increment financing district.

The City Council will provide a public hearing for any application for tax relief under 79-E, and each application will be evaluated on its own merits. The Council does recognize that providing 79-E tax relief to a specific property may have an impact on the ability of the City to accrue the necessary TIF funds for the realization of projects that will benefit the City as a whole, but also may directly benefit that specific property. The Council will take the above 79-E language into consideration when making a decision on any individual 79-E application.

#### XVI. Development Agreements

The City acknowledges that the creation of a public-private partnership to further the goals and objectives of the TIF District and the Plan involves some level of risk on the part of both parties. At the same time, the City recognizes that opportunities for risk with public funds are not in the best interest of the citizens and taxpayers of Franklin. It is not the intent of the City Council to vote to authorize the issuance of any bonds or other financial obligation notes without the execution and recording of the appropriate Development Agreements in order to protect the interests of the City and its residents.

As part of the proposal for a specific project, the City Council shall be provided with information on the project costs, the funding plan, and the Development Agreement. The exact language of a Development Agreement will depend on the complexity of the project. The City Council may require the developer(s) to execute a clearly enforceable Agreement which will require the developer(s) to pay any deficiency between the City's actual annual cost for bond debt service and incremental tax revenues generated in, or available to, the District. The City Council shall have final approval of the language of any Agreement

negotiated by the Administrator. All Agreements shall be executed and recorded in the Merrimack County Registry of Deeds.

It is recognized that there may be limited cases where a developer is not requesting TIF expenditures in support of the proposed development, yet the City elects to capture the incremental tax revenues in order to support public improvement within the general project area. In this case, a Development Agreement will not be required.

#### XVII. Impacts on Other Taxing Jurisdictions

A. Property taxes applied to incremental assessed value in the TIF District will include the municipal, school [local and state], and county taxes currently collected by the City. The City Council has not yet adopted the 2016 tax rates; the current 2015 applicable tax rates are as follows:

Municipal	\$12.97/ \$1,000
County	\$2.98/ \$1,000
Local Education	\$6.63/ \$1,000
State Education	\$2.45/ \$1,000
Total	\$25.03/ \$1,000

The estimated impact of tax increment financing on the assessed values of all other taxing jurisdictions within the City of Franklin is negligible, since the proposed improvements are designed to encourage commercial investment and lessen the residential tax burden. Thus, these activities will contribute to a long-term increase in the non-residential tax base at a faster rate than would otherwise be achieved.

#### XVIII. Plan Amendments

Pursuant to RSA 162-K:9, this plan may be amended by a vote of City Council in conformance with all applicable time frames and notice requirements. As discussed in Section VI, each specific TIF project will be brought forward to the City Council for review and approval, thus there will be future amendments to this TIF Plan.

#### XIX. Duration of Program

The TIF District will exist until all improvements or projects approved by the City Council have been completed, and all debt issued and borrowing initiated to fund the projects is retired. The City Council will consider the recommendations of the Administrator regarding the proposed expiration of the TIF Plan and District. The City Council reserves the right to evaluate the TIF Plan every 3 years following its adoption, and make any necessary modifications to the Plan to ensure that all goals and objectives are being met. Upon full repayment of any outstanding bonds, all TIF Account Funds may be available for all District purposes, as outlined in, and approved by the City Council as part of any modification to this Plan. The Annual Report prepared by the Administrator may recommend that a certain

percentage of the tax increments may be returned to the City for general fund purposes, and Council approval for that allotment shall not be subject to a formal modification and public hearing process.

#### XX. TIF District Administration

The City Manager shall be the Administrator of the District, and in addition to the duties and powers granted to the City Manager, the Administrator shall have the following powers: 1) Negotiate for the acquisition of real property or easements, and sign options and / or purchase and sales agreements to acquire said property or easements subject to final approval by the City Council; 2) Negotiate and sign, upon the approval of the City Council, any contracts relative to the design, engineering, construction or operations of any phase or component of the activities proposed under this Plan; 3) Apply for, and accept and execute, upon the approval of the City Council, grants from any private or public organization or corporation, or from any state or federal agency for any work associated with this Plan; 4) Negotiate any Development Agreements and present the Agreements to the City Council for final approval; 5) Certify to the City Council, for acquisition through eminent domain, property that cannot be acquired by negotiation, but is required for implementation of the Plan; and 6) Certify to the City Council the amount of funds, if any, which must be raised through the sale of bonds to finance the activities associated with this Plan. The City Council may grant through an affirmative vote of the Council, additional powers, as deemed necessary and appropriate, in order to implement the goals, purpose, work and improvements outlined in this Plan or any future amendment.

#### XXI. Advisory Board

In accordance with 162-K: 14, the Council shall create, by resolution, an Advisory Board for the District and delineate its advisory roles and responsibilities. The Advisory Board shall consist of 7 members appointed by the Council. A majority of the membership will include owners or occupants of real property within or adjoining the district. A majority of the membership shall be residents of the City. The Planning Director and the Executive Director of the Franklin Business and Industrial Development Corporation shall sit as Ex Officio members of the Board. The function of the Advisory Board shall be to advise the City Council and the District Administrator in the planning, design, construction and implementation of the development projects, along with maintenance and operation of the district after certain projects have been completed. The Board may recommend projects to the Administrator for consideration and submission to the City Council. In instances where a majority of the Advisory Board believes that the Administrator has not sufficiently considered the Advisory Board's recommendation, they may, by majority vote, refer the matter along with their written recommendations and explanations to the next regularly scheduled meeting of the City Council. In such instances, the Administrator shall delay implementation of the project pending City Council review and determination on the matter. The resolution approved by the City Council for the creation of the Advisory Board shall include reasonable time limits for the

Administrator to consider recommendations by the Board before such recommendation may be taken to the Council.

#### XXII. Annual Report

Pursuant to RSA 162-K:11, the City, by and through the Administrator of the District, in consultation with the Advisory Board, shall prepare an annual report containing the following:

- A Narrative Report on the status of the implementation of the Plan and a summary of the work that has been completed within the previous year;
- The amount and source of revenue of the District;
- The amount and purpose of expenditures;
- The amount of principal and interest on any outstanding bonded indebtedness;
- The original assessed value of the District;
- The captured assessed value retained by the District;
- o The tax increments received; and
- Any additional information necessary to demonstrate compliance with the tax increment-financing plan.

#### XXIII. Adoption of the Plan

Adoption of this plan has been carried out through the following actions:

- The holding of a public hearing by the Franklin City Council regarding the adoption of Chapter 162-K on April 17, 2002.
- Affirmative vote by the City Council to Adopt the provisions of Chapter 162-K on May 6, 2002.
- The holding of a public hearing on December 5, 2016 by the Franklin City Council, per 162-K:9.III, to allow for an opportunity for the Merrimack County Commissioners and the Franklin School Board to meet with the City Council to discuss these matters and to gather any other public input.
- Adoption of the Development Program and Tax Increment Financing Plan (RSA 162-K:6 and 162-K:9) for the Franklin Falls TIF District occurred by an affirmative vote of the City Council at their meeting on January 2, 2017.

#### Franklin Falls Mixed Use TIF District 2016 Appendix B

0	MAP/LOT#	LOCATION	TOTAL VALUE	ACRES	NOTES
1	116-401-00	East Bow Str	0	4.7	Riverfront Land
2	117-001-00	4 & 10 Pleasant St.	168,300	0.66	Multi-family (4 units)
3	117-002-00	321 Central St.	189,900		Comm & Residential Mix
4	117-053-00	361 Central St.	140,900		Toad Hall
5	117-053-00	355-357 Central St	142,300	0.08	Commercial
6	117-054-00	349-353 Central St	128,500		Regal Auction House
7	117-055-00	337 Central St	84,300		Gift Shop
_	117-056-00	333 Central St	90,200		Lazy Daze Smoke Shop
8	117-057-00	325 Central St	131,500		Vacant
9	117-058-00	Franklin St	0		Part of Municipal Parking Lot
10		Franklin St	0		Part of Municipal Parking Lot
11	117-060-00		0		Part of Municipal Parking Lot
12	117-061-00	Franklin St	111,100		Multi-family
13	117-062-00	38 Church St 65 Franklin St	0		Post Office (Exempt)
	117-064-00		96,800		Two family residence
15	117-065-00	31 Church St	96,800		Church (Exempt)
_	117-066-00	21 Church St	0		Police Dept & District Court
17	117-074-00	Hancock Terr			Community Outreach Ctr (Exempt)
18	117-075-00	237 Central St	291 400		Cumberland Farms
19	117-076-00	233 Central St	281,400		Elks Lodge (Exempt)
20	117-130-00	192 Central St	0		City Land (Formerly Ciao Pasta)
21	117-131-00	196 Central St			Outbuildings only
22	117-135-00	202 Central St	99,500		Church (Exempt)
23	117-137-00	206 Central St	0		Peabody Home
	117-138-00	22-24 Peabody Pl	0		VFW (Exempt)
25	117-139-00	26 Peabody Pl	0		Single Family
26	117-140-00	38 Peabody Pl	190,700		Vacant mill buildings
27	117-142-00	Memorial Street	185,700		Riverbend Mill (mostly vacant)
28	117-143-00	100 Memorial St	250,000		Library & City Hall
29	117-145-00	Central Street	0		Multi-family
30	117-147-00	33 Memorial St	114,400		Municipal Parking Lot
_	117-148-00	Canal St	0		
32	117-149-00	330-342 Central St	658,000		Syndicate Block comm and residential
33	117-149-02	17-19 Memorial St	46,300	-	Two unit building on 117-149-00
34	117-150-00	354 Central St	126,500		Frost Insurance Agency
35	117-151-00	366-378 Central St	270,400		Buell block
36	117-152-00	Central St	0		Marceau Park
37	117-153-00	20 Canal St	400,900		Franklin Industrial Complex
38	117-154-00	42-46 Central St	167,300		Multi-family (5 units)
39	117-155-00	396-402 Central St	340,700		I.O.O.F. Building
40	117-156-00	406-414 Central St	309,500		Chamber of Commerce
41	117-157-00	416-420 Central St	129,100		Kenrick Building
42	117-158-00	424-430 Central St	379,200	1	Brothers Donuts & Laundromat
43	117-159-00	436 Central St	107,300		Comm
44	117-160-00	440-444 Central St	374,400		Grevior's Furniture
45	117-161-00	446-448 Central St	115,500		Hair Doctor
46	117-162-00	Central St	0	0.48	Trestle View Park

#### Franklin Falls Mixed Use TIF District 2016 Appendix B

0	MAP/LOT #	LOCATION	TOTAL VALUE	ACRES	NOTES
47	117-163-00	449 Central St	279,400	0.31	Mini Mart / Gas Station
	117-164-00	Central St	0	0.22	Vacant lot
	117-165-00	419 Central S	136,600	0.07	Commercial/ Residential mix
	117-166-00	407-409 Central St	102,100	0.05	Commercial/Residential mix
	117-167-00	Central St	8,000	0.11	Private parking for 117-165-00
	117-170-00	387 Central Stt	1,441,400	1.400	
53	117-175-00	8 Ayles Ct	117,300	0.06	Single Family
54	117-176-00	42-44 Franklin/Ayles	163,100	0.08	Comm & Residential Mix
55	117-178-00	54 Franklin St	171,900	0.21	Commercial/Residential mix (3 units)
56	117-179-00	58 Franklin St	123,700	0.14	Prof Office and residential unit
57	117-180-00	64 Franklin St	148,000	0.24	Commercial/Residential Mix
58	117-256-00	1 River /227 Central St	712,500	0.93	Residential Apts.
59	117-257-00	35 River St	1,945,600	2.27	Apartment Building (53 Units)
60	117-258-00	83 River St	28,600	0.29	Building (railroad car)
61	117-259-00	53-55 River St	104,700	0.33	Warehouse
62	117-260-00	River St	36,000	0.27	Vacant Land
63	117-261-00	81 Memorial St	78,500	0.24	FBIDC/EMT Service
64	117-262-00	85 River St	129,900	2.30	
65	117-263-00	195 Central St	108,800	0.24	Former Packer's Outlet
66	117-264-00	223 Central St	666,900	1.20	Hydro Electric Plant
67	117-265-00	185-187 Central St	156,100	0.27	Al's Village Pizza
68	117-266-00	175 Central St	136,100	0.22	Commercial
69	117-267-00	169 Central St	95,900		Commercial
70	117-268-00	163-165 Central St	93,800	0.12	1 vacant Comm unit & 1 resid unit
71	117-269-00	159-161 Central St	86,300		Commercial/Residential mix
72	117-270-00	155 Central St	109,400		Colcord's Auto
73	117-271-00	Off School St	0	0.81	Former Railroad R.O.W.
74	117-272-00	181 Central St	100,200		Vacant Comm
75	117-310-00	102 East Bow St	126,500		Comm (We Haul It All)
76	117-318-00	East Bow St	0		Skate Board Park
77	117-319-00	38 East Bow St	44,800		Elec Hydro (assoc w/117-361-00)
78	117-320-00	32 East Bow St	106,300		Residential (2 units)
79	117-321-00	522 Central St	185,700		Sanel's Auto
80	117-345-00	Central & Willow St	0		Vacant City Land (sloped)
80	117-346-00	Central Street	0		Vacant City Land
81	117-347-00	Central & Prospect St	0		Vacant Land
82	117-357-00	20 Church St	95,400		Commercial (Formerly K of C)
83	117-358-00	East Bow St	48,100		Adjacent to hydro parcel
84	117-359-00	39-49 River St	112,700		Hydro Electric Plant w/Office
85	117-360-00	Off Central St	6,200		Vacant Land
86	117-361-00	40 Memorial St	883,400		Elec Hydro (assoc w/117-319-00)
87	117-362-00	East Bow St	0		Vacant Land
88	117-363-00	East Bow St	4,700		Adjacent to hydro land
89	117-365-00	20 Canal St	983,900		Industrial/Office/Warehouse
90	117-405-00	Memorial St	0		Odell Park & Proulx Center
91	134-235-00	6 Wilow St	233,700	1.51	Car Wash

#### Franklin Falls Mixed Use TIF District 2016 Appendix B

0	MAP/LOT#	LOCATION	TOTAL VALUE	ACRES	NOTES
92	134-237-00	Willow St	5,700	1.20	Vacant
93	134-238-00	Willow St	8,500	0.68	Vacant
94	134-239-00	Willow St	11,900	1.50	Vacant
95	134-240-00	Willow St	23,500	0.97	Vacant
96	134-412-00	Willow St	0	2.70	City Land - RR ROW
97	134-413-00	Willow St	0	5.40	Vacant land along river
98	135-139-00	Terrace Rd	0	1.00	City Land Adjacent to River
99	135-140-00	Terrace Rd	0	0.35	City Land Adjacent to River
100	135-146-00	Central St	0	5.00	City Land RR ROW
101	135-401-00	Nesmith St	0	19.00	City Land Adjacent to River
102	135-402-00	Pleasant St	0.	3.40	Winnipesaukee River Trail
	148-050-00	Terrace Rd	0	0.62	City Land Adjacent to River
104			15,992,400	99.37	

