

Order 275-08/09

Given first reading: 5/18/09 Public Hearing & Passage 6/1/09 9-0

JILL C. DUSON (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
DORY RICHARDS WAXMAN (A/L)
NICHOLAS M. MAVODONES (A/L)

**ORDER AMENDING AND REDUCING THE GEOGRAPHICAL BOUNDARIES
OF THE CREATIVE PORTLAND DEVELOPMENT AND ARTS
DISTRICT AND TAX INCREMENT FINANCING DISTRICT**

WHEREAS, the City of Portland is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to designate specified areas within the City as Municipal Development Districts and Tax Increment Financing Districts and to adopt a Development Program for all such Districts; and

WHEREAS, pursuant to 30-A M.R.S.A. § 5223, the City of Portland designated the Creative Portland Development and Arts District and tax Increment Financing District as a downtown tax increment financing district by Order #94-08/09; and

WHEREAS, the City of Portland seeks to amend and reduce the geographical boundaries of said District, such that the District shall contain the property shown on the map attached hereto as Exhibit A; and

WHEREAS, the City has held a public hearing on the question of amending and reducing the geographical boundaries of the Creative Portland Development and Arts District and Tax Increment Financing District in accordance with the requirements of 30-A M.R.S.A. § 5226, upon at least ten (10) days prior notice published in a newspaper of general circulation within the City; and

WHEREAS, it is expected that approval will be sought and obtained from the Maine Department of Economic and Community Development, approving the geographical amendment of the Creative Portland Development and Arts District and Tax Increment Financing District.

NOW THEREFORE, BE IT HEREBY ORDERED BY THE CITY OF PORTLAND CITY COUNCIL AS FOLLOWS:

Section 1. The City hereby finds and determines that following the reduction in the boundaries of the Creative Portland Development and Arts District and Tax Increment Financing District as contained in Section 2 below:

- (a) The Creative Portland Development and Arts District and Tax Increment Financing District is within the traditional central business district of Portland which has serviced as the City's center of socioeconomic interaction, and is characterized by a cohesive core of commercial and mixed use buildings that are interspersed with civic, religious and residential buildings and public spaces that are arranged along Congress Street, which is the City's main street, and

intersecting side streets, all of which is served by public infrastructure, and is the City's downtown; and

(b) The City expects that the acquisition, construction and installment of any and all real and personal property improvements, buildings, structures, fixtures and equipment within the district contemplated by the Development Program will be completed in accordance with State law; and

(c) The reduction in the boundaries of the Creative Portland Development and Arts District and Tax Increment Financing District will not affect pursuit of the Creative Portland Development Program as the Municipal Development Program and that program will generate substantial economic benefits for the City and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

(d) The reduction in the boundaries of the Creative Portland Development and Arts District and Tax Increment Financing District and the pursuit of another district known as the Power Pay/Portland Public Market Municipal Development District and Tax Increment Financing District will generate substantial economic benefits for the City and its residents, including employment opportunities, broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose.

Section 2. Pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, the City hereby amends and reduces the geographical boundaries of the Creative Portland Development and Arts District and Tax Increment Financing District, as more particularly set forth in the map attached hereto as Exhibit A; which is hereby incorporated by reference into this order.

Section 3. The City Manager be, and hereby is, authorized, empowered and directed to submit the proposed geographical reduction of the Creative Portland Development and Arts District and Tax Increment Financing District to the State of Maine Department of Economic and Community Development for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226.

Section 4. The foregoing geographical reduction of the Creative Portland Development and Arts District and Tax Increment Financing District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the District by the State of Maine Department of Economic and Community Development, without requirements of further action by the City, the Council or any other party.