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**CITY OF HOBART, INDIANA
STORM WATER MANAGEMENT BOARD OF DIRECTORS**

Resolution No. 2021 - 02

A Resolution Confirming the Proposed Establishment of a New Revised System of User Rates and Charges for the Support of the Operation and Maintenance of the City Storm Water System, Confirming a Spending Plan for the Department of Storm Water Management, Providing for Payment and Collection of Such Fees through the Property Tax Statements of Affected Property Owners, and Recommending Adoption of Said User Rates, Charges and Manner of Collection by Ordinance of the Common Council.

WHEREAS, the Board of Directors (“Board”) of the City of Hobart (“City”) Department of Storm Water Management (“Department”), which is comprised of persons who are also the members of the City Board of Sanitary Commissioners pursuant to I.C. §8-1.5-5-4(g), has determined that it is necessary to secure additional funds for the operation and maintenance of the Department’s storm water system; and

WHEREAS, the Board has carefully considered the need to extend, improve, reconstruct, replace or upgrade substantial portions of the City storm water system in order to provide an environmentally responsible, healthful, efficient and effective means of controlling, directing and treating storm water flows within the City, all as required by the laws of the United States and the State of Indiana; and

WHEREAS, the Board has compiled a proposed spending plan (“Plan”) consisting of the determination, over the five (5) year period commencing January 1, 2021 and ending upon further action and notice of the Board, of the minimum amount of funds necessary for the operation and maintenance of the City storm water system as required by I.C. §8-1.5-5-7(b); and

WHEREAS, the Board has also carefully considered the adoption of a system of user fees and charges which equitably spreads the cost of funding the Plan among residential and commercial property owners, taking into account those factors authorized by I.C. §8-1.5-5-7(d), and making classifications employing the variations authorized by I.C. §8-1.5-5-7(e); and

WHEREAS, the Board, having considered all of the matters referenced above adopted and approved its Resolution No. 2021-01 on October 26, 2021 which proposed the adoption of a newly revised user fee system of rates and charges, proposed the implementation of the Plan, and proposed to authorize that said fees continue to be collected through a charge appearing on the semiannual property tax statements of affected property owners in the City as authorized by I.C. §8-1.5-5-7(c); and

WHEREAS, the Board, as required by the provisions of I.C. §8-1.5-5-7(b), conducted a public hearing upon such proposals after due notice to the public was published in the manner required by §5-3-1-2(b) on Tuesday, November 23, 2021, and having heard the presentations at public hearing and having deliberated upon same now desires to authorize the foregoing

47 proposed actions, to spread same upon the public record, and to recommend their final adoption
48 by the Common Council.

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50 THEREFORE, BE IT RESOLVED by the City of Hobart Storm Water Management
51 Board of Directors that:

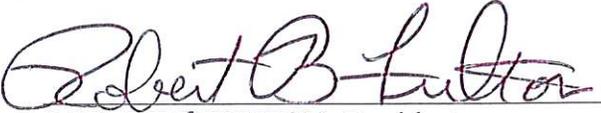
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53 1. The Newly Revised User Fee system of Rates and Charges for the City Storm
54 Water Department for the period from and after January 1, 2022 which is attached hereto as
55 Exhibit "A," is confirmed and approved as the proposal of the Board, subject only to final
56 adoption by the Common Council as required by law; and

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58 2. The Spending Plan for the City Storm Water Department for the period from
59 January 1, 2021 through further action and notice of the Board, which is attached hereto as
60 Exhibit "B," is confirmed as the final action of the Board and is hereby made effective according
61 to its terms.

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63 3. The Board hereby officially proposes to authorize continuing collection of said
64 user fees through a charge appearing on the semiannual property tax statement of each affected
65 property owner of the City, which shall take effect with the property tax billing for 2021 payable
66 2022 and which shall include billing for the authorized annual fee as specified for each property
67 of the City appearing in Exhibit "A," and

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69 4. The Board calls upon, urges and recommends that the Common Council of the
70 City adopt and approve the Newly Revised User Fee System of Rates and Charges described in
71 Exhibit "A," and approve the collection of such rates and fees through a charge appearing on the
72 semiannual property tax statement of each affected property owner of the City, commencing with
73 the property tax billing for 2021 payable in 2022, first installment.

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75 ALL OF WHICH is adopted as the Resolution of the City of Hobart Storm Water
76 Management Board of Directors on this 23 day of November, 2021.

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81 ROBERT B. FULTON, President

82 ATTEST:
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84 PHILLIP GRALIK, P.E., Secretary

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EXHIBIT A
to
City of Hobart Storm Water Management Board of Directors
Resolution No. 2021- 02

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CITY OF HOBART STORM WATER MANAGEMENT BOARD OF DIRECTORS
SCHEDULE OF USER FEE RATES AND CHARGES

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JANUARY 1, 2022 until further notice

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Section 1. Application. This schedule shall apply to every parcel of real estate within the boundaries of the City of Hobart which is improved by a residence, other building, structure or appurtenance which results in an adjusted impervious area. An adjusted impervious area of not more than 1650 square feet shall constitute 1 Equivalent Runoff Unit (“ERU”).

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Section 2. Definitions. For the purposes of this schedule, the terms following shall have the specified meaning:

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a. **Residential Customer.** An owner of a parcel of real estate within the City improved by a single family dwelling.

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b. **Non Residential Customer.** An owner of a parcel of real estate within the City which is improved by a building, structure or appurtenance other than a single family dwelling.

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c. **Adjusted Impervious Area.** The area of a parcel of real estate covered by buildings, roadways, walks and structures which prevent the free absorption of rain water by the soil. An Adjusted Impervious Area of 1650 square feet equals one ERU. For the purposes of this schedule, a single family dwelling (residential customer) is assumed to have 1 ERU, irrespective of size.

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Section 3. Establishment of Rates. The Department shall assign each owner of a parcel of real estate a classification as to whether such owner is a residential or non-residential customer as to that parcel. Non-residential customers, for each parcel, shall have that parcel further classified as to the number of ERUs for the parcel based on the adjusted impervious area of the parcel. The non-residential classes of parcels for rate purposes are established as those having up to five (5) ERUs, those having from five (5) to ten (10) ERUs, those having from ten (10) to twenty-five (25) ERUs, those having from twenty-five (25) to fifty (50) ERUs. The Department shall determine, for each non-residential parcel, the number of ERUs for the parcel based on the impervious area of the parcel. The owner of each parcel of real estate in the City of Hobart, commencing January 1, 2022, and increasing each year thereafter on January 1, shall pay a storm water fee, annually as follows:

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(A) Residential Customers

	Annual Rates Effective January 1		
	<u>2022</u>	<u>2023</u>	<u>2024</u>
Customer Charge	\$ 44.40	\$ 52.68	\$ 61.08
ERU Charge	<u>101.30</u>	<u>102.40</u>	<u>103.45</u>
Totals	<u>\$145.70</u>	<u>\$155.08</u>	<u>\$164.53</u>

(B) Non-Residential Customers

	Annual Rates Effective January 1		
	<u>2022</u>	<u>2023</u>	<u>2024</u>
Customer Charge	\$ 44.40	\$ 52.68	\$ 61.08
ERU Charge per ERU:			
First 2 ERUs	101.30	102.40	103.45
Next 68 ERUs	67.87	68.61	69.31
Over 70 ERUs	34.44	34.82	35.17

Section 4. Payment of User Fees. The user fees prescribed in this schedule shall be collected through a charge appearing on the semiannual property tax statement of each affected property owner of the City. The amount to be charged on each semiannual property tax statement shall be an amount equal to applicable annual rate for the property owner.

Section 5. Enforcement. The Storm Water Management Department of the City of Hobart may impose a lien on the real estate of a person or organization who, for a period of more than sixty (60) days, fails to pay the full rates and charges prescribed herein when due, and may foreclose upon the lien when necessary or desirable. This paragraph is not intended to limit the legal and equitable rights of the Department to obtain appropriate enforcement of the sums due by any other lawful means.

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EXHIBIT B

**Hobart Storm Water Management Department Capital Improvement Plan
 2021 through 2025**

Project	2021	2022	2023	2024	2025	Total
Stinky Creek Project	\$3,500,000					\$ 3,500,000
CCMG Project Local Match		\$400,000				400,000
Wisconsin St. Project			1,200,000			1,200,000
IT Upgrades	150,000					150,000
Mapping	200,000	200,000	200,000	200,000	200,000	1,000,000
New Chicago Project—Phase 1			750,000			750,000
Other Capital Projects	<u>700,000</u>	<u>700,000</u>	<u>700,000</u>	<u>700,000</u>	<u>700,000</u>	<u>3,500,000</u>
Total Estimated Capital Improvements	4,550,000	1,300,000	2,850,000	900,000	900,000	10,500,000
Less: Bond funded projects	<u>(3,500,000)</u>					<u>(3,500,000)</u>
Total Cash-funded projects:	<u>1,050,000</u>	<u>1,300,000</u>	<u>2,850,000</u>	<u>900,000</u>	<u>900,000</u>	<u>7,000,000</u>
Divided by: 5 years:						<u>5</u>
Estimated average annual capital improvements:						\$1,400,000