

**GARY STORM WATER MANAGEMENT DISTRICT
BOARD OF DIRECTORS
RESOLUTION SW10-16**

**AUTHORIZING THE APPEAL TO THE DISTRESSED UNIT
APPEALS BOARD DUE TO A REDUCTION IN PROPERTY TAX COLLECTIONS OF AT
LEAST 5% DUE IN 2011 AND SUBSEQUENT YEARS AS A RESULT OF THE CIRCUIT
BREAKER CAPS ON PROPERTY TAX BILLS AS A RESULT OF HOUSE BILL 1001**

WHEREAS, the Mayor of the City of Gary, the Director, the Director of Finance and Board of Directors of the Gary Storm Water Management District have determined that the Gary Storm Water Management District cannot carry out its governmental functions under the circuit breaker caps imposed by I.C. 6-1.1-20.3-6 and House Bill 1001; and

WHEREAS, the Gary Storm Water Management District expects to have its property tax collections reduced at least five percent (5%) in calendar years 2011 and subsequent years as a result of the application of the circuit breaker caps under IC 6-1.1-20.3-6; and

WHEREAS, for property taxes first due and payable in 2008 and thereafter, the fiscal body of a distressed political subdivision may petition the Distressed Unit Appeals Board from the application of the circuit breaker caps under IC 6-1.1-20.3-6 for a calendar year; and

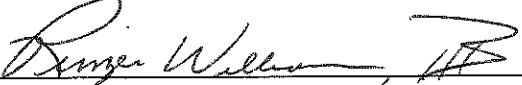
WHEREAS, the Director and the Director of Finance wishes to appeal the Distressed Unit Appeals Board and submit a financial plan for relief from the property tax caps limitations; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and the Board of Directors of the Gary Storm Water Management District that the Director and the Director of Finance is hereby authorized to appeal the Distressed Unit Appeals Board for relief from the circuit breaker caps imposed under I.C. 6-1.1-20.3-6 and House Bill 1001.

Approved this 23rd day of November 2010.



MAYOR/SPECIAL ADMINISTRATOR



DIRECTOR

**GARY STORM WATER
MANAGEMENT DISTRICT
BOARD OF DIRECTORS**



PRESIDENT



VICE-PRESIDENT



SECRETARY



DIRECTOR



DIRECTOR

STATE OF INDIANA

DISTRESSED UNIT APPEALS BOARD

IN THE MATTER OF THE GARY STORM WATER)
MANAGEMENT DISTRICT, FOR APPROVAL TO APPEAL)
THE DISTRESSED UNIT APPEALS BOARD TO ADJUST)
THE CIRCUIT BREAKER CAPS ON PROPERTY)
TAX BILLS AND FOR APPROVAL OF THE)
PROPOSED FINANCIAL PLAN)

PETITION

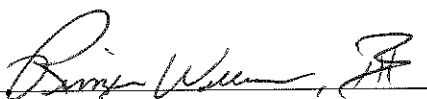
The Petitioner, the Gary Storm Water Management District of Gary, Indiana (the "GSWMD"), respectfully requests to petition the Distressed Unit Appeals Board to request adjustment to the circuit breaker caps imposed by I.C. 6-1.1-20.3-6. The GSWMD, pursuant to the procedures provided in IC 6-1.1-20.3-6, files this Petition for relief and alleges that:

1. This Petition has been duly authorized by resolution of the Board of Directors of the GSWMD, a copy of which is attached.
2. The Resolution adopted by the Board of Directors authorizes an appeal because the GSWMD expects to have its property tax collections reduced by at least five percent (5%) in calendar year 2011 and subsequent years as a result of the application of the circuit breaker caps imposed by I.C. 6-1.1-20.3-6.
3. The Mayor of the City of Gary, the Director and the Director of Finance of the GSWMD has determined that the GSWMD cannot carry out its governmental functions under the full application of the circuit breaker caps imposed by I.C. 6-1.1-20.3-6 due to the significant projected loss of property tax revenues.

Now, therefore, the Petitioner respectfully requests that the Distressed Unit Appeals Board to issue an Order to raise the circuit breaker caps and to approve the financial plan for the GSWMD for 2011 and the subsequent years.

Dated this 23rd day of November 2010.

GARY STORM WATER MANAGEMENT DISTRICT

By: 

Director