



Regular Session  
Council Agenda Packet  
September 15, 2022

**CITY OF CROWLEY**  
**CITY COUNCIL**  
**Council Regular Session**  
**September 15, 2022**  
**ATTENDANCE SHEET**

	<u>Worksession</u>	<u>Regular</u>
Mayor Pro Tem Johnny Shotwell, Place 1	_____	_____
Council Member Jerry Beck, Place 2	_____	_____
Council Member Jesse Johnson, Place 3	_____	_____
Council Member Jim Hirth, Place 4	_____	_____
Council Member Jimmy McDonald, Place 5	_____	_____
Council Member Scott Gilbreath, Place 6	_____	_____
Mayor Billy Davis	_____	_____
<b>Staff:</b>		
Robert Loftin, City Manager	_____	_____
Lori Watson, Finance Director/Asst City Mgr	_____	_____
Jack Thompson, EDC Director/Asst City Mgr	_____	_____
Rob Allibon, City Attorney	_____	_____
Carol Konhauser, City Secretary	_____	_____
Pleasant Brooks, Fire Chief	_____	_____
Kit Long, Chief of Police	_____	_____
Mike Rocamontes, Public Works Director	_____	_____
Rachel Roberts, Planning & Comm Dev Director	_____	_____
Cristina Winner, Community Services Director	_____	_____
Lisa Hansen, HR Administrator	_____	_____
Julie Hepler, Special Event Coordinator .	_____	_____
Jay Hinton, Media Relations	_____	_____



**AGENDA  
CROWLEY CITY COUNCIL  
SEPTEMBER 15, 2022  
WORKSESSION - 6:30 p.m.**

**Crowley City Hall  
201 E. Main Street  
Crowley TX 76028**

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**WORKSESSION - September 15, 2022 - 6:30 pm**

**I. CALL TO ORDER AND ROLL CALL**

**II. NON-ACTION ITEMS FOR DISCUSSION**

1. None.

**DISCUSSION OF ITEMS LISTED ON THE AGENDA**

**III. CONSENT AGENDA**

*All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

1. Discuss and consider approving the minutes from the regular meeting held September 1, 2022.
2. Consider approving an Interlocal Agreement for administrative cost funding for Section 5310 Program between the Fort Worth Transportation Authority and The City of Crowley, Texas, FY 2022-2023 and authorizing the Mayor to execute said Agreement.
3. Discuss and consider Special Event Permit Application for the Crowley ISD Fall Cross Country Meet to be held in Bicentennial Park on October 17, 2022.

**IV. PUBLIC HEARINGS**

1. Hold a Public Hearing and consider approval of the proposed Crowley Economic Development 4B FY2022-23 Operating Budget.
2. Hold a Public Hearing to receive input on the operating budget for the budget year beginning on October 1, 2022 and ending September 30, 2023.
3. Hold a Public Hearing to receive public input on the proposed 2022 ad valorem property tax rate.

**V. CITY BUSINESS**

1. Discuss and consider approval Ordinance 09-2022-470 amending the FY2021-22 City of Crowley Operating Budget and appropriating resources to be known as FY2021-22 Budget amendment No. 3; establishing an effective date.
2. Discuss and consider adoption of Ordinance 09-2022-471, an ordinance of the City of Crowley, Texas, approving and adopting the budget for fiscal year 2022-23, beginning October 1, 2022 and ending September 30, 2023, providing a severability clause; and declaring an effective date.
3. Consider and act upon the ratification of the property tax revenue increase reflected in the Proposed FY 2022-23 City of Crowley Operating Budget.
4. Discuss and consider adoption of Ordinance 09-2022-472 of the City of Crowley, Texas affixing and levying Municipal Ad Valorem Taxes for the fiscal year beginning October 1, 2022 and ending September 30, 2023 and for each year thereafter until otherwise provided on all taxable property within the corporate limits of the City of Crowley as of January 1, 2023 to provide revenues for the payment of current expenses and all outstanding debts of the city; directing the assessment thereof; providing for due dates and delinquent dates for payment of taxes together with penalties and interest thereon; providing for approval of the tax rolls presented to the City Council; repealing conflicting ordinances providing a severability clause and declaring an effective date.

\*\*\*An agenda information packet is available for public inspection in the Crowley Library and on the City website, under Agenda Packets\*\*\*

5. Discuss and consider canceling the Regular scheduled meeting of the Crowley City Council for October 6, 2022 due to lack of quorum.
6. Discuss and consider approving revisions to the city's Pay Classification Plan.
7. Discuss and consider adoption of Resolution R09-2022-375 of the City of Crowley amending the Staffing Plan.
8. Discuss and consider approval of Ordinance No. 09-2022-473, repealing and replacing Article 82, "Traffic and Vehicles", Article V "Parking, Stopping and Standing", to update regulations into Divisions and adding a new Division regarding Residential Parking Permit Area.
9. Discuss and consider a construction bid award in the amount of \$220,535.00 to Stable & Winn, Inc., for Oarlock Drive Paving Improvements and authorizing the City Manager or his designated representative to execute said contract.
10. Discuss and consider adoption of Ordinance 09-2022-469 an ordinance of the City Council of the City of Crowley, Texas, amending Appendix A, Schedule of Rates, Fees and Charges of the Code of Ordinances by correcting a typographical error in Section (18) Water and Sanitary Sewer Rates; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; providing for publication; and providing an effective date.
11. Discuss and consider authorizing the purchase of a 100-foot Rear Mount Platform Truck (Fire Engine Ladder Truck) and authorizing the expenditure of funds.
12. Discuss and consider approval of a Chapter 380 agreement with Bloomfield Homes, L.P.

## **VI. ADJOURNMENT**



**AGENDA  
CROWLEY CITY COUNCIL  
SEPTEMBER 15, 2022  
REGULAR SESSION - 7:00 p.m.**

**Crowley City Hall  
201 E. Main Street  
Crowley TX 76028**

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**REGULAR SESSION - September 15, 2022 - 7:00 pm**

**I. CALL TO ORDER AND ROLL CALL**

**II. INVOCATION**

**III. PLEDGE TO ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS**

*"I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with Liberty and Justice for all."*

*"Honor the Texas flag; I pledge allegiance to thee, Texas, one state, under God, one and indivisible."*

**IV. PRESENTATIONS/PROCLAMATIONS**

1. None.

**V. CONSENT AGENDA**

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11. Discuss and consider authorizing the purchase of a 100-foot Rear Mount Platform Truck (Fire Engine Ladder Truck) and authorizing the expenditure of funds.
12. Discuss and consider approval of a Chapter 380 agreement with Bloomfield Homes, L.P.

## **VIII. ADVISORY BOARDS AND COMMISSISONS**

### **1. Reports**

None

### **2. Appointments/Reappointments**

Tax Increment Financing Board of Directors

	Place 1	New Term ending Dec 31, 2023
Johnny Shotwell	Place 2	New Term ending Dec 31, 2024
Billy Davis	Place 3	New Term ending Dec 31, 2023
Jesse Johnson	Place 4	New Term ending Dec 31, 2024
Lisa McMillan	Place 5	New Term ending Dec 31, 2023
Lori Watson	Place 6	New Term ending Dec 31, 2024
J.R. Labbe	Place 7	New Term ending Dec 31, 2023
Jack Thompson	Place 8	New Term ending Dec 31, 2024
Susan Alanis	Place 9	New Term ending Dec 31, 2023

## **IX. PUBLIC COMMENT**

*If you wish to make a public comment or discuss subjects not listed on the agenda, please fill out a (yellow) Visitor's Participation card and submit to the City Secretary. There will be no formal actions taken on subjects presented during public comments. Please NOTE council may NOT address or converse with you regarding a NON-AGENDA ITEM. The public comment period will only allow members of the public to present ideas and information to the City Officials and Staff.*

## **X. ITEMS OF COMMUNITY INTEREST**

*Items of community interest include expressions of thanks, congratulations, or condolence; information regarding holiday schedules; honorary recognitions of city officials, employees or citizens; reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or employee; and announcements involving imminent threats to the public health and safety*

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## **XI. EXECUTIVE SESSION**

Pursuant to Chapter 551, Texas Government Code, the Council reserves the right to convene in Executive Session(s), from time to time as deemed necessary during this meeting for any posted agenda item to receive advice from its attorney as permitted by law, or to discuss the following as permitted by Government Code:

- 1. Section 551.071 (Consultation with Attorney)**
- 2. Section 551.072 (Deliberations about Real Property)**
- 3. Section 551.074 (Personnel Matters)**
- 4. Section 551.087 (Business Prospect/Economic Development)**

## **XII. RECONVENE AND TAKE ACTION FROM EXECUTIVE SESSION**

*Reconvene into open session and take any necessary action resulting from items posted and legally discussed in Closed Session.*

## **XIII. ADJOURNMENT**

**I, the undersigned authority, do hereby certify that this Agenda of the City Council Meeting to be held on Thursday, September 15, 2022, of the governing body of the City of Crowley is a true and correct copy posted on \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ am/ pm to the City Website and at Crowley City Hall, a place convenient and readily accessible to the public at all times.**

City of Crowley

\_\_\_\_\_  
Carol C. Konhauser, City Secretary

THE CITY COUNCIL RESERVES THE RIGHT OF THE FOLLOWING:

1. ITEMS DO NOT HAVE TO BE CONSIDERED IN THE SAME ORDER AS SHOWN ON THIS AGENDA;

2. THE COUNCIL MAY CONTINUE OR RECESS ITS DELIBERATIONS TO THE NEXT CALENDAR DAY IF IT DEEMS IT NECESSARY.

The Crowley City Hall is wheelchair accessible and accessible parking spaces are available. Requests for accommodations must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (817) 297-2201 ext. 4000, or email [ckonhauser@ci.crowley.tx.us](mailto:ckonhauser@ci.crowley.tx.us) for further information.

**NOTICE:** A quorum of the Crime Control and Prevention District Board of Directors and the Economic Development Board of Directors will be present at this meeting; however, neither Board will take action on any items on this posted agenda.



## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** V-1

**Staff Contact:** Carol C. Konhauser  
City Secretary

**E-mail:** [ckonhauser@ci.crowley.tx.us](mailto:ckonhauser@ci.crowley.tx.us)

**Phone:** 817-297-2201-X 4000

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**SUBJECT:** Discuss and consider approving the minutes from the regular meeting held September 1, 2022.

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#### **BACKGROUND/DISCUSSION**

Consider approval of minutes as presented.

#### **FINANCIAL IMPACT**

None

#### **RECOMMENDATION**

Staff recommends approval of the minutes as presented; council consideration is respectfully requested.

#### **ATTACHMENTS**

- Minutes



**MINUTES OF THE CITY COUNCIL WORK SESSION HELD SEPTEMBER 1, 2022.** The City Council of the City of Crowley, Texas met in Work Session on Thursday, September 1, 2022, at 6:30 pm in the City Council Chambers, 201 East Main Street, Crowley City Hall, Crowley, Texas.

Present were Mayor Billy P. Davis  
Mayor Pro-Tem Johnny Shotwell, City Council Place 1  
Council Member Jerry Beck, City Council Place 2  
Council Member Jesse Johnson, City Council Place 3  
Council Member Jim Hirth, City Council Place 4  
Council Member Jimmy McDonald, City Council Place 5  
Council Member Scott Gilbreath, City Council Place 6

City staff included: Asst City Mngr/Finance Director, Lori Watson  
Asst City Mngr/EDC Director, Jack Thompson  
City Attorney, Rob Allibon  
City Secretary, Carol Konhauser  
Police Chief, Kit Long  
Public Works Director, Mike Rocamontes  
Planning and Comm Devel Director, Rachel Roberts  
Community Services Director, Cristina Winner

Absent: None

### **CALL TO ORDER/ ROLL CALL**

Mayor Billy Davis called the Work Session to order at 6:37 p.m. City Secretary Carol Konhauser called roll and noted a quorum was present.

### **DISCUSSION OF NON-ACTION ITEMS**

- 1. Discuss the costs of the signs (and other items) to prohibit on street parking for the neighborhoods around Crowley High School.**

Police Chief Kit Long stepped up to discuss the permit parking area in the neighborhoods around Crowley HS. He stated staff had drafted an Ordinance and received the cost of installing signs which was more than expected. The estimated cost to install signs totaled approximately \$45,759. This is the cost to install a sign at every property line. Police Chief Long also explained that there would be an additional cost to include the necessary towing notification. After much discussion, council all agreed that a sign at every property line would be undesirable and did not believe the residents would be in favor. Council requested staff verify the distance requirements for the signs and lower to amount if possible.

### **CONSENT AGENDA**

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- 1. Discuss and consider approving the minutes from the regular meeting held August 18, 2022.**  
No discussion.

### **PUBLIC HEARING**

- 1. None.**

No discussion

### **CITY BUSINESS**

- 1. Mayor to announce the date, time and place of the public hearing on the proposed FY 2022-23 Annual Operating Budget.**

No discussion

2. **Mayor to announce the date, time and place of the public hearing on the proposed tax rate.**

No discussion

3. **Mayor to announce the date, time and place of the public hearing on the proposed FY 2022-23 Economic Development Corporation Budget.**

No discussion

#### **ADJOURNMENT**

As there was no further business to discuss, the work session was adjourned at 6:54 pm.

**MINUTES OF THE CITY COUNCIL REGULAR SESSION HELD SEPTEMBER 1, 2022.** The City Council of the City of Crowley, Texas met in Regular Session on Thursday, September 1, 2022, at 7:00 pm in the City Council Chambers, 201 East Main Street, Crowley City Hall, Crowley, Texas.

Present were Mayor Billy P. Davis  
Mayor Pro-Tem Johnny Shotwell, City Council Place 1  
Council Member Jerry Beck, City Council Place 2  
Council Member Jesse Johnson, City Council Place 3  
Council Member Jim Hirth, City Council Place 4  
Council Member Jimmy McDonald, City Council Place 5  
Council Member Scott Gilbreath, City Council Place 6

City staff included: Asst City Mngr/Finance Director, Lori Watson  
Asst City Mngr/EDC Director, Jack Thompson  
City Attorney, Rob Allibon  
City Secretary, Carol Konhauser  
Police Chief, Kit Long  
Public Works Director, Mike Rocamontes  
Planning and Comm Devel Director, Rachel Roberts  
Community Services Director, Cristina Winner

Absent: None

### **CALL TO ORDER/ ROLL CALL**

Mayor Billy Davis called the Regular Session to order at 7:03 p.m. City Secretary Carol Konhauser called roll and noted a quorum was present.

### **INVOCATION/PLEDGE OF ALLEGIANCE**

Invocation was given by Council Member Jesse Johnson followed by the Pledge of Allegiance to the American and Texas Flags.

### **PRESENTATIONS/PROCLAMATIONS**

1. **None**

### **CONSENT AGENDA**

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1. **Discuss and consider approving the minutes from the regular meeting held August 18, 2022.**

Council Member Jimmy McDonald made the motion to approve the Consent Agenda item(s), second by Council Member Jim Hirth; council voted unanimously to approve the motion as presented. Motion carried 7-0.

### **PUBLIC HEARING**

1. **None.**

### **CITY BUSINESS**

1. **Mayor to announce the date, time and place of the public hearing on the proposed FY 2022-23 Annual Operating Budget.**

Mayor Billy Davis announced the date, time and place of the public hearing on the proposed FY2022-23 Annual Operating Budget which would be on September 15, 2022 at 7:00pm located in the Council Chambers at City Hall, 201 E Main Street, Crowley TX, 76036.

2. **Mayor to announce the date, time and place of the public hearing on the proposed tax rate.**

Mayor Billy Davis announced the date, time and place of the public hearing on the proposed tax rate would be on September 15, 2022 at 7:00pm located in the Council Chambers at City Hall, 201 E Main Street, Crowley TX, 76036.

**3. Mayor to announce the date, time and place of the public hearing on the proposed FY 2022-23 Economic Development Corporation Budget.**

Mayor Billy Davis announced the date, time and place of the public hearing on the proposed FY2022-23 Economic Development Corporation Budget which would be on September 15, 2022 at 7:00pm located in the Council Chambers at City Hall, 201 E Main Street, Crowley TX, 76036.

**ADVISORY BOARDS AND COMMISSIONS**

*Reports/appointments or reappointments.*

1. Reports:  
None

2. Appointments/Reappointments:  
None.

**PUBLIC COMMENT**

Mayor Davis asked if there were any citizens or visitors wishing to speak.

Terri Horn, Chamber of Commerce, announced the quarterly luncheon on Sep 15, 2022. She also announced upcoming ribbon cutting for Hard Hat Construction, Happy Hour Eyecare ER, and Urgent Care. The annual golf tournament will be held in Oct.

**ITEMS OF COMMUNITY INTEREST**

Mayor Davis then asked if there were any community interest items.

As there was no further business, Mayor Billy Davis adjourned the meeting at 7:08 p.m.

ATTEST:

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Billy Davis, Mayor

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Carol C. Konhauser, City Secretary



## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** V-2

**Staff Contact:** Carol Konhauser  
City Secretary

**E-mail:** ckonhauser@ci.crowley.tx.us

**Phone:** 817-297-2201-X4000

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**SUBJECT:** Consider approving an Interlocal Agreement for administrative cost funding for Section 5310 Program between the Fort Worth Transportation Authority and The City of Crowley, Texas, FY 2022-23 and authorizing the Mayor to execute said Agreement.

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#### **BACKGROUND/DISCUSSION**

The Fort Worth Transportation Authority is a federal grantee of the Federal Transit Administration which provides funding to States under Section 5310 of Title 49 of the United States Code. This is an annual Interlocal Agreement with the Fort Worth Transportation Authority to provide door-to-door paratransit services for elderly and persons with disabilities within Tarrant County who do not have transportation service nor is a member of a transportation authority. The City of Crowley will contribute \$1,607.00 towards the administrative costs of the Section 5310 Services for FY2022-23. Through this service, transportation would be provided for a variety of purposes such as medical appointments, shopping, recreation, school, or work. Qualifying residents would pay \$2.50 for a one-way trip. For the 2022-2023 year, the City of Crowley will be guaranteed transportation on Thursdays of each week.

Unfortunately, the grant for the enhancement program, which allowed for one additional day of service at no cost to the City expired in 2022. Effective October 1, 2022, the FWTA will no longer be offering service on Tuesdays.

#### **FINANCIAL IMPACT**

Contributing cost of \$1,607.00 budgeted annually, there was no increase for this year.

#### **RECOMMENDATION**

Staff recommends approval.

#### **ATTACHMENT:**

- Interlocal Agreement for Section 5310 Program

**INTERLOCAL AGREEMENT  
FOR ADMINISTRATIVE COSTS FUNDING FOR  
SECTION 5310 PROGRAM  
BETWEEN  
THE FORT WORTH TRANSPORTATION AUTHORITY  
AND  
THE CITY OF CROWLEY, TEXAS**

The Fort Worth Transportation Authority (“Trinity Metro”) and the City of Crowley, Texas (“City”) are both local governmental entities as that term is used in Chapter 791, Interlocal Cooperation Contracts, V.T.C.A., Government Code. They shall sometimes be referred to collectively as the “Parties”.

**WHEREAS**, the City of Crowley desires to provide door-to-door paratransit services for elderly and persons with disabilities within Tarrant County and does not have a transportation service nor is it a member of a transportation authority; and

**WHEREAS**, Trinity Metro is a federal grantee of the Federal Transit Administration and the Federal Transit Administration provides funding to States under Section 5310 of Title 49 of the United States Code, and the goal of the Section 5310 program is to provide transportation for elderly and disabled persons residing in cities that do not have public transportation available to them; and

**WHEREAS**, the Texas Department of Transportation (TxDOT) asked Trinity Metro to develop and implement a Section 5310 Tarrant County Transportation Services (TCTS) program for otherwise underserved communities in Tarrant county; and

**WHEREAS**, Trinity Metro has been awarded the grant for this area and the City of Crowley is contributing a total of \$1,607.00 towards the administrative costs of the Section 5310 service (TCTS) for the period from October 1, 2022 through September 30, 2023; and

**WHEREAS**, the monies will support a portion of administrative costs for the transportation services to the described peoples during a 12-month period;

Now, therefore, the parties pursuant to City of Crowley action and Trinity Metro action, agree as follows:

1. This program is called Tarrant County Transportation Services (TCTS). This transportation is provided for a variety of purposes such as medical appointments, shopping, recreation, school or work. The City of Crowley will be allocated one day (Thursday), each week as their primary designated day for transportation. On that day, all available vehicles will be provided for service to qualified Crowley residents. On the remaining days of the week, rides are available subject to the priority requests from other cities on a first-come basis.
2. Each party represents to the other that the delegated costs of the project under the Agreement, as well as any payments made by it pursuant to this Agreement, will be made from current revenues and/or specified grant funds. Further, each Party warrants and represents to the other party that each Party has been authorized by its respective governing body to do so. Each party further represents and warrants to the other Party that any renewal of, deletion, or change to this Agreement will be in writing and authorized by its respective governing body.
3. Trinity Metro will administer transportation services to the citizens of the City of Crowley under the program known as Tarrant County Transportation Services from October 1, 2022 through September 30, 2023.
4. Trinity Metro will administer demand responsive transportation services for the seniors and persons with disabilities of Crowley according to the federal requirements of the Section 5310 grant and according to the relevant State of Texas statutes.
5. The City of Crowley will pay the authorized amounts to Trinity Metro within 30 days of receipt of invoice. The payment will be for the period from October 1, 2022 through September 30, 2023.
6. Trinity Metro will provide access upon request to the Section 5310 records to the City of Crowley.
7. Parties will comply with all applicable State of Texas and federal statutes and regulations as required by their status as a federal grantee and transit authority of the State of Texas, and federal grantee and municipality of the State of Texas, respectively.
8. The term of this agreement will begin October 1, 2022 and end September 30, 2023.
9. The City of Crowley will be considered a participating community and the qualifying residents of Crowley will be entitled to ride TCTS for a one-way trip fare of \$2.50.

CITY OF CROWLEY, TEXAS

FORT WORTH TRANSPORTATION AUTHORITY:

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Richard Andreski  
President & CEO

ATTEST:

\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney  
City of Crowley, Texas





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** V-3

**Staff**

**Contact:**

**E-mail:**

**Phone:**

Carol Konhauser

City Secretary

ckonhauser@ci.crowley.tx.us

817-297-2201 ext. 4000

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**SUBJECT:** Discuss and consider Special Event Permit Application for the Crowley ISD Fall Cross Country Meet to be held in Bicentennial Park on October 17, 2022.

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#### **BACKGROUND/DISCUSSION**

The Crowley ISD submitted a special Event Permit Application to hold the Crowley ISD Fall Cross Country meet in Bicentennial Park on October 17, 2022. In previous years, they held two events on consecutive days. This year the 1st event was held in August (approved by council).

The ISD sends their proof of insurance annually and it is on file with the City Secretary.

#### **FINANCIAL IMPACT**

None.

#### **RECOMMENDATION**

Recommend approval of the Special Event Permit.

#### **ATTACHMENTS**

- Special Event Application



## Special Events Permit Application

City Secretary's Office  
201 E Main Street  
Crowley TX 76036  
(817) 297-2201 ext 4000

Permit applications shall be filed with the city secretary or designee for consideration on a first come first serve basis **not less than 21 days or more than 365 days before the date of the proposed use or activity.** In the event of a street closure, applications must be submitted not less than 45 days in advance. Due to the state department of transportation requirements, closure of any state highway for more than six (6) hours will require 90 days' advance notice to the city. The application will either be approved, approved with conditions, denied, or more information will be requested within five business days of submission to the city secretary. Due to the nature of some events, additional information may be requested. A deposit will be required for certain types of events. The deposits shall be set forth in the city fee schedule listed as Appendix A to the City of Crowley Code of Ordinances.

All applicants will be charged facility rental fees as appropriate and are expected to fully reimburse the City for all services related to event production which may include, but are not limited to, Police, Fire/EMS, Park and Facility Maintenance, Field Services, Sanitation, Street Engineering, Site Supervisors, Environmental, and all necessary permit fees including: Beer and Wine, Tent, Fireworks, Carnival, Sign, etc. Applicants are responsible for returning City facilities and parks their original condition. Daily fees will be assessed until all event equipment is removed from City premises. Full payment is due upon receipt of final invoice.

Section 1 – Applicant Information						
Name of Applicant (must be on site during the event)			Today's Date			
Brandon Key / Crowley ISD			8/31/22			
Address	City	State	Zip			
512 Peach St.	Crowley	Tx	76036			
Phone Number	Cell Phone Number					
817-297-5800						
Email	brandon.key@crowley.k12.tx.us					
Section 2 – Sponsoring Organization Information						
Corporation/Organization Name of D.B.A.		Type of Organization				
		<input type="checkbox"/> For Profit <input type="checkbox"/> Non-Profit <input type="checkbox"/> Other:				
Name of Contact		Email:				
Address	City	State	Zip			
Phone Number	Cell Phone Number					
Section 2 – Event Information						
Name of Event			Anticipated Daily Attendance			
Middle School District Cross Country Meet						
Location of Event/physical address						
Bicentennial Park						
Property Owner		Owner Phone				
Owner Email:		Has the property owner given authorization to use property?				
		<input type="checkbox"/> Yes <input type="checkbox"/> No				
Detailed Description of Event						
Setup	Date	Time	Day of Week			
10/17/22	8:00am	<input checked="" type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun				
Event Start	10/17/22	<input checked="" type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun				
Event End	10/17/22	<input checked="" type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun				
Teardown	10/17/22	<input checked="" type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input type="checkbox"/> Th <input type="checkbox"/> F <input type="checkbox"/> Sat <input type="checkbox"/> Sun				
Additional Information:						

### Section 3 – Event Features

Will there be an admission charge?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, list all price categories below.
Will there be entertainment? <i>A complete list of entertainment will be required before final approval. Once approved, no changes may be made unless authorized.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please attach a complete list of entertainment.
Will sound amplification be used at the event? Sound amplification:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, explain below
Will merchandise and/or food items be sold? <i>Booths will need to be inspected and have proper food handling permits</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, please attach a complete list of vendors.
Have you hired a licensed professional emergency medical service provider to manage your event's medical plan? (Fee may be charged for Emergency Service personnel)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes please list below.
Medical Service Provider	Phone	
<b>Will the event include any of the following? (Indicate on site plan and/or vendor list)</b>		
Tents or Canopies <i>Tents require temporary use permits issued by the city upon Fire Department review (additional fees may be applicable). Temporary tents must adhere to the International Fire Code</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complete Tent Worksheet and attach with site plan
Inflatables <i>If inflatable exceeds 400 sq ft, additional permit is required</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Total Sq Ft:
Company	Contact name and phone	
Fireworks/Pyrotechnics <i>Fireworks/Pyrotechnics require permits from the City Fire Department (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Temporary Fencing <i>Temporary fencing requires temporary use permits issued by the city (additional fees may be applicable).</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Provide accurate dimensions of fenced area on site plan.
Temporary restrooms or refuse collection provided? <i>(All trash and debris must be removed)</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Company	Contact name and phone	
Carnival/Amusement Rides <i>A separate Special Use Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Signs / Banners <i>A separate Sign Permit may be required. (additional fees may be applicable)</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Company	Contact name and phone	
Will animals be used in conjunction with event?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, describe below.
Description:		
Is this a run, walk or parade? If yes, attach a map identifying assembly location and route on site plan. <b>Must be submitted 21-days prior to event.</b> <i>(Fee may be charged for Public Service Personnel)</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

### Section 4 – Roadways and Sidewalks

Does the event propose <b>using, closing or blocking</b> any of the following If yes, specify location and duration on site map. <i>(Fee may be charged for Public Service personnel)</i>			
City Streets	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	City Sidewalks	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
City Right-of-Ways	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public Parking Lots	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Section 5 – Use of City Utilities (Fee may be charged for the use of City Utilities)

Will any City electric hookups be used?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Electric Location including amperage
Will any City water hookups be used?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Water Location(s)
Will waste water/gray water be generated?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	If so, how will it be disposed?

## Section 6 – Alcohol

Will there be alcohol at the event?

☐ Yes ☒ No

*At no time will alcohol be distributed or consumed in City Parks and/or streets to include Park Pavilions. All activities involving alcohol will require the presence of an off-duty City police officer. The applicant will be required to pay for an officer to be present for a minimum of 3 hours or the full amount of time that alcohol is served. Consumption of alcohol without the presence of an officer or a violation of the provision of the City Ordinances will result in forfeiture of the rental deposit.*

The Texas Alcoholic Beverage Commission (TABC) requires specific and specialized permits for selling/serving alcohol. These permits will be based on the parameters and scope of the desired service and the type of event. Due to the numerous scenarios that may be involved in your event, it is impossible to outline the requirements in this application. **It is your responsibility** to contact the TABC office and speak to an Agent who will be the entity for permission and, if approved, provide the exact permit(s) required.

Permission by the City to hold a Special Event does not guarantee permission from TABC to serve/sell alcohol. Your event may be approved by the City but the service and selling of alcohol is the domain of the TABC and may be denied at their discretion.

Permission by the TABC to serve/sell alcohol at a Special Event does not guarantee permission of the City.

Will alcohol be provided free of charge?

☐ Yes ☒ No

*To be considered "free," there cannot be an expectation of receiving money. You cannot charge for admission, ask for donations or accept tips. Doing so would constitute a sale of alcohol and would require a Texas Alcohol Beverage Commission and City Permit.*

Will you be charging an entrance or registration fee?

☐ Yes ☒ No

Will the alcohol be sold?

☐ Yes ☒ No

If you answered Yes, a Texas Alcohol Beverage Commission and City Permit will be required.

TABC License # \_\_\_\_\_ Expiration \_\_\_\_\_

## Section 11 – Insurance Requirements

The City of Crowley has established insurance requirements for those facility users, vendors and contractors entering into agreements with the City for the purpose of special events and activities. Before commencing use or services under an agreement with the City of Crowley a certificate of insurance that complies with the requirements referenced below must be furnished.

**All special event applicants shall name the City of Crowley as an "Additional Insured"** on all policies, and shall reflect this on a Certificate of Liability Insurance. A pplicant shall obtain Certificates of Liability Insurance from all vendors participating in this event unless covered under the applicant's insurance policy. Separate Certificates of Insurance Liability shall be provided by all carnival and amusement companies and firework production companies and shall name the City of Crowley as "Additional Insured." Additional coverage may be required depending upon the nature and scope of the event. The City of Crowley reserves the right to evaluate the liability of each event and assess the required insurance limits. Event permits will not be issued until all insurance requirements are satisfactorily met.

### The certificate must show:

1. The City of Crowley as "Additional Insured."
2. General Liability Including:
  - Bodily injury
  - Property damage
  - Medical Expense
  - Personal Injury

### Organized League Play

Any organization or group who is renting an athletic field for the purpose of organized league play must provide the following documents:

1. Certificate of Liability Insurance. The city and the group or organization must be co-insured by the policy. The policy must include a minimum of \$500,000.00 per incident, with not less than \$1,000,000.00 aggregate with the same remaining in effect for the term of this agreement. Failure to maintain such insurance shall be cause for immediate cancellation of event/reservation;
2. Health permit (if renting concession stand);
3. Player insurance;
4. State Charter;
5. Bylaws;
6. Schedule; and
7. Emergency contact information.



### Section 12 – Compliance with Laws and City Ordinances

1. The applicant will clean the grounds, remove equipment, and restore the permitted site after the event.
2. The applicant is responsible for providing parking assistance if required.
3. Adequate policing for crowd control must be provided by applicant. Off duty officers are available by calling 817-297-2276.
4. The applicant will not nail, staple, or otherwise attach any event-connected signs to any guard post, sign post, utility pole or tree.
5. Admission to the event will not be limited to membership nor will any discrimination be made against a person because of race, creed, sex, color, age, or national origin in conducting the event. Admission to view the event will be open to the general public without discrimination on the grounds of race, color, religion, national origin, sex, or age. Participation in the event may be limited to members of the sponsoring group, provided that the group does not unlawfully discriminate against participation in the event on grounds of race, color, religion, national origin, sex, or age. Request for Special Event Application citing special circumstances for participation requiring gender or age discrimination must be accompanied by an exceedingly persuasive justification.
6. If necessary, the applicant will furnish a map showing the area where the special event is to be conducted.

### Section 13 – Acknowledgement and Signature

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of event will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local ordinances regulating this type of event or the use of any land or buildings.

I hereby certify that I have received the property owners consent to utilize above location for the period of time and purpose stated.

I further understand that any deviation from this Application could result in the City closing down or canceling the Event. I understand that a Special Event Permit must be approved by the City of Crowley prior to the occurrence of this Event. The issuance of that permit is contingent upon the compliance with the Special Event Application and acceptance of all listed stipulations or conditions of the Special Event Permit.

Signature:

*Kelly Jells (CISD)*

Date:

*8/31/22*

### Section 13 – Acknowledgement and Signature

Included	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	Certificate of Liability Insurance
<input type="checkbox"/>	<input type="checkbox"/>	Detailed Site Plan
<input type="checkbox"/>	<input type="checkbox"/>	Route Map
<input type="checkbox"/>	<input type="checkbox"/>	Amusement Ride Certification of Inspection
<input type="checkbox"/>	<input type="checkbox"/>	Tent Permit Application

Public Works

☐ Approved ☐ Denied Initials

Remarks

Fire Department

☐ Approved ☐ Denied Initials

Remarks

Police Department

☐ Approved ☐ Denied Initials

Remarks

Recreation Center

☐ Approved ☐ Denied Initials

Remarks

City Council

☐ Approved ☐ Denied Initials

Remarks



Park Pavilion  
Bicentennial Park: 900 E Glendale  
Teeter Park: 505 S. Crowley Rd.  
Crowley, TX 76036  
Phone: (817) 297 - 2201, Ext. 7000

Today's Date 8/3/22		Renter's Last Name Crowley ISD		First Name	
Address 512 Peach St.		City Crowley		Zip 76036	
Mailing Address (If different from physical address)		City		Zip	
Phone Number 817-297-5800			Alt. Phone Number		
Email Kelly.Sells@crowley.k12.tx.us			Organization Crowley ISD		
Reservation Date 10/17/22		Hours From: _____ a.m./p.m To: _____ a.m./p.m Total: _____			
Purpose Middle School Cross Country			Headcount		

**BICENTENNIAL PARK:**

- ☐ OCTAGON  
☒ RECTANGULAR  
☐ BLUE SHADE  
☐ STAGE

**Resident:**

- ☐ \$15 (3 hrs. Flat Rate)  
☐ \$ 5 (per hour over 3)

**TEETER PARK:**

- ☐ LARGE  
☐ BLUE SHADE

**Non-Resident:**

- ☐ \$50 (3 hrs. Flat Rate) Fee: \_\_\_\_\_  
☐ \$15 (per hour over 3) Fee: \_\_\_\_\_

Total Amount: \_\_\_\_\_

Make reservations at:  
Crowley Recreation Center  
405 S. Oak St.  
Crowley, TX 76036

## City of Crowley

The City of Crowley utilizes the Crowley Code of Ordinances, Section 58 to outline rules governing the Bicentennial and Teeter Park usage. Please read and sign/initial that you understand and agree to the following policies regarding the renting of the City of Crowley park pavilions. This listing is not all inclusive of Section 58, but the ordinance may be viewed online at <http://www.ci.crowley.tx.us>.

### General Rules

Initials



- (a) No marking, defacing, disfiguring removing or moving any tables, benches, structures, railings, signs, notices or placards, whether temporary or permanent is allowed.
- (b) No person shall leave any bottles, broken glass, paper boxes, cans, dirt, rubbish, waste or garbage in the park. Lessees must dispose of all of their trash by putting it in the dumpster located next to the Community Center. Trash bags are not provided you must bring your own trash bag to dispose of your trash.
- (c) All vehicles must be parked in the parking lot and not on the grass.
- (d) No person shall start or maintain in any park any outdoor fire, except cooking fires which shall be started and maintained only in a barbeque pit. (Pending county burn bans.)
- (e) Dogs are not allowed to run at large. Dogs must be kept on a leash at all times.
- (f) No glass containers allowed in park.
- (g) No alcoholic beverages allowed in park.
- (h) Permits are needed for exhibits, dramas, motion pictures, radio/TV event, fair, non-commercial carnival, musical event, public meeting, assembly, parade, ceremonies, addresses, speeches or political meetings, use of amplified sound, bounce houses.
- (i) No loud music or sound after 10:00 pm in the evening.

### Cancellation Policy

Initials



**NO REFUNDS WILL BE GIVEN DUE TO INCLIMATE WEATHER UNLESS  
CANCELLATION IS MADE 48HRS IN ADVANCE. NO EXCEPTIONS.**

- (a) If notice of cancellation is given prior to two weeks of the reservation date, then half of the rental fees will be retained by the city.
- (b) If notice of cancellation is given less than two weeks, then all fees will be retained by the city.

### Bounce House Usage

Initials



If you are renting a pavilion in the park and intend on having a bounce house during your rental time,

- Please be aware of the other patrons who will either be before or after your party and have all items removed in a timely manner.
- You must provide your own generator; you should not plug in bounce houses to pavilion outlets for any reason. This will cause the circuit to blow, leaving you without electricity. There are no employees on duty after hours to come restore electricity at pavilions.
- There must be an ADULT supervising the bounce house at ALL times and only your guests should be allowed in the bounce house. The City of Crowley is NOT responsible for injuries related to the bounce house.

There may only be ONE bounce house allowed per pavilion per rental time.

- Water slides are NOT allowed nor considered in the category of a bounce house, as there is NO water available to the public for use.

### Other

Initials



Reservations will be posted. Please have your driver's license or application if needed to have a non-reserved party removed. Please call the non-emergency police department number (817-297-2276) to have a non-reserved party removed if they are not cooperative.

Lessee understands and agrees to hold harmless the lesser, the City of Crowley, its agents and employees, from and against any and all claims, expenses, demands, judgments and causes of action of every kind and character for personal injury, death or damage to property, which could occur from or arise out of the activities of lessee or its users. I have read and fully understand the rules and regulations governing the Park/Pavilion reservations. Lessee also understands that the rules, regulations, and fees are subject to change without notice, as they are approved by the City Council.

  
Signature of Lessee

8-31-22  
Date





## Crowley City Council

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### AGENDA REPORT

<b>Meeting Date:</b>	September 15, 2022	<b>Staff Contact:</b>	Lori Watson ACM/Finance Director
<b>Agenda Item:</b>	VI-1	<b>E-mail:</b>	<a href="mailto:lwatson@ci.crowley.tx.us">lwatson@ci.crowley.tx.us</a>
		<b>Phone:</b>	817-297-2201 ext. 4900

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**SUBJECT:** Hold a Public Hearing and consider approval of the proposed Crowley Economic Development 4B FY2022-23 Operating Budget.

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#### **BACKGROUND/DISCUSSION**

Pursuant to the Texas Local Government code 501.073 the corporation's authorizing unit will approve all programs and expenditures of the corporation and annually review any financial statements of the corporation.

#### **FINANCIAL IMPACT**

See attached the proposed FY2022-23 EDC Operating Budget.

#### **RECOMMENDATION**

Staff recommends approval.

#### **ATTACHMENTS**

- EDC 4B FY2022-23 Operating Budget

## Economic Development Corporation 2022-23 Budget

### Revenues:

Sales Tax Revenue	1,400,500	
Rental Income	400,796	
Interest Income	<u>8,000</u>	
<b>Total Revenue</b>		<b>1,809,296</b>

### Expenses:

Salary Expense	142,765	
Fica	8,851	
Medicare	2,070	
TMRS	15,833	
Health insurance	10,282	
Office Supplies	2,500	
Training	18,000	
Electric Service	2,200	
Professional Fees	17,000	
Attorney Fees	10,000	
Mobile Telephone Services	1,600	
Advertising	3,000	
Service Contracts	42,000	
Subscriptions & Publications	6,300	
Dues & Memberships	3,440	
Printing & Reproduction	3,000	
Other Materials & Supplies	3,400	
Building Maintenance	16,800	
Water Service	500	
Taxes, Insurance on Real Property	<u>110,675</u>	
<b>Total</b>		<b>420,217</b>

### Bond Payments

Revenue Bond 2016 Principal	140,000	
Revenue Bond 2016 Interest	68,850	
2018 CO Bond Principal	155,000	
2018 CO Bond Interest	138,125	
2020 CO Bond Principal	105,000	
2020 CO Bond Interest	105,550	
Paying Agent Fees	<u>200</u>	
<b>Total</b>		<b>712,725</b>

### One Time Purchases:

<b>Branding &amp; Promotional Expense</b>	<u><b>40,000</b></u>	
<b>Total</b>		<b>40,000</b>

**Total Expenses** **1,172,942**

Revenues over (under) expenses

**636,354**



## Crowley City Council

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### AGENDA REPORT

<b>Meeting Date:</b>	September 15, 2022	<b>Staff Contact:</b>	Lori Watson ACM/Finance Director
<b>Agenda Item:</b>	VI-2	<b>E-mail:</b>	<a href="mailto:lwatson@ci.crowley.tx.us">lwatson@ci.crowley.tx.us</a>
		<b>Phone:</b>	817-297-2201 ext 4900

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**SUBJECT:** Hold a public hearing to receive input on the operating budget for the budget year beginning October 1, 2022 and ending September 30, 2023.

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#### **BACKGROUND/DISCUSSION**

Council held a special budget work session on Thursday, August 18, 2022 at 6:00pm and staff presented the proposed FY 2022-23 Operating Budget. The budget includes revenues that would be generated by the \$0.645203/\$100 tax rate. The General Fund revenue is proposed at \$15,586,568 and expenditures at \$15,585,940, leaving a balance of \$628. The Debt Service proposed revenue \$2,197,322 and expenditures at \$2,391,847, resulting in a shortage of \$194,525 to be paid from reserves. The Water & Sewer Fund proposed revenue is \$7,220,900 and expenses \$7,217,085, resulting in a surplus of \$3,815.

#### **FINANCIAL IMPACT**

Establish Operating Budget for FY2022-23

#### **ATTACHMENTS**

- Budget Summaries 2022-23

# City of Crowley

## Fiscal Year 2022-23

### Operating Budget

This budget will raise more total property taxes than last year's budget by \$321,429 or 3.74%, and of that amount, \$367,917 is tax revenue to be raised from new property added to the tax roll this year.

#### Property Tax Rate Comparison

	2022-23	2021-2022
Property Tax Rate:	\$0.645203/100	\$0.729545/100
No-New-Revenue Tax Rate:	\$0.646780/100	\$0.693124/100
No-New-Revenue Maintenance & Operations Tax Rate:	\$0.463545/100	\$0.508313/100
Voter-Approval Tax Rate:	\$0.625236/100	\$0.729546/100
Debt Rate:	\$0.145467/100	\$0.203442/100

Total debt obligation for City of Crowley secured by property taxes \$2,412,947

# City of Crowley

	2020-21 Amended Budget	2021-22 Amended Budget	2022-23 Proposed Budget
Maintenance & Operation Revenue	\$ 6,330,500	\$ 6,465,493	\$ 7,487,510
Maintenance & Operation Rate	0.512910	0.526102	0.499736
Debt Service Revenue	\$ 2,145,000	\$ 2,500,181	\$ 2,179,522
Debt Service Rate	0.186896	0.203442	0.145467

Mailing Address for City of Crowley:

201 E. Main Street, Crowley TX 76036

[www.ci.crowley.tx.us](http://www.ci.crowley.tx.us)

[817-297-2201](tel:817-297-2201)

## City Council Members:

Billy P. Davis	Mayor	<a href="mailto:billy@ci.crowley.tx.us">billy@ci.crowley.tx.us</a>
Johnny Shotwell	Council Place 1	<a href="mailto:jshotwell@ci.crowley.tx.us">jshotwell@ci.crowley.tx.us</a>
Jerry Beck, Jr.	Council Place 2	<a href="mailto:jbeck@ci.crowley.tx.us">jbeck@ci.crowley.tx.us</a>
Jesse D. Johnson	Council Place 3	<a href="mailto:jjohnson@ci.crowley.tx.us">jjohnson@ci.crowley.tx.us</a>
Jim Hirth	Council Place 4	<a href="mailto:jhirth@ci.crowley.tx.us">jhirth@ci.crowley.tx.us</a>
Jimmy McDonald	Council Place 5	<a href="mailto:jmcdonald@ci.crowley.tx.us">jmcdonald@ci.crowley.tx.us</a>
Scott Gilbreath	Council Place 6	<a href="mailto:sgilbreath@ci.crowley.tx.us">sgilbreath@ci.crowley.tx.us</a>

No-New-Revenue Rate	\$0.646780/\$100
Voter-Approval Rate	\$0.625236/\$100
DeMinimis Rate	\$0.645204/\$100

**City of Crowley**  
**Summary of Revenues over (under) Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>
<b>General Fund Revenue</b>	14,025,337	13,954,683	15,240,870	15,586,568
<b>General Fund Expenditures</b>	13,220,851	14,168,827	15,145,529	15,585,940
<b>Other Sources/Uses</b>	(79,470)	-	-	-
<b>Revenues over(under) Expenditures</b>	<b>\$ 725,016</b>	<b>\$ (214,144)</b>	<b>\$ 95,341</b>	<b>\$ 628</b>
<b>Debt Service Fund Revenue</b>	16,263,044	2,500,181	2,717,300	2,197,322
<b>Debt Service Fund Expenditures</b>	16,202,117	2,499,735	2,549,784	2,391,847
<b>Revenues over(under) Expenditures</b>	<b>\$ 60,927</b>	<b>\$ 446</b>	<b>\$ 167,516</b>	<b>\$ (194,525)</b>
<b>Water &amp; Sewer Fund Revenue</b>	7,913,847	7,495,488	7,194,486	# 7,236,635
<b>Water &amp; Sewer Fund Expenditures</b>	6,468,364	7,487,477	7,174,960	# 7,232,819
<b>Other Sources/Uses</b>		-	-	-
<b>Revenues over(under) Expenditures</b>	<b>\$ 1,445,483</b>	<b>\$ 8,011</b>	<b>\$ 19,526</b>	<b>\$ 3,816</b>

**General Fund  
Revenues  
2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Revenues</u></b>						
Tax Receipts	\$ 9,497,114	\$ 9,824,667	\$ 9,950,606	\$ 11,191,887		
Permit Fees	706,297	764,375	598,774	764,375		
Intergovernmental	912,685	883,841	1,578,841	967,841		
Fees and Fines	747,314	507,500	838,513	562,850		
Charges for Services	1,947,714	1,943,800	2,083,865	2,043,915		
Other Income	214,213	30,500	190,271	55,700		
Bond and Lease Proceeds	-	-	-	-		
<b>Grand Total</b>	<b>\$ 14,025,337</b>	<b>\$ 13,954,683</b>	<b>\$ 15,240,870</b>	<b>\$ 15,586,568</b>	<b>\$ 1,631,885</b>	<b>12%</b>

**General Fund**  
**Department Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Non-Departmental</u></b>						
Personnel Services	\$ 107,075	\$ 151,773	\$ 113,025	\$ 139,673		
Materials & Supplies	45,557	91,459	98,772	93,959		
Services	1,470,913	1,510,180	1,538,080	1,549,216		
Maintenance & Repair	86,481	90,056	91,100	102,121		
Capital Outlay	792,266	-	26,608	-		
Miscellaneous	14,405	65,754	640,265	15,364		
<b>Total</b>	<b>\$ 2,516,697</b>	<b>\$ 1,909,222</b>	<b>\$ 2,507,850</b>	<b>\$ 1,900,333</b>	<b>\$ (8,889)</b>	<b>0%</b>
<b><u>Administration</u></b>						
Personnel Services	\$ 621,091	\$ 606,234	\$ 588,416	\$ 649,875		
Materials & Supplies	13,493	15,450	15,250	15,450		
Services	22,627	27,359	28,293	29,242		
Maintenance & Repair	7,771	3,800	3,130	4,800		
Capital Outlay	-	-	-	-		
Miscellaneous	42,181	29,420	17,309	28,787		
<b>Total</b>	<b>\$ 707,163</b>	<b>\$ 682,263</b>	<b>\$ 652,398</b>	<b>\$ 728,154</b>	<b>\$ 45,891</b>	<b>7%</b>
<b><u>Municipal Court</u></b>						
Personnel Services	130,945	\$ 143,335	\$ 141,616	# \$ 161,434		
Materials & Supplies	1,863	3,150	2,000	3,150		
Services	92,785	117,132	100,605	107,433		
Maintenance & Repair	-	-	-	-		
Capital Outlay	-	-	-	-		
Miscellaneous	635	2,140	1,400	4,900		
<b>Total</b>	<b>\$ 226,228</b>	<b>\$ 265,757</b>	<b>\$ 245,621</b>	<b>\$ 276,917</b>	<b>\$ 11,160</b>	<b>4%</b>
<b><u>Library</u></b>						
Personnel Services	405,006	\$ 454,748	\$ 454,076	\$ 535,638		
Materials & Supplies	21,673	19,950	24,337	20,400		
Services	47,834	49,198	53,243	52,294		
Maintenance & Repair	9,707	9,500	10,500	9,500		
Capital Outlay	25,720	34,616	8,896	-		
Miscellaneous	52,879	57,269	57,769	58,169		
<b>Total</b>	<b>\$ 562,819</b>	<b>\$ 625,281</b>	<b>\$ 608,821</b>	<b>\$ 676,001</b>	<b>\$ 50,720</b>	<b>8%</b>
<b><u>Senior Center</u></b>						
Personnel Services	16,928	\$ 33,256	\$ 23,449	\$ 26,055		
Materials & Supplies	1,251	2,500	1,037	2,300		
Services	1,000	2,000	1,000	12,000		
Maintenance & Repair	-	-	-	-		
Capital Outlay	-	-	-	-		
Miscellaneous	-	-	-	-		
<b>Total</b>	<b>\$ 19,179</b>	<b>\$ 37,756</b>	<b>\$ 25,486</b>	<b>\$ 40,355</b>	<b>\$ 2,599</b>	<b>7%</b>
<b><u>Police Department</u></b>						
Personnel Services	2,943,411	\$ 3,521,201	\$ 3,505,899	\$ 4,011,160		
Materials & Supplies	73,621	54,019	67,425	50,350		
Services	121,212	98,793	106,385	112,753		
Maintenance & Repair	43,130	39,000	38,500	39,000		
Capital Outlay	41,786	-	35,321	-		
Miscellaneous	37,061	26,141	33,816	26,718		
<b>Total</b>	<b>\$ 3,260,221</b>	<b>\$ 3,739,154</b>	<b>\$ 3,787,346</b>	<b>\$ 4,239,981</b>	<b>\$ 500,827</b>	<b>13%</b>



**General Fund**  
**Department Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Fire Department</u></b>						
Personnel Services	3,007,949	\$ 3,637,248	\$ 3,661,208	\$ 4,122,998		
Materials & Supplies	110,527	92,823	89,299	86,715		
Services	128,857	180,329	181,292	180,077		
Maintenance & Repair	128,647	83,335	146,554	78,540		
Capital Outlay	-	12,750	136,962	-		
Miscellaneous	22,253	31,518	31,518	31,257		
<b>Total</b>	<b>\$ 3,398,233</b>	<b>\$ 4,038,003</b>	<b>\$ 4,246,833</b>	<b>\$ 4,499,587</b>	<b>\$ 461,584</b>	<b>11%</b>
<b><u>Public Works</u></b>						
Personnel Services	389,811	\$ 430,917	\$ 374,129	\$ 476,062		
Materials & Supplies	20,283	16,650	21,813	8,184		
Services	23,210	25,450	39,981	28,722		
Maintenance & Repair	69,913	149,233	134,538	59,613		
Capital Outlay	35,227	-	184,768	-		
Miscellaneous	260	148	243	342		
<b>Total</b>	<b>\$ 538,704</b>	<b>\$ 622,398</b>	<b>\$ 755,472</b>	<b>\$ 572,923</b>	<b>\$ (49,475)</b>	<b>-8%</b>
<b><u>Parks</u></b>						
Personnel Services	232,770	\$ 272,428	\$ 241,421	\$ 329,960		
Materials & Supplies	12,016	5,075	6,225	5,854		
Services	50,637	50,871	56,751	56,671		
Maintenance & Repair	22,269	21,700	39,769	21,700		
Capital Outlay	44,760	18,410	76,933	131,945		
Miscellaneous	-	950	-	950		
<b>Total</b>	<b>\$ 362,452</b>	<b>\$ 369,434</b>	<b>\$ 421,099</b>	<b>\$ 547,080</b>	<b>\$ 177,646</b>	<b>48%</b>
<b><u>Animal Control</u></b>						
Personnel Services	244,741	\$ 261,452	\$ 279,100	\$ 320,657		
Materials & Supplies	16,181	19,270	17,210	23,270		
Services	13,559	16,244	13,991	17,688		
Maintenance & Repair	4,577	2,250	1,580	3,050		
Capital Outlay	-	-	59,403	-		
Miscellaneous	1,235	2,570	2,390	2,390		
<b>Total</b>	<b>\$ 280,293</b>	<b>\$ 301,786</b>	<b>\$ 373,674</b>	<b>\$ 367,055</b>	<b>\$ 65,269</b>	<b>22%</b>
<b><u>Community Development</u></b>						
Personnel Services	166,222	\$ 252,649	\$ 256,050	\$ 282,196		
Materials & Supplies	4,028	4,767	5,510	5,575		
Services	179,155	176,309	156,693	171,519		
Maintenance & Repair	211	430	350	430		
Capital Outlay	-	130	-	130		
Miscellaneous	2,811	7,800	3,600	7,110		
<b>Total</b>	<b>\$ 352,427</b>	<b>\$ 442,085</b>	<b>\$ 422,203</b>	<b>\$ 466,960</b>	<b>\$ 24,875</b>	<b>6%</b>
<b><u>Code Enforcement</u></b>						
Personnel Services	67,248	\$ 77,407	\$ 77,699	\$ 95,200		
Materials & Supplies	1,873	400	400	400		
Services	490	690	810	690		
Maintenance & Repair	-	200	1,703	200		
Capital Outlay	-	-	-	-		
Miscellaneous	-	1,140	40	1,140		
<b>Total</b>	<b>\$ 69,611</b>	<b>\$ 79,837</b>	<b>\$ 80,652</b>	<b>\$ 97,630</b>	<b>\$ 17,793</b>	<b>22%</b>

**General Fund**  
**Department Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Finance</u></b>						
Personnel Services	333,429	\$ 356,757	\$ 360,844	\$ 405,389		
Materials & Supplies	639	650	2,962	650		
Services	10,558	10,554	10,424	10,964		
Maintenance & Repair	143	800	800	800		
Capital Outlay	-	-	-	-		
Miscellaneous	6,297	5,176	5,503	6,339		
<b>Total</b>	<b>\$ 351,066</b>	<b>\$ 373,937</b>	<b>\$ 380,533</b>	<b>\$ 424,142</b>	<b>\$ 50,205</b>	<b>13%</b>
<b><u>Recreation Center</u></b>						
Personnel Services	357,348	\$ 435,221	\$ 403,955	\$ 511,015		
Materials & Supplies	18,782	22,295	21,195	21,250		
Services	62,495	70,161	71,560	81,010		
Maintenance & Repair	13,404	17,500	9,729	17,000		
Capital Outlay	52,933	39,383	25,389	-		
Miscellaneous	58,373	78,630	79,265	105,080		
<b>Total</b>	<b>\$ 563,335</b>	<b>\$ 663,190</b>	<b>\$ 611,093</b>	<b>\$ 735,355</b>	<b>\$ 72,165</b>	<b>11%</b>
<b><u>Crouch Event Center</u></b>						
Personnel Services	-	\$ -	\$ -	\$ -		
Materials & Supplies	307	1,000	5,915	1,100		
Services	10,401	17,224	8,676	9,743		
Maintenance & Repair	1,715	500	4,122	2,625		
Capital Outlay	-	-	7,735	-		
Miscellaneous	-	-	-	-		
<b>Total</b>	<b>\$ 12,423</b>	<b>\$ 18,724</b>	<b>\$ 26,448</b>	<b>\$ 13,468</b>	<b>\$ (5,256)</b>	<b>-28%</b>
<b>Grand Total</b>	<b>\$ 13,220,851</b>	<b>\$ 14,168,827</b>	<b>\$ 15,145,529</b>	<b>\$ 15,585,940</b>	<b>\$ 1,417,113</b>	<b>10%</b>

**Debt Service Fund**  
**Revenue & Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
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**Revenues**

Tax Receipts	\$ 2,145,410	\$ 2,500,181	\$ 2,717,300	\$ 2,197,322		
Bond and Lease Proceeds	14,117,634	-	-	-		

<b>Grand Total</b>	<b>\$ 16,263,044</b>	<b>\$ 2,500,181</b>	<b>\$ 2,717,300</b>	<b>\$ 2,197,322</b>	<b>\$ (302,859)</b>	<b>-12%</b>
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**Expenditures**

Debt Service	2,202,117	2,499,735	2,549,784	2,391,847		
Transfer Out	14,000,000					

<b>Grand Total</b>	<b>\$ 16,202,117</b>	<b>\$ 2,499,735</b>	<b>\$ 2,549,784</b>	<b>\$ 2,391,847</b>	<b>\$ (107,888)</b>	<b>-4%</b>
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## Water & Sewer Fund

### Revenues

#### 2022-23 Budget

	2020-21 Actual Revenues	2021-22 Current Budget	2021-22 Projected Year End	2022-23 Budget Request	Difference in 2021-22 & 2022-23 Budget	% Change
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#### Revenues

Charges for Services	\$	7,893,935	\$	7,486,288	\$	7,170,093	\$	7,221,635
Other Income		19,912		9,200		24,393		15,000

<b>Grand Total</b>	<b>\$</b>	<b>7,913,847</b>	<b>\$</b>	<b>7,495,488</b>	<b>\$</b>	<b>7,194,486</b>	<b>\$</b>	<b>7,236,635</b>	<b>\$</b>	<b>(258,853)</b>	<b>-3%</b>
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**Water & Sewer Fund**  
**Department Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Debt Service</u></b>						
Debt Service	398,773	1,301,231	1,301,231	1,307,563		
<b>Total</b>	<b>\$ 398,773</b>	<b>\$ 1,301,231</b>	<b>\$ 1,301,231</b>	<b>\$ 1,307,563</b>	<b>\$ 6,332</b>	<b>0%</b>
<b><u>Non-Departmental</u></b>						
Personnel Services	\$ 25,022	\$ 30,122	\$ 26,560	\$ 27,000		
Materials & Supplies	-	35,000	66,550	66,550		
Services	208,686	231,401	222,572	232,236		
Maintenance & Repair	-	-	-	-		
Capital Outlay	-	-	625	-		
Miscellaneous	582,871	594,967	583,785	583,286		
<b>Total</b>	<b>\$ 816,579</b>	<b>\$ 891,490</b>	<b>\$ 900,092</b>	<b>\$ 909,072</b>	<b>\$ 17,582</b>	<b>2%</b>
<b><u>Customer Service</u></b>						
Personnel Services	\$ 193,811	\$ 238,711	\$ 221,506	\$ 274,639		
Materials & Supplies	3,197	1,671	1,228	1,771		
Services	84,847	89,769	89,917	101,807		
Maintenance & Repair	151	500	500	500		
Capital Outlay	-	643	1,352	643		
Miscellaneous	194	2,400	3,076	2,400		
<b>Total</b>	<b>\$ 282,200</b>	<b>\$ 333,694</b>	<b>\$ 317,579</b>	<b>\$ 381,760</b>	<b>\$ 48,066</b>	<b>14%</b>
<b><u>Water Department</u></b>						
Personnel Services	407,035	\$ 571,579	\$ 519,134	\$ 767,458		
Materials & Supplies	17,196	15,584	18,539	13,500		
Services	1,828,991	1,945,400	1,957,618	1,975,095		
Maintenance & Repair	70,932	44,700	46,022	46,750		
Capital Outlay	1,391,960	514,176	354,403	200,322		
Miscellaneous	1,511	2,795	2,000	2,135		
<b>Total</b>	<b>\$ 3,717,625</b>	<b>\$ 3,094,234</b>	<b>\$ 2,897,716</b>	<b>\$ 3,005,260</b>	<b>\$ (88,974)</b>	<b>-3%</b>
<b><u>Sewer Department</u></b>						
Personnel Services	71,896	\$ 93,331	\$ 92,902	\$ 115,352		
Materials & Supplies	6,448	3,475	3,475	3,400		
Services	1,168,945	1,502,495	1,520,435	1,503,031		
Maintenance & Repair	5,784	35,550	6,300	6,550		
Capital Outlay	-	230,686	134,939	-		
Miscellaneous	114	1,291	291	831		
<b>Total</b>	<b>\$ 1,253,187</b>	<b>\$ 1,866,828</b>	<b>\$ 1,758,342</b>	<b>\$ 1,629,164</b>	<b>\$ (237,664)</b>	<b>-13%</b>
<b>Grand Total</b>	<b>\$ 6,468,364</b>	<b>\$ 7,487,477</b>	<b>\$ 7,174,960</b>	<b>\$ 7,232,819</b>	<b>\$ (254,658)</b>	<b>-3%</b>

# City of Crowley

## Operating Budget

### 2022-23

This budget will raise more total property taxes than last year's budget by \$321,429 or 3.74%. The property tax revenue to be raised from new property added to the tax roll this year is \$367,917.

## General Fund 2021-22 Year End

### Revenue:

Tax Receipts	\$ 9,950,606
Permit Fees	598,774
Intergovernmental	1,578,841
Fines and Fees	838,513
Charges for Services	2,083,865
Other Income	190,271

### Total Revenues

**\$ 15,240,870**

### Expenditures:

Non Departmental	\$ 2,507,850
Administration	652,398
Municipal Court	245,621
Library	608,821
Senior Center	25,486
Police Dept	3,787,346
Fire Dept	4,246,833
Public Works	755,472
Parks	421,099
Animal Control	373,674
Community Development	422,203
Code Enforcement	80,652
Finance	380,533
Recreation Center	611,093
Crouch Event Center	26,448

### Total Expenditures

**\$ 15,145,529**

### Revenues over/(under) Expenditures

**\$ 95,341**

### 2021-22 Estimated Revenues over Expenditures

Year End Purchases Included:

Library	Front Desk Computers	3,537
Fire	Desktop Computers	3,634
Public Works	Fuel Island Dispenser Repairs etc	3,988
Public Works	Ice Maker Replacement	4,763
Community Dev	Desktop Computer	1,817
Finance	Laptop	1,200
Crouch Event	Reception Desk	2,042
Crouch Event	Countertop Food Warmers	1,461
Crouch Event	Additional Chairs	1,400
Police	Access Control System	35,321
Police	Desktop computers (5)	9,085
Fire	SCBA 6 One hour cylinders	12,726
Fire	Outdoor Warning Sirens	111,486
Fire	Station 2 @ Interior Painting	22,300

Fire	Station 2 Floor Cleaning	5,654
Public Works	Connect Fuel Pumps to generator	24,252
Public Works	Garage Foam Insulation & Roof Waterproofing	107,473
Public Works	Garage Bay Fan	11,600
Public Works	Traffic Control Signage (LED sign retrofit)	24,223
Public Works	Fuel Island Tank Level Software Upgrade	12,082
Public Works	Traffic Management Equipment	5,138
Parks	CYA Restroom Door Retrofit	5,652
Parks	Utility Tractor w/large area mower attachment	58,523
Animal Control	Service Vehicle -F250 Truck w/Kennel kit	59,403
Rec Center	Flooring Replacement	15,517
Crouch Event	Ice Machine	7,735



## General Fund 2022-23 Budget

### Revenue:

Tax Receipts	\$ 11,191,887
Permit Fees	764,375
Intergovernmental	967,841
Fines and Fees	562,850
Charges for Services	2,043,915
Other Income	55,700

<b>Total Revenues</b>		<b>\$ 15,586,568</b>
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### Expenditures:

Non Departmental	\$ 1,900,333
Administration	728,154
Municipal Court	276,917
Library	676,001
Senior Center	40,355
Police Dept	4,239,981
Fire Dept	4,499,587
Public Works	572,923
Parks	547,080
Animal Control	367,055
Community Development	466,960
Code Enforcement	97,630
Finance	424,142
Recreation Center	735,355
Community Center	13,468

<b>Total Expenditures</b>		<b>\$ 15,585,940</b>
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<b>Revenues over/(under) Expenditures</b>		<b>\$ 628</b>
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### Included in the 2022-23 Budget:

#### Personnel:

Rec Center increased Part time to full time -Facility Attendant/Custodian  
 Moved a Telecommunications Officer to Telecommunications Supervisor  
 Increase hours of Part Time Animal Control tech to full time  
 Library increased Part time to full time Program Coordinator  
 Restructure the General Pay Plan  
 Adjust the Public Safety Step Plan

#### Capital & Enhancements:

Public Works	Street sign replacement	4,200
Animal Control	Medical Supplies	3,100
Non Dept	Email Server Software Licensing	17,650
Parks	Seasonal Right of Way Mowing	44,940
Parks	TXDOT ROW and Median additional scope	5,200
Parks	Teeter Park Equipment Replacement & Pavillion Shade	131,945
Rec Center	Celebration of Freedom (fireworks & additional costs)	18,300
Rec Center	Fall Festival	7,500
Senior Center	Transportation Services Meals on Wheels	10,000

<div><b>Debt Service Fund</b> <b>2021-22 Year End</b></div>
<div><b>Revenue:</b> <div>Taxes\$ 2,717,300</div><div><b>Total Revenues</b>\$ 2,717,300</div> <b>Expenditures:</b> <div>Debt Service\$ 2,549,784</div><div><b>Total Expenditures</b><u>\$ 2,549,784</u></div> <div><b>Revenues over/(under) Expenditures</b>\$ 167,516</div></div>

<div><b>Debt Service Fund</b> <b>2022-23 Budget</b></div>
<div><b>Revenue:</b> <div>Taxes\$ 2,197,322</div><div><b>Total Revenues</b>\$ 2,197,322</div> <b>Expenditures:</b> <div>Debt Service\$ 2,391,847</div><div><b>Total Expenditures</b><u>\$ 2,391,847</u></div> <div><b>Revenues over/(under) Expenditures</b>\$ (194,525)</div></div>

## Water & Sewer Fund 2021-22 Year End

### Revenue:

Charges for Services	\$ 7,170,093	
Other Income	24,393	
	<u>                    </u>	
<b>Total Revenues</b>		<b>\$ 7,194,486</b>

### Expenses:

Debt Service	\$ 1,301,231	
Non-Departmental	900,092	
Customer Service	317,579	
Water	2,897,716	
Sewer	1,758,342	
	<u>                    </u>	
<b>Total Expenses</b>		<b>\$ 7,174,960</b>

<b>Revenues over/(under) Expenses</b>	<b>\$ 19,526</b>
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### Year End Purchases Included:

Geographic Information System Data collection device	3,495
Water Distribution Pump Service & Maintenance	19,040
Service Vehicle - F250 Truck	59,403
Sewer Inspection Crawler Camera	92,669

## Water & Sewer Fund 2022-23 Budget

### Revenue:

Charges for Services	\$	7,205,900
Other Income		15,000
		15,000

<b>Total Revenues</b>		<b>\$ 7,220,900</b>
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### Expenses:

Debt Service	\$	1,307,563
Non-Departmental		909,072
Customer Service		381,760
Water		2,989,632
Sewer		1,629,058
		1,629,058

<b>Total Expenses</b>		<b>\$ 7,217,085</b>
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<b>Revenues over/(under) Expenses</b>		<b>\$ 3,815</b>
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### Included in the 2022-23 Budget:

Change the Water/Wastewater Manager to Assistant Utility Director

Add Director of Utilities & Projects

Restructure of the General Pay Plan



## Crowley City Council

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### AGENDA REPORT

<b>Meeting Date:</b>	September 15, 2022	<b>Staff Contact:</b>	Lori Watson ACM/Finance Director
<b>Agenda Item:</b>	VI-3	<b>E-mail:</b>	<a href="mailto:lwatson@ci.crowley.tx.us">lwatson@ci.crowley.tx.us</a>
		<b>Phone:</b>	817-297-2201 ext 4900

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**SUBJECT:** Hold a Public Hearing to receive public input on the proposed 2022 ad valorem property tax rate.

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#### **BACKGROUND/DISCUSSION**

Hold a public hearing to receive public input on the proposed 2022 Tax Rate of \$0.645203/\$100.

#### **FINANCIAL IMPACT**

The average taxable value of a residence in the City of Crowley for 2021 was \$188,480. Based on last year's tax rate of \$0.729545/\$100, the amount of taxes imposed last year was \$1,375.05.

The average taxable value of a residence in the City of Crowley for 2022 is \$212,160. If the governing body adopts the proposed tax rate of \$0.645203/\$100, the amount of taxes imposed would be \$1,368.86.

If the governing body adopts the proposed no-new-tax rate of \$0.646780/\$100, the amount of taxes imposed this year on the average home would be \$1,372.21.

#### **RECOMMENDATION**

None

#### **ATTACHMENTS**

- 2022 Tax Rate Public Hearing Notice

# NOTICE OF PUBLIC HEARING ON TAX RATE

A tax rate of \$0.645203 per \$100 valuation has been proposed by the governing body of City of Crowley.

PROPOSED TAX RATE	\$0.645203 per \$100
NO-NEW-REVENUE TAX RATE	\$0.646780 per \$100
VOTER-APPROVAL TAX RATE	\$0.625236 per \$100
DE MINIMIS RATE	\$0.645204 per \$100

The no-new-revenue tax rate is the tax rate for the 2022 tax year that will raise the same amount of property tax revenue for City of Crowley from the same properties in both the 2021 tax year and the 2022 tax year.

The voter-approval rate is the highest tax rate that City of Crowley may adopt without holding an election to seek voter approval of the rate, unless the de minimis rate for City of Crowley exceeds the voter-approval rate for City of Crowley.

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate for City of Crowley, the rate that will raise \$500,000, and the current debt rate for City of Crowley.

The proposed tax rate is not greater than the no-new-revenue tax rate. This means that City of Crowley is not proposing to increase property taxes for the 2022 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 15, 2022 AT 7:00 PM AT Crowley City Hall 201 E. Main Street, Crowley TX 76036.

The proposed tax rate is greater than the voter-approval tax rate but not greater than the de minimis rate. However, the proposed tax rate exceeds the rate that allows voters to petition for an election under Section 26.075, Tax Code. If City of Crowley adopts the proposed tax rate, the qualified voters of the City of Crowley may petition the City of Crowley to require an election to be held to determine whether to reduce the proposed tax rate. If a majority of the voters reject the proposed tax rate, the tax rate of the City of Crowley will be the voter-approval tax rate of the City of Crowley.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED  
AS FOLLOWS:

$$\text{Property tax amount} = (\text{tax rate}) \times (\text{taxable value of your property}) / 100$$

**FOR the proposal:**

Mayor Billy Davis  
Scott Gilbreath  
Jim Hirth

Johnny Shotwell  
Jesse Johnson  
Jimmy McDonald

**AGAINST the proposal:**

**PRESENT** and not voting:

**ABSENT:** Jerry Beck

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by City of Crowley last year to the taxes proposed to be imposed on the average residence homestead by City of Crowley this year.

	2021	2022	Change
Total tax rate (per \$100 of value)	\$0.729545	\$0.645203	decrease of -0.084342, or -11.56%
Average homestead taxable value	\$188,480	\$212,160	increase of 23,680, or 12.56%
Tax on average homestead	\$1,375.05	\$1,368.86	decrease of -6.19, or -0.45%
Total tax levy on all properties	\$8,592,123	\$8,913,552	increase of 321,429, or 3.74%

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For assistance with tax calculations, please contact the tax assessor for City of Crowley at 817-297-2201 or [lwatson@ci.crowley.tx.us](mailto:lwatson@ci.crowley.tx.us), or visit [ci.crowley.tx.us](http://ci.crowley.tx.us) for more information.





## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** VII-1

**Staff Contact:** Lori Watson,  
ACM/Finance Dir

**E-mail:** lwatson@ci.crowley.tx.us

**Phone:** 817-297-2100 ext. 4900

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**SUBJECT:** Discuss and consider approval Ordinance 09-2022-470 amending the FY2021-22 City of Crowley Operating Budget and appropriating resources to be known as FY2021-22 Budget amendment No. 3; establishing an effective date.

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#### **BACKGROUND/DISCUSSION**

Amending the budget for year-end purchases requested during the budget process.

#### **FINANCIAL IMPACT**

See Exhibit A attached.

#### **RECOMMENDATION**

Staff recommends approval of Ordinance 09-2022-470 amending the FY2021-22 City of Crowley Operating Budget.

#### **Attachments**

- Ordinance 09-2022-470
- Exhibit A: 2021-22 Budget Amendment #3

**ORDINANCE No. 09-2022-470**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, AMENDING THE FY2021-2022 CITY OF CROWLEY OPERATING BUDGET AND APPROPRIATING RESOURCES TO BE KNOWN AS “FY2021-22 BUDGET AMENDMENT NO. 3”; ESTABLISHING AN EFFECTIVE DATE.**

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**WHEREAS**, the budget for the City of Crowley, Texas for the Fiscal Year 2021-22 has heretofore been approved as provided by law; and

**WHEREAS**, unusual and unforeseen conditions have arisen which could not by reasonable diligent thought have been included nor considered prior to or at the time of the adoption and revision of said budget as aforesaid; and

**WHEREAS**, public necessity has arisen requiring the amendment to said budget.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, THAT:**

**SECTION 1**

The revised budget figures known as Exhibit A “2021-22 Budget Amendment No. 3 to the General Fund, Water & Sewer Fund” for fiscal year 2021-22, be, and the same are hereby, in all things, approved and appropriated by department, and any necessary transfers between accounts and departments are hereby authorized, approved and appropriated.

**SECTION 2**

This ordinance shall be effective from, and after, the date of its passage by the City Council of the City of Crowley, Texas.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, ON THIS THE 15th DAY OF SEPTEMBER, 2022.**

**CITY OF CROWLEY**

\_\_\_\_\_  
Billy P. Davis, Mayor

ATTEST:

\_\_\_\_\_  
Carol Konhauser, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Rob Allibon, City Attorney

**City of Crowley  
FY 2021-22 Budget**

**Budget Amendment #3**

**General Fund:**

Revenues:

10-00-41510	Sales Tax	93,000	
10-00-43040	County Fire District	70,000	
10-00-45100	EMS Charges	115,000	
10-00-45300	Facility Rentals	20,000	
10-00-46200	Misc Income	25,000	
10-00-46210	Misc Ins Claims	39,477	
10-00-46010	Interest Income	75,000	
10-00-41610	Electric Franchise Tax	15,500	
10-00-41600	Gas Franchise Tax	22,106	
10-00-44210	Gas Well Drilling Fees	60,625	
10-00-46050	Salvage/Auction Proceeds	16,304	
		16,304	
			<b>\$ 552,012</b>

Expenditures:

10-20-5403	Computer Maintenance	3,537
10-35-5403	Computer Maintenance	3,634
10-40-5379	Other Outside Services	3,988
10-40-5251	Office Furniture/Equipment	4,763
10-70-5403	Computer Maintenance	1,817
10-80-5251	Office Furniture/Equipment	1,200
10-86-5251	Office Furniture/Equipment	2,042
10-86-5251	Office Furniture/Equipment	1,461
10-86-5251	Office Furniture/Equipment	1,400
10-30-5503	Computers & Accessories	35,321
10-30-5403	Computer Maintenance	9,085
10-35-5509	Other Equipment	12,726
10-35-5509	Other Equipment	111,486
10-35-5405	Building Maintenance	22,300
10-35-5405	Building Maintenance	5,654
10-40-5505	Buildings & Improvements	24,252
10-40-5505	Buildings & Improvements	107,473
10-40-5509	Other Equipment	11,600
10-40-5480	Traffic Signs/Marking/Lights	24,223
10-40-5509	Other Equipment	12,082
10-40-5480	Traffic Signs/Marking/Lights	5,138

10-45-5505	Buildings & Improvements	5,652		
10-45-5509	Other Equipment	58,523		
10-65-5506	Motor Vehicles	59,403		
10-85-5505	Buildings & Improvements	15,517		
10-86-5509	Other Equipment	<u>7,735</u>		
	<b>Total</b>		<b>\$</b>	<b>552,012</b>

### Water Fund:

#### Revenues:

10-00-46050	Salvage/Auction Proceeds	2,502		
10-00-46010	Interest Income	13,000		
	<b>Total</b>		<b>\$</b>	<b>15,502</b>

#### Expenditures:

50-60-5594	Sanitary Sewer System	(159,105)		
50-55-5211	Minor Tool & Equipment	3,495		
50-55-5379	Other Outside Services	19,040		
50-55-5506	Motor Vehicles	59,403		
50-60-5509	Other Equipment	<u>92,669</u>		
	<b>Total</b>		<b>\$</b>	<b>15,502</b>



## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** VII-2

**Staff**

Lori Watson

**Contact:**

ACM/Finance Director

**E-mail:**

[lwatson@ci.crowley.tx.us](mailto:lwatson@ci.crowley.tx.us)

**Phone:**

817-297-2201 ext 4900

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**SUBJECT:** Discuss and consider adoption of Ordinance 09-2022-471, an ordinance of the City of Crowley, Texas, approving and adopting the budget for fiscal year 2022-23, beginning October 1, 2022 and ending September 30, 2023, providing a severability clause; and declaring an effective date.

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#### **BACKGROUND/DISCUSSION**

Council held a special budget work session on Thursday, August 18, 2022 at 6:00pm and staff presented the proposed FY 2022-23 Operating Budget. The budget includes revenues that would be generated by the \$0.645203/\$100 tax rate. The General Fund revenue is proposed at \$15,586,568 and expenditures at \$15,585,940, leaving a balance of \$628. The Debt Service proposed revenue \$2,197,322 and expenditures at \$2,391,847, resulting in a shortage of \$194,525 to be drawn from reserves. The Water & Sewer Fund proposed revenue is \$7,220,900 and expenses \$7,217,085, resulting in a surplus of \$3,815.

#### **FINANCIAL IMPACT**

Establish Operating Budget for FY 2022-23

#### **RECOMMENDATION**

Section 102.007 of the Texas Local Government Code requires the governing body to take a record vote when adopting the budget.

#### **ATTACHMENTS**

- Ordinance 09-2022-471
- Exhibit A-City of Crowley Operating Budget FY2022-23

**ORDINANCE NO. 09-2022-471**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, APPROVING AND ADOPTING AN OPERATING BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Crowley is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the local Government Code; and

**WHEREAS**, the City Manager of the City of Crowley has submitted to the City Council a proposed budget of the revenues of said city and the expenses of conducting the affairs thereof, and providing a complete financial plan for the ensuing fiscal year beginning October 1, 2022 and ending September 30, 2023, and which said proposed budget has been compiled from detailed information obtained from the various departments, divisions and offices of the City; and

**WHEREAS**, the City Council has received and reviewed said City Manager's proposed budget, a copy of which proposed budget and all supporting schedules have been filed with the City Secretary of the City of Crowley, and is of the opinion that the same should be approved and adopted, and that a public hearing before the City Council has been provided for as required by the statutes of the State of Texas; and

**WHEREAS**, the budget was duly set for a public hearing ordered to be called by the City Council and held on September 15, 2022, after due notice, as required by the laws of the State of Texas and at which time said budget was fully considered and interested taxpayers were heard by said City Council; and

**WHEREAS**, the City Council has studied the budget and listened to the comment of the taxpayers at the public hearing and has determined that the budget attached hereto is in the best interest of the City and that same should be approved and adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, THAT:**

**SECTION 1**

All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2**

For the purpose of providing the funds necessary and proposed to be expended in the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023, the available resources and revenues of the City of Crowley for said fiscal year be, and the same are hereby appropriated and set aside for the maintenance and operation of the various departments of the City, together with the various activities set forth in the budget as finally adopted and as hereinafter set forth, and said the amounts in accordance with the document entitled, "City of Crowley 2022-2023 Operating Budget," identified as Exhibit "A" attached.

### **SECTION 3**

That except in cases of emergency no money shall be drawn from the treasury of the City, nor shall any obligation for the expenditure of money be incurred except pursuant to the budget appropriations as set out in the approved budget. The City Manager may transfer appropriation funds from one line item to another line item within the same fund. Appropriations may be transferred from one fund to another upon recommendation of the City Manager and approval of a budget amendment by the City Council.

### **SECTION 4**

The budget adopted herein shall be a public record filed in the office of the City Secretary and available for public inspection by any interested party. The City Secretary shall file or cause to be filed a true and correct copy of this Ordinance, along with the approved budget attached hereto, and any amendments thereto, in the office of the County Clerk of Tarrant and Johnson Counties, Texas, as required by State Law.

### **SECTION 5**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional phrase, clause, sentence, paragraph or section.

### **SECTION 6**

This ordinance shall be effective on October 1, 2022 as approved by the City Council of the City of Crowley, Texas.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Crowley, Texas, on this the 15th day of September 2022.

**CITY OF CROWLEY, TEXAS**

\_\_\_\_\_  
Billy P. Davis, Mayor

ATTEST:

\_\_\_\_\_  
Carol Konhauser, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Rob Allibon, City Attorney

# City of Crowley

## Fiscal Year 2022-23

### Operating Budget

This budget will raise more total property taxes than last year's budget by \$321,429 or 3.74%, and of that amount, \$367,917 is tax revenue to be raised from new property added to the tax roll this year.

**Property Tax Rate Comparison**

	2022-23	2021-2022
Property Tax Rate:	\$0.645203/100	\$0.729545/100
No-New-Revenue Tax Rate:	\$0.646780/100	\$0.693124/100
No-New-Revenue Maintenance & Operations Tax Rate:	\$0.463545/100	\$0.508313/100
Voter-Approval Tax Rate:	\$0.625236/100	\$0.729546/100
Debt Rate:	\$0.145467/100	\$0.203442/100

Total debt obligation for City of Crowley secured by property taxes \$2,412,947



# City of Crowley

	2020-21 Amended Budget	2021-22 Amended Budget	2022-23 Proposed Budget
Maintenance & Operation Revenue	\$ 6,330,500	\$ 6,465,493	\$ 7,487,510
Maintenance & Operation Rate	0.512910	0.526102	0.499736
Debt Service Revenue	\$ 2,145,000	\$ 2,500,181	\$ 2,179,522
Debt Service Rate	0.186896	0.203442	0.145467

Mailing Address for City of Crowley:

201 E. Main Street, Crowley TX 76036

[www.ci.crowley.tx.us](http://www.ci.crowley.tx.us)

[817-297-2201](tel:817-297-2201)

## City Council Members:

Billy P. Davis	Mayor	<a href="mailto:billy@ci.crowley.tx.us">billy@ci.crowley.tx.us</a>
Johnny Shotwell	Council Place 1	<a href="mailto:jshotwell@ci.crowley.tx.us">jshotwell@ci.crowley.tx.us</a>
Jerry Beck, Jr.	Council Place 2	<a href="mailto:jbeck@ci.crowley.tx.us">jbeck@ci.crowley.tx.us</a>
Jesse D. Johnson	Council Place 3	<a href="mailto:jjohnson@ci.crowley.tx.us">jjohnson@ci.crowley.tx.us</a>
Jim Hirth	Council Place 4	<a href="mailto:jhirth@ci.crowley.tx.us">jhirth@ci.crowley.tx.us</a>
Jimmy McDonald	Council Place 5	<a href="mailto:jmcdonald@ci.crowley.tx.us">jmcdonald@ci.crowley.tx.us</a>
Scott Gilbreath	Council Place 6	<a href="mailto:sgilbreath@ci.crowley.tx.us">sgilbreath@ci.crowley.tx.us</a>

No-New-Revenue Rate	\$0.646780/\$100
Voter-Approval Rate	\$0.625236/\$100
DeMinimis Rate	\$0.645204/\$100

**City of Crowley**  
**Summary of Revenues over (under) Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>
<b>General Fund Revenue</b>	14,025,337	13,954,683	15,240,870	15,586,568
<b>General Fund Expenditures</b>	13,220,851	14,168,827	15,145,529	15,585,940
<b>Other Sources/Uses</b>	(79,470)	-	-	-
<b>Revenues over(under) Expenditures</b>	<b>\$ 725,016</b>	<b>\$ (214,144)</b>	<b>\$ 95,341</b>	<b>\$ 628</b>
<b>Debt Service Fund Revenue</b>	16,263,044	2,500,181	2,717,300	2,197,322
<b>Debt Service Fund Expenditures</b>	16,202,117	2,499,735	2,549,784	2,391,847
<b>Revenues over(under) Expenditures</b>	<b>\$ 60,927</b>	<b>\$ 446</b>	<b>\$ 167,516</b>	<b>\$ (194,525)</b>
<b>Water &amp; Sewer Fund Revenue</b>	7,913,847	7,495,488	7,194,486	# 7,236,635
<b>Water &amp; Sewer Fund Expenditures</b>	6,468,364	7,487,477	7,174,960	# 7,232,819
<b>Other Sources/Uses</b>		-	-	-
<b>Revenues over(under) Expenditures</b>	<b>\$ 1,445,483</b>	<b>\$ 8,011</b>	<b>\$ 19,526</b>	<b>\$ 3,816</b>

**General Fund  
Revenues  
2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Revenues</u></b>						
Tax Receipts	\$ 9,497,114	\$ 9,824,667	\$ 9,950,606	\$ 11,191,887		
Permit Fees	706,297	764,375	598,774	764,375		
Intergovernmental	912,685	883,841	1,578,841	967,841		
Fees and Fines	747,314	507,500	838,513	562,850		
Charges for Services	1,947,714	1,943,800	2,083,865	2,043,915		
Other Income	214,213	30,500	190,271	55,700		
Bond and Lease Proceeds	-	-	-	-		
<b>Grand Total</b>	<b>\$ 14,025,337</b>	<b>\$ 13,954,683</b>	<b>\$ 15,240,870</b>	<b>\$ 15,586,568</b>	<b>\$ 1,631,885</b>	<b>12%</b>

**General Fund**  
**Department Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Non-Departmental</u></b>						
Personnel Services	\$ 107,075	\$ 151,773	\$ 113,025	\$ 139,673		
Materials & Supplies	45,557	91,459	98,772	93,959		
Services	1,470,913	1,510,180	1,538,080	1,549,216		
Maintenance & Repair	86,481	90,056	91,100	102,121		
Capital Outlay	792,266	-	26,608	-		
Miscellaneous	14,405	65,754	640,265	15,364		
<b>Total</b>	<b>\$ 2,516,697</b>	<b>\$ 1,909,222</b>	<b>\$ 2,507,850</b>	<b>\$ 1,900,333</b>	<b>\$ (8,889)</b>	<b>0%</b>
<b><u>Administration</u></b>						
Personnel Services	\$ 621,091	\$ 606,234	\$ 588,416	\$ 649,875		
Materials & Supplies	13,493	15,450	15,250	15,450		
Services	22,627	27,359	28,293	29,242		
Maintenance & Repair	7,771	3,800	3,130	4,800		
Capital Outlay	-	-	-	-		
Miscellaneous	42,181	29,420	17,309	28,787		
<b>Total</b>	<b>\$ 707,163</b>	<b>\$ 682,263</b>	<b>\$ 652,398</b>	<b>\$ 728,154</b>	<b>\$ 45,891</b>	<b>7%</b>
<b><u>Municipal Court</u></b>						
Personnel Services	130,945	\$ 143,335	\$ 141,616	# \$ 161,434		
Materials & Supplies	1,863	3,150	2,000	3,150		
Services	92,785	117,132	100,605	107,433		
Maintenance & Repair	-	-	-	-		
Capital Outlay	-	-	-	-		
Miscellaneous	635	2,140	1,400	4,900		
<b>Total</b>	<b>\$ 226,228</b>	<b>\$ 265,757</b>	<b>\$ 245,621</b>	<b>\$ 276,917</b>	<b>\$ 11,160</b>	<b>4%</b>
<b><u>Library</u></b>						
Personnel Services	405,006	\$ 454,748	\$ 454,076	\$ 535,638		
Materials & Supplies	21,673	19,950	24,337	20,400		
Services	47,834	49,198	53,243	52,294		
Maintenance & Repair	9,707	9,500	10,500	9,500		
Capital Outlay	25,720	34,616	8,896	-		
Miscellaneous	52,879	57,269	57,769	58,169		
<b>Total</b>	<b>\$ 562,819</b>	<b>\$ 625,281</b>	<b>\$ 608,821</b>	<b>\$ 676,001</b>	<b>\$ 50,720</b>	<b>8%</b>
<b><u>Senior Center</u></b>						
Personnel Services	16,928	\$ 33,256	\$ 23,449	\$ 26,055		
Materials & Supplies	1,251	2,500	1,037	2,300		
Services	1,000	2,000	1,000	12,000		
Maintenance & Repair	-	-	-	-		
Capital Outlay	-	-	-	-		
Miscellaneous	-	-	-	-		
<b>Total</b>	<b>\$ 19,179</b>	<b>\$ 37,756</b>	<b>\$ 25,486</b>	<b>\$ 40,355</b>	<b>\$ 2,599</b>	<b>7%</b>
<b><u>Police Department</u></b>						
Personnel Services	2,943,411	\$ 3,521,201	\$ 3,505,899	\$ 4,011,160		
Materials & Supplies	73,621	54,019	67,425	50,350		
Services	121,212	98,793	106,385	112,753		
Maintenance & Repair	43,130	39,000	38,500	39,000		
Capital Outlay	41,786	-	35,321	-		
Miscellaneous	37,061	26,141	33,816	26,718		
<b>Total</b>	<b>\$ 3,260,221</b>	<b>\$ 3,739,154</b>	<b>\$ 3,787,346</b>	<b>\$ 4,239,981</b>	<b>\$ 500,827</b>	<b>13%</b>

**General Fund**  
**Department Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Fire Department</u></b>						
Personnel Services	3,007,949	\$ 3,637,248	\$ 3,661,208	\$ 4,122,998		
Materials & Supplies	110,527	92,823	89,299	86,715		
Services	128,857	180,329	181,292	180,077		
Maintenance & Repair	128,647	83,335	146,554	78,540		
Capital Outlay	-	12,750	136,962	-		
Miscellaneous	22,253	31,518	31,518	31,257		
<b>Total</b>	<b>\$ 3,398,233</b>	<b>\$ 4,038,003</b>	<b>\$ 4,246,833</b>	<b>\$ 4,499,587</b>	<b>\$ 461,584</b>	<b>11%</b>
<b><u>Public Works</u></b>						
Personnel Services	389,811	\$ 430,917	\$ 374,129	\$ 476,062		
Materials & Supplies	20,283	16,650	21,813	8,184		
Services	23,210	25,450	39,981	28,722		
Maintenance & Repair	69,913	149,233	134,538	59,613		
Capital Outlay	35,227	-	184,768	-		
Miscellaneous	260	148	243	342		
<b>Total</b>	<b>\$ 538,704</b>	<b>\$ 622,398</b>	<b>\$ 755,472</b>	<b>\$ 572,923</b>	<b>\$ (49,475)</b>	<b>-8%</b>
<b><u>Parks</u></b>						
Personnel Services	232,770	\$ 272,428	\$ 241,421	\$ 329,960		
Materials & Supplies	12,016	5,075	6,225	5,854		
Services	50,637	50,871	56,751	56,671		
Maintenance & Repair	22,269	21,700	39,769	21,700		
Capital Outlay	44,760	18,410	76,933	131,945		
Miscellaneous	-	950	-	950		
<b>Total</b>	<b>\$ 362,452</b>	<b>\$ 369,434</b>	<b>\$ 421,099</b>	<b>\$ 547,080</b>	<b>\$ 177,646</b>	<b>48%</b>
<b><u>Animal Control</u></b>						
Personnel Services	244,741	\$ 261,452	\$ 279,100	\$ 320,657		
Materials & Supplies	16,181	19,270	17,210	23,270		
Services	13,559	16,244	13,991	17,688		
Maintenance & Repair	4,577	2,250	1,580	3,050		
Capital Outlay	-	-	59,403	-		
Miscellaneous	1,235	2,570	2,390	2,390		
<b>Total</b>	<b>\$ 280,293</b>	<b>\$ 301,786</b>	<b>\$ 373,674</b>	<b>\$ 367,055</b>	<b>\$ 65,269</b>	<b>22%</b>
<b><u>Community Development</u></b>						
Personnel Services	166,222	\$ 252,649	\$ 256,050	\$ 282,196		
Materials & Supplies	4,028	4,767	5,510	5,575		
Services	179,155	176,309	156,693	171,519		
Maintenance & Repair	211	430	350	430		
Capital Outlay	-	130	-	130		
Miscellaneous	2,811	7,800	3,600	7,110		
<b>Total</b>	<b>\$ 352,427</b>	<b>\$ 442,085</b>	<b>\$ 422,203</b>	<b>\$ 466,960</b>	<b>\$ 24,875</b>	<b>6%</b>
<b><u>Code Enforcement</u></b>						
Personnel Services	67,248	\$ 77,407	\$ 77,699	\$ 95,200		
Materials & Supplies	1,873	400	400	400		
Services	490	690	810	690		
Maintenance & Repair	-	200	1,703	200		
Capital Outlay	-	-	-	-		
Miscellaneous	-	1,140	40	1,140		
<b>Total</b>	<b>\$ 69,611</b>	<b>\$ 79,837</b>	<b>\$ 80,652</b>	<b>\$ 97,630</b>	<b>\$ 17,793</b>	<b>22%</b>

**General Fund**  
**Department Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Finance</u></b>						
Personnel Services	333,429	\$ 356,757	\$ 360,844	\$ 405,389		
Materials & Supplies	639	650	2,962	650		
Services	10,558	10,554	10,424	10,964		
Maintenance & Repair	143	800	800	800		
Capital Outlay	-	-	-	-		
Miscellaneous	6,297	5,176	5,503	6,339		
<b>Total</b>	<b>\$ 351,066</b>	<b>\$ 373,937</b>	<b>\$ 380,533</b>	<b>\$ 424,142</b>	<b>\$ 50,205</b>	<b>13%</b>
<b><u>Recreation Center</u></b>						
Personnel Services	357,348	\$ 435,221	\$ 403,955	\$ 511,015		
Materials & Supplies	18,782	22,295	21,195	21,250		
Services	62,495	70,161	71,560	81,010		
Maintenance & Repair	13,404	17,500	9,729	17,000		
Capital Outlay	52,933	39,383	25,389	-		
Miscellaneous	58,373	78,630	79,265	105,080		
<b>Total</b>	<b>\$ 563,335</b>	<b>\$ 663,190</b>	<b>\$ 611,093</b>	<b>\$ 735,355</b>	<b>\$ 72,165</b>	<b>11%</b>
<b><u>Crouch Event Center</u></b>						
Personnel Services	-	\$ -	\$ -	\$ -		
Materials & Supplies	307	1,000	5,915	1,100		
Services	10,401	17,224	8,676	9,743		
Maintenance & Repair	1,715	500	4,122	2,625		
Capital Outlay	-	-	7,735	-		
Miscellaneous	-	-	-	-		
<b>Total</b>	<b>\$ 12,423</b>	<b>\$ 18,724</b>	<b>\$ 26,448</b>	<b>\$ 13,468</b>	<b>\$ (5,256)</b>	<b>-28%</b>
<b>Grand Total</b>	<b>\$ 13,220,851</b>	<b>\$ 14,168,827</b>	<b>\$ 15,145,529</b>	<b>\$ 15,585,940</b>	<b>\$ 1,417,113</b>	<b>10%</b>

**Debt Service Fund**  
**Revenue & Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
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**Revenues**

Tax Receipts	\$ 2,145,410	\$ 2,500,181	\$ 2,717,300	\$ 2,197,322		
Bond and Lease Proceeds	14,117,634	-	-	-		

<b>Grand Total</b>	<b>\$ 16,263,044</b>	<b>\$ 2,500,181</b>	<b>\$ 2,717,300</b>	<b>\$ 2,197,322</b>	<b>\$ (302,859)</b>	<b>-12%</b>
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**Expenditures**

Debt Service	2,202,117	2,499,735	2,549,784	2,391,847		
Transfer Out	14,000,000					

<b>Grand Total</b>	<b>\$ 16,202,117</b>	<b>\$ 2,499,735</b>	<b>\$ 2,549,784</b>	<b>\$ 2,391,847</b>	<b>\$ (107,888)</b>	<b>-4%</b>
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## Water & Sewer Fund

### Revenues

#### 2022-23 Budget

	2020-21 Actual Revenues	2021-22 Current Budget	2021-22 Projected Year End	2022-23 Budget Request	Difference in 2021-22 & 2022-23 Budget	% Change
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#### Revenues

Charges for Services	\$	7,893,935	\$	7,486,288	\$	7,170,093	\$	7,221,635
Other Income		19,912		9,200		24,393		15,000

<b>Grand Total</b>	<b>\$</b>	<b>7,913,847</b>	<b>\$</b>	<b>7,495,488</b>	<b>\$</b>	<b>7,194,486</b>	<b>\$</b>	<b>7,236,635</b>	<b>\$</b>	<b>(258,853)</b>	<b>-3%</b>
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**Water & Sewer Fund**  
**Department Expenditures**  
**2022-23 Budget**

	<b>2020-21 Actual Revenues</b>	<b>2021-22 Current Budget</b>	<b>2021-22 Projected Year End</b>	<b>2022-23 Budget Request</b>	<b>Difference in 2021-22 &amp; 2022-23 Budget</b>	<b>% Change</b>
<b><u>Debt Service</u></b>						
Debt Service	398,773	1,301,231	1,301,231	1,307,563		
<b>Total</b>	<b>\$ 398,773</b>	<b>\$ 1,301,231</b>	<b>\$ 1,301,231</b>	<b>\$ 1,307,563</b>	<b>\$ 6,332</b>	<b>0%</b>
<b><u>Non-Departmental</u></b>						
Personnel Services	\$ 25,022	\$ 30,122	\$ 26,560	\$ 27,000		
Materials & Supplies	-	35,000	66,550	66,550		
Services	208,686	231,401	222,572	232,236		
Maintenance & Repair	-	-	-	-		
Capital Outlay	-	-	625	-		
Miscellaneous	582,871	594,967	583,785	583,286		
<b>Total</b>	<b>\$ 816,579</b>	<b>\$ 891,490</b>	<b>\$ 900,092</b>	<b>\$ 909,072</b>	<b>\$ 17,582</b>	<b>2%</b>
<b><u>Customer Service</u></b>						
Personnel Services	\$ 193,811	\$ 238,711	\$ 221,506	\$ 274,639		
Materials & Supplies	3,197	1,671	1,228	1,771		
Services	84,847	89,769	89,917	101,807		
Maintenance & Repair	151	500	500	500		
Capital Outlay	-	643	1,352	643		
Miscellaneous	194	2,400	3,076	2,400		
<b>Total</b>	<b>\$ 282,200</b>	<b>\$ 333,694</b>	<b>\$ 317,579</b>	<b>\$ 381,760</b>	<b>\$ 48,066</b>	<b>14%</b>
<b><u>Water Department</u></b>						
Personnel Services	407,035	\$ 571,579	\$ 519,134	\$ 767,458		
Materials & Supplies	17,196	15,584	18,539	13,500		
Services	1,828,991	1,945,400	1,957,618	1,975,095		
Maintenance & Repair	70,932	44,700	46,022	46,750		
Capital Outlay	1,391,960	514,176	354,403	200,322		
Miscellaneous	1,511	2,795	2,000	2,135		
<b>Total</b>	<b>\$ 3,717,625</b>	<b>\$ 3,094,234</b>	<b>\$ 2,897,716</b>	<b>\$ 3,005,260</b>	<b>\$ (88,974)</b>	<b>-3%</b>
<b><u>Sewer Department</u></b>						
Personnel Services	71,896	\$ 93,331	\$ 92,902	\$ 115,352		
Materials & Supplies	6,448	3,475	3,475	3,400		
Services	1,168,945	1,502,495	1,520,435	1,503,031		
Maintenance & Repair	5,784	35,550	6,300	6,550		
Capital Outlay	-	230,686	134,939	-		
Miscellaneous	114	1,291	291	831		
<b>Total</b>	<b>\$ 1,253,187</b>	<b>\$ 1,866,828</b>	<b>\$ 1,758,342</b>	<b>\$ 1,629,164</b>	<b>\$ (237,664)</b>	<b>-13%</b>
<b>Grand Total</b>	<b>\$ 6,468,364</b>	<b>\$ 7,487,477</b>	<b>\$ 7,174,960</b>	<b>\$ 7,232,819</b>	<b>\$ (254,658)</b>	<b>-3%</b>



## Crowley City Council

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### AGENDA REPORT

<b>Meeting Date:</b>	September 15, 2022	<b>Staff Contact:</b>	Lori Watson ACM/Finance Director
<b>Agenda Item:</b>	VII-3	<b>E-mail:</b>	<a href="mailto:lwatson@ci.crowley.tx.us">lwatson@ci.crowley.tx.us</a>
		<b>Phone:</b>	817-297-2201 ext 4900

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**SUBJECT:** Consider and act upon the ratification of the property tax revenue increase reflected in the Proposed FY 2022-23 City of Crowley Operating Budget.

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#### **BACKGROUND/DISCUSSION**

Section 102.007(c) of the Local Government Code requires a separate vote of the governing body to ratify the property tax if the adopted budget will raise more revenue from property taxes compared to the previous year. The fiscal year 2022-23 budget will result in a revenue increase of \$321,429, or 3.74%, from the previous year.

The City's tax rate is proposed to decrease by \$.084342, (from \$.729545 to \$.645203 per \$100 of taxable property value). The property tax revenue increase will be used to address inflation, to help fund public safety equipment, and other items as presented at the August 18, 2022 budget work session.

#### **FINANCIAL IMPACT**

This tax rate raises more taxes for maintenance and operations than last year's rate. The maintenance and operation rate is \$.499736 and the interest and sinking rate is \$.145467. The total rate is \$.645203/\$100

#### **RECOMMENDATION**

Staff recommends City Council ratify the property tax revenue increase reflected in the FY 2022-23 City of Crowley Operating Budget.



## Crowley City Council

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### AGENDA REPORT

<b>Meeting Date:</b>	September 15, 2022	<b>Staff Contact:</b>	Lori Watson ACM/Finance Director
<b>Agenda Item:</b>	VII-4	<b>E-mail:</b>	<a href="mailto:lwatson@ci.crowley.tx.us">lwatson@ci.crowley.tx.us</a>
		<b>Phone:</b>	817-297-2201 ext 4900

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**SUBJECT:** Discuss and consider adoption of Ordinance 09-2022-472 of the City of Crowley, Texas affixing and levying Municipal Ad Valorem Taxes for the fiscal year beginning October 1, 2022 and ending September 30, 2023 and for each year thereafter until otherwise provided on all taxable property within the corporate limits of the City of Crowley as of January 1, 2023 to provide revenues for the payment of current expenses and all outstanding debts of the city; directing the assessment thereof; providing for due dates and delinquent dates for payment of taxes together with penalties and interest thereon; providing for approval of the tax rolls presented to the City Council; repealing conflicting ordinances providing a severability clause and declaring an effective date.

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#### **BACKGROUND/DISCUSSION**

In accordance with Chapter 26 of the Texas Tax Code, the governing body must hold one (1) public hearing on the proposed tax rate that exceeds the no-new revenue rate. Prior to Senate Bill 2, there two public hearings on the tax rate were required. A public hearing on the tax rate was held on September 15, 2022.

At the August 4th meeting, Council established a proposed maximum tax rate of \$0.645203/\$100 of taxable value. This is less than the no-new-revenue rate of \$0.646780/\$100 and greater than the voter-approval tax rate of \$0.625236/\$100.

The tax rate of \$0.645203/\$100 consists of the proposed “maintenance and operations” (M&O) rate of \$0.499736 and the “interest and sinking” (I&S) rate of \$0.145467.

#### **FINANCIAL IMPACT**

The average taxable value of a residence homestead in Crowley last year was \$188,480. Based on last year’s tax rate of \$0.729545/\$100 of taxable value, the amount of taxes imposed last year on the average home was \$1,375.05.

The average taxable value of a residence homestead in Crowley this year increased to \$212,160. If the governing body adopts the no-new-revenue tax rate for this year of \$0.646780/\$100 of taxable value, the amount of taxes imposed this year on the average home would be \$1,372.21. If the governing body adopts the proposed tax rate of \$0.645203/\$100 of taxable value, the amount of taxes imposed this year on the average home would be \$1,368.86.

#### **MOTION:**

Please use the following language to adopt the ordinance:

“I move that the property tax rate be increased by the adoption of a tax rate of \$0.645203, which is effectively a 3.74 percent increase in the tax rate, and move adoption of the ordinance as presented.”

#### **ATTACHMENTS**

- Ordinance 09-2022-472

**ORDINANCE NO. 09-2022-472**

**AN ORDINANCE OF THE CITY OF CROWLEY, TEXAS, AFFIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023, AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF CROWLEY, AS OF JANUARY 1, 2023, TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND ALL OUTSTANDING DEBTS OF THE CITY; DIRECTING THE ASSESSMENT THEREOF; PROVIDING FOR DUE DATES AND DELINQUENT DATES FOR PAYMENT OF TAXES TOGETHER WITH PENALTIES AND INTEREST THEREON; PROVIDING FOR PLACE OF PAYMENT; PROVIDING FOR APPROVAL OF THE TAX ROLLS PRESENTED TO THE CITY COUNCIL; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Crowley is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the local Government Code; and

**WHEREAS**, the City Council of the City of Crowley, Texas (hereinafter referred to as the "City") hereby finds that the tax for the fiscal year beginning October 1, 2022, and ending September 30, 2023, hereinafter levied for current expenses of the City and the general improvements of the City and its property, must be levied to provide the revenue requirement for the budget for the ensuing year; and

**WHEREAS**, the City Council has approved by a separate ordinance adopted on the 15th day of September, 2022 the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023; and

**WHEREAS**, the City Council provided notice of the effective tax rate as required by law; and

**WHEREAS**, all statutory and constitutional requirements concerning the levying and assessing of ad valorem taxes have been complied with.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS THAT:**

**SECTION 1.**

All of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

**SECTION 2.**

The real and personal property tax appraisal rolls as certified by the Chief Appraiser of the Tarrant Appraisal District and the Johnson County Appraisal District to the City Council for the 2022 tax year are hereby accepted.

**SECTION 3.**

There is hereby levied and ordered to be assessed and collected for the fiscal year beginning October 1, 2022, and ending September 30, 2023, and for each fiscal year thereafter until it be otherwise

provided and ordained, on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Crowley, Texas, and not exempt from taxation by the constitution of the State of Texas and valid state laws, an ad valorem tax rate of \$0.645203 on each One Hundred Dollars (\$100.00) assessed value of taxable property, which tax rate is apportioned and distributed as follows:

- A. For the purpose of defraying the current maintenance and operation expenses of the City (General Fund), a tax of \$0.499736 on each One Hundred Dollars (\$100.00) assessed value of all taxable property.
- B. For the purpose of creating a Debt Service Fund to pay the interest and principal on all outstanding indebtedness, a tax of \$0.145467 on each One Hundred Dollars (\$100.00) assessed value of all taxable property within the City which shall be applied to the payment of such interest and maturities of all outstanding bonded indebtedness.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**THE TAX WILL EFFECTIVELY BE RAISED BY 3.74 PERCENT AND WILL DECREASE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$26.37.**

#### **SECTION 4.**

All monies collected and hereby appropriated are set apart for the specific purposes indicated and the funds shall be accounted for in such a manner as to readily show balances at any time.

#### **SECTION 5.**

All ad valorem taxes shall become due and payable on October 1, 2022, and all ad valorem taxes for the year shall become delinquent after January 31, 2023. There shall be no discount for payment of taxes prior to said January 31, 2023. Payment of such taxes shall be due in one full installment except as otherwise required by law. A delinquent tax shall incur all penalty and interest authorized by State Law, Section 33.01 of the Property Tax Code.

#### **SECTION 6.**

Taxes herein levied and uncollected as of January 1, 2023 shall be a first and prior lien against the property, which lien shall be superior and prior to all other liens.

#### **SECTION 7.**

Taxes are payable at the offices of the County Tax Assessor-Collector. The County shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

#### **SECTION 8.**

Pursuant to the authority granted by Section 33.07 of the Texas Tax Code, in the event that 2022 taxes and taxes for all subsequent years become delinquent on or after February 1 but not later than May 1 of the year in which they become delinquent, and in the event such delinquent taxes are referred to an attorney for collection, an additional amount of twenty percent (20%) of the total amount of tax, penalty

and interest then due shall be added as collection costs to be paid by the taxpayer, for all taxes delinquent on or after July 1, 2023.

**SECTION 9.**

Pursuant to the authority granted by Section 33.08 of the Texas Tax Code, the City further provides that all 2022 taxes and taxes for all subsequent years that become delinquent on or after June 1 of the year in which they become delinquent shall, in order to defray the costs of collection, incur an additional 20% of the delinquent tax, penalty and interest.

**SECTION 10.**

Any and all ordinances, resolutions, rules, regulations, policies or provisions inconsistent or in conflict with the provisions of this ordinance are hereby expressly repealed and rescinded to the extent of the inconsistency or conflict.

**SECTION 11.**

It is hereby declared to be the intention of the City Council that if any of the phrases, clauses, sentences, paragraphs and sections of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clauses, sentence, paragraph or section.

**SECTION 12.**

This ordinance shall be in full force and effect from and after its passage and it is so ordained.

**PASSED AND APPROVED ON THIS \_\_\_\_\_ DAY OF SEPTEMBER, 2022.**

\_\_\_\_\_  
Billy P. Davis, Mayor

ATTEST:

\_\_\_\_\_  
Carol Konhauser, City Secretary

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
Rob Allibon, City Attorney



## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** VII-5

**Staff**

**Contact:**

**E-mail:**

**Phone:**

Carol C. Konhauser

City Secretary

[ckonhauser@ci.crowley.tx.us](mailto:ckonhauser@ci.crowley.tx.us)

817-297-2201-X 4000

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**SUBJECT:** Discuss and consider canceling the Regular scheduled meeting of the Crowley City Council for October 6, 2022 due to lack of quorum.

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#### **BACKGROUND/DISCUSSION**

The TML Conference will be held this year in San Antonio the week of October 4 - October 7 2022. As a quorum of the Council plan to attend this conference, it is recommended the Crowley City Council for October 6, 2022, be cancelled.

#### **FINANCIAL IMPACT**

None

#### **RECOMMENDATION**

Staff recommends council consider canceling this meeting on Thursday, October 6, 2022.

If approved, staff will place information on the City Website Calendar, Newsflash and publish on social media, giving ample notice to the citizens of Crowley of the cancelation.

#### **ATTACHMENTS**

None



## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** VII-6

**Staff**

**Contact:** Lisa Hansen

**E-mail:** lhansen@ci.crowley.tx.us

**Phone:** 817-297-2201 x 4200

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**SUBJECT:** Discuss and consider approving revisions to the city's Pay Classification Plan.

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#### **BACKGROUND/DISCUSSION**

Staff is requesting to amend the Pay Classification Plan to include the additions and revision of positions to align them with current market. These items were discussed during the 2022-2023 Budget Meetings.

#### **FINANCIAL IMPACT**

Financial impact was discussed during the 2022-2023 Budget process.

#### **RECOMMENDATION**

Staff respectfully requests approval be given to the amendment of the Pay Classification Plan.

#### **ATTACHMENTS**

- Revised Pay Classification Plan



# CITY OF CROWLEY, TEXAS GENERAL PAY STRUCTURE

9/24/2022

Grade	Pay Frequency	Pay Range			Job Title
		Minimum	Midpoint	Maximum	
101	Annual Hourly (2080)	\$22,942.40 \$11.03		\$33,716.80 \$16.21	
102	Annual Hourly (2080)	\$24,086.40 \$11.58		\$35,360.00 \$17.00	Recreation Wee Place Attendant
103	Annual Hourly (2080)	\$25,292.80 \$12.16		\$37,128.00 \$17.85	
104	Annual Hourly (2080)	\$26,540.80 \$12.76		\$38,979.20 \$18.74	
105	Annual Hourly (2080)	\$27,872.00 \$13.40		\$40,934.40 \$19.68	Animal Control Attendant Rec Center Facility Attendant/Custodian
106	Annual Hourly (2080)	\$29,265.60 \$14.07		\$42,889.60 \$20.62	Library Aide Entry Level Clerk Recreation Clerk
107	Annual Hourly (2080)	\$30,742.40 \$14.78		\$45,136.00 \$21.70	Animal Control Tech Recreation Center Lead Attendant Senior Citizen's Program Coordinator
108	Annual Hourly (2080)	\$32,260.80 \$15.51		\$47,382.40 \$22.78	Administrative Asst Fleet Services Library Senior Level Clerk Police Records Clerk Technical Services- Library
109	Annual Hourly (2080)	\$33,883.20 \$16.29		\$49,753.60 \$23.92	Municipal Court Clerk Parks Maintenance Worker Permit Clerk Public Works Maintenance Utility Billing Cashier Water Maintenance Water Maintenance / Meter Tech

110	Annual Hourly (2080)	\$35,568.00 \$17.10	\$52,249.60 \$25.12	Building Maintenance
111	Annual Hourly (2080)	\$37,356.80 \$17.96	\$54,870.40 \$26.38	Accounting Clerk Animal Control Officer Permit Tech Senior Administrative Assistant
112	Annual Hourly (2080)	\$39,228.80 \$18.86	\$57,595.20 \$27.69	Customer Service Specialist Police Property & Evidence Tech Recreation Center Assistant Manager
113	Annual Hourly (2080)	\$41,184.00 \$19.80	\$60,486.40 \$29.08	Community Engagement Librarian Water Maintenance Tech
114	Annual Hourly (2080)	\$43,243.20 \$20.79	\$63,502.40 \$30.53	Children's Services Librarian Police Crime Scene & Property Tech Special Events/Projects Coordinator Telecommunications Officer
115	Annual Hourly (2080)	\$45,406.40 \$21.83	\$66,684.80 \$32.06	Parks Maintenance Foreman Public Works Foreman <a href="#">Telecommunications Supervisor</a> Water Maintenance Foreman
116	Annual Hourly (2080)	\$47,673.60 \$22.92	\$70,012.80 \$33.66	Animal Control Supervisor Court Administrator/Clerk Recreation Center Manager
117	Annual Hourly (2080)	\$50,065.60 \$24.07	\$73,528.00 \$35.35	
118	Annual Hourly (2080)	\$52,561.60 \$25.27	\$77,188.80 \$37.11	Media Relations Coordinator Planner Utility Billing Manager
119	Annual Hourly (2080)	\$55,203.20 \$26.54	\$81,057.60 \$38.97	
120	Annual Hourly (2080)	\$57,948.80 \$27.86	\$85,113.60 \$40.92	
121	Annual Hourly (2080)	\$60,840.00 \$29.25	\$89,356.80 \$42.96	Support Services Manager
122	Annual Hourly (2080)	\$63,897.60 \$30.72	\$93,828.80 \$45.11	

123	Annual Hourly (2080)	\$67,080.00 \$32.25	\$98,529.60 \$47.37	Building Facilities Manager Water/Wastewater Manager
124	Annual Hourly (2080)	\$70,449.60 \$33.87	\$103,438.40 \$49.73	
125	Annual Hourly (2080)	\$73,964.80 \$35.56	\$108,617.60 \$52.22	
126	Annual Hourly (2080)	\$77,667.20 \$37.34	\$114,046.40 \$54.83	Assistant Finance Director Asst Public Works Director <a href="#">Assistant Utility Director</a> City Secretary IT System Administrator Personnel / HR Administrator
127	Annual Hourly (2080)	\$81,536.00 \$39.20	\$119,745.60 \$57.57	
128	Annual Hourly (2080)	\$85,612.80 \$41.16	\$125,736.00 \$60.45	
129	Annual Hourly (2080)	\$89,897.60 \$43.22	\$132,017.60 \$63.47	
130	Annual Hourly (2080)	\$94,390.40 \$45.38	\$138,632.00 \$66.65	<a href="#">Director of Projects &amp; Utilities</a> Planning & Community Development Director
131	Annual Hourly (2080)	\$99,112.00 \$47.65	\$145,558.40 \$69.98	Community Services Director Deputy Fire Chief
132	Annual Hourly (2080)	\$104,083.20 \$50.04	\$154,044.80 \$74.06	Economic Development Director Fire Chief Finance Director Police Chief Public Works Director
<b>EXEMPT POSITIONS WITHOUT PAY GRADES</b>				
Assistant City Manager Deputy City Manager City Manager				



## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** VII-7

**Staff Contact:** Lisa Hansen  
HR Administrator

**E-mail:** lhansen@ci.crowley.tx.us

**Phone:** 817-297-2201 ext. 4200

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**SUBJECT:** Discuss and consider adoption of Resolution R09-2022-375 of the City of Crowley amending the Staffing Plan.

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#### **BACKGROUND/DISCUSSION**

Staffing Plan needs to be revised in association with the approval of additional staffing during the 2022-2023 Budget process. The amendments include adding one (1) Full-Time Facility Attendant/Custodian at the Rec Center and remove one (1) Part Time Custodian; add one (1) Full-Time Library Aide Entry Level Clerk and remove one (1) Part time Library Aide Entry Level; add one (1) Full-Time Telecommunications Supervisor and remove one (1) Full-Time Telecommunications Officer; add one (1) Full-Time Animal Control Tech and remove one (1) Part-Time Animal Control Tech; add one (1) Full-Time Assistant Utility Director and remove one (1) Full-Time Water/Waste Water Manager; add one (1) Full-Time Director of Projects & Utilities. Change ACM/Finance Director and ACM/EDC Director to Assistant City Manager and Deputy City Manager. Leave Finance Director in category 132 and add Economic Development Director, both positions will currently be unfilled.

#### **FINANCIAL IMPACT**

Financial impact was discussed during the 2022-2023 Budget process.

#### **RECOMMENDATION**

Staff recommends adoption of Resolution R09-2022-375

#### **ATTACHMENTS**

- Resolution

**RESOLUTION NO. R09-2022-375****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CROWLEY APPROVING REVISIONS TO THE CITY OF CROWLEY STAFFING PLAN; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Crowley Staffing Plan indicates positions and the number of employees for each position;

**WHEREAS**, under direction of the City Manager, Staff was to review current Staffing Plan to make necessary adjustments to be recommended to the City Council for consideration;

**WHEREAS**, Staff hereby proposes additions and amendments to the existing Staffing Plan and the changes as follows:

**Staffing Plan**

Accounting Clerk	1	
Administrative Assistant	1	
Animal Control Attendant		
Animal Control Officer	2	
Animal Control Supervisor	1	
Animal Control Tech	2	
Assistant City Manager	1	
Assistant Finance Director	1	
Assistant Public Works Director	1	
Assistant Utility Director	1	
Building Maintenance	1	
Building Facilities Manager	1	
Children's Services Librarian	1	
City Manager	1	
City Secretary	1	
Clerk of the Municipal Court / Court Administrator	1	
Community Engagement Librarian	1	
Community Services Director	1	
Customer Service Specialist	1	
Deputy City Manager	1	
Deputy Fire Chief	1	
Director of Projects & Utilities	1	
Economic Development Director		
Emergency Services Coordinator	1	
Finance Director		
Fire Chief	1	
Fire Marshall	1	
Firefighter /Paramedic	21	
Firefighter Lieutenant	6	
Firefighter/ Driver Engineer	6	
Firefighter/EMT		
Fleet Services	1	
IT Systems Administrator	1	
Library Aide Entry Level Clerk	1	1.775
Library Assistant Senior Level Clerk		0.675
Media Relations Coordinator	1	
Municipal Court Clerk	1	
Parks Maintenance Foreman	1	
Parks Maintenance Worker	4	
Permit Clerk		
Permit Tech	1	
Personnel / HR Administrator	1	
Planner	1	
Planning & Community Development Director	1	
Police Chief	1	
Police Community Liaison Officer	1	

Police Patrol Corporal / Detective Corporal	5	
Police Crime Scene & Property Tech	1	
Police Detective	2	
Police Lieutenant	2	
Police Patrol	12	
Police Patrol Sergeant	4	
Police Property & Evidence Tech		
Police Records Clerk	1	
Police Traffic Officer	1	
Public Works Director	1	
Public Works Maintenance Foreman	1	
Public Works Maintenance Worker	3	
Recreation Center Assistant <a href="#">Manager</a>	1	
<a href="#">Rec Center Facility Attendant/Custodian</a>	1	
Recreation Center Lead Attendant	2	
Recreation Center Manager	1	
Recreation Clerk		3.50
Recreation Wee-Place Attendant		.75
Senior Administrative Assistant	3	
Senior Citizen's Program Coordinator		.625
Special Events/Project Coordinator	1	
Support Services Manager	1	
Sworn Code Compliance Officer	1	
Tech Services – Library	1	
Telecommunications Officer (Dispatcher)	8	
Telecommunications Supervisor	1	
Utility Billing Cashier	1	
Utility Billing Manager	1	
Water Maintenance Foreman		
Water Maintenance Tech	2	
Water Maintenance Worker	3	
Water Maintenance / Meter Tech	1	
Water/Wastewater Manager		
	137	7.325

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS**, that these revisions to the City of Crowley Staffing Plan are approved.

**PRESENTED AND APPROVED ON THIS THE 15<sup>th</sup> DAY OF SEPTEMBER 2022, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS.**

**CITY OF CROWLEY, TEXAS**

\_\_\_\_\_  
Billy P. Davis, Mayor

ATTEST:

\_\_\_\_\_  
Carol Konhauser, City Secretary



## Crowley City Council

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### AGENDA REPORT

<b>Meeting Date:</b>	September 15, 2022	<b>Staff Contact:</b>	Kit Long Police Chief
<b>Agenda Item:</b>	VII-8	<b>E-mail:</b>	klong@ci.crowley.tx.us
		<b>Phone:</b>	817-297-2276 ext. 6201

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**SUBJECT:** Discuss and consider approval of Ordinance No. 09-2022-473, repealing and replacing Article 82, "Traffic and Vehicles", Article V "Parking, Stopping and Standing", to update regulations into Divisions and adding a new Division regarding Residential Parking Permit Area.

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#### **BACKGROUND/DISCUSSION**

The Crowley Police Department studied parking issues surrounding the Crowley High School. The CPD traffic unit, citizens, and council input identified locations and streets affected. Council guided staff to designate a residential parking permit area between 8:00 a.m. and 5:00 p.m on school days. Adopting this ordinance provides the City options of volunteer compliance, warnings, ticketing, and towing.

The residential parking permit area ordinance includes the following:

- The location for the residential parking permit area.
- Procedures to obtain residential parking permits.
- Use and display of residential parking permits.
- Exemptions, offenses, penalties, and defenses.

If the Council adopts this ordinance, the City will place signage in the affected areas using line of site distances to minimize the number of signs needed. Upon successful application/registration, permit stickers and hangers will be issued to each resident to show compliance.

Additionally, this ordinance includes updates to the entire Article regarding parking, standing and stopping, to update regulations and align them into Divisions.

#### **FINANCIAL IMPACT**

The signage requires two signs per pole, brackets, rivets and an anchor for approximately \$144.00 per device. The stickers and hangers are estimated to be under \$1000 for the entire area. Costs will be presented at the meeting.

#### **RECOMMENDATION**

Staff is seeking Council direction.

#### **ATTACHMENTS**

- Ordinance 09-2022-473
- Working copy of tracked changes

**ORDINANCE NO. 09-2022-473**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, REPEALING AND REPLACING CHAPTER 82 "TRAFFIC AND VEHICLES," ARTICLE V "PARKING, STOPPING AND STANDING" IN ITS ENTIRETY, AND REPLACING WITH A NEW ARTICLE V "PARKING, STOPPING AND STANDING" ALONG WITH NEW DIVISIONS, TO UPDATE REGULATIONS AND ESTABLISH A RESIDENTIAL PARKING PERMIT AREA; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Crowley, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the local Government Code; and

**WHEREAS**, pursuant to Texas Transportation Code Section 311.001, the City of Crowley ("City") has exclusive control over and under the streets, alleys and public highways of the municipality (hereinafter, "streets"); and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.012, the City has general authority to adopt an ordinance not inconsistent with state law, that is in the best interest, welfare, or good order of the municipality; and

**WHEREAS**, the City Council hereby finds and determines that the regulations and amendments set forth herein are in the best interest of the public and are in furtherance of the public health, safety, and general welfare

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, THAT:**

**SECTION 1.**

Chapter 82 "Traffic and Vehicles," Article V "Parking, Stopping and Standing," of the Code of Ordinances of the City of Crowley, Texas, is hereby repealed and replaced as follows:

Chapter 82 - TRAFFIC AND VEHICLES

ARTICLE V. - PARKING, STOPPING AND STANDING

DIVISION 1. - GENERALLY

Sec. 82-164. - Owner of vehicle prima facie responsible.

When any vehicle is found parked in violation of any parking provision contained in this article, such fact shall be prima facie evidence that the person in whose name such vehicle is registered is guilty of a violation of the parking provisions contained in this article.



Sec. 82-165. - General parking requirements.

- (a) It shall be unlawful and a violation of this article for any person to cause, suffer, permit or allow any vehicle registered in the name of or operated by such person to:
- (1) Be double parked at any point on the street, highways or alleys of the city.
  - (2) Be stopped or parked on or adjacent to the public street, highway or alley so that a portion of the vehicle including, but not limited to, any objects carried in or upon such vehicle, protrudes into the main traveled portion of the street, highway or alley.
  - (3) Be parked on any street, highway or alley in the city for a period of time longer than 24 hours, or for a period of time longer than the period stated on any sign posted at such locations by the authority of the city.
  - (4) Stop, stand or park at any time upon any public street, highway, alley or other public place or fire lane when signs erected or curbs painted prohibit such stopping, standing or parking.
  - (5) Be stopped or parked in a manner which blocks a private or residential driveway;
  - (6) Be parked upon any public street, highway, alley or public property of any nature whatever in the city for the purpose of:
    - a. Displaying such vehicle for sale;
    - b. Washing, greasing, cleaning or polishing, waxing, changing oil or repairing such vehicle, except repairs necessitated by an emergency; or
    - c. Selling or exhibiting property of any nature.
  - (7) Be parked at the curb, if any, or, at the edge of any divided street, road or highway or in or upon that area or portion of a divided street, road or highway within the city, which separates two roadways of the street, road or highway.
  - (8) Be parked if such vehicle is a truck tractor, road tractor, trailer, semitrailer, pole trailer, bus, motor home, mobile home or any commercial motor vehicle, as defined in V.T.C.A., Transportation Code § 541.201 upon a public street, alley, parkway, boulevard, measuring less than 38 feet in width, or on public property; nothing in this subsection shall authorize the parking of mobile homes in any location, public or private, unless pursuant to a permitted use authorized by the zoning chapter or upon authority of the building official.
  - (9) Be parked off the pavement, or main traveled portion of the roadway adjacent to private property, or in a designated or permitted parking area on private property without the effective consent of the owner.
  - (10) Vehicles with expired license plate or registration. An operator may not stop, stand, or park on a public street or alley a vehicle when the vehicle does not have lawfully affixed thereto a valid license plate(s) or registration windshield sticker for the current registration period;
  - (11) State law. An operator may not stop, stand, or park in any manner prohibited by V.T.C.A., Transportation Code Chapter 545 Operation and Movement of Vehicles.
- (b) It is an affirmative defense to the prosecution under this section that:

- (1) The parking off the pavement, main-traveled portion of the roadway, or designated or permitted parking area was required due to an emergency or malfunction of the motor vehicle and that there was no other safe place to operate the vehicle or that such parking was required because of an order by a peace officer.
- (2) The vehicle had a mechanical defect making it unsafe or impossible to proceed further, in which event it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs.
- (c) This section shall not apply to emergency vehicles, street construction, maintenance and repair equipment, trucks, equipment, trailers and vehicles used by public service utility companies engaged in repairing or extending public service utilities, motor buses when taking on or discharging passengers at customary bus stops, other vehicles when actually parked at a designated loading zone, municipal vehicles in the course of performance of city business, or when it is lawful to park commercial motor vehicles for the purpose of accepting or delivering transportable goods.

Sec. 82-166 - Parallel parking

It shall be unlawful to park any character of vehicle upon any street, except as provided in this chapter, in any other manner than that the vehicle shall be parallel with the street upon which it is parked and upon the right side thereof, determined by the way said vehicle is headed, and parked so that the wheels on the right-hand side of said vehicle shall be within 18 inches of the curb or edge of the roadway.

Sec. 82-167. - Prohibited acts in parking areas.

- (a) *Definitions.* In this section, the term "parking area" means private property commonly used by the public such as supermarket or shopping center parking lots, parking areas provided by business establishments for the convenience of their customers, clients or patrons, and parking lots served and operated by the state and/or any other parking area owned and operated for the convenience of, and commonly used by, the public.
- (b) *Conduct deemed prohibited acts.* No person in a parking area may:
  - (1) Use abusive, indecent, profane or vulgar language when such language by its very utterance tends to incite an immediate breach of the peace;
  - (2) Make an offensive gesture or display when such gesture or display tends to incite an immediate breach of the peace;
  - (3) Create, by chemical means, a noxious and unreasonable odor;
  - (4) Abuse or threaten a person in an obviously offensive manner;
  - (5) Make unreasonable noise in or near a private residence that he has no right to occupy;
  - (6) Fight with another;
  - (7) Discharge a firearm;
  - (8) Display a firearm or other deadly weapon in a manner calculated to alarm;
  - (9) Expose his anus or genitals and be reckless about whether another may be present who will be offended or alarmed by his act;

- (10) Throw any object capable of causing bodily harm or property damage at another person with intent to injure a person and/or damage property;
- (11) Congregate with another person or loiter after entering the premises, and willfully refuse to leave after having been notified to leave by the owner or agent or the person in possession or control of the premises; or
- (12) Throw or deposit any trash, litter or other waste on a parking area.

Sec. 82-168. - Prohibited uses of motor vehicles in parking areas.

No person in control or possession of a motor vehicle in a parking area may:

- (1) Bring a motor vehicle to a sudden start or stop, or blow the horn of the vehicle when there is no reasonable necessity for the protection of a person or property or in such a manner as is calculated to disturb a person of ordinary sensibilities;
- (2) Hold a race or contest for speed with another motor vehicle.

Sec. 82-169. – City owned parking lot restrictions.

- (a) *Definitions.* The following terms, when used in this section, shall have the meanings respectively ascribed to them:

*City owned parking lot* means:

- (1) The City parking lot located at the northwest corner of the intersection of North Hampton Road and Mission Street;
- (2) The City parking lot located at 128 Harris Street, approximately one block south of Main Street on the westside of Harris Street; and
- (3) The City parking lot located at 230 E. Main Street, on the southside of Main Street and east of Harris Street.

*Vehicle* means any private or commercial automobile, truck, tractor trailer, road tractor, semi-trailer, tractor-trailer or similar vehicle, van, wrecker, motorbus, recreational vehicle including travel trailers, campers or motorhomes, boats, boat trailer, horse trailer, or trailer of any kind, mobile or manufactured home.

- (b) *Prohibited parking.* It shall be unlawful for a person to park, stand, or stop any vehicle overnight in the designated City owned parking lots. This prohibition shall not be applicable to any vehicle which is being used for emergency purposes, to any vehicle being used by a utility company for repair purposes, or to any City or other governmental vehicle.
- (c) *Signage.* The City Manager, or his designee, shall erect signs at the entrances to the City owned parking lots to which the overnight parking restrictions of this section apply. Such signs will inform ordinarily observant persons that overnight parking is prohibited in such parking lots.
- (d) *Penalty and Presumption.*
  - (1) Any person who violates or causes, permits, or allows to be violated subsection (b) shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum in accordance with the general penalty provided in Section 1-15 "General penalty; continuing violations" of this code per day or offense during or on which a violation occurs or continues.

- (2) In a prosecution under subsection (b), it is presumed that the registered owner of the motor vehicle is the person who left the vehicle standing at the time and place the offense occurred.
- (e) *Towing of illegally parked vehicles.* Any vehicle that is parking in violation of this section may be towed by the City and stored until claimed by the rightful owner or person who has the immediate right to such property, or until disposed of under the provisions of state law.
- (f) *Towing charges.*
  - (1) When a vehicle is towed pursuant to the authority provided in this section, the owner or operator of such vehicle may be charged a fee that is not greater than the fee for a non-consent tow established by state law.
  - (2) Any such vehicle so removed, impounded and stored in an automobile pound or other storage area that has been provided for the storage of such vehicle shall be retained and held there until all charges for towing and storage of such vehicle have been paid to the duly authorized person in charge of the pound or storage area.

Secs. 82-170—82-172. - Reserved.

## DIVISION 2. - PARKING FOR DISABLED PERSONS

Sec. 82-173. - Handicapped parking.

- (a) *Designation of spaces.* The fire marshal of the city is hereby authorized to designate specific parking stalls, spaces or areas upon public property as parking spaces for the exclusive use of vehicles transporting temporarily or permanently disabled persons. The fire marshal is further authorized to require a property owner or a person who controls property used for parking to designate one or more stalls, spaces or parking areas as parking spaces for the disabled, and may approve parking for the disabled as designated by private property owners. Parking spaces for the disabled are for the exclusive use of vehicles which display distinguishing license plates and/or specifically designated symbols, tags or other devices affixed to windshields or license plates and issued pursuant to V.T.C.A., Transportation Code § 504.201 et seq., to disabled persons and disabled veterans. Such stalls or spaces shall be designated at the property owner's expense. The dimensions and identification of all parking spaces so designated shall comply with state purchasing and general services commission guidelines.
- (b) The director of public works and persons who own or control property used for parking shall designate the space, spaces, or area by posting in a conspicuous place, a sign that conforms with the design and posting requirements of V.T.C.A., Transportation Code § 681.009.

Sec. 82-174. - Enforcement, Offenses, Evident and Prosecution

- (a) *Enforcement.* A peace officer, the fire marshal and the deputy fire marshal of the city may enforce this section by filing charges against any person who commits an offense under this section.
- (b) *Offenses.* A person commits an offense if the person:
  - (1) Stops, stands, parks or leaves a vehicle not displaying a distinguishing license plate or special symbol, tag or device as issued to disabled persons pursuant to V.T.C.A., Transportation Code § 504.201 et seq., in any parking space properly designated for the exclusive use of physically disabled persons; or

- (2) Is not the person with the disability and stops, stands, parks or leaves a vehicle in any parking space properly designated for the exclusive use of physically handicapped persons regardless if the vehicle displays a distinguishing license plate or special symbol, tag or device as issued to disabled persons pursuant to V.T.C.A., Transportation Code § 504.201 et seq.
- (c) Evidence and prosecution. It shall be prima facie evidence of the fact that a vehicle is not parked or used for the transportation of disabled persons if such vehicle does not display a distinguishing license plate or special designated symbol, tag or other device issued by the state highway department pursuant to V.T.C.A., Transportation Code § 504.201 et seq., as issued to disabled persons or disabled veterans. In a prosecution of an offense under this section, it is presumed that the registered owner of the motor vehicle is the person who parked the vehicle at the time and place the offense occurred.

Sec. 82-175. - Penalty

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this section:

- (a) Except as provided by this subsection (a), an offense under this division is a misdemeanor punishable by a fine of not less than \$250.00 or more than \$500.00.
- (b) If it is shown on the trial of an offense under this section that the person has been previously convicted one time of an offense under this section, the offense is punishable by a fine of not less than \$300.00 or more than \$600.00.
- (c) If it is shown on the trial of an offense under this section that the person has been previously convicted two times of an offense under this section, the offense is punishable by:
  - (1) A fine of not less than \$300.00 or more than \$600.00; and
  - (2) Not less than ten or more than 20 hours of community service.
- (d) If it is shown on the trial of an offense under this section that the person has been previously convicted three times of an offense under this section, the offense is punishable by:
  - (1) A fine not less than \$500.00 or more than \$1,000.00; and
  - (2) Not less than 20 or more than 50 hours community service.
- (e) If it is shown on the trial of an offense under this section that the person has been previously convicted four times of an offense under this section, the offense is punishable by a fine of \$1,000.00 and 50 hours of community service.

Secs. 82-176—82-178. - Reserved.

DIVISION III. - NO PARKING; NO STOPPING OR STANDING AND RESTRICTED PARKING ZONES

Sec. 82-179. - Prohibited Parking.

- (a) No person in control of or in possession of a motor vehicle shall park on the following streets at locations indicated:
  - (1) On Peach Street between South Oak Street and South Midway Street;
  - (2) Oak Street:
    - a. On South Oak Street between Pecan Street and Peach Street; and

- b. On South Oak Street between Main Street and Meadow Crest Drive;
- (3) On the north side of Pecan Street between South Oak Street and South Midway Street;
- (4) Main Street on:
  - a. West Main Street starting at its intersection with Heights Street and extending east 100 feet;
  - b. The north side of West Main Street starting at its intersection with Skelly Street and extending east 100 feet;
  - c. The north side of West Main Street starting at its intersection with Skelly Street and extending west 100 feet;
  - d. West Main Street starting at its intersection with Oak Street and extending east 100 feet;
  - e. West Main Street starting at its intersection with Oak Street and extending west 100 feet;
  - f. Main Street (Farm to Market 1187) between Crowley Road (Farm to Market 731) and Beverly Street; and
  - g. East Main Street (Farm to Market 1187) from Crowley Road (Farm to Market 731) to the east city limit;
- (5) Hampton Road on:
  - a. South Hampton Road from East Main Street (Farm to Market 1187) to South Crowley Road (Farm to Market 731);
  - b. North Hampton from East Main Street (Farm to Market 1187) to McCurdy Street;
- (6) On Crowley Road (Farm to Market 731) within the city limits;
- (7) On Eagle Drive starting at its intersection with Longhorn Trail and extending north 475 feet;
- (8) On East Glendale Street east of Prairie View Road;
- (9) On the north side of West Mission Street between North Magnolia Street and North Texas Street;
- (10) Magnolia Street on:
  - a. The west side of North Magnolia Street between West Mission Street and West Mustang Street; and
  - b. The east side of North Magnolia Street between West Main Street and West Mustang Street;
- (11) On the north side of Industrial Boulevard;
- (12) On Longhorn Trail from Eagle Drive and West Farm to Market 1187 to the west city limit;
- (13) On Renfro Street from South Crowley Road (Farm to Market 731) to the city limit;
- (14) On Edge Hill Road from South Crowley Road (Farm to Market 731) to the city limit;
- (15) On Deer Creek Drive;

- (16) On Farm to Market 1187 (including South Beverly Street) from West Main Street to the west city limit;
  - (17) On Roberts Street between East Main Street (Farm to Market 1187) and Glendale Street;
  - (18) On South Texas Street between West Main Street (Farm to Market 1187) and Pecan Street;
  - (19) On Bean Road from West Main Street to the west city limit;
  - (20) On the south side and the north side of Deer Creek Road between Crowley Road (Hwy 731) and Choke Cherry Lane.
- (b) The provisions of this section shall not apply:
- (1) To emergency vehicles operating in response to any emergency call;
  - (2) To vehicles operated by a public utility while cruising in an assigned area for the purpose of inspecting the facilities of such public utility or providing maintenance to the facilities.
- (c) It is an affirmative defense to the prosecution under this section that:
- (1) The person in control or possession of a motor vehicle causing it to be parked on a street at a location listed in subsection (a) of the section, if the motor vehicle is parked in front of the private residence of that same person deemed to be in control or possession of the motor vehicle.
  - (2) Nothing in subsection (c) of the section shall be construed so as to conflict with V.T.C.A., Transportation Code § 545.307 concerning the overnight parking of commercial motor vehicles in residential subdivisions.

Sec. 82-180. - Stopping, standing and parking prohibited.

- (a) Stopping, standing and parking is hereby prohibited in the following areas:
- (1) On the north side of West Main Street beginning at North Heights Street extending west to Eagle Drive.
  - (2) On the south side of West Main Street beginning at South Heights Street 180 feet west of South Heights Street.
- (b) The provisions of this section shall not apply:
- (1) To emergency vehicles operating in response to any emergency call;
  - (2) To vehicles operated by a public utility while cruising in an assigned area for the purpose of inspecting the facilities of such public utility or providing maintenance to the facilities.

Sec. 82-181. - Restricted parking for school buses

Only school buses shall be allowed to park in the area from 180 feet west of South Heights Street extending 529 feet along the south side of West Main Street.

Secs. 82-182—82-186. - Reserved.

DIVISION IV. - RESIDENTIAL PARKING PERMIT AREA

Secs. 82-187. - Generally

- (a) *Definitions.* For the purposes of this section, the following words shall have the meanings respectively ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- (1) *Curbside parking space* means linear curb, exclusive of those portions of the curb where parking, apart from the provisions of this section, is not presently permitted.
  - (2) *Motor vehicle* means an automobile, truck, recreation vehicle, motorcycle, or other motor-driven or self-propelled form of transportation.
  - (3) *Resident vehicle* means a motor vehicle owned or operated whose principal operator resides in the residential parking permit area.
  - (4) *Residential district* means a contiguous or nearly contiguous area containing public streets and highways or parts thereof primarily abutted by residential property or residential and nonbusiness property (such as schools, parks, churches, hospitals and nursing homes).
  - (5) *Residential parking permit area* means the residential district where curbside parking on public highways is prohibited, unless the vehicle properly displays a parking permit authorized by this section or is excepted from the application of this section.
- (b) *Posting of residential parking permit area.* Following the city council's affirmative vote to designate a residential parking permit area, it shall be the responsibility of the Director of Public Works to erect appropriate signs giving notice thereof. Such signs will conform to the Texas Manual on Uniform Traffic Control Devices, as amended. Signs will list:
- (1) Location of designated residential parking area; and
  - (2) Time restrictions; and
  - (3) Notice that unauthorized vehicles will be towed at vehicle owner's expense.
- (c) *Notice to residents of designation of residential parking permit area.* Following the city council's affirmative vote to designate the residential parking permit area, the city manager or the city manager's designee shall mail to every residence within the designated residential parking permit area a notice of designation that shall inform the residents in the designated area of:
- (1) The existence and location of the residential parking permit area; and
  - (2) The applicable parking restrictions; and
  - (3) The procedures to obtain a parking permit.

Sec. 82-188 - Designated residential parking permit area

- (a) No person in control of or in possession of a motor vehicle shall park on the following streets at locations and times indicated without a valid residential parking permit.
- (1) On North and South Heights between the hours of 8:00 a.m. and 5:00 p.m. on school days.
  - (2) On Mathew Dr. between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (3) On Celeste St. between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (4) On Lee Ann St between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (5) On Patrick St between the hours of 8:00 a.m. and 5:00 p.m. on school days;



- (6) On Cindy St between the hours of 8:00 a.m. and 5:00 p.m. on school days:
- (7) On Julie Dr. between the hours of 8:00 a.m. and 5:00 p.m. on school days:
- (8) On Randy Dr. between the hours of 8:00 a.m. and 5:00 p.m. on school days:
- (9) On Pecan St. between the hours of 8:00 a.m. and 5:00 p.m. on school days:
- (10) On Meadow View Dr. starting at its intersection with S. Heights extending east to Wilson Dr. between the hours of 8:00 a.m. and 5:00 p.m. on school days.
- (11) On Redbud St. between the hours of 8:00 a.m. and 5:00 p.m. on school days.
- (12) On Holly St. between the hours of 8:00 a.m. and 5:00 p.m. on school days.
- (13) On Rose St between the hours of 8:00 a.m. and 5:00 p.m. on school days.

Sec. 82-189. - Procedures to obtain, replace and transfer residential parking permit

(a) Issuance of a residential parking permit.

- (1) An application for residential parking permit which the applicant may obtain from the city permits department will include the following information for each vehicle.
  - a. The name and residential address of the owner of the vehicle;
  - b. The vehicle make, model, color, vehicle identification number, and license plate number
  - c. The name, residential address, and driver's license number of the principal operator of the vehicle;
  - d. The signature or electronic signature, if applicable, of the applicant for the residential parking permit.
- (2) The applicant shall demonstrate proof of residency and motor vehicle ownership in a manner determined by the city.
- (3) Two (2) residential parking permits, per residence, shall be issued, at no cost.
- (4) Parking permits are vehicle-specific and may not be transferred or sold to other persons.
- (5) Residential parking permits shall only be issued for vehicles that are owned or operated by a person who resides within the designated area.
- (6) Additional parking permits may be requested by submitting an application to the permits department and will be considered on a case-by-case basis.

(b) Replacement of residential parking permits. Upon verification of the holder's prior submission of a completed and validated residential parking permit application and affirmation that the holder's permit was lost, stolen, or destroyed, the holder shall receive a new residential parking permit. The lost, stolen, or destroyed permit shall be considered void, and any use of a voided permit is prohibited.

(c) Transfer of residential parking permit.

- (1) Whenever the holder of a residential, visitor, parking permit, or the vehicle for which the parking permit was issued, no longer fulfills one or more of the applicable provisions of this section controlling issuance or transfer of parking permits, the holder shall notify the city permits department, who may then direct the holder to surrender the parking permit.

- (2) Residential parking permits are vehicle specific. Therefore, a new vehicle or resident will be required to submit an application for residential parking permit as outlined in subsection (a). Previously issued permits shall be considered void, and any use of a voided permit is prohibited.
- (d) Issuance of permits for visitors. Upon application of any resident of a residential parking permit area the city shall issue a visitor parking permit to the resident for a visitors' vehicle. No more than two visitor parking permits shall be issued to any one resident at any given time. For the purposes of this section, the resident shall be the holder of and responsible for the use and misuse of the visitor parking permit issued to the resident. Visitor parking permits will be issued for a period of fourteen (14) calendar days and may be renewed by contacting the permits department.

Sec. 82-190. - Use and display of residential parking permit.

- (a) The Police Chief shall establish the means by which a residential parking permit is identifiable for enforcement.
- (b) Use of parking permits.
  - (1) A parking permit shall not guarantee or reserve a parking space within the designated residential parking permit area. A parking permit shall not authorize the standing or parking of any vehicle in such places and during such times when the stopping, standing or parking of vehicles is prohibited or set aside for specified types of vehicles, and shall not excuse the observance of any traffic regulation.
  - (2) Until its expiration, surrender or revocation, a parking permit shall remain valid for such time as the holder continues to reside within the designated residential parking permit area.
  - (3) It shall be a violation of this section for the holder of a parking permit to fail to surrender the permit when directed to do so.
  - (4) It shall be a violation of this section for any person to represent in any fashion that a vehicle is entitled to a parking permit authorized by this section when it is not so entitled. The display of a parking permit on a vehicle not entitled to such a parking permit shall constitute such a representation.
  - (5) It shall be a violation of this section for any person to duplicate, or attempt to duplicate, by any means, a parking permit authorized by this section. It also shall be a violation of this section for any person to display on any vehicle such a duplicate parking permit.
  - (6) It shall be a violation of this section to sell or exchange any parking permit and or the privileges it provides for anything of value.

Sec. 82-191. - Exemptions

- (a) The following vehicles are specifically exempted from the parking restrictions imposed by this section:
  - (1) An authorized emergency vehicle as defined by state law.
  - (2) A motor vehicle owned by or operated under contract to a utility when used in the construction, operation, removal or repair of utility property or facilities or engaged in authorized work in the designated residential parking permit area.

- (3) A motor vehicle identified as owned by or operated under contract to a federal, state, or local governmental agency and being used in the course of official government business.
- (b) The provisions of this section shall not supersede the provisions of the City Code and state laws relating to parking by disabled persons.

Sec. 82-192. - Offenses, penalties and affirmative defense.

- (a) Offense. It shall be presumed for the purposes of prosecution; such fact shall be prima facie evidence that the person in whose name said vehicle is registered is liable for a violation of this division. It shall be considered an offense if:
  - (1) Except as otherwise provided in this division, it is unlawful for any person to stop, stand, or park any vehicle on any street, or portion thereof, established as a residential parking permit area by the City Council during all or certain hours as provided by signs giving notice of said restriction.
  - (2) A person copies, produces, or otherwise counterfeits a residential or visitor parking permit issued pursuant to this section. It is unlawful for any person to falsely represent himself or herself as eligible for a parking permit or furnish false information to the city in an application for a residential parking permit.
  - (3) Violation of any provision of this division shall be an infraction.
- (b) Penalties.
  - (1) Any person violating any provision of this section shall be fined not more than \$500.00 for each violation with each day being a separate violation.
  - (2) Tow away zone. Any vehicle within the residential parking permit area in violation of this section shall be subject to being towed from the area under direction of the police department. Owner and driver shall pay all fees and storage charges in addition to any assessed penalty for this violation.
  - (3) Revocation of permit. In addition to the penalties provided above for violation of this section the city manager or the city manager's designee may revoke the residential parking permit of any person found to be in violation of this section, and, upon written notification thereof, the person shall surrender such permit to the city manager or the city manager's designee. Failure to surrender a revoked residential parking permit when requested to do so shall constitute a separate violation of this section.
- (c) Affirmative defense.
  - (1) It is an affirmative defense to prosecution under this division that the person was expeditiously loading or unloading passengers or property, was in the performance of official duties as a law enforcement officer, government employee, or utility company employee, or was operating an authorized emergency vehicle in the performance of official duties.
  - (2) It shall be an affirmative defense to prosecution under this section that the registered owner of the vehicle was a vendor providing services to the residence. The registered owner must submit to the court an affidavit from the owner or occupant of the residence describing the date, time and services that were provided.

Secs. 82-193-82-195. - Reserved

## **SECTION 2.**

This ordinance shall be cumulative of all provisions of ordinances of the City of Crowley, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 3.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 4.**

That all rights or remedies of the City of Crowley, Texas, are expressly saved as to any and all violations of the City Code or any amendments thereto regarding solid waste that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

## **SECTION 5.**

The caption of this ordinance stating in substance the purpose of this ordinance shall be published one (1) time in a newspaper having general circulation in the City of Crowley, Texas upon passage hereof.

## **SECTION 6.**

This ordinance shall become effective immediately upon its passage and publication is required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

**CITY OF CROWLEY, TEXAS**

\_\_\_\_\_  
Billy P. Davis, Mayor

ATTEST:

\_\_\_\_\_  
Carol Konhauser, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Rob Allibon, City Attorney

## Chapter 82 - TRAFFIC AND VEHICLES

### ARTICLE V. - PARKING, STOPPING AND STANDING

#### DIVISION 1. - GENERALLY

Sec. 82-164. - Owner of vehicle prima facie responsible.

When any vehicle is found parked in violation of any parking provision contained in this article, such fact shall be prima facie evidence that the person in whose name such vehicle is registered is guilty of a violation of the parking provisions contained in this article.

Sec. 82-~~166~~165. - General parking requirements.

(a) — It shall be unlawful and a violation of this article for any person to cause, suffer, permit or allow any vehicle registered in the name of or operated by such person to:

- (1) — Be double parked at any point on the street, highways or alleys of the city.
- (2) — Be stopped or parked on or adjacent to the public street, highway or alley so that a portion of the vehicle including, but not limited to, any objects carried in or upon such vehicle, protrudes into the main traveled portion of the street, highway or alley.
- (3) — Be parked on any street, highway or alley in the city for a period of time longer than 24 hours, or for a period of time longer than the period stated on any sign posted at such locations by the authority of the city.
- (4) — Stop, stand or park at any time upon any public street, highway, alley or other public place or fire lane when signs erected or curbs painted prohibit such stopping, standing or parking.

(5) Be stopped or parked in a manner which blocks a private or residential driveway;

(~~5~~6) — Be parked upon any public street, highway, alley or public property of any nature whatever in the city for the purpose of:

- a. — Displaying such vehicle for sale;
- b. — Washing, greasing, cleaning or polishing, waxing, changing oil or repairing such vehicle, except repairs necessitated by an emergency; or
- c. — Selling or exhibiting property of any nature.

(~~6~~7) — Be parked at the curb, if any, or, at the edge of any divided street, road or highway or in or upon that area or portion of a divided street, road or highway within the city, which separates two roadways of the street, road or highway.

(~~7~~8) — Be parked if such vehicle is a truck tractor, road tractor, trailer, semitrailer, pole trailer, bus, motor home, mobile home or any commercial motor vehicle, as defined in V.T.C.A., Transportation Code § 541.201 upon a public street, alley, parkway, boulevard, measuring less than 38 feet in width, or on public property; nothing in this subsection shall authorize the parking of mobile homes in any location, public or private, unless pursuant to a permitted use authorized by the zoning chapter or upon authority of the building official.

(89) — Be parked off the pavement, or main traveled portion of the roadway adjacent to private property, or in a designated or permitted parking area on private property without the effective consent of the owner.

(10) Vehicles with expired license plate or registration. An operator may not stop, stand, or park on a public street or alley a vehicle when the vehicle does not have lawfully affixed thereto a valid license plate(s) or registration windshield sticker for the current registration period;

(11) State law. An operator may not stop, stand, or park in any manner prohibited by V.T.C.A, Transportation Code Chapter 545 Operation and Movement of Vehicles.

(b) — It is an affirmative defense to the prosecution under this section that:

(1) — ~~T~~The parking off the pavement, main-traveled portion of the roadway, or designated or permitted parking area was required due to an emergency or malfunction of the motor vehicle and that there was no other safe place to operate the vehicle or that such parking was required because of an order by a peace officer.

(2) — The vehicle had a mechanical defect making it unsafe or impossible to proceed further, in which event it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs.

(c) — This section shall not apply to emergency vehicles, street construction, maintenance and repair equipment, trucks, equipment, trailers and vehicles used by public service utility companies engaged in repairing or extending public service utilities, motor buses when taking on or discharging passengers at customary bus stops, other vehicles when actually parked at a designated loading zone, municipal vehicles in the course of performance of city business, or when it is lawful to park commercial motor vehicles for the purpose of accepting or delivering transportable goods.

### Sec. 82-166 - Parallel parking

It shall be unlawful to park any character of vehicle upon any street, except as provided in this chapter, in any other manner than that the vehicle shall be parallel with the street upon which it is parked and upon the right side thereof, determined by the way said vehicle is headed, and parked so that the wheels on the right-hand side of said vehicle shall be within 18 inches of the curb or edge of the roadway.

Sec. 82-~~169~~167. - Prohibited acts in parking areas.

(a) —Definitions. In this section, the term "parking area" means private property commonly used by the public such as supermarket or shopping center parking lots, parking areas provided by business establishments for the convenience of their customers, clients or patrons, and parking lots served and operated by the state and/or any other parking area owned and operated for the convenience of, and commonly used by, the public.

(b) —Conduct deemed prohibited acts. No person in a parking area may:

(1) —Use abusive, indecent, profane or vulgar language when such language by its very utterance tends to incite an immediate breach of the peace;

- (2) \_—Make an offensive gesture or display when such gesture or display tends to incite an immediate breach of the peace;
- (3) \_—Create, by chemical means, a noxious and unreasonable odor;
- (4) \_—Abuse or threaten a person in an obviously offensive manner;
- (5) \_—Make unreasonable noise in or near a private residence that he has no right to occupy;
- (6) \_—Fight with another;
- (7) \_—Discharge a firearm;
- (8) \_—Display a firearm or other deadly weapon in a manner calculated to alarm;
- (9) \_—Expose his anus or genitals and be reckless about whether another may be present who will be offended or alarmed by his act;
- (10) \_—Throw any object capable of causing bodily harm or property damage at another person with intent to injure a person and/or damage property;
- (11) \_—Congregate with another person or loiter after entering the premises, and willfully refuse to leave after having been notified to leave by the owner or agent or the person in possession or control of the premises; or
- (12) \_—Throw or deposit any trash, litter or other waste on a parking area.

Sec. 82-167168. - Prohibited uses of motor vehicles in parking areas.

No person in control or possession of a motor vehicle in a parking area may:

- (1) Bring a motor vehicle to a sudden start or stop, or blow the horn of the vehicle when there is no reasonable necessity for the protection of a person or property or in such a manner as is calculated to disturb a person of ordinary sensibilities;
- (2) Hold a race or contest for speed with another motor vehicle.

Sec. 82-1~~72~~69. – City owned parking lot restrictions.

- (a) *Definitions.* The following terms, when used in this section, shall have the meanings respectively ascribed to them:

*City owned parking lot* means:

- (1) The City parking lot located at the northwest corner of the intersection of North Hampton Road and Mission Street;
- (2) The City parking lot located at 128 Harris Street, approximately one block south of Main Street on the westside of Harris Street; and
- (3) The City parking lot located at 230 E. Main Street, on the southside of Main Street and east of Harris Street.

*Vehicle* means any private or commercial automobile, truck, tractor trailer, road tractor, semi-trailer, tractor-trailer or similar vehicle, van, wrecker, motorbus, recreational vehicle including

travel trailers, campers or motorhomes, boats, boat trailer, horse trailer, or trailer of any kind, mobile or manufactured home.

- (b) *Prohibited parking.* It shall be unlawful for a person to park, stand, or stop any vehicle overnight in the designated City owned parking lots. This prohibition shall not be applicable to any vehicle which is being used for emergency purposes, to any vehicle being used by a utility company for repair purposes, or to any City or other governmental vehicle.
- (c) *Signage.* The City Manager, or his designee, shall erect signs at the entrances to the City owned parking lots to which the overnight parking restrictions of this section apply. Such signs will inform ordinarily observant persons that overnight parking is prohibited in such parking lots.
- (d) *Penalty and Presumption.*
  - (1) Any person who violates or causes, permits, or allows to be violated subsection (b) shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum in accordance with the general penalty provided in Section 1-15 "General penalty; continuing violations" of this code per day or offense during or on which a violation occurs or continues.
  - (2) In a prosecution under subsection (b), it is presumed that the registered owner of the motor vehicle is the person who left the vehicle standing at the time and place the offense occurred.
- (e) *Towing of illegally parked vehicles.* Any vehicle that is parking in violation of this section may be towed by the City and stored until claimed by the rightful owner or person who has the immediate right to such property, or until disposed of under the provisions of state law.
- (f) *Towing charges.*
  - (1) When a vehicle is towed pursuant to the authority provided in this section, the owner or operator of such vehicle may be charged a fee that is not greater than the fee for a non-consent tow established by state law.
  - (2) Any such vehicle so removed, impounded and stored in an automobile pound or other storage area that has been provided for the storage of such vehicle shall be retained and held there until all charges for towing and storage of such vehicle have been paid to the duly authorized person in charge of the pound or storage area.

~~Secs. 82-170—82-172. - Reserved.~~

~~Sec. 82-170.—Restricted parking.~~

~~Only buses shall be allowed to park in the area from 180 feet west of South Heights Street extending 529 feet along the south side of West Main Street.~~

~~Sec. 82-171.—Prohibited in certain areas.~~

~~Stopping, standing and parking is hereby prohibited in the following areas:~~

- ~~(1)—On the north side of West Main Street beginning at North Heights Street extending west to Eagle Drive.~~



~~(2) — On the south side of West Main Street beginning at South Heights Street 180 feet west of South Heights Street.~~

Sec. 82-167. — Prohibited uses of motor vehicles in parking areas.

No person in control or possession of a motor vehicle in a parking area may:

(1) — Bring a motor vehicle to a sudden start or stop, or blow the horn of the vehicle when there is no reasonable necessity for the protection of a person or property or in such a manner as is calculated to disturb a person of ordinary sensibilities;

(2) — Hold a race or contest for speed with another motor vehicle.

DIVISION 2. - PARKING FOR DISABLED PERSONS

Sec. 82-1~~65~~73. - Handicapped parking.

(a) —*Designation of spaces.* The fire marshal of the city is hereby authorized to designate specific parking stalls, spaces or areas upon public property as parking spaces for the exclusive use of vehicles transporting temporarily or permanently disabled persons. The fire marshal is further authorized to require a property owner or a person who controls property used for parking to designate one or more stalls, spaces or parking areas as parking spaces for the disabled, and may approve parking for the disabled as designated by private property owners. Parking spaces for the disabled are for the exclusive use of vehicles which display distinguishing license plates and/or specifically designated symbols, tags or other devices affixed to windshields or license plates and issued pursuant to V.T.C.A., Transportation Code § 504.201 et seq., to disabled persons and disabled veterans. Such stalls or spaces shall be designated at the property owner's expense. The dimensions and identification of all parking spaces so designated shall comply with state purchasing and general services commission guidelines.

~~(b) — *Enforcement.* A peace officer, the fire marshal and the deputy fire marshal of the city may enforce this section by filing charges against any person who commits an offense under this section.~~

~~(c) — *Offenses.* A person commits an offense if the person:~~

~~(1) — Stops, stands, parks or leaves a vehicle not displaying a distinguishing license plate or special symbol, tag or device as issued to disabled persons pursuant to V.T.C.A., Transportation Code § 504.201 et seq., in any parking space properly designated for the exclusive use of physically disabled persons; or~~

~~(2) — Is not the person with the disability and stops, stands, parks or leaves a vehicle in any parking space properly designated for the exclusive use of physically handicapped persons regardless if the vehicle displays a distinguishing license plate or special symbol, tag or device as issued to disabled persons pursuant to V.T.C.A., Transportation Code § 504.201 et seq. (b) The director of public works and persons who own or control property used for parking shall designate the space, spaces, or area by posting in a conspicuous place, a sign that conforms with the design and posting requirements of V.T.C.A., Transportation Code § 681.009.~~

Sec. 82-174. - Enforcement, Offenses, Evident and Prosecution

~~(b) *Enforcement*~~ (a) Enforcement. A peace officer, the fire marshal and the deputy fire marshal of the city may enforce this section by filing charges against any person who commits an offense under this section.

~~(d) *Evidence and prosecution*. It shall be prima facie evidence of the fact that a vehicle is not parked or used for the transportation of disabled persons if such vehicle does not display a distinguishing license plate or special designated symbol, tag or other device issued by the state highway department pursuant to V.T.C.A., Transportation Code § 504.201 et seq., as issued to disabled persons or disabled veterans. In a prosecution of an offense under this section, it is presumed that the registered owner of the motor vehicle is the person who parked the vehicle at the time and place the offense occurred.~~ (b) Offenses. A person commits an offense if the person:

(1) Stops, stands, parks or leaves a vehicle not displaying a distinguishing license plate or special symbol, tag or device as issued to disabled persons pursuant to V.T.C.A., Transportation Code § 504.201 et seq., in any parking space properly designated for the exclusive use of physically disabled persons; or

(2) Is not the person with the disability and stops, stands, parks or leaves a vehicle in any parking space properly designated for the exclusive use of physically handicapped persons regardless if the vehicle displays a distinguishing license plate or special symbol, tag or device as issued to disabled persons pursuant to V.T.C.A., Transportation Code § 504.201 et seq.

(c) Evidence and prosecution. It shall be prima facie evidence of the fact that a vehicle is not parked or used for the transportation of disabled persons if such vehicle does not display a distinguishing license plate or special designated symbol, tag or other device issued by the state highway department pursuant to V.T.C.A., Transportation Code § 504.201 et seq., as issued to disabled persons or disabled veterans. In a prosecution of an offense under this section, it is presumed that the registered owner of the motor vehicle is the person who parked the vehicle at the time and place the offense occurred.

#### Sec. 82-175. - Penalty

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this section:

(a) Except as provided by this subsection (a), an offense under this division is a misdemeanor punishable by a fine of not less than \$250.00 or more than \$500.00.

(b) If it is shown on the trial of an offense under this section that the person has been previously convicted one time of an offense under this section, the offense is punishable by a fine of not less than \$300.00 or more than \$600.00.

(c) If it is shown on the trial of an offense under this section that the person has been previously convicted two times of an offense under this section, the offense is punishable by:

(1) A fine of not less than \$300.00 or more than \$600.00; and

(2) Not less than ten or more than 20 hours of community service.

(d) If it is shown on the trial of an offense under this section that the person has been previously convicted three times of an offense under this section, the offense is punishable by:

(1) A fine not less than \$500.00 or more than \$1,000.00; and

(2) Not less than 20 or more than 50 hours community service.

(e) If it is shown on the trial of an offense under this section that the person has been previously convicted four times of an offense under this section, the offense is punishable by a fine of \$1,000.00 and 50 hours of community service.

Secs. 82-176—82-178. - Reserved.

### DIVISION III. - NO PARKING; NO STOPPING OR STANDING AND RESTRICTED PARKING ZONES

Sec. 82-179. - Prohibited Parking.

(a) No person in control of or in possession of a motor vehicle shall park on the following streets at locations indicated:

(1) On Peach Street between South Oak Street and South Midway Street;

(2) Oak Street:

a. On South Oak Street between Pecan Street and Peach Street; and

b. On South Oak Street between Main Street and Meadow Crest Drive;

(3) On the north side of Pecan Street between South Oak Street and South Midway Street;

(4) Main Street on:

a. West Main Street starting at its intersection with Heights Street and extending east 100 feet;

b. The north side of West Main Street starting at its intersection with Skelly Street and extending east 100 feet;

c. The north side of West Main Street starting at its intersection with Skelly Street and extending west 100 feet;

d. West Main Street starting at its intersection with Oak Street and extending east 100 feet;

e. West Main Street starting at its intersection with Oak Street and extending west 100 feet;

f. Main Street (Farm to Market 1187) between Crowley Road (Farm to Market 731) and Beverly Street; and

g. East Main Street (Farm to Market 1187) from Crowley Road (Farm to Market 731) to the east city limit;

(5) Hampton Road on:

- a. South Hampton Road from East Main Street (Farm to Market 1187) to South Crowley Road (Farm to Market 731);
  - b. North Hampton from East Main Street (Farm to Market 1187) to McCurdy Street;
- (6) On Crowley Road (Farm to Market 731) within the city limits;
- (7) On Eagle Drive starting at its intersection with Longhorn Trail and extending north 475 feet;
- (8) On East Glendale Street east of Prairie View Road;
- (9) On the north side of West Mission Street between North Magnolia Street and North Texas Street;
- (10) Magnolia Street on:
  - a. The west side of North Magnolia Street between West Mission Street and West Mustang Street; and
  - b. The east side of North Magnolia Street between West Main Street and West Mustang Street;
- (11) On the north side of Industrial Boulevard;
- (12) On Longhorn Trail from Eagle Drive and West Farm to Market 1187 to the west city limit;
- (13) On Renfro Street from South Crowley Road (Farm to Market 731) to the city limit;
- (14) On Edge Hill Road from South Crowley Road (Farm to Market 731) to the city limit;
- (15) On Deer Creek Drive;
- (16) On Farm to Market 1187 (including South Beverly Street) from West Main Street to the west city limit;
- (17) On Roberts Street between East Main Street (Farm to Market 1187) and Glendale Street;
- (18) On South Texas Street between West Main Street (Farm to Market 1187) and Pecan Street;
- (19) On Bean Road from West Main Street to the west city limit;
- (20) On the south side and the north side of Deer Creek Road between Crowley Road (Hwy 731) and Choke Cherry Lane.
- (b) The provisions of this section shall not apply:
  - (1) To emergency vehicles operating in response to any emergency call;
  - (2) To vehicles operated by a public utility while cruising in an assigned area for the purpose of inspecting the facilities of such public utility or providing maintenance to the facilities.
- (c) It is an affirmative defense to the prosecution under this section that:
  - (1) The person in control or possession of a motor vehicle causing it to be parked on a street at a location listed in subsection (a) of the section, if the motor vehicle is parked in front

of the private residence of that same person deemed to be in control or possession of the motor vehicle.

- (2) Nothing in subsection (c) of the section shall be construed so as to conflict with V.T.C.A., Transportation Code § 545.307 concerning the overnight parking of commercial motor vehicles in residential subdivisions.

Sec. 82-180. - Stopping, standing and parking prohibited.

(a) Stopping, standing and parking is hereby prohibited in the following areas:

- (1) On the north side of West Main Street beginning at North Heights Street extending west to Eagle Drive.
- (2) On the south side of West Main Street beginning at South Heights Street 180 feet west of South Heights Street.

(b) The provisions of this section shall not apply:

- (1) To emergency vehicles operating in response to any emergency call;
- (2) To vehicles operated by a public utility while cruising in an assigned area for the purpose of inspecting the facilities of such public utility or providing maintenance to the facilities.

Sec. 82-181. - Restricted parking for school buses

Only school buses shall be allowed to park in the area from 180 feet west of South Heights Street extending 529 feet along the south side of West Main Street.

Secs. 82-182—82-186. - Reserved.

DIVISION IV. - RESIDENTIAL PARKING PERMIT AREA

Secs. 82-187. - Generally

(a) Definitions. For the purposes of this section, the following words shall have the meanings respectively ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) Curbside parking space means linear curb, exclusive of those portions of the curb where parking, apart from the provisions of this section, is not presently permitted.
- (2) Motor vehicle means an automobile, truck, recreation vehicle, motorcycle, or other motor-driven or self-propelled form of transportation.
- (3) Resident vehicle means a motor vehicle owned or operated whose principal operator resides in the residential parking permit area.
- (4) Residential district means a contiguous or nearly contiguous area containing public streets and highways or parts thereof primarily abutted by residential property or residential and nonbusiness property (such as schools, parks, churches, hospitals and nursing homes).

- (5) Residential parking permit area means the residential district where curbside parking on public highways is prohibited, unless the vehicle properly displays a parking permit authorized by this section or is excepted from the application of this section.
- (b) Posting of residential parking permit area. Following the city council's affirmative vote to designate a residential parking permit area, it shall be the responsibility of the Director of Public Works to erect appropriate signs giving notice thereof. Such signs will conform to the Texas Manual on Uniform Traffic Control Devices, as amended. Signs will list:
- (1) Location of designated residential parking area; and
  - (2) Time restrictions; and
  - (3) Notice that unauthorized vehicles will be towed at vehicle owner's expense.
- (c) Notice to residents of designation of residential parking permit area. Following the city council's affirmative vote to designate the residential parking permit area, the city manager or the city manager's designee shall mail to every residence within the designated residential parking permit area a notice of designation that shall inform the residents in the designated area of:
- (1) The existence and location of the residential parking permit area; and
  - (2) The applicable parking restrictions; and
  - (3) The procedures to obtain a parking permit.

Sec. 82-188 - Designated residential parking permit area

- (a) No person in control of or in possession of a motor vehicle shall park on the following streets at locations and times indicated without a valid residential parking permit.
- (1) On North and South Heights between the hours of 8:00 a.m. and 5:00 p.m. on school days.
  - (2) On Mathew Dr. between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (3) On Celeste St. between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (4) On Lee Ann St between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (5) On Patrick St between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (6) On Cindy St between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (7) On Julie Dr. between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (8) On Randy Dr. between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (9) On Pecan St. between the hours of 8:00 a.m. and 5:00 p.m. on school days;
  - (10) On Meadow View Dr. starting at its intersection with S. Heights extending east to Wilson Dr. between the hours of 8:00 a.m. and 5:00 p.m. on school days.
  - (11) On Redbud St. between the hours of 8:00 a.m. and 5:00 p.m. on school days.
  - (12) On Holly St. between the hours of 8:00 a.m. and 5:00 p.m. on school days.
  - (13) On Rose St between the hours of 8:00 a.m. and 5:00 p.m. on school days.

Sec. 82-189. - Procedures to obtain, replace and transfer residential parking permit

(a) Issuance of a residential parking permit.

- (1) An application for residential parking permit which the applicant may obtain from the city permits department will include the following information for each vehicle.
  - a. The name and residential address of the owner of the vehicle;
  - b. The vehicle make, model, color, vehicle identification number, and license plate number
  - c. The name, residential address, and driver's license number of the principal operator of the vehicle;
  - d. The signature or electronic signature, if applicable, of the applicant for the residential parking permit.
- (2) The applicant shall demonstrate proof of residency and motor vehicle ownership in a manner determined by the city.
- (3) Two (2) residential parking permits, per residence, shall be issued, at no cost.
- (4) Parking permits are vehicle-specific and may not be transferred or sold to other persons.
- (5) Residential parking permits shall only be issued for vehicles that are owned or operated by a person who resides within the designated area.
- (6) Additional parking permits may be requested by submitting an application to the permits department and will be considered on a case-by-case basis.

(b) Replacement of residential parking permits. Upon verification of the holder's prior submission of a completed and validated residential parking permit application and affirmation that the holder's permit was lost, stolen, or destroyed, the holder shall receive a new residential parking permit. The lost, stolen, or destroyed permit shall be considered void, and any use of a voided permit is prohibited.

(c) Transfer of residential parking permit.

- (1) Whenever the holder of a residential, visitor, parking permit, or the vehicle for which the parking permit was issued, no longer fulfills one or more of the applicable provisions of this section controlling issuance or transfer of parking permits, the holder shall notify the city permits department, who may then direct the holder to surrender the parking permit.
  - (2) Residential parking permits are vehicle specific. Therefore, a new vehicle or resident will be required to submit an application for residential parking permit as outlined in subsection (a). Previously issued permits shall be considered void, and any use of a voided permit is prohibited.
- (d) Issuance of permits for visitors. Upon application of any resident of a residential parking permit area the city shall issue a visitor parking permit to the resident for a visitors' vehicle. No more than two visitor parking permits shall be issued to any one resident at any given time. For the purposes of this section, the resident shall be the holder of and responsible for the use and misuse of the visitor parking permit issued to the resident. Visitor parking permits



will be issued for a period of fourteen (14) calendar days and may be renewed by contacting the permits department.

Sec. 82-190. - Use and display of residential parking permit.

(a) The Police Chief shall establish the means by which a residential parking permit is identifiable for enforcement.

(b) Use of parking permits.

(1) A parking permit shall not guarantee or reserve a parking space within the designated residential parking permit area. A parking permit shall not authorize the standing or parking of any vehicle in such places and during such times when the stopping, standing or parking of vehicles is prohibited or set aside for specified types of vehicles, and shall not excuse the observance of any traffic regulation.

(2) Until its expiration, surrender or revocation, a parking permit shall remain valid for such time as the holder continues to reside within the designated residential parking permit area.

(3) It shall be a violation of this section for the holder of a parking permit to fail to surrender the permit when directed to do so.

(4) It shall be a violation of this section for any person to represent in any fashion that a vehicle is entitled to a parking permit authorized by this section when it is not so entitled. The display of a parking permit on a vehicle not entitled to such a parking permit shall constitute such a representation.

(5) It shall be a violation of this section for any person to duplicate, or attempt to duplicate, by any means, a parking permit authorized by this section. It also shall be a violation of this section for any person to display on any vehicle such a duplicate parking permit.

(6) It shall be a violation of this section to sell or exchange any parking permit and or the privileges it provides for anything of value.

Sec. 82-191. - Exemptions

(a) The following vehicles are specifically exempted from the parking restrictions imposed by this section:

(1) An authorized emergency vehicle as defined by state law.

(2) A motor vehicle owned by or operated under contract to a utility when used in the construction, operation, removal or repair of utility property or facilities or engaged in authorized work in the designated residential parking permit area.

(3) A motor vehicle identified as owned by or operated under contract to a federal, state, or local governmental agency and being used in the course of official government business.

(b) The provisions of this section shall not supersede the provisions of the City Code and state laws relating to parking by disabled persons.

Sec. 82-192. - Offenses, penalties and affirmative defense.



(a) Offense. It shall be presumed for the purposes of prosecution; such fact shall be prima facie evidence that the person in whose name said vehicle is registered is liable for a violation of this division. It shall be considered an offense if:

(1) Except as otherwise provided in this division, it is unlawful for any person to stop, stand, or park any vehicle on any street, or portion thereof, established as a residential parking permit area by the City Council during all or certain hours as provided by signs giving notice of said restriction.

(2) A person copies, produces, or otherwise counterfeits a residential or visitor parking permit issued pursuant to this section. It is unlawful for any person to falsely represent himself or herself as eligible for a parking permit or furnish false information to the city in an application for a residential parking permit.

(3) Violation of any provision of this division shall be an infraction.

(b) Penalties.

(1) Any person violating any provision of this section shall be fined not more than \$500.00 for each violation with each day being a separate violation.

(2) Tow away zone. Any vehicle within the residential parking permit area in violation of this section shall be subject to being towed from the area under direction of the police department. Owner and driver shall pay all fees and storage charges in addition to any assessed penalty for this violation.

(3) Revocation of permit. In addition to the penalties provided above for violation of this section the city manager or the city manager's designee may revoke the residential parking permit of any person found to be in violation of this section, and, upon written notification thereof, the person shall surrender such permit to the city manager or the city manager's designee. Failure to surrender a revoked residential parking permit when requested to do so shall constitute a separate violation of this section.

(c) Affirmative defense.

(1) It is an affirmative defense to prosecution under this division that the person was expeditiously loading or unloading passengers or property, was in the performance of official duties as a law enforcement officer, government employee, or utility company employee, or was operating an authorized emergency vehicle in the performance of official duties.

~~(2) Sec. 82-166. General parking requirements.~~

~~(a) It shall be unlawful and a violation of this article for any person to cause, suffer, permit or allow any vehicle registered in the name of or operated by such person to:~~

~~(1) Be double parked at any point on the street, highways or alleys of the city.~~

~~(2) Be stopped or parked on or adjacent to the public street, highway or alley so that a portion of the vehicle including, but not limited to, any objects carried in or upon such vehicle, protrudes into the main traveled portion of the street, highway or alley.~~

- ~~(3) Be parked on any street, highway or alley in the city for a period of time longer than 24 hours, or for a period of time longer than the period stated on any sign posted at such locations by the authority of the city.~~
- ~~(4) Stop, stand or park at any time upon any public street, highway, alley or other public place or fire lane when signs erected or curbs painted prohibit such stopping, standing or parking.~~
- ~~(5) Be parked upon any public street, highway, alley or public property of any nature whatever in the city for the purpose of:
  - ~~a. Displaying such vehicle for sale;~~
  - ~~b. Washing, greasing, cleaning or polishing, waxing, changing oil or repairing such vehicle, except repairs necessitated by an emergency; or~~
  - ~~c. Selling or exhibiting property of any nature.~~~~
- ~~(6) Be parked at the curb, if any, or, at the edge of any divided street, road or highway or in or upon that area or portion of a divided street, road or highway within the city, which separates two roadways of the street, road or highway.~~
- ~~(7) Be parked if such vehicle is a truck tractor, road tractor, trailer, semitrailer, pole trailer, bus, motor home, mobile home or any commercial motor vehicle, as defined in V.T.C.A., Transportation Code § 541.201 upon a public street, alley, parkway, boulevard, measuring less than 38 feet in width, or on public property; nothing in this subsection shall authorize the parking of mobile homes in any location, public or private, unless pursuant to a permitted use authorized by the zoning chapter or upon authority of the building official.~~
- ~~(8) Be parked off the pavement, or main traveled portion of the roadway adjacent to private property, or in a designated or permitted parking area on private property without the effective consent of the owner.~~
- ~~(b) It is an affirmative defense to the prosecution under this section that:
  - ~~(1) The parking off the pavement, main traveled portion of the roadway, or designated or permitted parking area was required due to an emergency or malfunction of the motor vehicle and that there was no other safe place to operate the vehicle or that such parking was required because of an order by a peace officer.~~
  - ~~(2) The vehicle had a mechanical defect making it unsafe or impossible to proceed further, in which event it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs.~~~~
- ~~(c) This section shall not apply to emergency vehicles, street construction, maintenance and repair equipment, trucks, equipment, trailers and vehicles used by public service utility companies engaged in repairing or extending public service utilities, motor buses when taking on or discharging passengers at customary bus stops, other vehicles when actually parked at a designated loading zone, municipal vehicles in the course of performance of city business, or when it is lawful to park commercial motor vehicles for the purpose of accepting or delivering transportable goods.~~

~~Sec. 82-167. Prohibited uses of motor vehicles in parking areas.~~

~~No person in control or possession of a motor vehicle in a parking area may:~~

- ~~(1) Bring a motor vehicle to a sudden start or stop, or blow the horn of the vehicle when there is no reasonable necessity for the protection of a person or property or in such a manner as is calculated to disturb a person of ordinary sensibilities;~~
- ~~(2) Hold a race or contest for speed with another motor vehicle.~~

~~Sec. 82-168. — Parking prohibited in certain areas.~~

~~(a) — No person in control of or in possession of a motor vehicle shall park on the following streets at locations indicated:~~

~~(1) — On Peach Street between South Oak Street and South Midway Street;~~

~~(2) — Oak Street:~~

~~a. — On South Oak Street between Pecan Street and Peach Street; and~~

~~b. — On South Oak Street between Main Street and Meadow Crest Drive;~~

~~(3) — On the north side of Pecan Street between South Oak Street and South Midway Street;~~

~~(4) — On South Heights Street starting at its intersection with West Main Street and extending south 350 feet between the hours of 9:30 a.m. and 11:00 a.m. on school days;~~

~~(5) — Main Street on:~~

~~a. — West Main Street starting at its intersection with Heights Street and extending east 100 feet;~~

~~b. — The north side of West Main Street starting at its intersection with Skelly Street and extending east 100 feet;~~

~~c. — The north side of West Main Street starting at its intersection with Skelly Street and extending west 100 feet;~~

~~d. — West Main Street starting at its intersection with Oak Street and extending east 100 feet;~~

~~e. — West Main Street starting at its intersection with Oak Street and extending west 100 feet;~~

~~f. — Main Street (Farm to Market 1187) between Crowley Road (Farm to Market 731) and Beverly Street; and~~

~~g. — East Main Street (Farm to Market 1187) from Crowley Road (Farm to Market 731) to the east city limit;~~

~~(6) — Hampton Road on:~~

~~a. — South Hampton Road from East Main Street (Farm to Market 1187) to South Crowley Road (Farm to Market 731);~~

~~b. — North Hampton from East Main Street (Farm to Market 1187) to McCurdy Street;~~

~~(7) — On Crowley Road (Farm to Market 731) within the city limits;~~

- ~~(8) On Eagle Drive starting at its intersection with Longhorn Trail and extending north 475 feet;~~
- ~~(9) On East Glendale Street east of Prairie View Road;~~
- ~~(10) On the north side of West Mission Street between North Magnolia Street and North Texas Street;~~
- ~~(11) Magnolia Street on:~~
  - ~~a. The west side of North Magnolia Street between West Mission Street and West Mustang Street; and~~
  - ~~b. The east side of North Magnolia Street between West Main Street and West Mustang Street;~~
- ~~(12) On the north side of Industrial Boulevard;~~
- ~~(13) On Longhorn Trail from Eagle Drive and West Farm to Market 1187 to the west city limit;~~
- ~~(14) On Renfro Street from South Crowley Road (Farm to Market 731) to the city limit;~~
- ~~(15) On Edge Hill Road from South Crowley Road (Farm to Market 731) to the city limit;~~
- ~~(16) On Deer Creek Drive;~~
- ~~(17) On Farm to Market 1187 (including South Beverly Street) from West Main Street to the west city limit;~~
- ~~(18) On Roberts Street between East Main Street (Farm to Market 1187) and Glendale Street;~~
- ~~(19) On South Texas Street between West Main Street (Farm to Market 1187) and Pecan Street;~~
- ~~(20) On Bean Road from West Main Street to the west city limit;~~
- ~~(21) Matthew Drive on:~~
  - ~~a. The east side of Matthew Drive starting at its intersection with West Main Street and extending north 139 feet;~~
  - ~~b. The east side of Matthew Drive starting at 139 feet north from West Main Street and extending north to Patrick Street between the hours of 8:00 a.m. and 9:30 a.m. and between 2:00 p.m. and 4:00 p.m. on school days;~~
  - ~~c. The west side of Matthew Drive between West Main Street and Patrick Street between the hours of 8:00 a.m. and 9:30 a.m. and between 2:00 p.m. and 4:00 p.m. on school days;~~
- ~~(22) On Celeste Street between the hours of 8:00 a.m. and 9:30 a.m. and between 2:00 p.m. and 4:00 p.m. on school days;~~
- ~~(23) On Cindy Street between the hours of 8:00 a.m. and 9:30 a.m. and between 2:00 p.m. and 4:00 p.m. on school days;~~

- ~~(24) — On Julie Drive starting at its intersection with West Main Street and extending north 427 feet between the hours of 8:00 a.m. and 9:30 a.m. and between 2:00 p.m. and 4:00 p.m. on school days;~~
- ~~(25) — On Randy Drive between West Main Street and Patrick Street between the hours of 8:00 a.m. and 9:30 a.m. and between 2:00 p.m. and 4:00 p.m. on school days;~~
- ~~(26) — On Pecan Street starting at its intersection with South Heights Street and extending east until it intersects with Chapman Street between the hours of 9:30 a.m. and 11:00 a.m. on school days;~~
- ~~(27) — On North Heights Street starting at its intersection with West Main Street and extending north 350 feet between the hours of 9:30 a.m. and 11:00 a.m. on school days; and~~
- ~~(28) — On the south side and the north side of Deer Creek Road between Crowley Road (Hwy 731) and Choke Cherry Lane.~~
- ~~(b) — It is an affirmative defense to the prosecution under this section that:~~
  - ~~(1) — The person in control or possession of a motor vehicle causing it to be parked on a street at a location listed in subsection (a) of the section, if the motor vehicle is parked in front of the private residence of that same person deemed to be in control or possession of the motor vehicle.~~
  - ~~(2) — Nothing in subsection (b) of the section shall be construed so as to conflict with V.T.C.A., Transportation Code § 545.307 concerning the overnight parking of commercial motor vehicles in residential subdivisions. It shall be an affirmative defense to prosecution under this section that the registered owner of the vehicle was a vendor providing services to the residence. The registered owner must submit to the court an affidavit from the owner or occupant of the residence describing the date, time and services that were provided.~~

Secs. 82-193-82-195. - Reserved



## Crowley City Council

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### AGENDA REPORT

<b>Meeting Date:</b>	September 15, 2022	<b>Staff:</b>	Matt Elgin
<b>Agenda Item:</b>	VII-9	<b>Contact:</b>	Assistant Public Works Director
		<b>E-mail:</b>	melgin@ci.crowley.tx.us
		<b>Phone:</b>	817-297-2201-X 3240

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**SUBJECT:** Discuss and consider a construction bid award in the amount of \$220,535.00 to Stable & Winn, Inc., for Oarlock Drive Paving Improvements and authorizing the City Manager or his designated representative to execute said contract.

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#### **BACKGROUND/DISCUSSION**

Staff recommended a paving improvement project during the 2020-2021 budget session. The project included replacing a section of failed concrete roadway on Oarlock Drive. This previous request was approved during that 2020-2021 fiscal year for \$110,000. During that fiscal year both the staffing challenges faced by contractors along with the inflated material costs of concrete drove project costs extremely high. Staff determined that the project would be postponed in hopes to receive more favorable pricing as COVID impacts subsided and the market corrected itself. The project was not performed during the 2020-2021 fiscal year.

Additional project scope has been identified as staff reviewed the previous scope along with assessing the existing conditions this summer. The repairs will now extend along Oarlock Drive from Swift Current Drive to Handle Drive. The existing roadway will be removed along with some of the failed sub base which is believed to be the cause of the initial roadway failure.

On August 11, 2022 and August 25, 2022 public notification of the Oarlock Paving Improvement Project were made through both the Star Telegram and the website [www.civcastusa.com](http://www.civcastusa.com). The sealed bids were due September 6, 2022 by 2:00 PM. On September 6, 2022 at 2:00 PM the sealed bids were opened and read aloud in the City Hall Conference Room.

The engineering firm, which designed the project, Teague, Nall and Perkins (TNP), performed the bid tabulation as well as the verification of the contractor's project references. TNP along with staff are recommending Stable & Winn, Inc. be awarded the paving construction contract for the Oarlock Drive Paving Improvements for \$220,535.00 (Base Bid Total).

#### **FINANCIAL IMPACT**

The total construction contract cost is \$220,535.00. The Finance Department has recommended the following two funding options:

The original \$110,000 budgeted was not used but placed into reserves. Council could determine that the construction cost be taken from reserves.

The other funding option for Council would be to fund the project out of the 2021 Bond.

## **RECOMMENDATION**

Staff recommends approval of awarding the construction contract to Stabile & Winn, Inc.; council consideration and approval is respectfully requested.

## **ATTACHMENTS**

- Recommendation Letter from TNP
- Bid tabulation from Teague Nall and Perkins

September 8, 2022

Matt Elgin  
City of Crowley  
201 E. Main  
Crowley, Texas 76036

**RE: Oarlock Drive  
Paving Improvements  
TNP CRO 22008**

Dear Matt:

On September 6, 2022 bids were received for the above referenced project. A total of five bids were received as follows:

	<b><u>Total Bid Amount</u></b>
Stabile & Winn, Inc	\$ 220,535.00
McClendon Construction Co., Inc.	\$ 225,129.00
XIT Paving & Construction, Inc.	\$ 254,364.00
Greeniverse Construction, LLC	\$ 289,709.50
Ed Bell Construction Company	\$ 359,265.00

I have evaluated the bids and found them to be complete and responsive.

Based on previous experience with the low bidder, I recommend the City of Crowley award the construction contract for the Oarlock Drive Paving Improvements Project to Stabile & Winn, Inc for the Total Bid Amount of \$ 220,535.00.

A complete bid tabulation is attached for your use. If you have any questions or require additional information, please do not hesitate to call.

Sincerely,

**TEAGUE NALL AND PERKINS, INC.**



Ryan Jones, P.E.





TNP JOB NO: CRO 22008  
ENGINEER'S ESTIMATE: \$231,006.00  
BID DATE: September 6, 2022  
BID TIME: 02:00 p.m.

## BID TABULATION REPORT

CLIENT: CITY OF CROWLEY  
DESCRIPTION: PAVING IMPROVEMENTS FOR CARLOCK DRIVE  
(Swift Current Dr to Handle Dr)

### BIDDERS

ITEM NO.	DESCRIPTION OF ITEMS	QUANTITY	UNIT	Stable & Winn, Inc.		McClendon Construction Co., Inc.		XIT Paving & Construction, Inc.	
				UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
PAVING IMPROVEMENTS									
1	Mobilization	LS	1	\$20,000.00	\$20,000.00	\$39,950.00	\$39,950.00	\$12,000.00	\$12,000.00
2	Sawcut & Remove Exist Conc Curb Section	LF	23	\$5.00	\$115.00	\$30.00	\$690.00	\$60.00	\$1,380.00
3	Sawcut, Remove & Dispose of Exist Conc Pavement	SY	950	\$15.00	\$14,250.00	\$58.00	\$55,100.00	\$38.00	\$36,100.00
4	6" Lime Stabilized Subgrade (32#/SY	SY	970	\$13.00	\$12,610.00	\$12.00	\$11,640.00	\$27.00	\$26,190.00
5	Lime for Stabilized Subgrade	TON	15	\$300.00	\$4,500.00	\$300.00	\$4,500.00	\$470.00	\$7,050.00
6	Compacted Backfill	CY	160	\$30.00	\$4,800.00	\$27.00	\$4,320.00	\$80.00	\$12,800.00
7	7" Reinforced Conc Pavement	SY	950	\$159.00	\$151,050.00	\$99.50	\$94,525.00	\$148.00	\$140,600.00
8	6" Reinforced Conc Monolithic Curb	SF	181	\$5.00	\$905.00	\$12.00	\$2,172.00	\$10.00	\$1,810.00
9	24" Reinforced Conc Curb & Gutter	LF	23	\$35.00	\$805.00	\$99.00	\$2,277.00	\$73.00	\$1,679.00
10	4" Topsoil & Solid Block Sod	SY	110	\$25.00	\$2,750.00	\$11.00	\$1,210.00	\$48.00	\$5,280.00
11	Remove and Replace Concrete Driveway	SY	5	\$150.00	\$750.00	\$149.00	\$745.00	\$295.00	\$1,475.00
12	Miscellaneous Paving Allowance	LS	1	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
PAVING TOTAL					\$220,535.00		\$225,129.00		\$254,364.00
TOTAL BID					\$220,535.00		\$225,129.00		\$254,364.00

Approved:

Tyran Jones

9/6/22

Approved:

*Tyran Jones* 9/6/22




TNP JOB NO: CRO 22008  
ENGINEER'S ESTIMATE: \$231,006.00  
BID DATE: September 6, 2022  
BID TIME: 02:00 p.m.

## BID TABULATION REPORT

CLIENT: CITY OF CROWLEY  
DESCRIPTION: PAVING IMPROVEMENTS FOR CARLOCK DRIVE  
(Swift Current Dr to Handle Dr)

### BIDDERS

ITEM NO.	DESCRIPTION OF ITEMS	QUANTITY	UNIT	Greeniverse Construction, LLC		Ed Bell Construction Company			
PAVING IMPROVEMENTS				UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	Mobilization	LS	1	\$40,011.32	\$40,011.32	\$16,000.00	\$16,000.00		
2	Sawcut & Remove Exist Conc Curb Section	LF	23	\$68.96	\$1,586.08	\$60.00	\$1,380.00		
3	Sawcut, Remove & Dispose of Exist Conc Pavement	SY	950	\$65.67	\$62,386.50	\$60.00	\$57,000.00		
4	6" Lime Stabilized Subgrade (32#/SY	SY	970	\$29.42	\$28,537.40	\$20.00	\$19,400.00		
5	Lime for Stabilized Subgrade	TON	15	\$608.10	\$9,121.50	\$325.00	\$4,875.00		
6	Compacted Backfill	CY	160	\$86.20	\$13,792.00	\$75.00	\$12,000.00		
7	7" Reinforced Conc Pavement	SY	950	\$114.10	\$108,395.00	\$238.00	\$226,100.00		
8	6" Reinforced Conc Monolithic Curb	SF	181	\$28.84	\$5,220.04	\$10.00	\$1,810.00		
9	24" Reinforced Conc Curb & Gutter	LF	23	\$50.72	\$1,166.56	\$300.00	\$6,900.00		
10	4" Topsoil & Solid Block Sod	SY	110	\$83.38	\$9,171.80	\$30.00	\$3,300.00		
11	Remove and Replace Concrete Driveway	SY	5	\$464.26	\$2,321.30	\$500.00	\$2,500.00		
12	Miscellaneous Paving Allowance	LS	1	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00		
PAVING TOTAL					\$289,709.50		\$359,265.00		
TOTAL BID					\$289,709.50		\$359,265.00		

Approved: 

9/6/22

Approved:

*[Signature]* 9/6/22



## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** VII-10

**Staff Contact:** Lori Watson, ACM/Finance Dir

**E-mail:** lwatson@ci.crowley.tx.us

**Phone:** 817-297-2201 ext. 4900

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**SUBJECT:** Discuss and consider adoption of Ordinance 09-2022-469 an ordinance of the City Council of the City of Crowley, Texas, amending Appendix A, Schedule of Rates, Fees and Charges of the Code of Ordinances by correcting a typographical error in Section (18) Water and Sanitary Sewer Rates; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; providing for publication; and providing an effective date.

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#### **BACKGROUND/DISCUSSION**

The City passed Ordinance 12-2021-448 on December 16, 2021, amending Section (18) Water and Sanitary Sewer Rates. Staff recently noticed a typographical error in Ord 12-2021-448 listed under the "Monthly rates outside of the city limits - Up to 2,000 gallons, per 1,000 gallons (all meter sizes)". The current rate listed is 42.50, but it should have been \$2.50. This Ordinance corrects the rate.

#### **FINANCIAL IMPACT**

No financial impact. Customers residing outside of City limits were charged the \$2.50 rate.

#### **RECOMMENDATION**

Recommend council approval to correct the missing information.

#### **ATTACHMENTS**

- Ordinance 09-2022-469

**ORDINANCE NO. 09-2022-469**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS, AMENDING APPENDIX A, SCHEDULE OF RATES, FEES AND CHARGES, OF THE CODE OF ORDINANCES BY CORRECTING SECTION (18) WATER AND SANITARY SEWER RATES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Crowley, Texas, is a home rule City acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the fee schedule of the City of Crowley, has been codified as Appendix A of the Crowley Code of Ordinances; and

**WHEREAS**, Appendix A of the Code of Ordinances establishes various fees for City services associated with the administration, investigation, and implementation of ordinances and regulations applicable to development and other activities; and

**WHEREAS**, on December 16, 2021, council approved Ordinance 12-2021-448 amending various fees in Appendix A, Schedule of Rates, Fees and Charges; and

**WHEREAS**, City Council found that fees listed in Section (18) Water and sanitary sewer rates, in Appendix A, Schedule of Rates, Fees and Charges had a typographical error for Monthly rates outside of city limits; and

**WHEREAS**, City Council now desires to correct Ordinance 12-2021-448 to reflect the correct rate.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CROWLEY, TEXAS:**

**SECTION 1.**

That Section (18) Water and sanitary sewer rates, in Appendix A: Schedule of Rates, Fees and Charges of the Code of Ordinances of the City of Crowley, Texas, be and is hereby corrected as follows:

(18) Water and sanitary sewer rates.

Water Rates	Amount
<i>a. Monthly rates inside the city limits:</i>	
Minimum base rate per meter size	
¾"	\$17.99

1"	\$18.99
1½"	\$36.99
2"	\$54.99
3"	\$69.99
4"	\$99.99
Up to 2,000 gallons, per 1,000 gallons (all meter sizes)	\$2.50
3,000—10,000 gallons, per 1,000 gallons (all meter sizes)	\$4.92
11,000—25,000 gallons, per 1,000 gallons (all meter sizes)	\$5.46
26,000—75,000 gallons, per 1,000 gallons (all meter sizes)	\$5.99
All over 76,000 gallons, per 1,000 gallons (all meter sizes)	\$6.26
<i>b. Monthly rates outside the city limits:</i>	
Minimum base rate (includes \$4.00 administrative fee)	
¾"	\$21.99
1"	\$22.99
1½"	\$40.99
2"	\$58.99
3"	\$143.99
4"	323.99
Up to 2,000 gallons, per 1,000 gallons (all meter sizes)	<del>42.50</del> \$2.50
3,000—10,000 gallons, per 1,000 gallons (all meter sizes)	\$4.92
11,000—25,000 gallons, per 1,000 gallons (all meter sizes)	\$5.46
26,000—75,000 gallons, per 1,000 gallons (all meter sizes)	\$5.99
All over 76,000 gallons, per 1,000 gallons (all meter sizes)	\$6.26
Monthly rate for bulk water, per 1,000 gallons	\$8.50
Base fee	\$36.00
Bulk water deposit	\$1,500.00
Administrative fee	\$40.00
Sewer main extensions in streets, alleys and easements	
Per front foot of the lot or tract of land to which water service may be provided	\$9.60

<i>Sanitary sewer rates:</i>	
Minimum base rate per meter size	
¾"	\$17.99
1"	\$18.99
1½"	\$36.99
2"	\$54.99
3"	\$69.99
4"	\$99.99
Residential sewer rates (all meter sizes) Up to 2,000 gallons, per 1,000 gallons	\$2.50
All over 3,000 gallons per 1,000 gallons	\$3.75 (12,000 maximum)
Industrial and Commercial Sewer Rates(all meter sizes) Up to 2,000 gallons, per 1,000 gallons	\$2.50
All over 3,000 gallons per 1,000 gallons	\$3.75 (no maximum)
Industrial	See section 86-628 "monitored group"
Impact fees or capital recovery cost	See section 86-693
Transportation of liquid waste permit:	
First vehicle (annual)	\$100.00
Each additional vehicle (annual)	\$10.00
Trip tickets (25)	\$25.00
Sewer main extensions in streets, alleys and easements	
Per front foot of the lot or tract of land to which sewer service may be provided	Actual Cost

Reconnection Fees	Amount
8:00 a.m. to 5:00 p.m., Monday through Friday	\$20.00
5:00 p.m. to 8:00 a.m., Monday through Friday	\$30.00
Saturdays, Sundays and holidays	\$40.00

## SECTION 2.

All other sections and subsections of Appendix A, Schedule of Rates, Fees and Charges are to remain as.

### **SECTION 3.**

This ordinance shall be cumulative of all provisions of ordinances of the City of Crowley, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

### **SECTION 4.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

### **SECTION 5.**

The City Secretary of the City of Crowley is hereby directed to publish in the official newspaper of the City of Crowley, the caption, penalty clause, and effective date clause of this ordinance as authorized by the City Charter and Section 52.013 of the Local Government Code.

### **SECTION 6.**

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**PASSED AND APPROVED ON THIS 15<sup>th</sup> DAY OF September 2022.**

**CITY OF CROWLEY, TEXAS**

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Mayor, Billy P. Davis

ATTEST:

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Carol Konhauser, City Secretary

APPROVED AS TO FORM:

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Rob Allibon, City Attorney



## Crowley City Council

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### AGENDA REPORT

**Meeting Date:** September 15, 2022

**Agenda Item:** VII-11

**Staff Contact:** Pleasant Brooks

**E-mail:** pbrooks@ci.crowley.tx.us

**Phone:** 817-297-2201 ext.5250

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**SUBJECT:** Spartan 100' Rear Mount Platform

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#### **BACKGROUND/DISCUSSION**

Background for this request is that Truck 254 is a 2006 model with 65,000 miles. Based on its age and utilization history, the apparatus is approaching end of life, which is why we are looking into replacement of a new apparatus. Quint 54 is currently the reserve aerial apparatus and is a 1998 model. Most departments consider a time frame of twenty years for the life span of an aerial apparatus. With new construction of several apartment complexes being constructed and occupied in Crowley, it has changed the type of aerial apparatus that is recommended for fire protection. Our recommendation is a 100' platform, 'bucket truck', equipped with a 1500-2000 GPM pump. After contacting multiple different vendors and departments and reviewing their equipment, the proposal from Metro Fire best fits the needs of our department. They have recommended purchasing this apparatus as soon as possible due to an ongoing price increase on materials, as well as the timing of being able to get the chassis. We are looking at potentially 390 calendar days for build time and delivery. This new platform aerial truck will be very similar to the current 2006 Smeal ladder truck currently at Fire Station 2, with the exception of the ladder being 25' shorter and a platform being located over the front of the cab.

#### **FINANCIAL IMPACT**

\$1,698,999 funded by the 2021 Bond

#### **RECOMMENDATION**

Staff respectfully recommends the approval of this purchase.

#### **ATTACHMENTS**

Proposal from Metro Fire Apparatus Specialists, Inc.





**Apparatus Specialists, Inc.**

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514 Michigan / South Houston, Texas 77587 / (713) 692-0911 / (713) 692-1591 fax

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## PROPOSAL

Friday, August 26, 2022

Crowley Fire Department  
Chief Pleasant Brooks  
200 E. Main  
Crowley TX 76036

The undersigned is prepared to furnish for you, upon an order being placed by you, for final acceptance by Metro Fire Apparatus Specialists, Inc at its office in Houston, Texas the apparatus and equipment herein named and for the following prices:

**One (1) Spartan 100' Rear Mount Platform on a Gladiator Chassis and equipment as specified:**

**TOTAL \$1,698,999.00**

**This price include sHGAC fee**

No State, Federal or local taxes included

The apparatus and equipment are to be supplied and shipped in accordance with the specifications and approvals by the Crowley Fire Department. Delays due to strikes, war or other causes beyond our control not preventing, within 390 **calendar days after receipt of a signed change order A**. The completed apparatus will be delivered to you at:

*Crowley Fire Department  
Crowley, Texas*

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the Crowley Fire Department. The proposal specifications are supplied for construction purposes. Any additions and/or changes to the enclosed specifications shall be generated and/or approved by the Crowley Fire Department, and accepted by Metro Fire Apparatus Specialists, Inc.

Unless accepted within 45 days from this date, Metro Fire Apparatus Specialists, Inc. reserves the right to withdraw this proposal.

TERMS:

By Brian Cudaback

Brian Cudaback – Apparatus Manager

**Payment due upon delivery and acceptance  
of completed apparatus.**

*“The Apparatus Specialists”*



## Crowley City Council

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### AGENDA REPORT

<b>Meeting Date:</b>	September 15, 2022	<b>Staff Contact:</b>	Lori Watson ACM/Finance Director
<b>Agenda Item:</b>	VII-12	<b>E-mail:</b>	<a href="mailto:lwatson@ci.crowley.tx.us">lwatson@ci.crowley.tx.us</a>
		<b>Phone:</b>	817-297-2201 ext 4900

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**SUBJECT:** Discuss and consider approval of a Chapter 380 agreement with Bloomfield Homes, L.P.

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#### **BACKGROUND/DISCUSSION**

Bloomfield Homes approached the city about entering into a 380 agreement to grant them a portion of the sales tax if they elect to obtain a Texas Direct Payment Permit. This permit allows self-assessment and payment of state and local sales taxes based on where the materials will be used to construct new homes. As a result, Bloomfield will have costs to track, report, and pay their own sales use taxes rather than simply paying sales taxes to suppliers (which will not benefit Crowley). The agreement grants Bloomfield Homes 80% of the 1% of the General Fund Portion and would be in effect for 10 years. Crime Control and EDC would receive .5% each.

#### **FINANCIAL IMPACT**

The attachment shows the estimated revenue the city would receive and grant back to Bloomfield Homes. The Crime Control and EDC would not be participating in this agreement and would receive the full amount of sales tax. The estimated amount (0% inflation) Crowley general fund would receive from this arrangement after granting Bloomfield would be \$90,000. The Crowley EDC and CCPD would each receive \$225,000 based on 500 undeveloped lots. Bloomfield would be receiving a grant of \$360,000 based on these estimates.

#### **RECOMMENDATION:**

Staff respectfully requests approval of the 380 Agreement with Bloomfield Homes, L.P.

#### **ATTACHMENTS**

- Chapter 380 Agreement Summary
- Texas Local Sales Tax Sourcing on Homebuilder Building Materials
- Chapter 380 Agreement between Bloomfield Homes, L.P. and City of Crowley

## Bloomfield Homes, LP and City of Crowley - Chapter 380 Agreement Summary

City Name	Crowley
City Rate	1.50%
City Code	2220228
Special Purpose District Name	Crowley Crime Control
Special Purpose District Rate	0.50%
Special Purpose District Code	5220718
Contact Name	Robert Loftin
Contact Title	City Manager
Street Address	201 E. Main Street
City, State, Zip Code	Crowley, TX 76036
Phone Number	817- 297-2201 ext. 5290
Email Address	<a href="mailto:rloftin@ci.crowley.tx.us">rloftin@ci.crowley.tx.us</a>
Contact Name	Jack Thompson
Contact Title	Asst. City Manager / Economic Development Director
Contact Phone Number	817- 297-2201 ext. 4300
Contact Email	<a href="mailto:jthompson@ci.crowley.tx.us">jthompson@ci.crowley.tx.us</a>

Est. # of Undeveloped Lots (Hunters Ridge)

500

Est. Ave Sales Price - 2021  
Direct Materials (22.5% of home sales price)  
Ave Dir Mat Purch / House (today)

\$400,000.00  
22.50%  
\$90,000.00

\$45,000,000.00 Est. Materials Sourced To Crowley  
Over Build-out of Hunters Ridge  
Presuming 0% inflation

Ave Local City Sales Tax/ House

\$1,800.00

Ave Sales Tax Grant / House

\$720.00

Ave Sales Tax Rcvd City / House

\$1,080.00

Agreement Term / Length

10 years

Grant Amount / Percentage of 1% General City Sales Tax  
for Future Direct Payment Permit Purchases

80% of 1% General Fund

Estimated Benefits for the Agreement - Bloomfield Homes 0.8% Total Bloomfield Est Sav - Thru Buildout

Existing Undev. Lots / Current Mat. Prices (0% Inflation)

\$360,000.00

Estimated Benefits for the Agreement - City

1.2% Total

City Est Sav - Thru Buildout

.2% Gen. City Tax

.5% EDC 4B

.5% Crowley Crime Control (5220718)

Existing Undev. Lots / Current Mat. Prices (0% Inflation)

\$540,000.00

\$90,000.00

\$225,000.00

\$225,000.00

Existing Undev. Lots/Mat. Price Incr 5% Annually

\$688,851.00

\$114,808.50

\$287,021.25

\$287,021.25

Existing Undev. Lots/Mat. Price Incr 8% Annually

\$809,730.00

\$134,955.00

\$337,387.50

\$337,387.50

Note: Based on NO future undeveloped lot purchases/development during 10-year 380 Agreement (ie: most conservative)

# DOUG DUFFIE, LLC

## BUSINESS & TAX CONSULTING / PLANNING

### Texas Local Sales Tax Sourcing on Homebuilder Building Materials

Since 1979, the State of Texas has required retailers of tangible personal property, including building materials, such as lumber, trusses, siding, doors, brick, stone, windows, appliances, drywall, etc., to collect and remit sales tax from customers based on the supplier's place of business.

Chapter 321 of the Texas Municipal code defines a place of business of a retailer as follows:

"Place of business of the retailer" means an established outlet, office, or location operated by the retailer or the retailer's agent or employee for the purpose of receiving orders for taxable items and includes any location at which **three or more orders are received by the retailer during a calendar year**. A warehouse, storage yard, or manufacturing plant is **not** a "place of business of the retailer" unless at least three orders are received by the retailer during the calendar year **at the warehouse, storage yard, or manufacturing plant**.

**Based on current law, local sales taxes are NOT collected based on where materials are delivered, so Cities without large retailers of building materials with "places of business" inside City limits, will NOT receive new local sales taxes from materials used to construct new homes.** However, if a homebuilder voluntarily agrees to obtain a Texas Direct Payment Permit and to self-assess and pay state and local use taxes based on where materials are first used to construct new homes, Cities can benefit by receiving new local sales/use taxes while **NOT** incurring new costs.

Homebuilders sell improvements to real property, which is not subject to Texas sales tax, and they are not required to obtain sales/use tax permits or to file sales/use tax returns each month, so obtaining a **Texas Direct Payment Permit is VOLUNTARY, NOT REQUIRED**. When a homebuilder accepts liability for paying sales/use taxes on building materials at job sites using a Direct Payment Permit, they must make significant changes to accounting systems to track materials to job sites, compute local taxes due at various locations, file monthly sales/use tax returns and pay taxes each month and be subjected to sales/use tax audits; none of which is required if they merely pay sales tax to suppliers at the supplier's place of business. These new costs can easily exceed \$1MM or more for larger builders with complex accounting systems.

A homebuilder must fulfill **all obligations of a Chapter 380 Agreement** before receiving any benefits, in the form of grants, from a City, including:

- 1) self-assessing and paying new local sales taxes to the City, then confirming amounts remitted on a semi-annual basis to the City by providing copies of confidential tax returns. Using **semi-annual** grants prevents a City from paying **monthly** grants when a homebuilder's tax returns are legally due and paid; which results in 2 grants per year, versus 12.
- 2) the City must receive new local sales/use tax allocations from the Comptroller and
- 3) the City retains the ability to adjust grants if any local taxes are overpaid or underpaid during the term of the Agreement (as a result of future audits or adjustments).

PHONE

EMAIL

Since all obligations and almost all costs are placed on a homebuilder to receive a grant using this approach, the grants typically represent a larger percentage of local taxes since **costs** are disproportionately placed on a homebuilder.

City grants often range between 80% to 100% of a **1% General Fund tax** (with NO grants due from a City's CDC or EDC portion of taxes), or alternatively, 40% - 50% of a **2% General Fund tax**, which allows new tax revenues to be generated for the City with very few costs.

Future sales/use tax revenues are often split where roughly 50 - 60% of future tax revenues are retained by a City, but where **almost ALL costs and obligations are placed on a homebuilder**. These costs include:

- 1) filing for and obtaining a Texas Direct Payment Permit, then issuing exemption certificates to specific suppliers to prevent suppliers from collecting / remitting taxes on future purchases;
- 2) modifying current accounting systems / processes to allow suppliers to be paid for materials without sales tax, then tracking state and local taxes due on all materials to individual job sites;
- 3) reporting and paying state and local sales taxes and filing Direct Payment Permit tax returns once per month with the Comptroller's Office as opposed to paying taxes directly to suppliers;
- 4) due to the level of taxable purchases (often 10's of millions of dollars per year or more) almost all Direct Payment Permit holders are subjected to future Comptroller audits, which would not be required if homebuilders paid sales taxes directly to suppliers.
- 5) Accumulate and send semi-annual invoices (Use Tax Certificates) including copies of confidential sales/use tax returns for each month within a semi-annual grant period to a City and allow the City to ensure **receipt** of all local taxes within the grant period, from Comptroller local tax allocations, before the City is required to pay any grant to a homebuilder.
- 6) a homebuilder is also required to pay all state and local taxes to the Comptroller, then request a semi-grant based on 98 cents per dollar of local taxes paid. The Comptroller assesses a 2% fee **to the City** to audit taxpayers on the City's behalf, including any homebuilder. Effectively, a homebuilder pays a 2% fee to be audited for proper compliance with Texas sales/use tax requirements while Cities pay grants based on the "net" local taxes received.

Due to the excessive costs placed on a homebuilder for the items above, there is little risk for a City to enter into a Chapter 380 Agreement with a homebuilder since almost all risks and all costs are placed on a homebuilder. If a homebuilder does not fulfill all of its obligations identified within a Chapter 380 Agreement, **NO** grants are due from the City.

Terms and conditions of the Chapter 380 Agreement almost always represent 10 years to help a homebuilder recover many of the up-front and significant costs over-time while a City has few, if any, up-front costs to recover. As a result of tax sharing agreements, a City can receive new local sales/use taxes a City would not otherwise receive if sales taxes continue to be paid to a supplier based on the supplier's place of business.

## **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT BETWEEN THE CITY OF CROWLEY, TEXAS AND BLOOMFIELD HOMES, L.P.**

This **CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT** ("Agreement") is made by and between The City of Crowley, Texas, also referred to as ("City"), and Bloomfield Homes, L.P., a Texas limited partnership ("Company"), (each a "Party" and collectively the "Parties") acting by and through their respective authorized officers and representatives.

**WHEREAS**, the City Council of the City of Crowley, Texas ("City Council") has investigated and determined that it is in the best interest of the City and its citizens to encourage programs, including programs for making loans and grants of public money to promote local economic development and stimulate business and commercial activity in the City pursuant to Chapter 380, Texas Local Government Code, as amended ("Chapter 380"); and

**WHEREAS**, the Company will be engaged in the business of purchasing building materials for its use on construction projects within the City; and

**WHEREAS**, the Company has advised that it would like to partner with the City, and that a contributing factor that would induce the Company to purchase items using a Texas Direct Payment Permit and generate economic development and local use tax revenue for the City, that would otherwise not be available to the City, would be an agreement by the City to provide an economic development grant to the Company; and

**WHEREAS**, the Company desires to purchase and use new building materials within the City that will generate additional economic development and use tax revenue for the City; and

**WHEREAS**, the City Council has investigated and determined that the Company meets the criteria for providing the Program Grants (hereinafter defined), pursuant to Chapter 380, based on, among other things, the Company: (i) acquiring properties for development, and constructing improvements; (ii) adding taxable improvements to real property in the City; and (iii) creating employment opportunities for the citizens of Crowley (collectively, the "Approved Project"); and

**WHEREAS**, the City has concluded that the Approved Project qualifies for a Grant under Chapter 380; and

**WHEREAS**, with the approval of this Agreement, the City hereby establishes a Program authorized by Chapter 380 to encourage and induce the generation of local use tax; and

**WHEREAS**, the City has determined that making an economic development grant to the Company in accordance with this Agreement will further the objectives of the City, will benefit the City and the City's inhabitants and will promote local economic development and stimulate business and commercial activity in the City;

**NOW THEREFORE**, in consideration of the foregoing, and on the terms and conditions hereinafter set forth, the sufficiency of which is hereby acknowledged, the parties agree as follows:

## **ARTICLE I DEFINITIONS**

1. For purposes of this Agreement, each of the following terms shall have the meaning set forth herein unless the context clearly indicates otherwise:

"Agreement" shall mean this Chapter 380 Economic Development Agreement, together with all exhibits, schedules, and attachments that are attached to this Agreement from time to time, if any.

"Approved Project" is defined in the recitals.

"City" shall mean Crowley, Texas.

"Company" shall mean Bloomfield Homes, L.P.

"Commencement Date" shall mean October 1, 2022.

"Effective Date" shall mean October 1, 2022.

"Direct Payment Permit" also referred to herein as a "Texas Direct Payment Permit" shall mean that permit issued by the State of Texas authorizing Company to self-assess and pay applicable state and local use taxes directly to the State of Texas related to selected portions of Company's taxable purchases. Texas Rule 3.288 of the Texas Administrative Code defines the requirements and responsibilities of Texas Direct Payment Permit holders along with any amendments, permutations, or recodifications of such Code or Rules whether renaming such permits or otherwise modifying such provisions.

"Event of Bankruptcy or Insolvency" shall mean the dissolution or termination (other than a dissolution or termination by reason of a party merging with an affiliate) of a party's existence as a going business, insolvency, appointment of receiver for any part of a party's property and such appointment is not terminated within ninety (90) business days after such appointment is initially made, any general assignment for the benefit of creditors, or the commencement of any proceeding under any bankruptcy or insolvency laws by or against a party and in the event such proceeding is not voluntarily commenced by the party, such proceeding is not dismissed within ninety (90) business days after the filing thereof.

"Force Majeure" shall mean any delays due to strikes, riots, acts of God, shortages of labor or materials, war, terrorism, governmental approvals, laws, regulations, or restrictions, or any other cause of any kind whatsoever which is beyond the reasonable control of the party.

"Program" shall mean the economic incentive program established by the City pursuant to Chapter 380 of the Texas Local Government Code together with any amendments,

permutations, or recodifications of such Code provisions whether renaming such economic incentive or other modifications thereof.

"Program Grant" shall mean the periodic payments paid by the City to the Company in accordance with Section 3 of this Agreement.

"Grant Period" shall mean consecutive six (6) month periods during the term of this Agreement, except that the first Grant Period shall begin on the Effective Date and continue through and include the last day of December 2022 following the Effective Date. For illustration purposes, assume the Effective Date is October 1, 2022 then the first Grant Period would begin on October 1, 2022 and continue through and include December 31, 2022. The next Grant Period would begin on January 1, 2023 and continue through and include June 30 2023. The final Grant Period for the initial 10-year term of the Agreement would be from July 1, 2032 and end on September 30, 2032.

"Taxable Items" shall have the same meaning assigned by Sections 151.010 and 151.0101, TEX. TAX CODE, as amended.

"Use Tax Receipts" shall mean the City's net receipts from the State of Texas from the collection of one percent (1%) general City use tax imposed by the City pursuant to Chapter 321 of the Texas Tax Code, attributed to the collection of use tax by Company associated with the issuance of Company's Texas Direct Payment for Taxable Items used or consumed in the City.

"Use Tax Certificate" shall mean a certificate or other statement in a form reasonably acceptable to the City setting forth the Company's collection of use tax imposed by and received by the City from the State of Texas, for the use of Taxable Items by Company in the City for the applicable calendar month during a Grant Period which are to be used to determine Company's eligibility for a Grant, together with such supporting documentation required herein, and as City may reasonably request.

## **ARTICLE II TERM**

2.01 Term. The term of this Agreement shall begin on the Effective Date and continue for a ten (10) year period.

2.02 This Agreement shall remain in effect until City has made the Program Grants set forth in Section 3 of the Agreement, or until otherwise terminated under the provisions of this Agreement.

2.03 This Agreement may be extended for an additional period of time on terms mutually acceptable to both parties by a written agreement executed by both parties.



### **ARTICLE III ECONOMIC DEVELOPMENT GRANT**

3.01 Grant. Subject to the Company's continued compliance with (a) all the terms and conditions of this Agreement, the City agrees to provide Company with an economic development grant from lawful available funds payable as provided herein in an amount equal to 80% of the Use Tax Receipts, as previously defined herein (the "Program Grant"). The Program Grant will be paid semi-annually at the end of June and the end of December with the potential exception of the final Grant Period during the ten (10) year period following the execution of the Agreement, commencing October 1, 2022. The Program Grant will never include any monies the Company pays or owes to the State of Texas for any penalties for late payments, failures to report in a timely manner, and the like, related to the Use Tax Receipts.

3.02 Grant Payment. The City shall pay the Program Grant for the applicable Grant Period within forty-five (45) days after receipt of a Use Tax Certificate from Company following the end of each Grant Period, pursuant to Section 4.01. The Company shall submit Use Tax Certificates to the City within thirty (30) days following the end of the applicable Grant Period, beginning with the first Grant Period. For illustration purposes, assume the first Grant Period begins on October 1, 2022 and continues through and includes December 31, 2022. The Company would submit a Use Tax Certificate to the City for the first Grant Period by January 30, 2023 and the City would pay the first Program Grant within forty-five (45) days after receipt of the Use Tax Certificate and after receiving all of the net Use Tax Receipts within the Grant Period. Further assume that the Use Tax Receipts for the first Grant Period equal Five Thousand Dollars (\$5,000.00), then the amount of the first Grant would be Four Thousand Dollars (\$4,000.00).

3.03 Amended Returns and Audits. In the event the Company files an amended use tax return, or report, or if additional use tax is due and owing, as a result of an audit conducted by the State of Texas that increases the Use Tax Receipts for a previous period covered within the term of this Agreement, the Program Grant payment for the Grant Period immediately following such State-approved amendment shall be adjusted accordingly, provided the City must have received the Use Tax Receipts attributed to such adjustment. As a condition precedent to payment of such adjustment, the Company shall provide the City with a copy of such amended use tax report, tax return or audit adjustment, and the approval thereof by the State of Texas.

3.04 Refunds. In the event the State of Texas determines that the City erroneously received Use Tax Receipts, or that the amount of use tax paid to the City exceeds the correct amount of use tax for a previous Program Grant paid to the Company, the Company shall, within thirty (30) days after receipt of notification thereof from the City specifying the amount by which such Program Grant exceeded the amount to which the Company was entitled pursuant to such State of Texas determination, pay such amount to the City. The City may at its option adjust the Program Grant payment for the Grant Period immediately following such State of Texas determination to deduct there from the amount of the overpayment. As a condition precedent to payment of such refund, the City shall provide Company with a copy of such determination by the State of Texas.

## **ARTICLE IV**

### **DOCUMENTATION SUPPORTING THE ECONOMIC DEVELOPMENT GRANT**

The conditions contained in this Article IV are conditions precedent to the City's obligation to make any Program Grant payment.

4.01 Use Tax Certificate. During the term of this Agreement, the Company shall within thirty (30) days after the end of each Grant Period, provide the City with a Use Tax Certificate relating to Use Tax Receipts paid during the Grant Period. The City shall have no duty to calculate the Use Tax Receipts or determine the Company's entitlement to any Program Grant for a Grant Period, or pay any Program Grant during the term of this Agreement until such time as Company has provided the City a Use Tax Certificate for such Grant Period and the City has received the actual Use Tax Receipts from the State of Texas attributable to such calendar months within the Grant Period. The Company shall provide such additional documentation as may be reasonably requested by the City to evidence, support and establish the use tax paid directly to the State of Texas pursuant to the Company's Direct Payment Permit. The Use Tax Certificate for each Grant Period shall at a minimum contain, include or be accompanied by the following:

- a. A copy of all Texas Direct Payment Permit and self-assessment use tax returns and reports during the applicable Grant Period, use tax audit assessments or credits, including amended use tax returns or reports, filed by the Company during the Grant Period showing use tax paid directly to the State of Texas related to the Company's operations for the Grant Period; and
- b. Information concerning any refund or credit received by the Company of use tax paid by the Company which has previously been reported by the Company as use tax paid for a previous Grant Period within the term of this Agreement.

The Company will provide to City the Use Tax Certificates from time to time pursuant to the terms of the Agreement, which are confidential ("Confidential Information") and, except as otherwise provided herein and subject to Texas law, may not be disclosed to a third party without the Company's consent. To the extent that any disclosure of the Confidential Information may be required by law, the City will use reasonable efforts to inform the Company of the request in sufficient time for the Company to assert any objection it may have to such disclosure to an appropriate judicial or administrative body.

4.02 The City must have received a Use Tax Certificate for the months within the Grant Period for which payment of a Program Grant is requested, and the City must have received the actual Use Tax Receipts for all calendar months within the Grant Period.

4.03 The Company intends to issue its Texas Direct Payment Permit to specific suppliers or vendors that provide large quantities of building materials or other tangible personal property.

4.04 The Company shall provide the City with a true and correct copy of its Texas Direct Payment Permit, which permit shall be kept in full force and effect throughout the term of the Agreement.

4.05 The Company or the City shall not have an uncured material breach or default of this Agreement.

## **ARTICLE V TERMINATION**

5.01 This Agreement may be terminated upon any one of the following:

- (a) by mutual written agreement of the parties;
- (b) by Grantor or Company, respectively, if the other party defaults or breaches any of the terms or conditions of this Agreement in any material respect and such default or breach is not cured within thirty (30) days after written notice thereof by the Grantor or Company, as the case may be;
- (c) by Grantor, if any Impositions owed to the Grantor or the State of Texas by Company shall have become delinquent (provided, however, Company retains the right to timely and properly protest and contest any such Impositions);
- (d) by Grantor, if Company suffers an Event of Bankruptcy or Insolvency;
- (e) by Grantor or Company, respectively, if any subsequent Federal or State legislation or any decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable; or
- (f) by Company, if the City does not pay the applicable Grant amount within 45 days of receipt of the Use Tax Receipts as required herein covered by a valid Use Tax Certificate issued by Company or fails to cure this breach within an additional 30 days and so long as the Company is not in default, or;
- (g) expiration of the term, or any subsequent renewal of the term.

The rights, responsibilities and liabilities of the parties under this Agreement shall be extinguished upon the termination of this Agreement except for any rights, responsibilities and/or liabilities that accrued prior to such termination.

## ARTICLE VI MISCELLANEOUS

6.01 Binding Agreement. The terms and conditions of this Agreement are binding upon the parties to this agreement and their respective successors and permitted assigns. This Agreement may not be assigned without the express written consent of Grantor, which consent shall not be unreasonably withheld or delayed.

6.02 Limitation on Liability. It is understood and agreed between the parties that the Company and Grantor, in satisfying the conditions of this Agreement, have acted independently, and Grantor assumes no responsibilities or liabilities to third parties in connection with these actions. The Company agrees to indemnify and hold harmless the Grantor from all such claims, suits, and causes of actions, liabilities and expenses, including reasonable attorney's fees, of any nature whatsoever by a third party arising out of the Company's performance of the conditions under this Agreement.

6.03 No Joint Venture. It is acknowledged and agreed by the parties that the terms hereof are not intended to and shall not be deemed to create a partnership or joint venture between the parties.

6.04 Authorization. Each party represents that it has full capacity and authority to grant all rights and assume all obligations that are granted and assumed under this Agreement.

6.05 Notice. Any notice required or permitted to be delivered hereunder shall be deemed received three (3) days thereafter sent by United States Mail, postage prepaid, certified mail, return receipt requested, addressed to the party at the address set forth below (or such other address as such party may subsequently designate in writing) or on the day actually received if sent by courier or otherwise hand delivered sent via fax or via email at the email address provided below.

If intended for City, to:

Attn: Robert Loftin  
Crowley City Manager  
201 E. Main Street  
Crowley, TX 76036  
Email: [rloftin@ci.crowley.tx.us](mailto:rloftin@ci.crowley.tx.us)

With a copy to:

Attn:

If intended for the Company:

Attn: Accounting Department  
Don Dykstra  
President  
Bloomfield Homes, L.P.  
1050 East Hwy 114, Ste. 210  
Southlake, TX 76092  
Email: [don@bloomfieldhomes.net](mailto:don@bloomfieldhomes.net)

6.06 Entire Agreement. This Agreement is the entire Agreement between the parties with respect to the subject matter covered in this Agreement. No representation, warranty, condition, understanding or agreement of any kind with respect to this subject matter shall be relied upon by the Parties except those expressly stated herein. There is no other collateral oral or written Agreement between the parties that in any manner relates to the subject matter of this Agreement.

6.07 Governing Law. The laws of the State of Texas shall govern the Agreement; and this Agreement is fully performable in Crowley, Tarrant County, Texas with exclusive venue for any action concerning this Agreement being in a court of competent jurisdiction in Tarrant County, Texas.

6.08 No Presumption. This Agreement was prepared with the input of all parties and shall be construed without regard to any presumption or other rule requiring construction against the party causing the Agreement to be drafted.

6.09 Amendment. This Agreement may only be amended by the mutual written agreement of the parties.

6.10 Legal Construction. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect other provisions, and it is the intention of the parties to this Agreement that in lieu of each provision that is found to be illegal, invalid, or unenforceable, a provision shall be added to this Agreement which is legal, valid and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

6.11 Recitals. The recitals to this Agreement are incorporated herein.

6.11 Counterparts. This Agreement may be executed in counterparts. Each of the counterparts shall be deemed an original instrument, but all of the counterparts shall constitute one and the same instrument and any such counterparts shall be deemed to be incorporated herein.

6.13 Survival of Covenants. Any of the representations, warranties, covenants, and obligations of the parties, as well as any rights and benefits of the parties, pertaining to a period of time following the termination of this Agreement shall survive termination.

6.14 Sovereign Immunity. The parties agree that the City has not waived its sovereign immunity by entering into and performing its obligations under this Agreement.

6.15 Dispute Resolution. Any controversy or claim arising from or relating to this Agreement, or a breach thereof shall be subject to non-binding mediation, as a condition precedent to the institution of legal or equitable proceedings by any party unless the institution of such legal or equitable proceeding is necessary to avoid the running of an applicable statute of limitation. The parties shall endeavor to resolve their claims by mediation. Grantor and Company shall share the costs of mediation equally and shall jointly select the mediator. The mediation shall be held in Crowley, Texas, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

***[SIGNATURE PAGES FOLLOW]***

EXECUTED as of the \_\_\_\_ day of \_\_\_\_\_, 2022.

THE CITY OF CROWLEY, TEXAS

By: \_\_\_\_\_  
Robert Loftin, City Manager

ATTEST:

\_\_\_\_\_  
City Secretary

EXECUTED as of the \_\_\_\_ day of \_\_\_\_\_, 2022.

BLOOMFIELD HOMES, L.P.  
a Texas Limited Partnership

By: Bloomfield Properties, Inc.  
a Texas Corporation,  
its General Partner

By: \_\_\_\_\_  
Name: Don Dykstra  
Title: President

ACKNOWLEDGMENTS

STATE OF TEXAS       §  
                                  §  
CITY OF CROWLEY       §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 by Robert Loftin, City Manager of the City of Crowley, Texas, on behalf of said municipality.

\_\_\_\_\_

Name: \_\_\_\_\_

Notary Public, State of Texas

My commission expires: \_\_\_\_\_

STATE OF TEXAS       §  
                                  §  
CITY OF SOUTHLAKE    §

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2022 by Don Dykstra, President of Bloomfield Properties, Inc., General Partner of Bloomfield Homes, L.P., a limited partnership, on behalf of said limited partnership.

\_\_\_\_\_

Name: \_\_\_\_\_

Notary Public - State of Texas