



## NOTICE OF A REGULAR MEETING

Notice is hereby given that a Regular Meeting of the Governing Body of the City of Ranger, Texas, will be held on **Monday, February 28, 2022 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects will be discussed, to wit:

**Agenda Item 01: Call to Order-** Mayor Casey

Roll Call/Quorum Check

Invocation of Prayer

Pledge of Allegiance to the United States Flag

Pledge of Allegiance to the Texas Flag

**Agenda Item 02: Citizen's Presentation-**At this time, anyone on the list will be allowed to speak on any matter other than personnel matters or matters under litigation, for a length of time not to exceed THREE minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.

**Agenda Item 03: Announcements from City Council or Staff-**Comments may be made by council or staff, **BUT NO ACTION TAKEN** on the following topics without specific notice. Those items include: Expressions of Thanks, Congratulations or Condolence; Information on Holiday schedules; Recognition of public officials, employees or citizens other than employees or officials whose status may be affected by the council through action; Reminders of community events or announcements involving an imminent threat to the public health and safety of the people of the municipality.

**Agenda Item 04: Discuss/Consider:** approval of the city council meeting minutes for the regular meeting on February 17, 2022. - Savannah Fortenberry, City Secretary

**Agenda Item 05: Discuss/Consider:** permanently closing Bristow Street between Gerdis Street and Wayland Road by Texas Special Warranty Deed; portion of Bristow Avenue that abuts Blocks 26 and Block 27, Hodges Oak Park Addition, Town of Ranger, Eastland County, Texas as per the Official plat of said addition filed of record in Slide 80. – Johnny S. Wells, Citizen

**Agenda Item 06: Discuss/Consider:** Adoption of Local and Federal Procurement Policies and Procedures for the City of Ranger pertaining to the Texas Department of Housing and Community Affairs (TDHCA) grant for the American Rescue Plan. – Gerald Gunstanson, City Manager

**Agenda Item 07: Discuss/Consider:** FIRST READING OF ORDINANCE NO. 2022-03-14-D: AN ORDINANCE OF THE CITY OF RANGER, TEXAS REGARDING THE DESIGNATION FOR PRESERVATION AND RESTORATION OF BRICK STREETS PRESENTLY EXISTING IN THE CITY LIMITS OF THE CITY OF RANGER, TEXAS. – Kevan Moize, Commissioner Place 3

**Agenda Item 08: Discuss/Consider:** DISCUSS AN ORDINANCE OF THE CITY OF RANGER, TEXAS REGULATING RECREATIONAL VEHICLES; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS. – Kevan Moize, Commissioner Place 3

**Agenda Item 09: Discuss/Consider:** DISCUSS AN ORDINANCE ESTABLISHING A COMMISSION ON VETERANS AFFAIRS THE CITY OF RANGER, TEXAS; RECOGNIZE THE UNIQUE NEEDS AND CIRCUMSTANCES OF VETERANS AND THEIR FAMILIES; RECOGNIZE THE SERVICE AND CONTRIBUTIONS OF VETERANS AND THEIR FAMILIES; RECOGNIZE THE IMPORTANCE OF MAINTAINING AND PRESERVING THE HISTORY, PARKS AND MEMORIALS FOR OUR VETERANS, THEIR FAMILIES AND THE COMMUNITY; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS. – LARRY MONROE, COMMISSIONER PLACE 1

**Agenda Item 10: Discuss/Consider:** a plan on the street repairs for Pine Street. - Robert Alvarez, Public Works Director

**Agenda Item 11: Discuss/Consider:** The annual elections of the Officers for the REDC-A Board for the position of President, Vice President, Secretary and Treasurer from the seven (7) directors of the REDC-A. A person may hold more than one office, except the President cannot hold the office of Secretary. Terms of office shall be one (1) year with the right of an officer to be reelected. The newly elected officers are President, Robert Butler; Vice President, Traci McCarty, and Secretary/Treasurer, Diana McCullough. – Traci McCarty, REDC-A Board

**Agenda Item 12: Discuss/Consider:** update on grant status regarding the new ambulance. – Gerald Gunstanson, City Manager

**Agenda Item 13: Discuss/Consider:** purchasing a hands free cardiac support for the City of Ranger Ambulance. – Darrell Fox, Fire Chief

**Agenda Item 14: Discuss:** the possibility of combining both the A and B board Ranger Economic Development Corporations. – John Casey, Mayor

**Agenda Item 15: Discuss/Consider:** Approval to allow the City Manager to submit a contract for prospective law officers requiring training for legal review. – Gerald Gunstanson, City Manager

**Agenda Item 16: Discuss/Consider:** planning for staffing vacancies. – Gerald Gunstanson, City Manager

**Agenda Item 17:** Convene in Executive Session Pursuant to Texas Government Code Section 551.072. **Deliberations about Real Property** and 551.087: **Economic Development Negotiations (SB1851):** A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

- Discuss and Consider an offer to purchase the Garner Building located at 308 W. Main Street

**Agenda Item 18:** **Discuss/Consider:** Reconvene into Open Session and take action from Executive Session- John Casey, Mayor

**Agenda Item 19:** Convene in Executive Session Pursuant to Texas Government Code Section § 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, or dismissal of a public officer or employee. – John Casey, Mayor

- Public Works Director

**Agenda Item 20:** **Discuss/Consider:** Reconvene into Open Session and take action from Executive Session – John Casey, Mayor

**Agenda Item 21:** **Discuss/Consider: Adjournment**

I, the undersigned authority, do hereby certify that the above notice of meeting of the Governing Body of the City of Ranger is a true and correct copy of said notice on the bulletin board at the City Hall of the City of Ranger, a place convenient and readily available to the general public at all times, and notice was posted by 5:30 p.m., February 25, 2022 and remained posted for 72 hours preceding the scheduled time of the meeting.

*Savannah Fortenberry*

Savannah Fortenberry, Ranger City Secretary

The City council reserves the right to convene into Executive Session concerning any of the items listed on this agenda under the authority of the Mayor, whenever it is considered necessary and legally justified under the Open Meetings Act.

NOTICE OF ASSISTANCE

Ranger City Hall and Council Chambers are wheelchair accessible and accessible parking spaces are available. Request for accommodation or interpretive services must be made 48 hours prior to this meeting. Please contact City Secretary's office at (254) 647-3522 for information or assistance.

This Notice was removed from the outside bulletin board on \_\_\_\_\_ by \_\_\_\_\_.



## REGULAR MEETING MINUTES

A Regular Meeting of the Governing Body of the City of Ranger, Texas, was held on **Thursday, February 17, 2022 at 5:30 p.m.** in City Hall, 400 West Main Street Ranger, Texas. The following subjects were discussed, to wit:

### **COUNCIL MEMBERS AND CITY STAFF PRESENT:**

Honorable John Casey	Mayor
Commissioner Larry Monroe	Place 1
Commissioner Robert Butler	Place 2
Commissioner Kevan Moize	Place 3
Commissioner Bittni Boykin	Place 4- Absent
City Manager Gerald Gunstanson	Absent
City Secretary Savannah Fortenberry	Absent
Public Works Director Robert Alvarez	Absent
Honorable Tammy S. Archer	

**Agenda Item 01: Call to Order-** Mayor John Casey  
Roll Call/Quorum Check- Mayor Casey  
Invocation of Prayer- Mayor Casey  
Pledge of Allegiance to United States Flag- Mayor John Casey  
Pledge of Allegiance to Texas Flag- Mayor John Casey

**Agenda Item 02: Citizen's Presentation: 1.** No Participation.

**Agenda Item 03: Announcements from City Council or Staff-** **1.** Commissioner Butler stated City Hall offices closed on Monday, February 21<sup>st</sup> for President's Day. **2.** Mayor Casey gave a moment of silence for Ms. Jeane Pruett. **3.** Commissioner Moize noted that packets for the two Commissioner positions would be available until Friday, April 18<sup>th</sup> at 5pm. **4.** Commissioner Butler the EDC-A board had been rescheduled until Tuesday, February 22<sup>nd</sup>, due to unforeseen circumstances. Included on that agenda would be the annual election of officers from the board of directors, which is different than the process to fill a vacancy on the EDC-A Board. The EDC-A's vote for officers would be provided at the next City Council meeting.

**Agenda Item 04: Discuss/Consider:** approval of the city council meeting minutes for the regular meeting on January 24, 2022. - Savannah Fortenberry, City Secretary

\*Commissioner Moize noted that Item 6 of the previous meeting "Adoption of Local Procurement Policies and Procedures for the City of Ranger pertaining to the Texas Department of Housing and Community Affairs (TDHCA) grant for the Texas Community Resiliency

Program (CRP)” which was tabled for the February 17<sup>th</sup> meeting was not included in the agenda for this meeting.

Commissioner Moize noted that Item 7 of the previous meeting “Approval to allow the City Manager to submit a contract for prospective law officers requiring training for legal review” was not included in the agenda for this meeting.

\*Motion made by Commissioner Moize to approve the city council meeting minutes, with the changes, for the regular meeting on January 24, 2022 and 2<sup>nd</sup> by Commissioner Monroe. **All Ayes and Motion Passed.**

**Agenda Item 05: Discuss/Consider:** FIRST READING OF ORDINANCE NO. 2022-02-28-D: AN ORDINANCE OF THE CITY OF RANGER, TEXAS REGARDING THE DESIGNATION FOR PRESERVATION AND RESTORATION CERTAIN BRICK STREETS PRESENTLY EXISTING IN THE CITY LIMITS OF THE CITY OF RANGER, TEXAS. – Kevan Moize, Commissioner Place 3

\* Commissioner Moize noted that the wrong version was sent to the lawyer. Edits would be needed, and the ordinance resent to the City Lawyer.

\*Motion made by Commissioner Moize to table agenda item 5 and 2<sup>nd</sup> by Commissioner Butler. **All Ayes and Motion Passed.**

**Agenda Item 06: Discuss/Consider:** FIRST READING OF ORDINANCE NO. 2022-02-28-E: ESTABLISHING A COMMISSION ON VETERANS AFFAIRS THE CITY OF RANGER, TEXAS; RECOGNIZE THE UNIQUE NEEDS AND CIRCUMSTANCES OF VETERANS AND THEIR FAMILIES; RECOGNIZE THE SERVICE AND CONTRIBUTIONS OF VETERANS AND THEIR FAMILIES; RECOGNIZE THE IMPORTANCE OF MAINTAINING AND PRESERVING THE HISTORY, PARKS AND MEMORIALS FOR OUR VETERANS, THEIR FAMILIES AND THE COMMUNITY; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS. – LARRY MONROE, COMMISSIONER PLACE 1

\* Commissioner Moize recommended a discussion on the ordinance in keeping with the recent practice the Commission had followed. The ordinance had not returned from legal review. Commissioner Monroe said he would support discussion on the ordinance.

\*Motion made by Commissioner Monroe to table agenda item 6 since legal review was not complete and to add ordinance for discussion at the next meeting and 2<sup>nd</sup> by Commissioner Moize. **All Ayes and Motion Passed.**

**Agenda Item 07: Discuss/Consider:** DISCUSSION OF THE DRAFT ORDINANCE AN ORDINANCE OF THE CITY OF RANGER, TEXAS REGULATING RECREATIONAL VEHICLES; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS. – Kevan Moize, Commissioner Place 3

\*Commissioner Moize outlined changes that included formal established and approved definitions for the ordinance; the removal of boats and other recreational equipment – other than

RVs as defined from the ordinance; and concern about RVs being treated as residences since they are not on the tax rolls. Mayor Casey was not in favor of putting citizens out of the places they were currently residing. Motion made by Commissioner Moize to table agenda item 7 and 2<sup>nd</sup> by Commissioner Monroe. **All Ayes and Motion Passed.**

**Agenda Item 08: Discuss/Consider:** a plan on the street repairs for Pine Street. - Robert Alvarez, Public Works Director

\*In the absence of the Public Works Director stated he believed work was moving forward on the project. Commissioner Moize highlighted that this was the same reporting the council had been receiving for months and that delays were understandable, but a plan should be in place that included a risk assessment that considered potential delays due to weather. Commissioner Butler noted that the one-page plan provided for consideration by the City Council appeared to have errors for the dates on Phase 2 and did not include costs or resources to be used in the project.

\*Motion made by Commissioner Butler to have a corrected plan that addressed the discussion items above provided at the next meeting and 2<sup>nd</sup> by Commissioner Moize. **All Ayes and the motion passed.**

**Agenda Item 09: Discuss/Consider:** permanently closing Bristow Street between Gerdis Street and Wayland Road. – Johnny S. Wells, Citizen

\*On behalf of Nancy Burrow, it was noted that the Bristow Avenue between Gerdis Street and Wayland Road had not been used by the city and was bordered on both sides by her property. The request was that this unused road be transferred to Nancy Burrow. The council requested that a draft deed to transfer the title with easement rights for City Utilities be provided to the City for legal review.

\*A motion was made by Commissioner Butler to table this time until legal review was completed and 2<sup>nd</sup> by Commissioner Monroe. **All Ayes and the motion passed.**

**Agenda Item 10: Discuss/Consider: Consent Items; the Approval of Monthly Department Reports:**

- **Finance Report-** Director Savannah Fortenberry
- **Library Report-** Librarian Diana McCullough
- **REDC 4A Report-** President Robert Butler
- **REDC 4B Report-** President Steve Gerdes
- **Municipal Court Report-** Judge Tammy Archer
- **Fire/EMS Report-** Chief Darrel Fox
- **Police Department-** Chief Moran
- **Animal Control/Code Enforcement-** Chief Moran
- **Public Works Report-** Director Robert Alvarez

\*The mayor asked Commissioner Butler to lead the review of the reports. The City Secretary called in during the review of the finance report to answer several questions. It was noted that overtime had not been itemized. Judge Archer provided the Court Report. Chief Moran provided a review of the Police Department and the Animal Control Officer. A new animal control officer was hired and is scheduled for training in June. Commissioner Moize asked when Code Enforcement training would be completed. Chief Moran will research options/training dates for council approval with a focus on completing the training as soon as possible. There was also discussion to complete training for the work that is currently contracted for police reporting requirements. Public Works Director Alvarez returned from the ECWSD meeting and provided a review for public works. He was informed of the need to correct the project plan for Pine Street.



\*A motion was made by Commissioner Moize was made to approve the reports and 2<sup>nd</sup> by Commissioner Monroe. **All Ayes and the motion passed.**

**Agenda Item 15: Discuss/Consider: Adjournment- 7:26pm**

\*Motioned by Commissioner Monroe to adjourn and Commissioner Butler 2<sup>nd</sup> the motion. **All Ayes and Motion Passed.**

*These minutes were approved on the 28<sup>th</sup> day of February, 2022*

**CITY OF RANGER, TEXAS**

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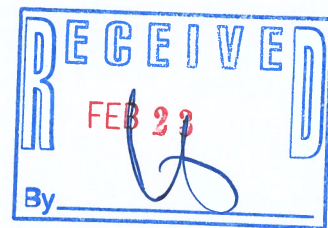
**John Casey, Mayor**

**ATTEST:**

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**Savannah Fortenberry, City Secretary**

DRAFT



400 West Main St  
(254) 647-3522 Phone

Ranger, TX 76470  
(254) 647-1407 Fax

Gerald Gunstanson – City Manager  
Savannah Fortenberry – City Secretary  
Robert Alvarez – Public Works Director  
Tammy Archer- Municipal Judge  
Darrell Fox – Fire Chief

### City Council Meeting Agenda Item Request and Information Sheet

The deadline for submitting an agenda item request and supporting documentation for Council Member Agenda Packets is the Wednesday by 5PM prior to the 72-Hour Posting of the City Council meeting. Requests received after that time will be scheduled for the following meeting. Please print or type all information. It is the Requestors responsibility to provide all necessary documents.

Requestor: Shawn Wells Phone: 254-631-1652

Date Submitted: 2-23-2022 Time Submitted: 10:10 AM

Meeting Date: 2-28-2022

Agenda Item Title: Closing unimproved road

Description: Closing unimproved portion of Bristow Street between Gerdes and Wayland

Recommended Action: \_\_\_\_\_

CITIZEN SIGNATURE Shawn Wells

Attach any supporting documents for Council Member Agenda packets.



# City of Ranger Local and Federal Procurement Policy

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Ranger, Texas

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The City of Ranger follows State of Texas and Federal 2CFR 200.318-326 and Appendix II to Part 200 procurement law and guidance in the purchasing and contract management of goods and services. Additional policy guidance below addresses the City's requirements pertaining to the procurement and expenditure of local, state and federal funds.

### **A. Standards of Conduct**

Public employment is a public trust. It is the policy of the City to promote and balance the objective of protecting government integrity and the objective of facilitating the recruitment and retention of personnel needed by the City. Such policy is implemented by prescribing essential standards of ethical conduct without creating unnecessary obstacles to entering public service.

Public employees must discharge their duties impartially to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of the City procurement organization.

To achieve the purpose of this Article, it is essential that those doing business with the City also observe the ethical standards prescribed herein.

### **Code of Ethics**

- A. Personal Gain.** It shall be a breach of ethics to attempt to realize personal gain through public employment with the City by any conduct inconsistent with the proper discharge of the employee's duties.
- B. Influence.** It shall be a breach of ethics to attempt to influence any public employee of the City to breach the standards of ethical conduct set forth in this code.
- C. Conflicts of Interest.** It shall be a breach of ethics for any employee of the City to participate directly or indirectly in procurement when the employee knows that:
  - 1) the employee or any member of the employee's immediate family has a financial interest pertaining to the procurement.
  - 2) a business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement.
  - 3) any other person, business or organization with which the employee or any members of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

- D. Gratuities. It shall be a breach of ethics to offer, give or agree to give any employee or former employee of the City, or for any employee or former employee of the City to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any proceeding or application, requesting for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or subcontract or to any solicitation or proposal therefore pending before this local government.
- E. Kickbacks. It shall be a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract for the City, or any person associated therewith, as an inducement for the award of a subcontract or order.
- F. Contract Clause. The prohibition against gratuities and kickbacks prescribed above shall be conspicuously set forth in every contract and solicitation, therefore.
- G. Confidential Information. It shall be a breach of ethics for any employee or former employee of the City knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person.

### **Methods for Procuring**

The City follows 2 CFR § 200.320 which provides methods that are used when making Federal purchases. In some cases, these Federal methods are more restrictive than State requirements; in other cases, the State requirements are more restrictive than these Federal methods. In all cases, the City affirms the more restrictive requirements or methods must be followed when making purchases with Federal funds.

The City will only award contracts to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

The type of purchase method and procedures required depends on the cost (and type, in some cases) of the item(s) or services being purchased.

- Micro-purchases
- Small purchase procedures
- Sealed bids
- Competitive proposals
- Noncompetitive proposals (sole source)

### **Micro-Purchases (Purchases up to \$3,000.00)**

*Micro-purchase* is defined in 2 CFR § 200.320(a) as a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed \$3,000.00. The micro-purchase method is used in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost.

The City utilizes the micro-purchases method for acquiring supplies or services that do not exceed an aggregate amount of \$3,000.00 if the price is reasonable. The program manager responsible for the purchase determines if the price is reasonable. Quotes are not required but encouraged. If quotes are obtained for items under \$3,500.00, they should be kept in the department and attached to the requisition.

### **Small Purchase Procedures (Purchases between \$3,000.01 and \$149,999.99 in the Aggregate)**

*Small purchase procedures* may be used in those relatively simple and informal procurement methods for securing non-personal contracted services, supplies, or other property that do not cost more than \$149,999.99.

For purchases funded from *local funds*, to obtain the most competitive price, the Count, may, at its option, obtain price quotes for items costing less than \$150,000. Unlike the mandatory competitive procurement described for purchases over \$150,000, if an item to be paid from local funds costs less than \$150,000, the County may utilize price quotations or competitive procurement process (purchasing cooperatives, sole source, an existing RFP/bid or a new RFP/bid) to stimulate competition and to attempt to receive the most favorable pricing.

However, if using ***State or Federal funds*** to purchase goods or services, *price or rate quotations must be obtained* from an adequate number of qualified sources for all purchases between \$3,000.01 and \$49,999.99 or use the competitive procurement process. The City must obtain more than one price or rate quote unless using a purchasing cooperative, existing Bid/RFP or sole source vendor, in which case, the prices have already been awarded. If purchasing from a purchasing cooperative or existing Bid/RFP, the departments can elect to obtain only one quote to purchase the goods or services although it is recommended to obtain more than one quote. Such price or rate quotations may be obtained orally and/or documented in writing, and the City must demonstrate that price or rate quotations were obtained from an adequate number of qualified sources.

### **Purchases \$150,000 or More in the Aggregate**

According to Texas law, one of the following competitive methods must be used for purchases of \$150,000 or more in the aggregate:

- (1) competitive bidding for services other than construction services;
- (2) competitive sealed proposals, for services other than construction services;
- (3) a request for proposals, for services other than construction services;

- (4) an interlocal contract;
- (5) a method provided by Chapter 2269, Government Code, for construction services;
- (6) the reverse auction procedure as defined by Section 2155.062(d), Government Code; or
- (7) the formation of a political subdivision corporation under Section 304.001, Local Government Code.

In addition, one of the three following methods must be used, depending on the circumstance described below: sealed bids (formal advertising); competitive proposals; or noncompetitive proposals (sole source).

#### *Sealed Bids (Formal Advertising)*

Bids are publicly solicited and a *firm fixed-price contract* (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the following conditions apply:

- A complete, adequate, and realistic specification or purchase description is available;
- Two or more responsible bidders are willing and able to compete effectively for the business; and
- The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

- Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids. The invitation for bids must be publicly advertised.
- The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond.
- All bids will be opened at the time and place prescribed in the invitation for bids. The bids must be opened publicly.
- A firm fixed-price contract award must be made in writing to the lowest responsive and responsible bidder.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

#### *Competitive Proposals*



A competitive proposal is normally used with more than one source submitting an offer, and either a *fixed price* or a *cost-reimbursement* type contract is awarded. (A *cost reimbursement contract* reimburses the contractor for actual costs incurred to carry out the contract.) Competitive proposals are generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

- Requests for proposals must be publicized and must identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
- Proposals must be solicited from an adequate number of qualified sources.
- Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

When using Federal funds, the City may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

#### *Noncompetitive Proposals (Sole Sourcing)*

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used when using Federal funds only when one or more of the following circumstances apply:

- The item is available only from a single source and an equivalent cannot be substituted. This must be documented.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- After solicitation of a number of sources, competition is determined inadequate.

Additionally, *State* requirements related to sole source purchasing are, in some ways, more restrictive. In addition to the requirements above, sole source purchases must meet established criteria:

- Identification and confirmation that competition in providing the item or product to be purchased is precluded by the existence of a patent, copyright, secret process or monopoly;
- A film, manuscript, or book;
- A utility service, including electricity, gas, or water; and
- A captive replacement part or component for equipment.

According to State requirements, sole source does not apply to mainframe data-processing equipment and peripheral attachments with a single item purchase price in excess of \$15,000.

In this case, the City must document why only this product can meet their needs and that it is not available from any other vendor. In all cases, the City will obtain and retain documentation from the vendor which clearly delineates the reasons which qualify the purchase to be made on a sole source basis.

### **Cost/Price Analysis for Federal Procurements in Excess of \$150,000**

In accordance with the requirements in 2 CFR § 200.323, the City will make independent estimates of the goods or services being procured before receiving bids or proposals to get an estimate of how much the goods and services are valued in the current market.

To accomplish this, before bids and proposals are received, the City conducts either a price analysis or a cost analysis, depending on the type of contract, in connection with every procurement in excess of \$150,000. The method and degree of analysis is dependent on the facts surrounding the procurement situation; however, the City will come to an independent estimate prior to receiving bids or proposals, 2 CFR § 200.323(a).

Accordingly, the City performs a cost or price analysis in connection with every procurement action in excess of \$150,000, including contract modifications, as follows:

**Cost Analysis → Non-competitive Contracts:** A cost analysis involves a review of proposed costs by expense category, and the Federal cost principles apply, which includes an analysis of whether the costs are allowable, allocable, reasonable, and necessary to carry out the contracted services. In general,

- A cost analysis must be used for all non-competitive contracts, including sole source contracts.
- The Federal cost principles apply.
- All *non-competitive contracts* must also be awarded and paid on a *cost-reimbursement basis*, and not on a fixed-price basis.
- In a cost-reimbursement contract, the contractor is reimbursed for reasonable actual costs incurred to carry out the contract.
- Profit must be negotiated as a separate element of the price in all cases where there is no competition.

When performing a *cost* analysis, the City negotiates profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the

contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work, 2 CFR § 200.323(b).

**Price Analysis → Competitive Contracts:** A *price* analysis determines if the lump sum price is fair and reasonable based on current market value for comparable products or services. In general,

- A price analysis can only be used with *competitive* contracts and is usually used with fixed-price contracts. It cannot be used with non-competitive contracts.
- Compliance with the Federal cost principles is not required for fixed-price contracts, but total costs must be reasonable in comparison to current market value for comparable products or services.
- A competitive contract may be awarded on a fixed-price basis or on a cost-reimbursement basis. If awarded on a cost-reimbursement basis, the Federal cost principles apply and costs are approved by expense category, and not a lump sum.

Costs or prices based on *estimated* costs for contracts are allowable only to the extent that costs incurred, or cost estimates included in negotiated prices would be allowable costs under the Federal cost principles.

## **B. Contract Administration**

The City maintains the following oversights to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders, 2 CFR § 200.318(b). The program manager/director of the contract is responsible for monitoring contractor performance. The manager/director will compare actual performance of contract against projected performance and have the contractor explain any differences. They may also compare fees paid to date to contractor versus how far along the contractor is in performing the contractual duties. The manager/director may establish surveys of those directly benefitted by the contractor's work for feedback purposes.

To ensure proper administration of contracts and any subgrants that may be awarded by the City, the City uses the following guidelines to determine whether each agreement it makes for the disbursement of funds is a *contract*, whereby funds are awarded to a *contractor*, or a *subaward*, whereby funds are awarded to a *subrecipient*. The substance of the relationship is more important than the form of the written agreement, 2 CFR § 200.330.

The City will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement.

Consideration shall be given to such matters as contactor integrity, compliance with public policy, record of past performance, and financial and technical resources.

#### ***Subawards/Subgrants***

A *subaward/subgrant* is for the purpose of carrying out a portion of a State or Federal award and creates a State and Federal assistance relationship with the subrecipient. The City determines who is eligible to receive what assistance, and a *subrecipient/subgrantee*:

- Has its performance measured in relation to whether objectives of the program are met
- Has responsibility for programmatic decision making
- Is responsible for adhering to applicable program requirements, and
- In accordance with the subgrant agreement, uses the funds to carry out a program for a public purpose specified in authorizing statute, as opposed to providing goods or services for the City.

#### ***Contracts***

A *contract* is for the purpose of obtaining goods or services for the City's own use and creates a procurement relationship with the contractor.

A *contractor*:

- Provides goods and services within normal business operations
- Provides similar goods or services to many different purchasers
- Normally operates in a competitive environment
- Provides goods or services that are ancillary to the operation of the program, and
- Is not subject to compliance requirements of the program as a result of the contract, though similar requirements may apply for other reasons

#### **Documentation for Contracts**

The City maintains the following written documentation, at a minimum, for each contract:

1. A copy of the written, signed contract/agreement for services to be performed
2. The rationale or procedure for selecting a particular contractor
3. Evidence the contract was made only to a contractor or consultant possessing the ability to perform successfully under the terms and conditions of the contract or procurement
4. Records on the services performed – date of service, purpose of service – ensuring that services are consistent and satisfactorily performed as described in the signed contract or purchase order
5. Documentation that the contractor was not paid before services were performed, and
6. Records of all payments made (such as a spreadsheet or report generated from the general ledger), including the total amount paid to the contractor

#### **Payment Only After Services Are Performed**

For both State and Federally funded contracts, it is not permissible under Texas law to pay a contractor or consultant in *advance* of performing services. Advance payment to contractors is considered “lending credit” to the contractor and is prohibited under the *Texas Constitution*, Article 3, §§ 50 and 52. For ongoing services that occur monthly, payment can be made at the end of every month (based on a proper invoice submitted by the contractor and verification of work performed) for services performed during the month, or some other similar arrangement.

Consultants and contractors will not be paid without having a properly signed and dated contract or other written agreement in place which clearly defines the scope of work to be performed, the beginning and ending dates of the contract, and the agreed-upon price. The contract should also include a description of the payment procedures.

Upon performance of services (at contract milestones or upon completion of services), the contractor is required to submit an *invoice* to the City that contains at a minimum the following:

- a clear identification of the contractor/consultant, including name and mailing address
- a corresponding contract (or written agreement) number, if applicable
- the dates (beginning and ending date) during which the services were performed (i.e., billing period)
- a description of the services/activities completed during the billing period
- the total amount due to the contractor for the billing period

By submitting a properly prepared invoice, the contractor is certifying that it is true and correct.

### **Verification of Receipt of Goods and Services Provided by Contractors**

If the purpose of the contract or purchase order is to deliver goods, the City will designate the appropriate staff to verify that the quantity and quality of goods were as specified in the contract/purchase order. The receiving report and procedures used in all other State/local purchases will be used for all Federal purchases. If the purpose of the contract is to purchase services, the contract manager along with the City Judge will verify that the quality and scope of services were received as specified in the contract.

### **Prompt Payment to Vendors/Contractors**

The City pays all vendors/contractors within thirty (30) days of receipt of a proper invoice and the receipt of the goods or services in accordance with the [Texas Prompt Payment Act](#). *Government Code, Chapter 2251, Subchapter A, for all contractors, and [Property Code, Chapter 28 for Construction Contractors](#).*

### **Contracting with Historically Underutilized Businesses (HUB), Small and Minority Businesses, Women’s Business Enterprises, and Labor Surplus Firms**

The City will take all necessary steps to affirmatively assure HUBs, small and minority businesses, women's business enterprises, and labor surplus firms are notified of bidding opportunities and utilized whenever possible. Affirmative steps will include the following:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists.
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises.
- Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises.
- Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- Require the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in parts (1)-(5) above

### **Suspension and Debarment**

The City will ensure, prior to award, that all contractors have met all the eligibility requirements outlined in state and Federal law. The following steps will be taken to ensure contractor eligibility for all services procured.

- Contractors: All contractors, including professional consulting and engineering firms, must be cleared via a search of the Federal System of Award Management ('SAM') to ensure the contractor is in good standing and has not been debarred. The SAM portal can be found here:  
<https://sam.gov/SAM/pages/public/searchRecords/search.jsf>.
- Subcontractors: Subrecipients must notify the selected prime contractors that it is the sole responsibility of the prime contractor to verify subcontractor eligibility based on factors such as past performance, proof of liability insurance, possession of a federal tax number, debarment, and state licensing requirements.



**ORDINANCE NO. ~~2021~~2022-03XX-14-DXX**

**AN ORDINANCE OF THE CITY OF RANGER, TEXAS REGARDING THE DESIGNATION FOR PRESERVATION AND RESTORATION OF CERTAIN BRICK STREETS PRESENTLY EXISTING IN THE CITY LIMITS OF THE CITY OF RANGER, TEXAS.**

**WHEREAS**, the City Commission (~~the "City Commission"~~) of the City of Ranger, Texas (~~the "City Commission"~~) ~~has the City Commission has~~ determined that ~~the preservation and restoration of certain~~ brick streets within the city limits of the City of Ranger, Texas are historic landmarks in the ~~City~~ ~~and as such~~ which are worthy of protection and conservation for future generations, and;

**WHEREAS**, the City Commission ~~of the City of Ranger, Texas~~ (~~the "City Commission"~~) ~~the City Commission~~ has determined that immediate action to protect and preserve the brick streets is necessary to prevent the further deterioration of the historic brick streets, and;

**WHEREAS**, through the passage of this ~~Ordinance~~, ~~the~~ City Commission has determined the terms ~~related to actions that are of the following Ordinance are~~ necessary to protect and preserve the historic brick streets.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RANGER, TEXAS THAT:**

**SECTION 1. FINDINGS**

~~That the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in its entirety.~~

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**SECTION 2. DESIGNATION OF BRICK STREET DISTRICT AND POLICY FOR PRESERVATION AND PROTECTION OF BRICK STREETS**

1. It shall be the policy of the City of Ranger, Texas to preserve, protect and restore existing historic brick streets.
2. If previously unidentified, covered brick streets are identified in the future, the City of Ranger City Council will be notified and convened to discuss the possibility of restoring to the original brick.

**SECTION 32. AVAILABLE BRICK**

Brick streets shall be repaired and restored exclusively by City ~~of Ranger~~ employees, contractors, or personnel directly hired and/or under the direction and supervision of the City ~~of Ranger~~. Should the City ~~of Ranger~~ not have historic bricks available, the

restoration process shall replace bricks with substantially equivalent brick of the same color, size, and grade that meet the specifications described in the City of Ranger Engineering Standards Manual as approved from time to time by the Public Works Director and the City [Council Commission](#).

#### **SECTION 43. POLICY AND PLAN FOR REPAIR OF DAMAGE TO EXISTING BRICK STREETS**

1. Prior to the effective date of this ordinance, several brick streets located in the City [of Ranger, Texas](#) have been repaired by patching the brick streets with asphalt and other materials.
2. A capital improvement plan shall be presented each fiscal year identifying projects to improve brick streets and an annual report specific to improvements to brick streets shall be made to the city council at the end of each fiscal year. Further, it shall be the policy of the City [of Ranger](#) to address all pavement patches in brick streets as quickly and as efficiently as possible to maintain the brick streets with historic brick and not with asphalt or other street paving materials.

#### **SECTION 54. REQUIRED NOTICE FOR DAMAGE AND REPAIRS TO BRICK STREETS**

Prior to removing any bricks or asphalt patching of brick streets from any city street, the individual, business entity or public utility shall give advance written notice to the Public Works Director of the City [of Ranger](#) of the need for work on or under the street. Before commencing construction, the Public Works Director must authorize in writing the work to be performed on any bricks or asphalt patches and arrangements shall be made with the Public Works Director for paying the costs for repair or restoration with brick. It is understood that from time to time emergency repairs will be required on public utilities located under Brick [Street District](#) streets, in which case the City [of Ranger](#) will affect repairs to the brick streets efficiently and effectively in accordance with this ordinance. An emergency is defined as a situation presenting an imminent or actual hazard to personal or public health, safety, or property.

#### **SECTION 56. PROHIBITED ACTIVITIES**

After the effective date of this ordinance, it shall be the policy of the City [of Ranger, Texas](#) to prohibit the following activities regarding brick streets located in the Brick Street District of the city, to wit:

1. **COVERING OF BRICK STREETS:** No brick streets located in the City [of Ranger, Texas](#) shall have applied to it asphalt or any other materials which covers or partially covers the surface of any brick streets.
2. **REMOVING OR PERMANENTLY DAMAGING BRICK STREETS:** No individual or business entity may remove bricks from any brick street or conduct any activity



which would permanently damage any brick street located in the City of Ranger except in accordance with the terms of this ordinance.

#### **SECTION 76. REPAIR AND RESTORATION**

**DAMAGE TO EXISTING BRICK STREETS:** The City, as well as all individuals, business entities, or public utility companies that shall remove or cause the removal of any existing brick streets or asphalt patches on brick streets located within the City, by this Ordinance, shall pay the costs of repairs and restoration of the brick street in accordance with the specifications as approved and adopted by the City Council Commission of the City of Ranger, Texas identified in the City of Ranger Engineering Standards Manual and approved in writing by the Public Works Director of the City of Ranger, Texas. The costs of the repair shall be the actual costs incurred by the City in making the repair or restoration as determined by the Public Works Director.

#### **SECTION 87. ENFORCEMENT**

1. **PUBLIC WORKS DIRECTOR:** The Public Works Director of the City of Ranger, Texas or his designee(s) shall have the duty and obligation to enforce the terms of this Ordinance by such reasonable means and methods as said Director may determine appropriate. Any decision by the Director may be appealed to the City Manager by an affected party within thirty (30) days after the Director's decision has been communicated to the affected party.
2. **PENALTY FOR NON-COMPLIANCE:** In addition to any other remedy available at law, including injunctive relief, any person, firm, or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor. Upon conviction, the guilty party who has violated this Ordinance shall be punished by a fine not to exceed \$200.00 per day for each violation. Each day a violation continues after passage of sixty (60) days from the date of the filing of the initial written notice of violation by the city shall constitute a separate and distinct offense.

#### **SECTION 98. REPEAL**

All ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed to the extent of such conflict.

#### **SECTION 109. SEVERABILITY**

The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect notwithstanding the validity of any part.

**SECTION 119. PROPER NOTICE AND OPEN MEETINGS ACT**

It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required and that public notice, place, and purpose of said meeting was given as required by the open meetings act, chapter 551, Texas Government Code.

**SECTION 121. EFFECTIVE DATE**

This Ordinance shall be in full force and take effect upon its passage and publication as provided by law, and it is so ordained.

**FIRST READING PASSED AN APPROVED**, this \_\_\_\_ day of \_\_\_\_, 2022.

**SECOND READING PASSED AN ADOPTED**, this \_\_\_\_ day of \_\_\_\_, 2022.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_, 2022.

**ATTEST:** \_\_\_\_\_ **THE CITY OF RANGER, TEXAS.**

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Savannah Fortenberry, City Secretary

John Casey, Mayor



ORDINANCE NO. 202~~21~~-XX-XX

**AN ORDINANCE OF THE CITY OF RANGER, TEXAS REGULATING RECREATIONAL VEHICLES; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A PENALTY CLAUSE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City Commission (~~the "City Commission"~~) of the City of Ranger, Texas (~~the "City Commission"~~) the City Commission has determined that it is in the best interest of the general public to provide regulations for Recreational Vehicles, as determined appropriate by the City Commission; and

**WHEREAS**, the City Commission determines that this ordinance is important to the public health, safety, and general welfare of the City ~~of Ranger~~; and

**WHEREAS**, through the passage of this ordinance, City Commission finds that such regulations are in the public interest and necessary and proper for the good governance of the City ~~of Ranger~~.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RANGER, TEXAS THAT:**

**SECTION 1. FINDINGS**

That the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied in its entirety.

**SECTION ~~21~~. GENERAL**

The City ~~of Ranger~~ does permit recreational vehicles within the city limits of Ranger. The City ~~of Ranger~~ does not permit recreational vehicles for use as a dwelling within the city limits of Ranger.

**SECTION ~~32~~. DEFINITIONS**

For purposes of this ordinance, the following words, terms, and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Recreational vehicle, as used in this article, shall mean any of the following:

1. Travel trailer means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, or permanently identified travel trailer by the manufacturer of the trailer and, factory equipped for the road, it shall have a body width not exceeding eight feet and a

~~body length not exceeding state maximum as defined in the Transportation Code Chapter 501 Sec. 501.002 (30).~~

- ~~2. Pick-up coach means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation. The pick-up coach shall remain on the truck chassis at all times, except for any repair or maintenance work which necessitates the pick-up coach being removed from the truck chassis, in which case such repair or maintenance work shall be completed within two days or removal.~~
- ~~3. Motor home means a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.~~
- ~~4. Dependent trailer means a trailer which is dependent upon a service building for toilet and lavatory facilities.~~
- ~~5.2. Self-contained trailer means a trailer which can operate independent of connection to sewer, water and electric systems. It contains water-flushed toilet, lavatory, shower and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the trailer. Recreational Vehicle ("RV") as defined in 24 CFR 3282.8(g).~~

Recreational vehicles shall comply with all local, state, and federal laws regarding registration, inspection, and safety.

#### **SECTION 43. RESTRICTED OR PROHIBITED AREAS**

~~Areas within the City of Ranger that are prohibited or restricted from the location of Recreational Vehicles includes:~~

- ~~1) Lots or tracts of land fronting West Main Street~~
- ~~2) Lots or tracts of land fronting Highway Loop 254~~

~~Recreational Vehicles are not permitted in the areas identified in this section, nor shall any private or public utilities be connected or extended, except in the circumstance that the Recreational Vehicle was legally in existence at such location as of the effective date of this section, in which case the Recreational Vehicle shall be considered to be grandfathered and shall be permitted to be used at such place and in such manner.~~

~~This exception does not extend to those Recreational Vehicle that are determined to fall under the definitions of abandonment or determined to be a threat to public health or welfare as outlined in Section 6 of this ordinance.~~

~~If a grandfathered Recreational Vehicle is abandoned or removed for any reason other than a one-time replacement as authorized in this ordinance, another Recreational Vehicle is not authorized on sites that are not permitted in the areas identified in this section.~~

This Section Reserved



#### SECTION 54. RECREATIONAL VEHICLE ELIGIBLE AREAS

1. Recreational vehicles, ~~boats, and major recreational equipment~~ shall only be stored:
  - 1.1. Inside an enclosed garage or other accessory building on any lot;
  - 1.2. In the side or rear yard of a residential lot; or
  - 1.3. On commercial lot, only if located in a duly permitted recreational vehicle or ~~boat sales or~~ storage facility, or in a duly permitted recreational vehicle park, or
  - 1.4. On a driveway of a residential lot for no more than seventy-two ( 72) consecutive hours.
2. Except as otherwise provided for herein, no recreational vehicle, ~~boat, or major recreational equipment~~ shall be parked or stored within the front yard setback or in front of the front building plane of the primary residential building in any residential district.
3. No ~~vehicle, trailer, boat,~~ recreational vehicle, ~~or major recreational equipment~~ shall be used for living, sleeping, office space, or operation of a business when parked or stored on a lot in a residential district, or in any location not approved for such use, either permanently or temporarily.
- ~~1. It shall be unlawful for any person to park, situate on a public street or street easement of the City of Ranger any RV or motorhome for a period longer than seventy-two hours. For purposes of this Ordinance, the seventy-two hour window in this Section is intended to allow for temporary parking during active use of the personal property by the owner and is not intended to allow for long term parking in multiple seventy-two hour windows. Any person needing to park the vehicle for longer than seventy-two hours may obtain a permit from City Hall, but in no event shall a permit allow for parking in excess of one week.~~
- ~~4. It shall be unlawful for any person to park, or cause to be parked, any recreational vehicle, boat, or major recreational equipment on a public street within the corporate limits of the City for longer than seventy-two (72) consecutive hours.~~
- 5.4. The City Manager may temporarily suspend the requirements of this section during times of emergency.

#### SECTION 65. UTILITY CONNECTIONS

1. Permanent utility connections are not permitted to recreational vehicles.
2. Utility connections are permitted:
  - 2.1. When supplied by the primary residence; or
  - 2.2. As provided by a permitted recreational vehicle park;

#### SECTION 7. PREEXISTING RECREATIONAL VEHICLES

Recreational Vehicles or Travel Trailers utilized as dwellings in existence as of the effective date of this ordinance shall be considered grandfathered and shall be exempt from Sections 5 and 6.

The exception does not extend to Recreational Vehicles or Travel Trailers that are determined to fall under the definitions of abandonment or determined to be a threat to public health or welfare as defined in Section 9 of this ordinance.

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#### **SECTION 86. PARKING SURFACE AND LOCATION**

It shall be unlawful for any person to park, situate on a public street or street easement of the City of Ranger any RV or motorhome for a period longer than seventy-two hours. For purposes of this Ordinance, the seventy-two-hour window in this Section is intended to allow for temporary parking during active use of the personal property by the owner and is not intended to allow for long-term parking in multiple seventy-two-hour windows. Any person needing to park the vehicle for longer than seventy-two hours may obtain a permit from City Hall, but in no event shall a permit allow for parking in excess of one week.

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This Section Reserved

#### **SECTION 97. UNSAFE AND ABANDONMENT OF RECREATIONAL VEHICLES**

The City of Ranger has the authority to regulate unsafe recreational vehicles. If the city decides that a recreational vehicle poses a threat to public health and welfare, the city is within its power to regulate the recreational vehicle as a public nuisance.

The expired registration of a recreational vehicle for a period of one hundred eighty days will constitute abandonment of the nonconforming use and the unit must be removed within 30 days.

Abandonment includes the intent to abandon; and the overt act or failure to act which carries the implication of abandonment.

#### **SECTION 108. RECREATIONAL VEHICLE PARKS**

A. Permit required. If a person wants to improve or subdivide a lot for the purpose of creating a recreational vehicle park, the person must apply for a permit from the city.

B. Application for permit. Applications for a recreational vehicle park permit can be obtained from and shall be filed with the city secretary. The applicant will be charged a nonrefundable fee, in accordance with the City of Ranger Fee Schedule, in order to submit an application for a permit. Applications shall be in writing, and signed by the applicant, and shall be accompanied by the following:

- 1) The name and address of the applicant.
- 2) The location and legal description of the recreational vehicle park.
- 3) The required fee.
- 4) A recreational vehicle park plan as required by this section.



5) Plans and specifications of all buildings and other improvements to be constructed within the recreational vehicle park in accordance with all existing applicable state laws and city ordinances.

6) Such further information as may be requested by the city to determine if the recreational vehicle park will comply with the legal requirements.

C. Design standards and/or community plan. The recreational vehicle park shall be constructed in accordance with a park plan that conforms to the following requirements:

1) The park shall be located on a well-drained site, properly graded to ensure rapid drainage and freedom from stagnant pools of water. The City of Ranger has the option to establish zoning guidelines for the recreational vehicle park.

2) Spaces for recreational vehicle shall be provided consisting of a minimum of 1,000 square feet for each space, which shall be at least twenty-five feet wide and clearly defined. Recreational vehicles shall be placed on each space so that there shall be at least twenty feet clearance between recreational vehicles; provided, however, that in respect to recreational vehicles parked end to end, clearance between recreational vehicles may be less than 20 feet but shall not be less than 15 feet from any building within the park or from any property line bounding the park.

3) The park plan must be submitted to the city prior to the installation of any recreational vehicles and shall comply with the city's subdivision ordinance, where applicable. The park plan shall provide a legal description and map clearly setting out the following information:

- a. Identification of areas to be used for all inhabitants of the park;
- b. Identification of driveways at entrances, exits, roadways, and walkways;
- c. Location of sites for recreational vehicles;
- c. Location and number of proposed sanitary conveniences, including proposed toilets, washrooms, laundries, laundry drying space and utility rooms;
- d. Method and plan of sewage disposal;
- e. Method and plan of garbage removal;
- f. Plan of water supply;
- g. Plan of electric lighting, and electric service to recreational vehicle sites;
- h. Plan of parking requirements; and
- i. Such further information as may be requested by the city.

4) Every recreational vehicle park shall have city water connections furnishing an ample and adequate supply of water, shall have connection to electricity, and shall either be connected with the sanitary sewer or to a septic system in accordance with the park plan required above.

D. Issuance of permit. If the applicant and the application are in compliance with all provisions of this section and all other applicable ordinances or statutes, the city secretary shall issue the permit after the application has been approved by the city manager and/or the City Commission, as applicable. The permit can be made contingent upon completion of the park according to the plans and specifications submitted with the application.

E. Revocation of Permit. The city may revoke a permit to construct a recreational vehicle park, and may issue a stop work order, for any violation of this section. After such revocation and order, the permit may be reissued if the city manager determines that the circumstances leading to the revocation have been remedied and the community is being constructed in full compliance with the law and the provisions of this section.

F. Applicability. This only applies to the development or creation of new recreational vehicle parks.

#### **SECTION ~~11~~119. PENALTY**

Any person who violates or causes, allows, or permits another to violate any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or, in the case of a violation of a provision of this ordinance that governs fire safety or public health and sanitation a fine of not more than Two Thousand Dollars (\$2,000.00). Each occurrence of any such violation of this ordinance shall constitute a separate offense. Each day on which any such violation of this ordinance occurs shall constitute a separate offense.

#### **SECTION ~~12~~02. REPEAL**

All ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed to the extent of such conflict.

#### **SECTION ~~13~~13. SEVERABILITY**

The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect notwithstanding the validity of any part.

#### **SECTION ~~14~~24. PROPER NOTICE AND OPEN MEETINGS ACT**

It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required and that public notice, place, and

purpose of said meeting was given as required by the open meetings act, chapter 551, Texas Government Code.

**SECTION 1535. EFFECTIVE DATE**

This Ordinance shall be in full force and take effect upon its passage and publication as provided by law, and it is so ordained.

**FIRST READING PASSED AN APPROVED**, this \_\_\_\_ day of \_\_\_\_, 2022.

**SECOND READING PASSED AN ADOPTED**, this \_\_\_\_ day of \_\_\_\_, 2022.

PASSED AND APPROVED, this \_\_\_\_ day of \_\_\_\_, 2022.

ATTEST: \_\_\_\_\_ THE CITY OF RANGER, TEXAS.

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Savannah Fortenberry, City Secretary

John Casey, Mayor



ORDINANCE NO. 2022-XX-XX

AN ORDINANCE ESTABLISHING A COMMISSION ON VETERANS AFFAIRS FOR THE CITY OF RANGER, TEXAS; RECOGNIZING THE UNIQUE NEEDS AND CIRCUMSTANCES OF VETERANS AND THEIR FAMILIES; RECOGNIZING THE SERVICE AND CONTRIBUTIONS OF VETERANS AND THEIR FAMILIES; RECOGNIZING THE IMPORTANCE OF MAINTAINING AND PRESERVING THE HISTORY, PARKS AND MEMORIALS FOR OUR VETERANS, THEIR FAMILIES AND THE COMMUNITY; SUPPORTING THE DEVELOPMENT OF A VETERANS SUPPORT GROUP; REPEAL PREVIOUS ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING SEVERABILITY CLAUSE; EFFECTIVE DATE AND OPEN MEETING CLAUSES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City Commission (the "City Commission") of the City of Ranger, Texas (the "City") values the contributions and experience of the military veterans and their families within the City ~~of Ranger, Texas~~ who have dutifully served their country;

WHEREAS, the City Commission of the City ~~of Ranger, Texas~~ recognizes the importance of maintaining and preserving the history, parks and memorials for our veterans, their families, and the community;

WHEREAS, the City Commission of the City ~~of Ranger, Texas~~ recognizes that the veteran community faces unique needs and circumstances;

WHEREAS; the City Commission of the City ~~of Ranger, Texas~~ desires to establish a Veterans Commission to advise the City Commission on matters related to the veteran community and their families, increase visibility of veterans and veterans'- issues within the City, increase community engagement by and for veterans, inform the veteran community and their families of available services, programs, and resources, advocate for issues important to veterans, and participate in the planning of the City's annual Veterans and patriotic events.

WHEREAS, the City Commission has the power and authority to create boards and commissions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RANGER, TEXAS THAT:

**SECTION 1. Findings**

That the above premises and findings of fact are found to be true and correct and are incorporated in the body of the ordinance as if copied in their entirety.

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**SECTION 21. Created Purpose.**

The City Commission of the City ~~of Ranger, Texas~~ creates and establishes the Commission on Veterans Affairs (the, "Commission on Veterans Affairs") to serve as an advisory board to the City Commission concerning the well-being of military veterans and to maintain the rich heritage of the City's service members, veterans, and military families' contributions to our country and the community.

**SECTION 32. Responsibilities and Duties.**



The ~~City of Ranger's~~ Commission ~~on Veterans Affairs on Veterans Affairs~~ shall:

- a) Evaluate and recommend programs, policies, and practices designed to alleviate veterans' difficulties in meeting basic needs, obtaining housing, employment, and comprehensive mental health assistance;
- b) Function as a central clearinghouse for information relating to the status of veterans in the community;
- c) Accumulate information concerning the needs of veterans in the ~~Ranger community~~City, including available services and legal rights, and advocate to ~~the~~ City Commission regarding these needs;
- d) Research and provide recommendations on grant opportunities for ~~v~~Veterans;
- e) Advocate and recommend programs for the restoration and revitalization of ~~City~~-owned veterans' resources that include the Vietnam Veterans Memorial Park, Veterans Monuments, and Veterans Museum; and
- f) Develop a Veterans Support Group which will be a volunteer organization designed to ~~assist~~advise the Commission ~~on Veteran Affairs on Veterans Affairs~~ on matters related to the veteran community within the ~~City~~ that would include outreach, engagement, event planning and execution, and ~~maintaining~~maintenance of the ~~City's~~ veteran related properties and resources.

**SECTION 43. Powers, Composition, Membership, Terms**~~Establishment of the Commission on Veterans Affairs.~~

- a) **Powers.** The Commission ~~on Veterans Affairs on Veterans Affairs~~ shall advise the City Commission on matters related to the veteran community within the ~~City~~, foster greater understanding of the veteran community, increase visibility of veterans and veterans' issues within the ~~City~~, increase community engagement by veterans, inform the veteran community of available services, programs, and resources, and advocate for issues important to veterans. The ~~Commission on~~ Veteran Affairs shall be authorized to analyze data to identify service gaps; assess and recommend strategies that address veteran needs; advocate on issues facing veterans; create information guides; promote available veteran resources; host informational events and seminars; support recognition for veterans and their families; and participate in the planning of the City's annual Veterans and Patriotic Events. The Commission on Veterans Affairs shall advise the City Commission on veterans' services and suggest ways to support and/or improve the Vietnam Memorial Park and Veterans Events, subject to the oversight and budget constraints of the City Commission.
- b) **Composition and Qualifications.** The City Commission shall appoint a Commission of Veterans Affairs that shall consist of up to ten (10) members, not including honorary membership (defined hereunder), as follows:
  - 1) Five (5) regular voting members.
    - i. President
    - ii. Vice President

- iii. Secretary/Treasurer
  - iv. Veterans Support Coordinator
  - v. Veterans Parks and Monuments Coordinator
- 2) Up to five (5) special program leads or coordinators may be appointed who shall be non-voting members.
- i. Events Coordinator
  - ii. Flags Protocol Coordinator
  - iii. Veterans Support Group Membership Coordinator
  - iv. Training and Outreach Coordinator
  - v. Information Coordinator

**Commented [A1]:** Why so many non-voting members? There are potentially more non-voting members than voting. As this is an advisory committee, you should have more voting members.

~~c) **Membership.** Members of the Commission on Veteran Affairs must be either a veteran which has served in the United States Armed Forces (including the Reserves or National Guard) that is a resident of the City of Ranger; or, if Ranger, Texas the City was their home of record upon enlistment or during their military service.~~

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3) **Honorary membership.** Honorary membership may be granted upon nomination by Commission of Veterans Affairs and approval by the City Commission. This designation is used to highlight the programs supported by the Commission of Veterans Affairs and to recognize exceptional achievements and contributions by service members or members of their family to the community. The term of such membership shall be as determined by the ~~Ranger~~ Commission on Veterans Affairs. Honorary members will have no vote.

3) Each appointee to said board shall be:

- i. At least 18 years of age;
- ii. Either a resident of the City or work or operate a business in the City or the City was their home of record upon enlistment or during their military service;
- iii. An honorably discharged veteran of the U.S. Military including the Reserves or National Guard; and
- iv. Of good moral character and demonstrate an interest in the general welfare of the city.

d)c) **Terms of office.** Except for vacancies in unexpired terms, members of the Commission on Veterans Affairs shall be appointed for a period of three (3) years. A Commission on Veterans Affairs may be reappointed to successive terms of office.

1) ~~Up Only~~ to two (2) active City Commission members may be on the ~~board Commission on Veterans Affairs~~ at one time. ~~However, their membership may be impacted by their terms of service on the City Commission, so that~~



~~a quorum of the Commission does not create a quorum of the City Commission.~~

2) Any vacancy occurring shall be filled by appointment by the City Commissioners of the City of Ranger, acting from nominations made by the Commission on Veterans Affairs.

e)d) **Compensation.** Voting and non-voting members of the Commission on Veterans Affairs shall not receive any salary or compensation for their services as Commission on Veteran Affairs members. However, they shall be reimbursed for actual expenses incurred in the performance of their duties hereunderherein.

f) **Coordination.** ~~The Commission on Veterans Affairs has oversight and administration of Veterans' services, the Vietnam Memorial Park, and Veterans Events, subject to the oversight and budget constraints of the City Commission.~~

e)e) **Meetings.** The Commission on Veteran Affairs shall meet as necessary to perform its duties. All meetings and deliberations of the Commission on Veteran Affairs shall be called, convened, held, and conducted, and notice shall be given to the public, in accordance with the Texas Open Meetings Act. Notice of any meeting of the Commission on Veteran Affairs, and the agenda for such meeting shall be posted. While it is preferable for members to attend in person, attendance by phone, under certain circumstances, or virtual meetingvideoconferencing is authorized only as prescribed by the Texas Open Meetings Act. A voting member that is absent from more than four called meetings within a calendar year may be removed from the Commission on Veterans Affairs.

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h)f) **Quorum.** Three (3) regular voting members shall constitute a quorum.

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Commented [A2]: All meetings appear to be called so why not say "four meetings"?

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#### **SECTION 54. Indemnification of Commission Members.**

a) ~~This commission shall be considered a governmental unit in its actions and governmental functions.~~

b) ~~The City of Ranger shall indemnify each voting member of the Commission to the fullest extent permitted by law, against any and all liability or expense, including attorney's fees, incurred by any of such persons by reason of any actions or omissions that may arise out of the functions and activities of the Commission on Veterans Affairs.~~

Commented [A3]: See my note above about more non-voting than voting. I recommend 10 voting members with 6 being a quorum.

#### **SECTION 65. Services of City Staff and Officers.**

a) ~~Subject to the paramount authority of the City Mayor under the Charter of the City, the Commission of Veterans Affairs shall have the right to request and use the services of the City Attorney, the City Secretary, and the staff and employees of the City, provided that the performance of such services does not materially interfere with the other duties of such personnel of the City.~~

b) ~~The City of Ranger shall support the costs associated with the maintenance and upkeep of the Vietnam Veterans Memorial Park and Veterans Museum. That cost will be addressed as a part of the normal budget process.~~

#### **SECTION 576. Veterans Support Group.**

- a) **Creation, Purpose.** The Commission of Veterans Affairs shall develop a Ranger Veterans Support Group, which shall be a non-profit entity. Such members of the Veterans Support Group are intended to support and increase visibility of veterans within the city, increase community engagement by and with veterans, inform the veteran community of available services, advocate for issues important to veterans, and participate in the planning of the City's veterans and patriotic events. The Ranger Veterans Support Group ~~works with~~ shall support and advise the Commission of Veterans Affairs on matters to maintain, restore and revitalize the City-owned veterans' resources that include the Vietnam Veterans Memorial Park, Veterans Monuments, and Veterans Museum
- b) **Membership.** The Veterans Support Group is a volunteer organization that is open to general membership from the City of Ranger and surrounding communities that support veterans' programs for the community.
- c) **Veterans Support Group Fund.** The Ranger Veterans Support Group shall set up and ~~maintains~~ a fund for donations and fund-raising events supporting veterans' activities and recognition. The Commission of Veterans Affairs maintains oversight of the fund.

**SECTION 687. REPEAL**

- a) All ordinances or parts of ordinances in conflict herewith shall be and are hereby repealed to the extent of such conflict.

**SECTION 798. SEVERABILITY**

- a) The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect notwithstanding the validity of any part.

**SECTION 8109. PROPER NOTICE AND OPEN MEETINGS ACT**

- a) It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required and that public notice, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

**SECTION 110. EFFECTIVE DATE**

- a) This Ordinance shall be in full force and take effect upon its passage and publication as provided by law, and it is so ordained.

FIRST READING PASSED AND APPROVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

SECOND READING PASSED AND ADOPTED, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.



**ATTEST:**

**THE CITY OF RANGER, TEXAS**

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Savannah Fortenberry, City Secretary

John Casey, Mayor