

CITY OF SANDY OAKS, TEXAS

RESOLUTION NO. 2016-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS APPROVING THE SUBMISSION OF AN APPLICATION TO THE TEXAS COMMISSION ON LAW ENFORCEMENT, AUTHORIZING THE CITY ADMINISTRATOR TO SUBMIT SUCH APPLICATION TO CREATE THE OFFICE OF CITY MARSHAL AND PROVIDING FOR A DATE OF ESTABLISHMENT.

WHEREAS, Rule §211.16(a) of Title 37, Part 7 of the Texas Administrative Code provides that an entity authorized by statute or by the constitution to create a law enforcement agency or police department and commission, appoint, or employ peace officers that first creates a law enforcement agency or police department and first begins to commission, appoint, or employ peace officers shall make application to the Texas Commission on Law Enforcement ("Commission"); and

WHEREAS, Rule §211.16(b) of Title 37, Part 7 of the Texas Administrative Code provides that on creation of the law enforcement agency or police department, and as part of the application process, the entity shall submit to the Commission the application form, any associated application fee, and information regarding: (1) the need for the law enforcement agency or police department in the community; (2) the funding sources for the law enforcement agency or police department; (3) the physical resources available to officers; (4) the physical facilities that the law enforcement agency or police department will operate, including descriptions of the evidence room, dispatch area, and public area; (5) law enforcement policies of the law enforcement agency or police department, including policies on: (A) use of force; (B) vehicle pursuit; (C) professional conduct of officers; (D) domestic abuse protocols; (E) response to missing persons; (F) supervision of part-time officers; (G) impartial policing; and (H) fitness for duty; (6) the administrative structure of the law enforcement agency or police department; (7) liability insurance; and (8) any other information the Commission requires; and

WHEREAS, by Ordinance No. 2014-12 the City Council for the City of Sandy Oaks created the Office of the City Marshal, provided for the procedures for appointment and provided for the duties and qualifications of the City Marshal; and

WHEREAS, the City Council finds there is a need for the Office of the City Marshal in the community and therefore desires to submit an application to the Commission to create the Office of City Marshal pursuant to Rule §211.16 referenced herein; and

WHEREAS, the City Council desires to give the City Administrator authority to submit an application, including the application fee and all documents and information required by Rule §211.16(b) referenced herein or by the Commission to create the Office of City Marshal;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS:

SECTION 1. FINDINGS INCORPORATED. The findings set forth above are found to be true and correct and incorporated into the body of this Resolution as if fully set forth herein.

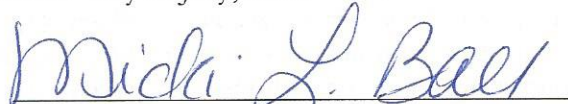
SECTION 2. APPROVAL OF SUBMISSION OF APPLICATION. The City Council hereby approves the submission of the application attached hereto as Exhibit A, and incorporated herein, to the Commission including the application fee and any and all documents and information required by Rule §211.16 and the Commission to create the Office of City Marshal.

SECTION 3. AUTHORIZATION OF CITY ADMINISTRATOR TO SUBMIT AN APPLICATION TO THE COMMISSION. The City Council hereby authorizes the City Administrator to submit the application attached hereto as Exhibit A, including the application fee and any and all additional documents and information required by Rule §211.16 and the Commission to create the Office of City Marshal. The City Administrator is further authorized to supplement, amend, or revise such application as he deems necessary to comply with Rule §211.16 or as required by the Commission.

SECTION 4. DATE OF ESTABLISHMENT. The application shall provide that the office shall be established no later than August 1, 2016, unless the Commission provides for a later date or August 1, 2016 is not feasible for Commission approval.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect from and after its date of passage.

PASSED, APPROVED and ADOPTED this 14th day of July, 2016.


Micki L. Ball, Mayor

ATTEST:


Charlotte Rabe, City Clerk