

RESOLUTION NO. {{item.custom\_tracking\_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE FIRE CHIEF OR THEIR DESIGNEE TO APPLY FOR REGULAR LICENSE PLATES AND EXEMPTION FROM IDENTIFICATION REQUIREMENTS FOR THE FIRE MARSHAL'S OFFICE INVESTIGATIVE VEHICLES; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, Chapter 721 of the Texas Transportation Code requires city owned motor vehicles to have the name of the city and department plainly visible on the body of the vehicle and are issued exempt license plates - Section 721.005 allows a municipality to use unmarked vehicles for specific purposes upon approval of the governing body and application for regular license plates;

**Whereas**, approval has been granted in the past for police vehicles to be used in undercover work and in 2007, the Legislature amended section 721.005 so that municipal fire marshals or arson investigators could also be approved for unmarked vehicles - the Temple Fire Marshal's Office would like to utilize an unmarked vehicle for investigative purposes;

**Whereas**, using an unmarked vehicle will help the Fire Marshal's Office facilitate undercover and surveillance work while conducting arson investigations - the Texas Department of Transportation requires a resolution by the governing body to approve any application for regular plates;

**Whereas**, if approved, this resolution will authorize the Fire Chief, or their designee, to submit an application for regular license plates and be exempt from the identification requirements for those vehicles designated to be used for investigative processes in the Temple Fire Marshal's office;

**Whereas**, Staff recommends Council authorize the Fire Chief or their designee to apply for regular license plates and exemption from identification requirements for the Fire Marshal's office investigative vehicles; and

**Whereas**, the City Council has considered the matter and deems it in the public interest to authorize this action.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:**

**Part 1: Findings.** All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

**Part 2:** The City Council authorizes the Fire Chief or their designee to apply for regular license plates and exemption from identification requirements for the Fire Marshal's office investigative vehicles and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's office, to execute any documents that may be necessary.

**Part 3:** It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the **6<sup>th</sup>** day of **May, 2021**.

THE CITY OF TEMPLE, TEXAS

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TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

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Jana Lewellen  
City Secretary

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Kathryn H. Davis  
City Attorney