

RESOLUTION NO. 2024-2423

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DELEGATING TO THE CITY MANAGER THE AUTHORITY TO EXERCISE THE CITY VEHICLE DESIGNATION EXEMPTION PURSUANT TO ARIZONA REVISED STATUTES 38-538.03.

WHEREAS, A.R.S. §§ 38-538 et al. mandates that City owned vehicles bear specific designations to include both the name of the political subdivision and the words “for official use only.”

WHEREAS, A.R.S. § 38-538.03 provides that City Council, on an annual basis, may grant exemptions to the specific designation requirements when the designation of a vehicle would be contrary to, or jeopardize felony investigations or activities of a confidential nature; such as police undercover vehicles; and

WHEREAS, this exercise of authority granted to City Council pursuant to A.R.S. § 38-538.03 is an administrative power and therefore may be delegated to the City Manager pursuant to Arizona state law; and

WHEREAS, the purpose of the exemption, which maintains confidentiality of vehicles in the service of felony investigations or similarly situated vehicles, conflicts with City Council’s open meeting law obligations, and it is desirable and efficient for the City Council to delegate this authority to the City Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. The City Council hereby delegates the authority granted to it by A.R.S. §38-538.03, relative to the designation of city vehicles, to the City Manager, to be exercised in accordance with State law.

SECTION 2. The City Manager shall provide an annual written notification to the City Council indicating the exemption designation process has been completed. The confidential list required by statute is available to City Council members upon request.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 2024.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney